

Proposed Agenda Recreation and Conservation Funding Board Regular Meeting



April 8, 2015

State Parks Headquarters, Robert B. Moran Room,
1111 Israel Road SW, Tumwater, WA 98501

April 9, 2015

Natural Resources Building, Room 172, Olympia, WA 98504

Time: Opening sessions will begin as shown; all other times are approximate.

Order of Presentation: In general, each agenda item will include a presentation, followed by board discussion and then public comment. The board makes decisions following the public comment portion of the agenda item.

Public Comment: If you wish to comment at the meeting, please fill out a comment card and provide it to staff. Please be sure to note on the card if you are speaking about a particular agenda topic. The chair will call you to the front at the appropriate time.

You also may submit written comments to the Board by mailing them to the RCO, attn: Wendy Loosle, Board Liaison, at the address above or at wendy.loosle@rco.wa.gov. Please send comments by 3:00 p.m. on Friday, April 3 so they can be distributed to board members.

Public comment will be limited to 3 minutes per person.

Special Accommodations: If you need special accommodations to participate in this meeting, please notify us at 360/725-3943 or TDD 360/902-1996

WEDNESDAY, APRIL 8

*The first day of the meeting will be held at State Parks Headquarters in Tumwater

OPENING

9:00 a.m. 1. Retreat Welcome and Introduction

9:10 a.m. 2. Review agenda and retreat objectives

9:15 a.m. 3. Decide ground rules and decision-making framework for retreat

9:20 a.m. 4. Opening Roundtable

- What's on your mind?

10:05 a.m. 5. Discuss Statutory Mission

- What stands out to you as the most critical part of the board's mission?
- What is going well and what could use more effort?
- What does the board and applicant survey tell us?

11:05 a.m. BREAK

11:20 a.m. 6. Discuss 2012 Strategic Plan

- Is the plan still current?
- Does anything need updating?
- Does it align with the statutory mission and duties of the board?

12:20 p.m. LUNCH

12:50 p.m. 7. Discuss Agency Performance Measures

- What do the performance measures currently tell you?
 - Do the performance measures align with the board's mission and strategic plan?
 - What kinds of things does the board want to measure to demonstrate progress?
-

1:50 p.m. BREAK

2:05 p.m. 8. Discuss 2015-17 Work Plan

- What are the things that the board has already set in motion?
 - What other issues would the board like to work on?
 - What are the agency's most pressing policy needs for grant program management?
-

3:35 p.m. BREAK

3:50 p.m. 9. Next Steps/Summary

4:20 p.m. 10. Closing Remarks

- In one minute, what is the most important thing you are taking away from this retreat?
-

4:30 p.m. ADJOURN FOR THE DAY

THURSDAY, APRIL 9

*The second day of the meeting will be held at the Natural Resources Building in Olympia

OPENING AND MANAGEMENT REPORTS

9:00 a.m. Call to Order

- A. Roll Call and Determination of Quorum
 - B. Review and Approval of Agenda
-

Chair

9:05 a.m. 1. Consent Calendar (Decision)

- A. Approve Board Meeting Minutes – October 29-30, 2014
 - B. Approve Time Extensions
 - [11-1173D](#), USFS, Franklin Falls Trail Renovations, Phase 2
 - [11-1144D](#), Whatcom County, Lighthouse Marine Park Dock Replacement 2011
 - [10-1383D](#), State Parks, Lake Sammamish Beach Renovation and Boardwalk
 - [10-1453R](#), DNR, Camas Meadows Rare Plant Habitat Restoration
 - [10-1660D](#), City of Sumner, Trail Segments #4 and #5
 - [10-1458](#), DNR, Dabob Bay Natural Area 2010
 - [10-1629](#), WDFW, Sinlahekin Ecosystem Restoration, Phase 2
 - C. Recognition of Service for Don Hoch
- Resolution 2015-01
-

Chair

9:10 a.m. 2. Recap of the Retreat and Outcomes to be Incorporated into the Biennial Workplan

Chair

- 9:30 a.m. 3. Director's Report (Briefing)**
- A. Director's Report *Kaleen Cottingham*
 - Travel Meeting for September
 - Survey Results
 - B. Policy Report and Legislative Update *Wendy Brown*
 - C. Grant Management Report *Marguerite Austin*
 - Featured Projects *Grant Staff*
 - D. Performance Report (*written only*)
 - E. Fiscal Report (*written only*)
-

- 9:55 a.m. 4. State Agency Partner Reports**
- Department of Natural Resources *Jed Herman*
 - State Parks and Recreation Commission *Peter Herzog*
 - Department of Fish and Wildlife *Joe Stohr*
-

10:10 a.m. General Public Comment for issues not identified as agenda items. Please limit comments to 3 minutes. *Chair*

BOARD BUSINESS: BRIEFINGS

10:15 a.m. 5. Overview of the Outdoor Recreation Economic Study *Wendy Brown*

10:35 a.m. 6. Draft Criteria for the Washington Wildlife and Recreation Program (WWRP) Farmland Preservation Program *Leslie Connelly*

10:50 a.m. BREAK

11:05 a.m. 7. Washington Administrative Code (WAC) Update - Phase III Overview *Leslie Connelly*

BOARD BUSINESS: DECISIONS

11:20 a.m. 8. Final Youth Athletic Facility Program Policies and Evaluation Criteria *Leslie Connelly*
Resolution 2015-02

Public comment. Please limit comments to 3 minutes.

11:45 a.m. 9. Final Boating Grant Programs Plan *Leslie Connelly*
Resolution 2015-03

Public comment. Please limit comments to 3 minutes.

12:05 p.m. LUNCH

1:00 p.m. 10. Conversion Request: City of Bellevue, Mercer Slough *Myra Barker*
(RCO Projects 73-026A and 78-513A) *City of Bellevue Staff*
Resolution 2015-04 *Sound Transit Staff*

Public comment. Please limit comments to 3 minutes.

4:00 p.m. ADJOURN

Notebook Contents

1. Retreat Agenda.....	ii
2. Recreation and Conservation Funding Board Missions and Goals	Section 1
a. Summary of Statutory Authority and Duties of the Board, RCO, and related programs	Section 1
3. Lists of Statutes and Rules Governing the Board’s Authority.....	Section 1
4. Recreation and Conservation Funding Board Strategic Plan	Section 2
5. Recreation and Conservation Office Strategic Plan	Section 2
6. Summary of Action Items from Approved or Proposed Plans.....	Section 3
a. Summary of State Comprehensive Outdoor Recreation Plan (SCORP) Action Items.....	Section 3
b. Summary of Nonhighway and Off-road Vehicle Activities (NOVA) Plan Action Items.....	Section 3
c. Summary of State Trails Plan Action Items	Section 3
d. Summary of Proposed Boating Grant Programs Plan Action Items.....	Section 3
7. Policy Work Plan Priorities for the Current Biennium (2013-15).....	Section 3
8. Suggested Policy Work for the Upcoming Biennium (2015-17).....	Section 3
9. Agency Performance Measures and 2014 Performance Report	Section 4
10. 2014 Survey Results (Board Member, Advisory Committee, Staff, and Applicant Surveys)	Section 4
11. Current Board Member Roster and Contact Information.....	Section 5
12. Recreation and Conservation Office Staff Organizational Chart.....	Section 5
13. Links to Additional Resources and Information	Section 5



Statutory Mission RCW 79A.25.005(1)	Goals in Administrative Rule WAC 286-04-030	Mission RCFB Strategic Plan (2012)	Goals RCFB Strategic Plan (2012)	Guiding Principles RCFB Strategic Plan (2012)
<p>As Washington begins its second century of statehood, the legislature recognizes that renewed efforts are needed to preserve, conserve, and enhance the state's recreational resources. Rapid population growth and increased urbanization have caused a decline in suitable land for recreation and resulted in overcrowding and deterioration of existing facilities. Lack of adequate recreational resources directly affects the health and well-being of all citizens of the state, reduces the state's economic viability, and prevents Washington from maintaining and achieving the quality of life that it deserves.</p> <p>It is therefore the policy of the state and its agencies to preserve, conserve, and enhance recreational resources and open space. In carrying out this policy, the mission of the recreation and conservation funding board and its office is to:</p> <p>(a) create and work actively for the implementation of a unified statewide strategy for meeting the recreational needs of Washington's citizens,</p> <p>(b) represent and promote the interests of the state on recreational issues in concert with other state and local agencies and the governor,</p> <p>(c) encourage and provide interagency and regional coordination, and interaction between public and private organizations,</p> <p>(d) administer recreational grant-in-aid programs and provide technical assistance, and</p> <p>(e) serve as a repository for information, studies, research, and other data relating to recreation.</p>	<p>The general goals of the board and office are to:</p> <p>(1) Provide funds and planning assistance for acquisition and development and use of outdoor recreation and habitat conservation resources to maximize protection of the natural quality of the environment;</p> <p>(2) Provide funds and planning assistance for a system of public recreational facilities and opportunities for state residents and visitors;</p> <p>(3) Aid organizations and local government, with funds and planning assistance, in providing the type of facilities and resources which, under their jurisdiction, will best serve their needs for outdoor recreation and habitat conservation; and</p> <p>(4) Encourage programs which promote outdoor education, skill development, participation opportunity and proper stewardship of recreation and natural resources. See also RCW 79A.25.005.</p>	<p>Provide leadership and funding to help our partners protect and enhance Washington's natural and recreational resources for current and future generations.</p>	<ol style="list-style-type: none"> 1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems. 2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us. 3. We deliver successful projects by using broad public participation and feedback, monitoring, assessment, and adaptive management. 	<ol style="list-style-type: none"> 1. The Board's primary roles are to (a) ensure the best possible investment of funds in protecting and improving habitats, ecosystems, and outdoor recreation opportunities, (b) provide accountability for those investments, and (c) provide citizen oversight to the funding process. 2. Successful protection and improvement of Washington's ecosystems and recreation requires coordination across all levels of government and geographic scales. Decisions and actions should be guided by a statewide perspective coupled with each local community's social, economic, and cultural values and priorities. 3. The plans and strategies (conservation and/or recreation) of federal, state, tribal, local government, and other partners should help guide the identification and prioritization of projects. 4. Projects must have explicit objectives, as well as appropriate designs and implementation plans to meet those objectives. 5. The Board will continue to work with federal, tribal, state, and local agencies, stakeholder organizations, and other interested parties to evaluate and improve the funding process. The Board also will continue to ensure that it funds the highest priority projects with integrity and impartiality and provides accountability to the Legislature and the public to sustain that funding and those investments.

Authorizing Statutes for the Recreation and Conservation Funding Board and Related Grant Programs

Recreation and Conservation Funding Board

Revised Code of Washington (RCW)

- [79A.25.005](#) Policy, Mission of board
- [79A.25.010](#) Definitions
- [79A.25.020](#) Director's powers and duties.
- [79A.25.030](#) Proportion of motor vehicle fuel tax moneys that are tax on marine fuel
- [79A.25.040](#) Marine fuel tax refund account -- Moneys derived from tax on marine fuel -- Refunding and placement in account – Exception
- [79A.25.050](#) Marine fuel tax refund account -- Claims for refunds paid from
- [79A.25.060](#) Outdoor recreation account – Deposits
- [79A.25.070](#) Recreation resource account, motor vehicle fund -- Transfers of moneys from marine fuel tax account
- [79A.25.080](#) Recreation resource account -- Distribution of moneys transferred
- [79A.25.090](#) Interest on funds granted by board to be returned to source account
- [79A.25.100](#) Conversion of marine recreation land to other uses -- Approval – Substitution
- [79A.25.110](#) Recreation and conservation funding board -- Created -- Membership -- Terms – Compensation and travel expenses
- [79A.25.120](#) Plans for public outdoor recreation land acquisition or improvement -- Contents – Submission – Recommendations
- [79A.25.130](#) Participation in federal programs – Authority
- [79A.25.140](#) Commitments or agreements forbidden unless sufficient funds available -- Agreements with federal agencies on behalf of state or local agencies – Conditions
- [79A.25.150](#) Assistance furnished by state departments -- Appointment of director and personnel -- Civil service exemption
- [79A.25.170](#) Public parks and recreation sites guide
- [79A.25.180](#) Public parks and recreation sites guide -- Review and update
- [79A.25.190](#) Appropriations by subsequent legislatures
- [79A.25.200](#) Recreation resource account
- [79A.25.901](#) Severability -- 1965 c 5
- [79A.25.902](#) Short title

Aquatic Lands Enhancement Account

Revised Code of Washington

- [79.105.001](#) Intent -- 2005 c 155
- [79.105.010](#) Aquatic lands – Findings
- [79.105.020](#) Purpose -- Articulation of management philosophy
- [79.105.030](#) Aquatic lands -- Management guidelines
- [79.105.060](#) Definitions
- [79.105.150](#) Deposit, use of proceeds from sale or lease of aquatic lands or valuable materials there from -- Aquatic lands enhancement project grant requirements -- Aquatic lands enhancement account
- [79.105.610](#) Puget Sound partners
- [79.105.630](#) Administering funds -- Preference to an evergreen community
- [79.105.900](#) Savings -- Captions -- Severability -- Effective dates -- 1982 1st ex.s. c 21
- [79.105.901](#) Severability -- 1984 c 221
- [79.105.902](#) Effective date -- 1984 c 221
- [79.105.903](#) Severability -- 2005 c 155
- [79.105.904](#) Part/subchapter headings not law -- 2005 c 155

Boating Facilities Program

Washington Administrative Code

- [286-35-010](#) Scope
- [286-35-030](#) Planning requirements
- [286-35-060](#) Matching requirements and caps determined
- [286-35-080](#) Acquisition projects -- Deed of right, conversions, leases and easements
- [286-35-090](#) Development projects -- Conversion to other uses

Firearms and Archery Range Recreation Program

Revised Code of Washington

- [79A.25.210](#) Firearms range account -- Grant program – Rules
- [79A.25.220](#) Firearms range advisory committee
- [79A.25.230](#) Firearms range account -- Gifts and grants
- [79A.25.240](#) Grants and loan administration
- [79A.25.250](#) Acquisition, development, etc., of urban area parks by recreation and conservation funding board

[79A.25.260](#) Habitat and recreation lands coordinating group -- Members -- Progress reports – Duties

Land and Water Conservation Fund

Washington Administrative Code

- [286-40-010](#) Scope
- [286-40-020](#) Funding and candidate selection
- [286-40-030](#) Matching requirements
- [286-40-040](#) Projects eligible for funding
- [286-40-050](#) Acquisition projects -- Deed of right, conversions, leases and easements
- [286-40-060](#) Development projects -- Conversion to other uses

Nonhighways and Off-Road Vehicle Activities Program

Revised Code of Washington

- [46.09.020](#) Definitions
- [46.09.110](#) Disposition of ORV moneys
- [46.09.165](#) Nonhighway and off-road vehicle activities program account
- [46.09.170](#) Refunds from motor vehicle fund -- Distribution – Use
- [46.09.240](#) Administration and distribution of ORV moneys
- [46.09.250](#) Statewide plan
- [46.09.280](#) Nonhighway and off-road vehicle activities advisory committee
- [46.09.300](#) Application of chapter -- Permission necessary to enter upon private lands
- [46.09.310](#) Definitions
- [46.09.340](#) Nonhighway and off-road vehicle activities advisory committee
- [46.09.370](#) Statewide plan
- [46.09.500](#) Motor vehicle fuel excise taxes on fuel for nonhighway vehicles not refundable
- [46.09.510](#) Nonhighway and off-road vehicle activities program account
- [46.09.520](#) Refunds from motor vehicle fund -- Distribution – Use
- [46.09.530](#) Administration and distribution of off-road vehicle moneys
- [46.09.900](#) Severability -- 1971 ex.s. c 47

Washington State Recreation Trails System Act

Revised Code of Washington

- [79A.25.160](#) Washington state recreation trails system, duties of recreation and conservation funding board
- [79A.35.010](#) Definitions
- [79A.35.020](#) Purpose
- [79A.35.030](#) Trails to be designated by board -- Inclusion of other trails – Procedure
- [79A.35.040](#) State trails plan
- [79A.35.050](#) Proposals for designation of existing or proposed trails as state recreational trails
- [79A.35.060](#) Coordination by recreation and conservation funding board
- [79A.35.070](#) Categories of trails or areas -- Policy statement as to certain state lands
- [79A.35.080](#) General types of use
- [79A.35.090](#) Guidelines
- [79A.35.100](#) Consultation and cooperation with state, federal, and local agencies
- [79A.35.110](#) Participation by volunteer organizations -- Liability of public agencies therefore limited
- [79A.35.120](#) Department of transportation – Participation
- [79A.35.900](#) Short title

Washington Wildlife and Recreation Program

Revised Code of Washington

- [79A.15](#) Acquisition of habitat conservation and outdoor recreation lands
- [79A.15.005](#) Findings
- [79A.15.010](#) Definitions
- [79A.15.020](#) Habitat conservation account
- [79A.15.030](#) Allocation and use of moneys – Grants
- [79A.15.040](#) Habitat conservation account -- Distribution and use of moneys
- [79A.15.050](#) Outdoor recreation account -- Distribution and use of moneys
- [79A.15.060](#) Habitat conservation account -- Acquisition policies and priorities
- [79A.15.065](#) Grants through habitat conservation account -- Statement of environmental benefits – Development of outcome-focused performance measures
- [79A.15.070](#) Acquisition and development priorities – Generally
- [79A.15.080](#) Recommended project list -- Board authority to obligate funds -- Legislature's authority
- [79A.15.090](#) Condemnation
- [79A.15.110](#) Review of proposed project application

- [79A.15.120](#) Riparian protection account--Use of funds
- [79A.15.130](#) Farmlands preservation account--Use of funds
- [79A.15.140](#) Puget Sound partners
- [79A.15.150](#) Administering funds -- Preference to an evergreen community
- [79A.15.900](#) Severability -- 1990 1st ex.s. c 14

Youth Athletic Facilities

Revised Code of Washington

- [79A.25.800](#) Intent
- [79A.25.820](#) Strategic plan -- Funding eligibility -- Regional coordination and cooperative efforts -- Data collection and exchange
- [79A.25.830](#) Gifts, grants, or endowments

Recreation and Conservation Funding Board Strategic Plan

Mission

Provide leadership and funding to help our partners protect and enhance Washington's natural and recreational resources for current and future generations.

Goals

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Guiding Principles

Guiding principles are fundamental concepts that form the basis for Board policy.

Principle 1. The Board's primary roles are to (1) ensure the best possible investment of funds in protecting and improving habitats, ecosystems, and outdoor recreation opportunities, (2) provide accountability for those investments, and (3) provide citizen oversight to the funding process.

Principle 2. Successful protection and improvement of Washington's ecosystems and recreation requires coordination across all levels of government and geographic scales. Decisions and actions should be guided by a statewide perspective coupled with each local community's social, economic, and cultural values and priorities.

Principle 3. The plans and strategies (conservation and/or recreation) of federal, state, tribal, local government, and other partners should help guide the identification and prioritization of projects.

Principle 4. Projects must have explicit objectives, as well as appropriate designs and implementation plans to meet those objectives.

Principle 5. The Board will continue to work with federal, tribal, state, and local agencies, stakeholder organizations, and other interested parties to evaluate and improve the funding process. The Board also will continue to ensure that it funds the highest priority projects with integrity and impartiality and provides accountability to the Legislature and the public to sustain that funding and those investments.

Objectives and Strategies

Goal 1: We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems.

Objective 1.A.

Provide leadership to help our partners strategically invest in the protection, restoration, and development of habitat and recreation opportunities. We do this through policy development, coordination, and advocacy.

- Strategy 1.A.1. – Evaluate and develop strategic investment policies and plans so that projects selected for funding meet the state’s recreation and conservation needs.
- Strategy 1.A.2. –Gather and interpret data that inform plans and help the board to provide grant programs that balance investments across a range of activities.
- Strategy 1.A.3. – Coordinate recreation resources information and priorities.

Objective 1.B.

Provide funding to help partners protect, restore, and develop habitat and recreation facilities and lands.

- Strategy 1.B.4. – Provide partners with funding to protect, preserve, restore, and enhance habitats.
 - For example, this includes projects that help sustain Washington’s biodiversity; protect “listed” species; maintain fully functioning ecosystems; protect unique urban wildlife habitats; and/or protect game and non-game wildlife.
- Strategy 1.B.5. – Provide funding to protect, preserve, restore, and enhance recreation opportunities statewide.
 - For example, this includes projects such as bicycling and walking facilities “close to home”; programs that assist with facility operation and maintenance; facilities most conducive to improved health; outdoor sports facilities; programs that provide improved recreation data; and/or access to nature and natural settings (includes fishing and hunting).
- Strategy 1.B.6. – Help sponsors maximize the useful life of board-funded projects.

Goal 2: We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.

Objective 2.A.

Ensure funded projects and programs are managed efficiently, with integrity, in a fair and open manner, and in conformance with existing legal authorities

- Strategy 2.A.1. – Evaluate and develop policies and practices to reduce the number of projects not starting or finishing on time.
- Strategy 2.A.2. – Regularly monitor progress in meeting objectives and adapt management to meet changing needs.
- Strategy 2.A.3. – Ensure the work of the Board and staff is conducted with integrity and in a fair and open manner.

Objective 2.B

Support activities that promote continuous quality improvement.

- Strategy 2.B.4. – Ensure the Board has time on its agenda to discuss high-level policy issues.
- Strategy 2.B.5. – Implement a Board member and staff feedback process.

Goal 3: We deliver successful projects by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Objective 3.A

Broaden public support and applicant pool for the Board's grant programs.

- Strategy 3.A.1. – Expand the Board's support by developing key partnerships.
- Strategy 3.A.2. – Increase public understanding of project benefits including economic and ecosystem benefits.
- Strategy 3.A.3. – Perform regular assessments to determine the public's priorities for outdoor recreation and conservation funding.
- Strategy 3.A.4 – Advocate for the protection of habitat and recreation through multiple venues.
- Strategy 3.A.5 – Expand reach of grant programs by broadening applicant pool for grant programs.

Key Performance Measures

Goal	Framing Question	Measure
We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems.	Is the board creating opportunities for recreation?	Projects funded by type, location
	Is the board protecting natural systems and landscapes?	Acres protected (through acquisition) or restored
	Are we affecting the health of Washingtonians?	Percent of respondents to OFM and statewide recreation surveys reporting participation in active recreation
We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.	Is the evaluation process objective and fair?	Percent of applicants reporting that the evaluation is objective and fair
	Are we managing grants efficiently and reducing project delays?	Agency re-appropriation rate
	How well do we maintain the state's investments?	Percent of grants in compliance {Sustainability measure to be developed with policy}
We deliver successful projects by using broad public participation and feedback, monitoring, assessment, and adaptive management.	Are stakeholders involved in policy development?	Percent of sponsors agreeing with the survey question that "The board considers input before making policy decisions"
	Are we achieving statewide participation in our grant programs?	Number of funded projects by location (e.g., county or other geography)



RCO Strategic Plan

2013-15 Biennial Update

Table of Contents

Introduction	1
Strategic Direction	3
2013-2015 Work Plan	4
Organizing Principle: Fair and Accountable Grant Management.....	4
Organizing Principle: Leadership.....	5
Organizing Principle: Innovative Support Services	7
Support for Governor’s Priorities	8
RCO Operations	9
Statutory Authority.....	9
Core Work Activities.....	10
RCO Boards’ Mission, Goals, and Objectives	12
Recreation and Conservation Funding Board.....	12
Salmon Recovery Funding Board.....	13
Governor’s Salmon Recovery Office.....	14
Invasive Species Council.....	16
Habitat and Recreation Lands Coordinating Group.....	17
Relationship to Boards.....	19
Risks to RCO Business Goals.....	20
RCO’s Strategic Direction Summary	22

This strategic plan is prepared in accordance with Revised Code of Washington [43.88.090](#), which calls for agencies to develop a mission, measurable goals, strategies, and timelines.

Revised August 2014

Introduction

The Recreation and Conservation Office (RCO) is a small state agency established by citizens' initiative in 1964. RCO staff support the work of several boards and other coordinating groups.

- Recreation and Conservation Funding Board
- Salmon Recovery Funding Board
- Governor's Salmon Recovery Office
- Washington Invasive Species Council
- Habitat and Recreation Lands Coordinating Group

The Recreation and Conservation Funding Board and Salmon Recovery Funding Board provide guidance and oversight for the 14 grant programs administered by RCO. These grant programs provide millions of dollars to local communities for recreation, conservation, and salmon recovery. The agency makes these investments through processes in which local, state, federal, tribal, and non-government organizations compete for grants, which the boards award using criteria and policies developed by RCO.

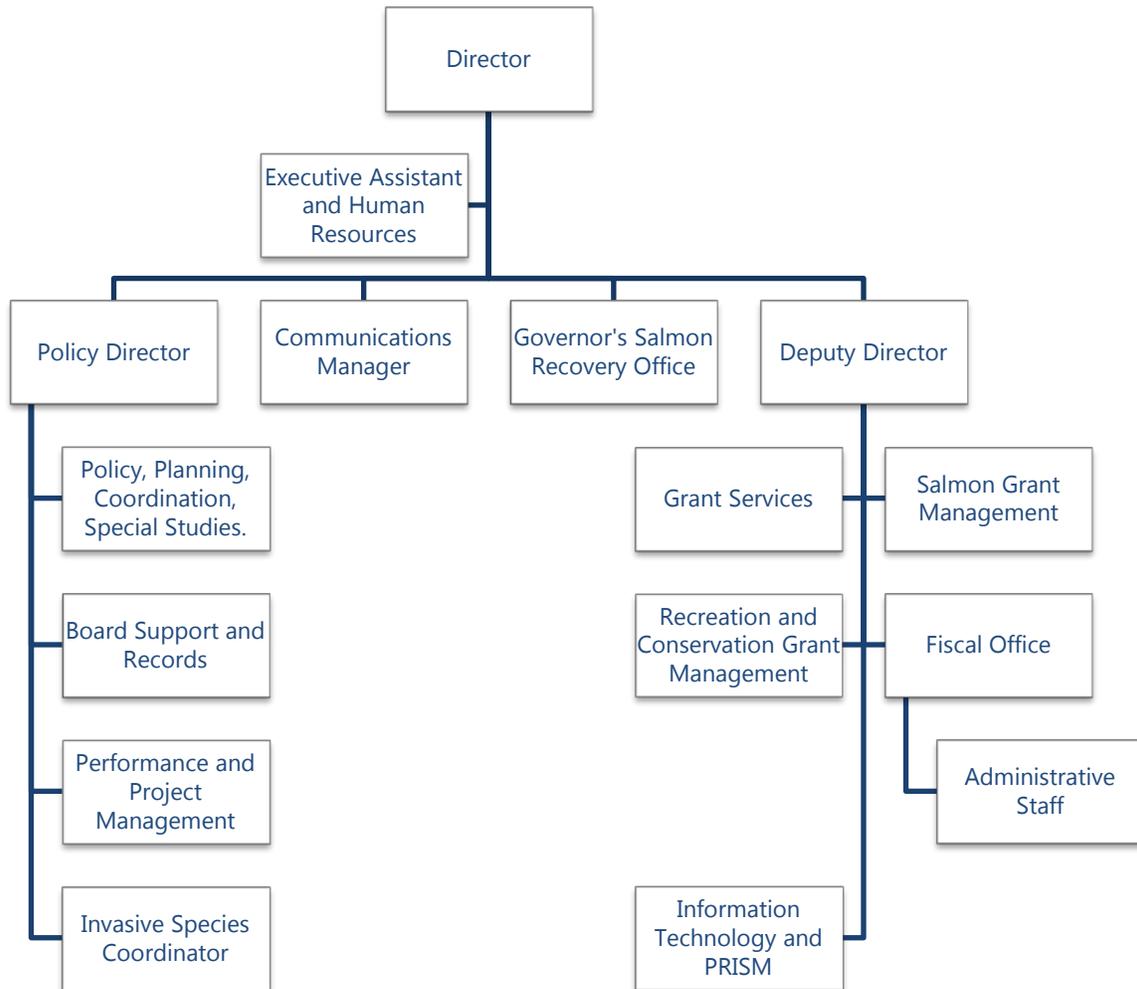
The Washington Invasive Species Council provides policy level direction, planning, and coordination for combating harmful invasive species throughout the state and preventing the introduction of others that may be potentially harmful. RCO staff coordinate the council.

The Habitat and Recreation Lands Coordinating Group established a process for making state habitat and recreation land purchases and disposals more visible and coordinated. RCO provides staff support to the group.

In addition to its work with boards and coordinating groups, RCO also includes the Governor's Salmon Recovery Office, whose mission is to recover salmon populations in Washington to a healthy, harvestable level, and to improve the habitats upon which salmon rely.

RCO also is responsible for completing plans, studies, and projects in response to requests from the Governor and Legislature.

RCO Organizational Chart



Vision

RCO is an exemplary grant management agency that provides leadership on vital natural resource, outdoor recreation, and salmon recovery issues.

Mission

As a responsible steward of public funds, RCO works with others to protect and improve the best of Washington's natural and outdoor recreational resources, enhancing the quality of life for current and future generations.

Agency Values

- We communicate openly and consistently.
- We recognize that collaboration and relationships with others make us successful.
- We use data to inform our decisions.
- We ensure that our workplace is a respectful and family-friendly place where employees learn and innovate.

Organizing Principles and Goals

Leadership

- Increase understanding about the importance of RCO's investments in conservation, recreation, and salmon recovery.
- Actively address emerging or critical issues in natural resources and outdoor recreation.

Fair and Accountable Grant Management

- Provide competitive grants efficiently and fairly so that partners can make strategic investments.
- Ensure that grants are implemented and maintained efficiently and effectively.

Innovative Support Services

- Meet business needs with strategic communication, policy, fiscal, business, and technology services.
- Ensure boards and councils can make informed and transparent decisions.

2013-2015 Work Plan

Organizing Principle: Fair and Accountable Grant Management

Goal: Provide competitive grants efficiently and fairly so that partners can make strategic investments.

Outcome	The PRISM ¹ application review process is improved for applicants and RCO staff.
Leading Indicator	Design, build and implement an improved PRISM application review process by March 2014.
2013-15 Activities	Form internal team, determine process flow, design and build improved process, test final product and train staff.

Outcome	Select grant criteria and policies are improved for the 2014 and 2015 Salmon Recovery Funding Board (SRFB) grant cycle and the 2016 Recreation and Conservation Funding Board (RCFB) grant cycle
Leading Indicator	<ol style="list-style-type: none"> 1. Successful completion of the Tier I and Tier II policy priorities related to RCFB/SRFB grant criteria and policies by January 1, 2016. 2. Successful completion of annual updates to RCO Manual 18 by February 15, 2014 and February 15, 2015.
2013-15 Activities	<ol style="list-style-type: none"> 1. Receive RCFB approval for Tier I and Tier II policy priorities in January 2014; develop work plan for completion of priorities, receive public and partner input where needed, brief board, and receive final approval. 2. Brief the SRFB on Manual 18 proposed changes and implement for the 2014 and 2015 grant cycles.

¹ PRISM is RCO's grant management database.

Goal: Ensure that grants are implemented and maintained efficiently and effectively.

Outcome	Improve grant processes by creating and implementing key PRISM enhancements.
Leading Indicators	<ol style="list-style-type: none"> 1. Finish phase one of the PRISM compliance module by March 2014. 2. Finalize design, build and implement PRISM online billing (E-billing project) by May 2015.
2013-15 Activities	<ol style="list-style-type: none"> 1. Complete build and testing, purchase additional hardware, and train staff on the compliance module. 2. Gather an internal team for the E-billing project, draft charter, create external review panel, build and implement, communicate changes, test, and develop user training.

Organizing Principle: Leadership

Goal: Increase understanding about the importance of RCO’s investments in conservation, recreation, and salmon recovery.

Outcome	Improved knowledge of the purpose, location, and amount of publicly owned land statewide.
Leading Indicator	Design and implement the updated Public Lands Inventory by June 30, 2014.
2013-15 Activities	Hire contractor, gather partners, develop protocols and charter, implement plan, and publish results/launch website.

Outcome	Widespread public knowledge about the value of RCO programs through the implementation of a comprehensive communications program.
Leading Indicators	<ol style="list-style-type: none"> 1. Establish agency Facebook Site by December 2014. 2. Increased agency Leadership presenting Bravo Awards over the biennium by 5%. 3. Increased visits to agency Web site over the biennium by 2%.
2013-15 Activities	<ol style="list-style-type: none"> 1. Develop Facebook site and process for updating information. 2. Schedule Bravo Awards. 3. Continue to design new content and reformat Web site as necessary to highlight completed projects, important initiatives, and latest grant information.

Goal: Actively address emerging or critical issues in natural resources and outdoor recreation.

Outcome	Greater awareness of invasive species and invasive species prevention protocols.
Leading Indicators	<ol style="list-style-type: none"> 1. Create an invasive species prevention and decontamination video by June 2015. 2. Update two or more manuals, contracts, or guidance documents to include invasive species prevention protocols by June 2015. 3. Make the invasive species app available for download on iTunes and Google Play and advertise it to stakeholders by June 2014.
2013-15 Activities	<ol style="list-style-type: none"> 1. Create a prevention and decontamination video. 2. Include prevention protocols in RCO Manuals 10b, 18, and 21. Work with WA Association of Counties to identify opportunities to include prevention protocols in county contracts. 3. Launch and promote the Invasive Species app.

Outcome	Permitting agencies can identify off-site salmon recovery projects that could be used for mitigation.
Leading Indicator	Scope, design, and build a mitigation matching tool by June 30, 2015.
2013-15 Activities	Hire a consultant, gather partners, develop protocols and charter, implement project, and share results with Legislature.

Organizing Principle: Innovative Support Services

Goal: Meet business needs with strategic communication, policy, business, and technology services.

Outcome	Efficient and effective Information Technology (IT) systems.
Leading Indicator	Develop an agency IT strategic plan by June 2015.
2013-15 Activities	2013-Hire a consultant to analyze agency IT systems and assist in the development of a scope of work for an agency-wide IT planning effort. 2014-Hire a contractor to develop an IT strategic plan.

Outcome	Records are maintained in accordance with state retention rules and support RCO business needs.
Leading Indicator	Agency retention project is completed and procedures put in place by June 2014.
2013-15 Activities	Finalize retention plan, develop procedures, train staff, and implement.

Goal: Ensure boards and councils can make informed and transparent decisions

Outcome	Board members believe that they have sufficient, clear information to support decision making.
Leading Indicator	Conduct board member survey Feb 1, 2015.
2013-15 Activities	Set reasonable agendas, produce board materials and presentations, review process for board materials production, implement board survey.

Outcome	A revised and simplified Salmon Recovery Funding Board (SRFB) Grant Funding Report
Leading Indicator	Complete a Lean process on the (SRFB) Grant Funding Report by November 2014.
2013-15 Activities	Collect information from report users and partners, conduct Lean process, and draft a modified report for 2015 grant cycle.

Support for Governor's Priorities

RCO's strategic direction directly supports the following Governor's Results Washington initiatives (<http://www.results.wa.gov/>):

Goal 3: Sustainable Energy and a Clean Environment

- Initiative 2. Healthy Fish and Wildlife
- Initiative 3. Clean and Restored Environment
- Initiative 4. Working and Natural Lands

Goal 5: Efficient, Effective and Accountable Government

- Initiative 1. Customer Satisfaction and Confidence
- Initiative 2. Resource Stewardship
- Initiative 3. Transparency and Accountability

RCO's strategic direction indirectly supports the following Governor's Results Washington Initiatives:

Goal 2: Prosperous Economy

Goal 4: Healthy and Safe Communities

RCO Operations

Statutory Authority

RCO is established in state law ([Revised Code of Washington \(RCW\) 79A.25](#)). The agency and its boards administer several chapters of the RCW and are responsible for significant activities under additional statutes.

- Aquatic Lands Enhancement Program[RCW 79.105.150](#)
- Governor’s Salmon Recovery Office[RCW 77.85.030](#)
- Habitat and Recreation Lands Coordinating Group[RCW 79A.25.260](#)
- Invasive Species Council.....[RCW 79A.25.310](#)
- Lead Entity Program.....[RCW 77.85.050](#)
- Non-highway and Off-Road Vehicles Activities[RCW 46.09](#)
- Regional Salmon Recovery Organizations.....[RCW 77.85.090](#)
- Salmon Recovery Funding Board.....[RCW 77.85.110](#)
- State Trails Act and Plan.....[RCW 79A.35](#)
- Washington Wildlife and Recreation Program[RCW 79A.15](#)
- Youth Athletic Facility Account.....[RCW 43.99N.060](#)

Grant Program Restrictions

Federal Restrictions

Several grant programs managed by RCO are funded by federal funds. Various federal restrictions apply to the funds, projects, and long-term use and control of the properties.

Laws and Rules

Projects funded by any of the RCO boards must meet all applicable laws and rules, including but not limited to cultural resource reviews, appraisal standards, the State Environmental Policy Act, National Environmental Policy Act, conformity to local and regional planning, Americans with Disabilities Act, permitting, and restrictions on use of funds.

Core Work Activities

The Office of Financial Management uses the “Agency Activity Inventory” to summarize the major activities of state agencies, as they relate to the operating budget. In the inventory, each activity is assigned to the statewide result area to which it most contributes. RCO contributes to the following statewide priorities.

- Sustainable Energy and Clean Environment
- Efficient, Effective and Accountable Government

The activity inventory serves as the basis for operational budgeting and reporting performance to the Office of Financial Management.

Manage Recreation and Conservation Investments

The Recreation and Conservation Funding Board helps finance recreation and conservation projects throughout the state. Funding is provided for parks, trails, beaches, boating facilities, firearm and archery ranges, wildlife habitat, and farmland preservation. Many state agencies, cities, towns, special districts, tribes, and nonprofits are eligible to apply for funding.

The board sets policies for grants aimed at recreation and conservation. RCO supports the board, implements its funding decisions, and manages grants. Work includes the development of grant manuals, pre-application support, application review, contract development and management, project support, and compliance.

Manage Salmon Recovery Investments

The Salmon Recovery Funding Board funds projects for the protection and restoration of salmon habitat and related projects. State agencies, municipal subdivisions, tribes, nonprofit organizations, regional fish enhancement groups, and landowners may apply for funding.

RCO provides support to the board, implements its funding decisions, and manages grants. Work includes the development of grant manuals, pre-application support, application review, contract development and management, project support, and compliance.

Coordinate Salmon Recovery Efforts

The Governor’s Salmon Recovery Office works with regional organizations and watershed-scale lead entities to coordinate and implement salmon recovery plans across the state. The regional recovery plans are a foundation for salmon recovery and projects reviewed for Salmon Recovery Funding Board grants. Other Governor’s Salmon Recovery Office work includes policy advice and development, identifying funding needs and options for salmon recovery efforts, and coordinating with other agencies. The Governor’s Salmon Recovery Office produces the biennial *State of Salmon in Watersheds* report.

The Governor's Salmon Recovery Office also facilitates the integration of salmon recovery and watershed health monitoring efforts. The office assists and works with agencies on integrating monitoring data collection and reporting efforts. This may include convening and facilitating technical work teams, including federal, tribal, state, and local government representatives, and other interested parties, to develop and implement regional and related statewide monitoring efforts.

Develop and Coordinate a Statewide Invasive Species Strategy

Washington's Invasive Species Council facilitates a coordinated and strategic approach to prevent, detect, and respond to invasive species. Invasive species threaten Washington's wildlife and the lifestyles and opportunities residents expect. The council helps Washington focus on the highest priority actions. RCO provides staff and administrative support to the council.

Provide Efficient and Effective Administrative Support

RCO administration supports its various boards, and directs and supports the work of RCO. Administration includes leadership, policy, and clerical support, as well as communications, financial, personnel, planning, and information services.

Provide Open and Transparent Access to Data

RCO provides funded project data in an easily accessible format to the Governor, the Legislature, our partners and the public. This data comes through RCO databases, PRISM and Habitat Work Schedule, in formats such as maps, apps for mobile devices, spreadsheets and listings that are available via RCO's Web site.

RCO Boards' Mission, Goals, and Objectives

The mission, goals, and objectives of RCO boards are important guiding principles for the agency.

Recreation and Conservation Funding Board

Mission

Provide leadership and funding to help our partners protect and enhance Washington's natural and recreational resources for current and future generations.

Goals and Objectives

Goal 1: We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.

- **Objective 1A:** Provide leadership to help our partners strategically invest in the protection, restoration, and development of habitat and recreation opportunities. We do this through policy development, coordination, and advocacy.
- **Objective 1B:** Provide funding to help partners protect, restore, and develop habitat and recreation facilities and lands.

Goal 2: We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.

- **Objective 2A:** Ensure funded projects and programs are managed efficiently, with integrity, in a fair and open manner, and in conformance with existing legal authorities.
- **Objective 2B:** Support activities that promote continuous quality improvement.

Goal 3: We deliver successful projects by using broad public participation and feedback, monitoring, assessment, and adaptive management.

- **Objective 3A:** Broaden public support and applicant pool for the board's outdoor investment programs.

Salmon Recovery Funding Board

Mission

The Salmon Recovery Funding Board provides funding for elements necessary to achieve overall salmon recovery, including habitat projects and other activities that result in sustainable and measurable benefits for salmon and other fish species.

Goals and Strategies

Goal 1: Fund the best possible salmon recovery activities and projects through a fair process that considers science, community values and priorities, and coordination of efforts.

- **Allocation Strategy:** Within the limits of the board's budget and priorities, fund projects, monitoring, and human capital in a way that best advances the salmon recovery effort.
- **Process Strategy:** Ensure that the processes to identify, prioritize, and fund projects are based on (1) regional salmon recovery plans, lead entity strategies, and tribal governments' salmon recovery goals, (2) sound science and technically appropriate design, and (3) community values and priorities.
- **Funding Source Strategy:** Identify gaps in current funding related to overall salmon recovery efforts and work with partners to seek and coordinate with other funding sources.

Goal 2: Be accountable for board investments by promoting public oversight, effective projects, and actions that result in the economical and efficient use of resources.

- **Accountability Strategy:** Conduct all board activities clearly and openly, and ensure that the public can readily access information about use of public funds for salmon recovery efforts.
- **Resource Strategy:** Confirm the value of efficiency by funding actions that result in economical and timely use of resources for projects, human capital, and monitoring.
- **Monitoring Strategy:** Provide accountability for board funding by ensuring the implementation of board-funded projects and assessing their effectiveness, participate with other entities in supporting and coordinating statewide monitoring efforts, and use monitoring results to adaptively manage board funding policies.

Goal 3: Build understanding, acceptance, and support of salmon recovery efforts.

- **Support Strategy:** Support the board's community-based partner organizations in their efforts to build local and regional support for salmon recovery.

- **Partner Strategy:** Build a broad partner base by engaging a variety of governmental and non-governmental organizations to address salmon recovery from different perspectives

Governor's Salmon Recovery Office

Vision

For all populations of salmon in Washington State to be at a level that is considered sustainable, harvestable, and able to be removed from the Endangered Species Act list (no longer threatened or endangered).

Mission

- The Governor's Salmon Recovery Office provides overall coordination of Washington's response to salmon recovery (RCW 77.85.005).
- The Governor's Salmon Recovery Office shall coordinate state strategy to allow for salmon recovery to healthy sustainable population levels with productive commercial and recreational fisheries. (RCW 77.85.030).

Values

The Governor's Salmon Recovery Office supports a comprehensive approach to salmon recovery that reflects the priorities and actions of its local, regional, state, tribal, and federal partners.

- **We Maintain Focus on Achieving Recovery Goals:** The office helps advance the salmon recovery plans approved by the National Oceanic and Atmospheric Administration and recognizes the importance of integrating habitat restoration and protection, hydropower operations, and hatchery and harvest management.
- **We Value the Work and Perspectives of Tribal Governments:** The office supports and advocates for the unique relationship with tribal governments in Washington State. We respect their role in all aspects of salmon recovery.
- **We Promote Strategic, Sustainable Funding and Investments:** Salmon recovery is integral to the state's economy. The office advocates for dedicated, sustainable funding for salmon recovery.
- **We Support the Bottom-up Approach to Salmon Recovery with a Coordinated Policy Framework:** The office is a catalyst for coordination across all levels of governmental and non-governmental organizations and geographic scales. We empower others to balance diverse interests, build community support, and provide for the efficient use of resources to maximize the public investment. The office acknowledges and depends on the relationships between and among partners including tribes, lead

entities, regional organizations, government agencies, and non-governmental organizations. The office encourages its partners to integrate public participation and outreach into their actions and decisions.

- **We Use Adaptive Management to Make and Support Science-based Decisions:** Successful salmon recovery requires decisions and actions guided by science, and supports coordinated scientific effort at all levels of salmon recovery. We adaptively learn – using monitoring project implementation, project effectiveness, and the long-term results of all recovery efforts – to decipher what works, what does not, and make course corrections.

Responsibilities²

1. The Governor's Salmon Recovery Office shall coordinate state strategy to allow for salmon to recover to healthy, sustainable population levels with productive commercial and recreational fisheries. A primary purpose of the office is to coordinate and assist in the development, implementation, and revision of regional salmon recovery plans as an integral part of a statewide strategy developed consistent with the guiding principles and procedures under RCW 77.85.150.
2. The Governor's Salmon Recovery Office is responsible for maintaining the statewide salmon recovery strategy to reflect applicable provisions of regional recovery plans, habitat protection and restoration plans, water quality plans, and other private, local, regional, state agency and federal plans, projects, and activities that contribute to salmon recovery.
3. The Governor's Salmon Recovery Office works with regional salmon recovery organizations on salmon recovery issues in order to ensure a coordinated and consistent statewide approach to salmon recovery, and works with federal agencies to accomplish implementation of recovery plans.

² RCW 77.85.030 requires the GSRO to fulfill some duties (subsections 1-3) and permits the GSRO to perform others (subsection 4). Only those in subsections 1-3 are listed here.

Mission

The council provides policy level direction, planning, and coordination that will: empower those engaged in the prevention, detection, and eradication of invasive species and include a strategic plan designed to build upon local, state, and regional efforts, while serving as a forum for invasive species education and communication.

Goals and Priority Recommendations

Goal 1: To foster cooperation, coordination, and communication among government agencies, stakeholders, land managing agencies, private landowners, and tribes.

- **Recommendation:** Support targeted outreach campaigns to educate both public and private sectors on the damage caused by invasive species.

Goal 2: To prevent the introduction and establishment of invasive species and reduce their adverse impact on Washington's environment, economy, and human health.

- **Recommendation:** Enhance capacity to respond to invasive species by improving agencies' access to emergency funding and building on existing efforts to develop an interagency early detection and rapid response network.

Goal 3: To refine and coordinate statewide capacity to identify, report, and respond to both newly discovered and existing invasive infestations.

- **Recommendation:** Compile existing information and conduct a baseline assessment of invasive species information and programs in Washington.
- **Recommendation:** Develop a Web-based clearinghouse as the interchange for all existing invasive species information statewide.

Goal 4: To assist those who manage invasive species through containment, control, and eradication efforts.

- **Recommendation:** Increase and enhance communication across all entities to ensure coordinated approaches are supported and tools are accessible to address invasive species issues.

Goal 5: To support the restoration and rehabilitation of key ecosystems adversely affected by invasive species.

Mission Statement

The Lands Group's mission is to coordinate state habitat and recreation land acquisitions and disposals through improved communication, documentation, data monitoring, reporting, transparency, and planning.

Statutory Duties

Top Priorities

- Produce an interagency, statewide biennial forecast of habitat and recreation land acquisition and disposal plans;
- Establish procedures for publishing the biennial forecast of acquisition and disposal plans on Web sites or other centralized, easily accessible formats;
- Develop and convene an annual forum for agencies to coordinate their near-term acquisition and disposal plans;
- Develop an approach for monitoring the success of acquisitions;

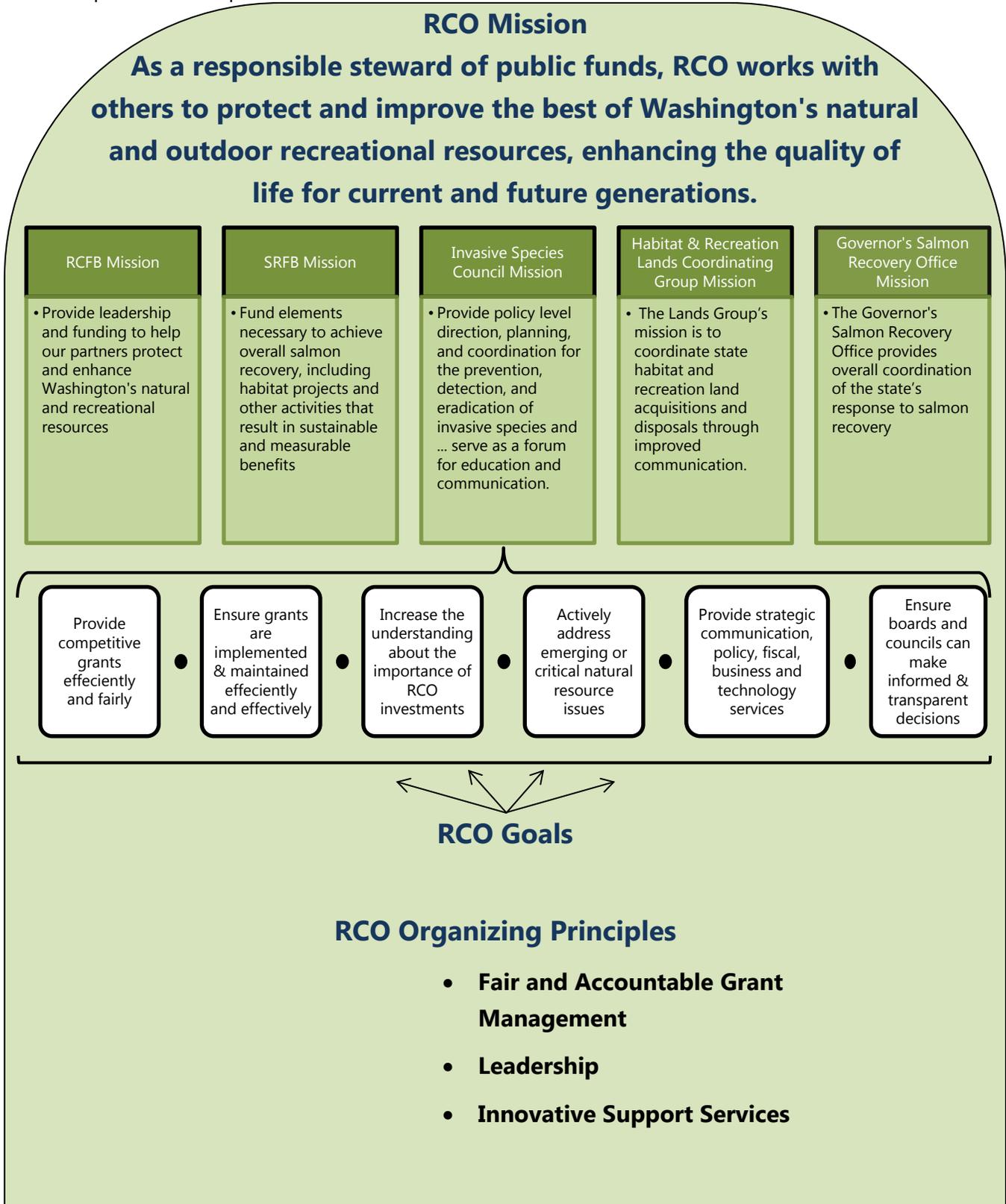
Other Priorities

- Review agency land acquisition and disposal plans and policies to help ensure statewide coordination of habitat and recreation land acquisitions and disposals;
- Develop a recommended method for interagency geographic information system based documentation of habitat and recreation lands in cooperation with other state agencies using geographic information systems;
- Develop recommendations for standardization of acquisition and disposal recordkeeping, including identifying a preferred process for centralizing acquisition data;
- Identify and commence a dialogue with key state and federal partners to develop an inventory of potential public lands for transfer into habitat and recreation land management status;
- Review existing and proposed habitat conservation plans on a regular basis to foster statewide coordination and save costs;
- Revisit the planning requirements of relevant grant programs administered by the RCO to determine whether coordination of state agency habitat and recreation land acquisition and disposal could be improved by modifying those requirements; and

- Develop options for centralizing coordination of habitat and recreation land acquisition made with funds from federal grants. At a minimum, develop the advantages and drawbacks of the following options:
- Requiring that agencies provide early communication on the status of federal grant applications to the RCO, the Office of Financial Management, or directly to the Legislature;
- Establishing a centralized pass-through agency for federal funds, where individual agencies would be the primary applicants.

Relationship to Boards

The RCO strategic plan serves as an “umbrella” over the plans of the boards and groups it supports. The mission, organizing principles, goals, and core work capture the agency’s efforts to implement their priorities.



Risks to RCO Business Goals

Risk is inherent to all business practices and agency operations. RCO executive management uses an enterprise risk management approach looking for anything that would keep the agency from achieving its strategic goals and objectives. Three major risks to RCO are:

Loss of Key Staff: RCO has a few key employees that are specialized in their duties and are the only staff at the agency doing specific tasks. If RCO were to lose these staff due to budget reductions, retirement or promotion important duties and responsibilities would be in jeopardy of not being completed. To mitigate these risks RCO has

- Begun to provide cross training between employees so that RCO could keep operating near full capacity in the event one of these key staff members were to leave;
- Broken out some of the duties of these key positions in order to ensure others understand and are involved in some of the functions and work flow;
- Begun to look forward in time at staff ready to retire and plan for overlap between those key staff and their replacements;
- Begun to think internally about what other staff might have the skills and be trained to fill any voids that may occur due to key staff leaving the agency.

Loss of Key Databases and Systems: RCO has two key databases that serve as the backbone of agency operations. If these systems were to go down for more than a 24 hours for any reason RCO would have a difficult time carrying out its core business functions, including providing services and information to our clients and the public. To mitigate the risk RCO has been

- Working with the Office of the Chief Information Officer and Consolidated Technology Services to ensure our security practices and procedures are adequate and our security software and firewalls are current and operating properly;
- Conducting server maintenance and upgrades at regular intervals to reduce the risk of failure;
- Backing-up all stored data to reduce the potential of information being permanently lost during a shut down;
- Unexpected Loss of Funding. RCO receives funding for its operations from several different state and federal sources. If certain funds were to be significantly reduced or cut all together RCO would need to reduce staff and resources that are essential to core business. Being a small agency RCO would not be able to distribute the workload to other staff. To mitigate this risk RCO;
- Is able to spread some operating funds over multiple biennia thus allowing the agency to weather some of the smaller ups-and-downs of the budget cycles;

- Carefully monitors staff workload and workforce numbers in an attempt to have the correct balance in place;
- Works with the legislature and key funding partners to ensure they understand our funding model and obligations.



Vision

RCO is an exemplary grant management agency that provides leadership on vital natural resource, outdoor recreation and salmon recovery issues.

Mission

As a responsible steward of public funds, RCO works with others to protect and improve the best of Washington's natural and outdoor recreational resources, enhancing the quality of life for current and future generations.

Agency Values

- We communicate openly and consistently.
- We recognize that collaboration and relationships with others make us successful.
- We use data to inform our decisions.
- We ensure that our workplace is a respectful and family-friendly place where employees learn and innovate.

Organizing Principles and Goals

Fair and Accountable Grant Management	Leadership	Innovative Support Services
<p>Provide competitive grants efficiently and fairly so that partners can make strategic investments.</p> <p>Ensure that grants are implemented and maintained efficiently and effectively.</p>	<p>Increase understanding about the importance of RCO's investments in conservation, recreation, and salmon recovery.</p> <p>Actively address emerging or critical issues in natural resources and outdoor recreation.</p>	<p>Meet business needs with strategic communication, policy, fiscal, business, and technology services.</p> <p>Ensure boards and councils can make informed and transparent decisions.</p>

Summary of RCFB Planning Action Items



RCFB Strategic Plan Goals	State Comprehensive Outdoor Recreation Plan (SCORP)	State Trails Plan	Nonhighway and Off-Road Vehicles Activities (NOVA)	DRAFT Boating Grant Programs Plan
1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, wildlife, and ecosystems.	1. Promote economic benefits of outdoor recreation in communications and outreach.	1. Develop a Web page that is a clearinghouse for trails information.	1. Review the goals for the NOVA Program and the Recreational Trails Program to determine whether the programs are complementing each other.	1. Fund construction of boating facilities to address the most important boater needs and the most popular types of boating.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.	2. Maximize sustainability and environmental stewardship.	2. Provide incentives, within existing resources, for grant applicants to submit trail data in consistent ways.	2. Review NOVA program priorities (Policy A-1 and C-10) for acquisition, development, and maintenance and operation type projects.	2. Define grant programs' priorities to fund different types of boating facilities in different grant programs.
3. We deliver successful projects by using broad public participation and feedback, monitoring, assessment, and adaptive management.	3. Continue to offer diverse outdoor recreation activities and opportunities.	3. Encourage and assist, within existing resources, with the coordination of statewide trails coordinating organization.	3. Review NOVA program policy (Policy C-2) that encourages projects near population centers.	3. Support stewardship and retention of current boating infrastructure.
	4. Take advantage of technology by using a map-based information system to provide an inventory of outdoor recreation supply.	4. Support funding for maintenance of trails.	4. Prioritize NOVA Program funding for projects that are designated as statewide trails per RCW 79A.35.	4. Promote Infrastructure Projects and Construction practices that reduce environmental impacts.
	5. Recognize there are two inter-related factors of sustainable recreation.	5. Prioritize funding for trail uses identified as being "in demand" in this trail plan and evaluate whether to develop and designate a system of state recreation trails as referenced in RCW 79A.35.	5. Prioritize program funding for projects that incorporate sustainable design practices to protect and improve the environment and reduce trail maintenance needs.	5. Provide accurate and timely information to boaters.
	6. Follow RCFB's sustainability guidelines.		6. Retain all other policies in the NOVA Program as currently written.	6. Work cooperatively with other state agencies to improve boating programs and services.
	7. Use National Park Service's <i>Green Parks Plan</i> and Washington State <i>Planning for Parks, Recreation, and Open Space in Your Community</i> for promoting environmental sustainability and stewardship.			
	8. Support <i>America's Great Outdoors</i> .			
	9. Consider changing demographics when making recreation decisions.			
	10. Increase and improve access for residents with disabilities.			

Policy Group Work Plan May 2014

Assignment	Description	Who	Timeline
Update the Public Lands Inventory	<p>Required by 2013 legislation that directed the RCO to update the public lands inventory, a centralized inventory of lands in Washington owned by federal, state, and local governments, and by Native American tribes.</p> <p>RCO must develop recommendations for standardization of information and submit a final report to the Legislature <i>by July 1, 2014</i>. (Tier 1)</p>	<p>Lead: Policy Director Project Mgmt: Jen Masterson</p>	<p>In progress.</p> <p>Completed: July 1, 2014.</p> <p>Ongoing: Presentations?</p>
Identify mitigation matching to optimize salmon habitat restoration	<p>Required by 2013 legislation that directed RCO, in consultation with the Department of Transportation, to identify transportation mitigation projects that minimize permit delays and optimize salmon habitat restoration. (Tier 1)</p>	<p>Lead: Jennifer Johnson, Brian Abbott Monitor: Policy Director</p>	<p>In progress To be completed: June 2015</p>
Change WWRP Farmland Preservation Program criteria based on the 2013 assessment	<p>Phase II of the review will propose changes to the program, such as streamlining the criteria for sponsors and evaluators and improving alignment with program goals and with the Natural Resources Conservation Services (NRCS) criteria. (Tier 1)</p>	<p>Lead: Leslie Connelly</p>	<p>Complete: April 2015</p>
Determine whether to adopt policy on riparian buffers for salmon restoration projects and what the policy should include	<p>Work with stakeholders to evaluate whether a minimum riparian buffer policy should be adopted and how to draft such a policy based upon the best available science and to support Washington's voluntary approach to salmon recovery. (Tier 1)</p>	<p>Lead: Leslie C.</p>	<p>Complete: June 2014 Revisit once science review completed by WDFW.</p>
Evaluate feasibility of developing a state trails system and how best to designate such trails	<p>Required by the 2013-18 Washington State Trails Plan (RCO Action #5). The recommendation requires evaluation of whether to develop and designate a system of state recreation trails as referenced in RCW 79A.35. (Tier 1)</p>	<p>Lead: Darrell Jennings</p>	<p>To be Completed: 2015</p> <p>Has not been started</p>
Revise and update Washington Administrative Code and Rule making	<p>Revise the administrative rules pertinent to the Recreation and Conservation Office to reflect agency and board name changes, update state law references, reorganize for consistency, and align current application and agreement practices. (Tier 1)</p>	<p>Lead: Leslie C.</p>	<p>In progress</p> <p>To be Completed: 2015</p>

Outdoor Recreation Task Force	Gov. Jay Inslee established the Blue Ribbon Task Force on Parks and Outdoor Recreation through Executive Order 14-01 to develop an action plan and recommendations to manage, transform, better leverage, or develop Washington's outdoor recreation assets and state programs to increase outdoor recreation activities as well as promote the jobs and business associated with outdoor recreation. RCO is directed to staff the task force. (Tier 1)	Lead: Meg O'Leary Follow and review report: Leslie C.	Complete: Sept. 19, 2014
Economic Study of Outdoor Recreation	A 2014 proviso directs the RCO to contract with a consultant to provide a study that quantifies the economic contribution to the state economy from the state's public lands and that quantifies the economic contribution from statewide outdoor recreation to the state's economy. A report is due to the appropriate committees of the legislature by January 1, 2015. (Tier 1)	Lead: Wendy Brown Review report: Leslie C.	Completed: Jan. 1, 2015
Develop a Web site that is a clearinghouse for trails information	In response to statewide recommendation #1 in the 2013 -18 Washington State Trails Plan, develop a Web page dedicated to sharing information about trails throughout the state. (Tier 1)	Lead: Darrell J.	To be Completed: 2015
Monitor invasive species legislation and implement as required	WDFW proposed comprehensive invasive species legislation in the 2014 session that was actively supported by Invasive Species Council staff and member agencies. In the 2015 session, additional invasive species bills will be proposed to create a funding mechanism for the WDFW bill and extend of the Invasive Species Council. (Tier 2)	Lead: Wendy B.	In progress: May 2014 – June 2015
Address monitoring of salmon projects	Implement recommendations from the SRFB monitoring assessment recently completed by consultant. (Tier 2)	Lead: Brian A., Keith Dublanica	In progress
Address acquisition of upland areas associated with salmon restoration projects	Determine the types of allowable uses on upland property acquired in conjunction with adjacent riparian land necessary for salmon recovery. (Tier 2)	Lead: Wendy B.	Complete: Dec. 2015
Update policy plan for boating grant program	The previous boating grant program policy plan update was completed in 2009. The 2009 plan explores the broad context of recreational boating in Washington, presents results of general recreation and boating-specific surveys, and provides policies intended as a foundation for guiding grant funding. The information is instrumental in updating the Boating Facilities Program and the Boating Infrastructure Grant program. (Tier 2)	Lead: Jen M. and Leslie C.	In progress To be Completed: April 2015

Update Invasive Species Council Strategic Plan	Update the 2008 Invasive Species Council strategic plan. (Tier 2)	Lead: Wendy B. Support: Jen M.	In progress Complete: Objectives and actions identified in Dec. 2014; Plan to be completed in June 2015
Review Washington Wildlife Recreation Program (WWRP) administration costs	Evaluate the cost of administering the WWRP grant program to determine whether the current statutory amount is sufficient given requirements for cultural resources review and compliance and to allow for stability in administering the program. Statute currently allows the RCO to use up to three percent of the funds appropriated for the administration of the WWRP programs. (Tier 2)	Lead: Policy Director, Leslie C.	In progress. Current legislation being considered by the legislature Ongoing: Meetings with Gov's office, Legislature, stakeholders
Update RCFB criteria and policies as needed to reflect the updated plans and stakeholder input	The SCORP, Trails plan, and NOVA plan were updated in 2013. Staff will make recommendations to change programs and policies based on the plans and stakeholder input to the RCFB in time to apply any changes to the 2016 grant rounds. This work may be extensive and may begin by the end of 2014. This will move up to either tier one or two in 2015. (Tier 3)	Lead: Leslie C. Support: Wendy B.	In progress. To be Completed: 2015
Update SRFB criteria and policies as needed to reflect the updated plans and stakeholder input	Changes to the criteria in Manual 18 for the 2015 salmon grants will be made to reflect input from the technical review panel, stakeholder, and sponsors. (Tier 3)	TBD based on needs, timing, and availability	Completed. New manual adopted in December 2014
Develop conversion acquisition policy	Define the acquisition policies required for conversions. The RCFB identified this as an issue in 2010, but policy has not yet been developed. (Tier 3)	Lead: Leslie C., Myra Barker in 2014?	To be completed: 2015
Develop compliance requirements for development projects	Develop guidance on compliance as it relates to development projects to provide direction on protecting the "project area". (Tier 3)	Lead: Myra B. in 2014	To be Completed: 2015
Develop policy for acquisition of water rights	Develop requirements for water rights acquired with grant funds including how to determine market value, how to protect rights on behalf of the funding program, and whether such rights should be enrolled in trust. (Tier 3)	Lead: Leslie C. and Wendy B.	To be Completed: 2015
Develop policy on low value, small conversions	Develop streamlined requirements and an approval process for small conversion that are under a certain threshold (e.g., size and/or market value). (Tier 3)	Lead: Myra B.	To be completed: 2015.

Complete boating app – roll out, etc.		Lead: Jen M.	Completed: May 2014 Ongoing: demonstrations and continued maintenance
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2015-2017 Work Plan Ideas

Tasks remaining from the 2013-15 Work Plan:

Issue		Brief Description
Compliance	Develop conversion acquisition policy	Define the acquisition policies required for conversions. The RCFB identified this as an issue in 2010, but policy has not yet been developed.
Compliance	Develop policy on low value, small conversions	Develop streamlined requirements and an approval process for small conversion that are under a certain threshold (e.g., size and/or market value).
Compliance	Develop compliance requirements for development projects	Develop guidance on compliance as it relates to development projects to provide direction on protecting the "project area."
Criteria	Update RCFB criteria and policies as needed to reflect the updated plans and stakeholder input.	The SCORP, Trails plan, and NOVA plan were updated in 2013. Staff will make recommendations to change programs and policies based on the plans and stakeholder input to the RCFB in time to apply any changes to the 2016 grant rounds.
Trails	Evaluate feasibility of developing a state trails system and how best to designate such trails	Recommendation from the 2013-18 Washington State Trails Plan (RCO Action #5). The recommendation requires evaluation of whether to develop and designate a system of state recreation trails as referenced in RCW 79A.35.
Trails	Develop a Web site that is a clearinghouse for trails information	In response to statewide recommendation #1 in the 2013 -18 Washington State Trails Plan, develop a Web page dedicated to sharing information about trails throughout the state.
Water Rights	Develop policy for acquisition of water rights	Develop requirements for water rights acquired with grant funds including how to determine market value, how to protect rights on behalf of the funding program, and whether such rights should be enrolled in trust.

Potential Policy Additions¹ to the 2015-17 Work Plan:

Issue		Brief Description
Compliance	Conversion policy	Review the board's existing conversion policy and identify any changes that are warranted.
Criteria	WWRP Farmland Preservation – Phase II	Phase II of the review will propose changes to the program based on the Phase I assessment, such as streamlining the criteria for sponsors and evaluators and improving alignment with program goals and with the Natural Resources Conservation Services (NRCS) criteria.
Criteria	WWRP Farmland Preservation criteria	The Farmland Preservation Advisory Committee would like the board to consider modification of the criteria for <i>Environmental Values</i> . The factors to consider appear to be somewhat contradictory to the primary purpose of protecting the lands for agricultural uses. Also, under <i>Viability</i> , evaluators reward applicants for protecting property in an agricultural protection district instead of property without the protection of local zoning ordinances.

¹ This list does not include any required changes to any manuals necessitated by the recently released federal "omni-circular" pertaining to fiscal matters, indirect charges, etc.

Trails	Washington Trails Association Letter	<ul style="list-style-type: none"> • Soft surface trails/silent on ADA • Water access and Scenic View criteria (split) • Cultural sites included in definition of “community”
Policy	Performance measures	Develop outcome-focused performance measures for WWRP categories
Policy	Washington Administrative Code	Continue revisions to the administrative rules pertinent to the Recreation and Conservation Office to reorganize for consistency and align current application and agreement practices.
Acquisition	Allowable uses	Board policy states uses of project sites must have no overall impairment to the habitat conservation, outdoor recreation, or salmon habitat resource funded by the board. To comply with the agreement, uses of grant-assisted project sites must be either identified in the project agreement, or allowed by RCO policy, or approved by RCO or the board. Applicants are now including agricultural activities, grazing, forestry, and other uses in their grant applications with the expectations that these are eligible. This policy needs to be clarified on when such activities are eligible.
Acquisition	Structures	Need clarification about structures eligible for purchase, which ones an applicant can retain and which ones the applicant needs to demolish or remove. Particularly important for our habitat projects.
Acquisition	Geographic envelope for habitat acquisitions	The board approved the geographic envelope policy for habitat conservation acquisitions before the Legislature added requirements for city/county review of acquisition projects. The policy needs updating to require applicants to show the specific properties they are targeting and the secondary properties they want to consider to comply with the law.
Archery	Safe design of archery ranges	The archery guidance specified in policy may need modification to ensure archery ranges meet the requirements outlined in our policy statement on Range and Course Safety.
Boating	Boating policies	With the update of the state boating plan, the next step is to update program policies and criteria for the board’s boating related programs in time for the 2016 cycle.
Criteria	Sustainability and Environmental Stewardship	The new board-adopted criteria for <i>Sustainability and Environmental Stewardship</i> worked well for the most part; however, the Local Parks Advisory Committee believes the environmental considerations for acquisitions do not support purchase of properties for developed outdoor recreation. Consider modifying the suggested considerations for acquisition of outdoor recreation lands.
Criteria	Sustainability and Environmental Stewardship	The Trails Advisory Committee, like other advisors, felt that most applicants addressed sustainability when they responded to the <i>Project Design</i> criterion. Conduct an analysis to determine if 10 points is the appropriate number of points associated with this evaluation criterion or if the scoring is too high since it is almost an expansion of the design criterion.
Criteria	Cost Efficiencies	The revised <i>Cost Efficiencies</i> question did not work as well as expected. How applicants categorized their match in the application was not always consistent with how they addressed the evaluation criterion. Also, there was confusion about the bonus point for private funds or donations. Several evaluators thought the board might want to modify this criterion by dropping the bonus point. The board may also want to consider making this a staff-scored criterion. Also consider adding a criterion to the ALEA program and ensuring consistency across programs.

Criteria	WWRP Trails	The <i>Wildlife Habitat Connectivity</i> criterion for Trails category projects is a difficult element to measure. Like previous evaluation teams, the Trails Advisory Committee has suggestions for improvements. First they believe the criterion should measure how well a project enhances continuity or creation of new habitat. Second, they suggest changing the question title to mirror the RCW language, "enhancement of wildlife habitat". Third, they suggest considering whether the criterion is more applicable for acquisition projects rather than developments.
Criteria	WWRP State Parks	<p>Advisors suggest staff look at expanding the annotated explanations for <i>Readiness to Proceed</i> and <i>Expansion/Phased Project</i> for the State Parks category to help evaluators and applicants better understand the intent of the criteria and make them easier to score.</p> <p>Evaluators also suggested that the board may want to add a <i>Need Satisfaction</i> criterion to measure how well a project satisfies the need identified in the first criterion and add a <i>Project Support</i> question.</p>
Criteria	WWRP Riparian Protection	<p>The Habitat Restoration Advisory Committee wants the board to consider breaking apart some of the merged criteria for Riparian Protection projects for easier scoring. For example, <i>Riparian Habitat Benefits</i> would be divided into two criteria. Evaluators would score the habitat benefits separate from the benefits to fish and wildlife species. <i>Site Suitability and Project Design</i> would be split into two criteria.</p> <p>Other considerations from this advisory committee include expanding the criteria for restoration projects to further assess ongoing stewardship and management to include monitoring, assessment and evaluation measures for the purpose of disseminating the project results, lessons learned, refinement of best management practices, and so on.</p>
Criteria	Aquatic Lands Enhancement Account (ALEA)	The evaluation criteria for ALEA presents a different kind of challenge. The advisory committee, applicants, and staff struggle with determining which criteria an applicant needs to address. Applicants are asked to address the questions tied to the primary purpose of the project which may be protection and enhancement, public access, or both. Applicants are especially disappointed when their project is categorized as a single purpose project and they are not eligible for all of the points available. Simplifying the evaluation instrument would make it easier for applicants to understand how to scope a project to satisfy the primary goals of the program.
Criteria	ALEA combination projects	ALEA is one of the few programs that still requires combination projects to choose a pathway (either acquisition or development/restoration) based upon the majority of the project costs. Choosing a path means evaluators lose the opportunity to evaluate a significant portion of the project. Modifying the evaluation criteria would help us align this program with others where applicants with combination projects address the criteria for both acquisition and development/restoration.
Criteria	Climate change	Determine if and how to include climate change into evaluation criteria. Identify RCO's role in addressing climate change.

Criteria	Scoring WWRP Local Parks category acquisitions	Although the total points available for an acquisition project are the same as those available for a development project, acquisitions are scoring lower compared to development projects. Part of this is because of the challenges associated with “immediacy of threat” and partly because applicants may request a “waiver of retroactivity” and purchase property before submitting a grant application.
Control	Control and tenure for projects on state-owned aquatic lands and or within DOT rights-of-way	Due to shifting policies and priorities at the Department of Natural Resources and the Washington State Department of Transportation (DOT), project sponsors are increasingly facing some insurmountable challenges with obtaining control and tenure authorizations that meet our current requirements. Review the current policy and determine what, if any, modifications are needed to address these control and tenure challenges.
Policy	Proration of costs	Need clear proration guidance for all grant programs, not just boating.
Policy	Working lands	Define “working lands” by explaining what it is and what it is not, what we can fund, and in which grant programs and categories are “working lands” eligible.
Trails	Guidelines or parameters for trails that are located near or adjacent to roadways	RCW 79A.15.010(11) defines Washington Wildlife and Recreation Program trails as, “public ways constructed for and open to pedestrians, equestrians, or bicyclists, or any combination thereof, other than a sidewalk constructed as a part of a city street or county road for exclusive use of pedestrians.” Board policy goes on to say that, “trails adjacent to roadways that are separated by physical barriers and are improved solely for pedestrian, equestrian, or bicycle use are eligible.” Staff believe that clarification is needed to explain what is considered an acceptable barrier for a trail that is part of or adjacent to a street or road for the trails systems developed with WWRP funding.
Trails and Water Access	Multiple worksites for trails and water access projects	Board policy restricts most projects to one worksite. If two or more worksites have unambiguous connectivity for recreational use, and there is sufficient control and tenure to ensure the sites do not become “stranded assets”, allowing multiple worksites could be beneficial for the recreation estate for upland and water access trails. Also, address compliance on the land between to protect the “experience” funded by the board.
Trails	Railroad right-of-way (ROW) and rail banked properties	Analyze whether RCFB funding should be used to purchase rail-banked properties? These properties are somewhat protected already for recreational use. Developing these ROW is ok.
Trails	Definition tweaks for trail maintenance and development projects and compliance term for maintenance.	<ul style="list-style-type: none"> • Should we classify replacement of facilities, such as restrooms, bridges, etc. as development or maintenance? • Should we expand the time limits for maintenance projects? • Are the caps for maintenance projects too low? • How do we manage compliance for maintenance projects that include renovation or replacement of capital facilities?
Grant Administration	Cost increases	Develop guidelines for how to award cost increases in programs where cost increases are allowed. Currently, increases are approved on a first-come-first-serve when dollars are available. The following programs allow cost increases: ALEA, BFP, BIG, FARR, LWCF, NOVA, and RTP.

Performance Measures

April 8, 2015



Summary

The following information highlights the agency’s performance in managing Recreation and Conservation Funding Board (board) projects in fiscal year 2014. Staff welcome board feedback on how performance measures may be used more effectively in the future. Staff also provide a summary of recreation and conservation measures used for Governor Inslee’s Results Washington program.

The following sections include details about:

1. Performance Measure Summary for Fiscal Year 2014
2. Effective Performance Management into the Future
3. Recreation and Conservation Measures for Results Washington

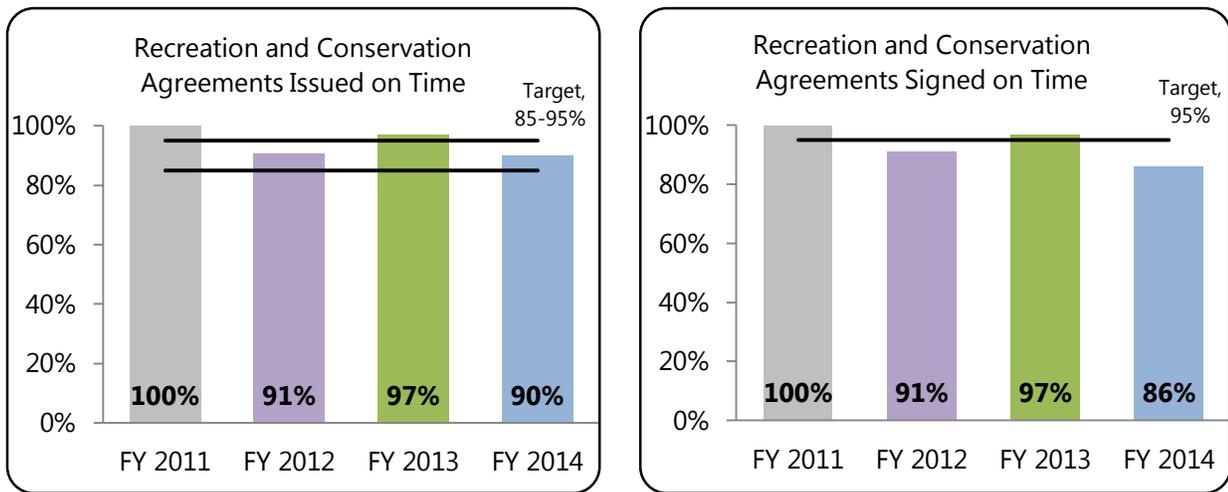
Performance Measure Summary for Fiscal Year 2014

Recreation and Conservation Funding Board Performance Measures				
Measure	Target	FY 2014		Notes
Percent of Projects Issued Agreement within 120 Days of Board Funding	85-95%	91%	●	For projects where an agreement has been issued, staff took an average of 63 days.
Percent of Projects Under Agreement within 180 Days of Board Funding	95%	87%	●	A total of 242 projects were scheduled to be under agreement this fiscal year. Of these, 211 were completed on time.
Percent of Progress Reports Responded to On Time	65-75%	90%	●	A total of 367 progress reports were due this fiscal year. Of these, 331 were responded to in 15 days or less.
Percent of Bills Paid within 30 days	100%	79%	●	This fiscal year, 640 bills came due. A total of 503 were paid on time.
Percent of Projects Closed on Time	60-70%	59%	●	Ninety-two of 155 projects closed on time.
Number of Projects Added to the Project Backlog	0	5	●	Five projects from fiscal year 2014 remain in the backlog. ¹
Number of Post-Completion Inspections Done	No target set	150	N/A	
Percent of Project Sponsors Submitting Annual Bill	100%	90%	●	Sponsors had until June 30, 2014 to submit a bill.

¹ As of March 4, 2015.

The following graphs show time series performance data for recreation and conservation projects from fiscal year 2012-2014.

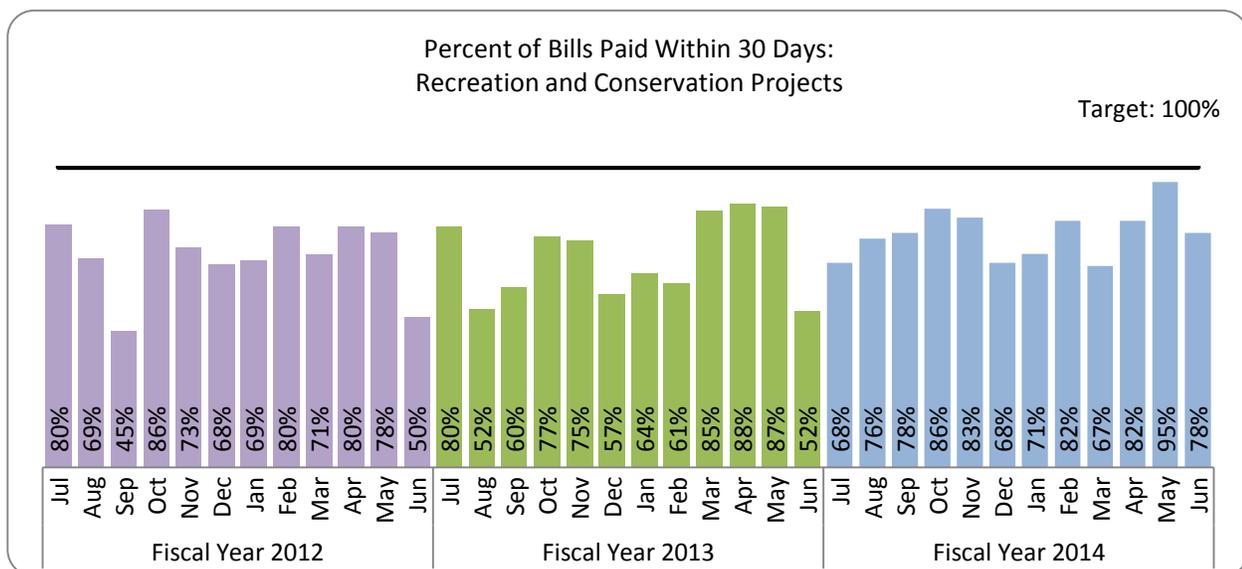
Project Agreements Issued and Under Agreement on Time



RCO staff processed a total of just under 250 recreation and conservation agreements in fiscal year 2014. Although staff were well within the target range for issuing agreements, there was a dip in agreements signed on time.

Delays in the sponsor’s review of agreements are a factor influencing this measure. Some sponsor organizations have a lengthy agreement signature process that includes review by several of their staff and approval by the sponsor’s governing board or council. In addition, the U.S. Fish and Wildlife Service had a change in their organizational routing process for agreements that caused delays in 2014.

Bills Paid within 30 days

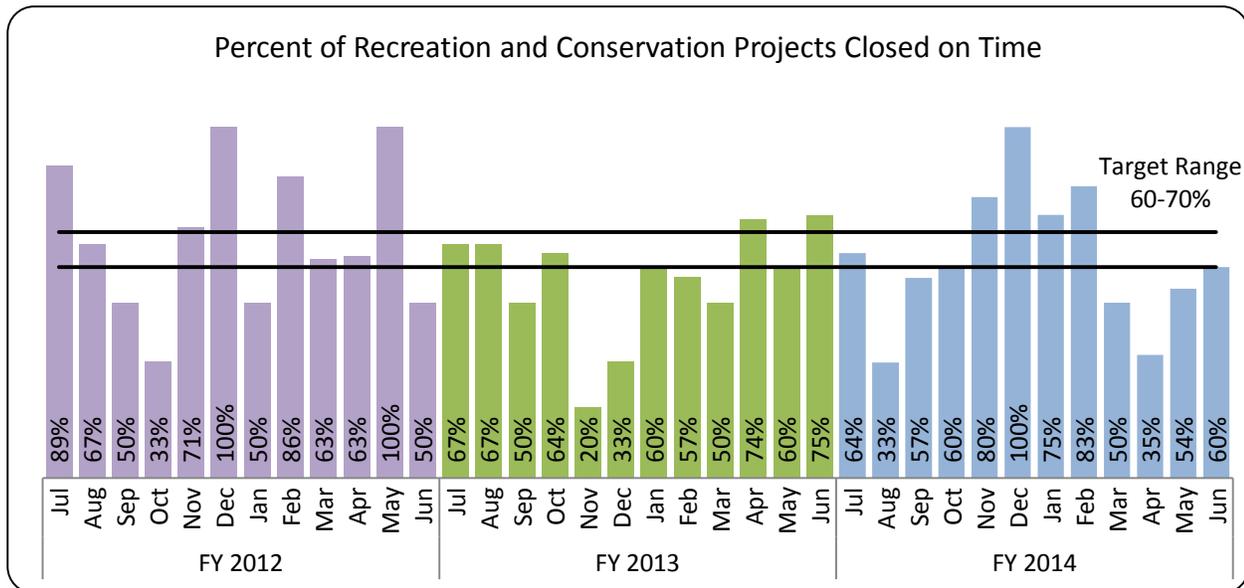


In fiscal year 2014, RCO staff received a total of 642 recreation and conservation project bills. Seventy-eight percent of these bills were paid on time. Only eleven bills were outstanding when the fiscal year came to a close, compared to 53 in fiscal year 2013.

Factors influencing whether bills are paid on time include the sponsor’s ability to submit complete bills with all the required attachments and RCO staff’s ability to review these bills in a timely manner once new information is submitted.

RCO staff anticipate that the roll-out of the electronic billing system in early 2015 will greatly improve the agency’s ability to meet the target of 100 percent.

Projects Closed On Time



These data reflect the 431 recreation and conservation projects that were scheduled to close since fiscal year 2012. Over the past three fiscal years, projects have an average on-time closure rate of 62 percent. The target range of 60-70 percent appears to be an appropriate agency target.

A variety of factors impact the ability of projects to close on time, including the sponsor’s ability to satisfy special conditions, meet requirements for barrier-free access, and whether RCO staff receive all of the required documentation in a timely manner.

Effective Performance Management into the Future

Staff intend to use the same performance measures in fiscal year 2015 for grant management, unless the board suggests additional measures focused on whether the board (or a particular grant program) is accomplishing its purpose or mission. For example, additional measures might focus on evaluating the following:

- Program success (for example, measures that assess the value created by the Youth Athletic Facilities program);
- Recreation Conservation Funding Board performance (measures that assess whether the board is accomplishing its mission).

Staff suggest the following criteria be used to evaluate existing performance measures and the potential creation of new measures:

1. Cost Effective
 - a. Data are available
 - b. Data can be "rolled up" to the program, board, or agency level
 - c. Measure can be compared to a target
2. Timely
 - a. Data are updated on a set schedule
3. Relevant
 - a. Measure tells a story about whether the program, board, or agency is meeting its objectives
 - b. Measure relates to the State Comprehensive Outdoor Recreation Plan
 - c. Measure ties to the board and agency's strategic plan
4. Understandable
 - a. Measure is clear
 - b. Measure is concise
 - c. Measure is non-technical
5. Reliable
 - a. Data are free from bias
 - b. Measure is accurate

Recreation and Conservation Measures for Results Washington

In addition to the RCO performance measures, Governor Inslee and his Results Washington program have broader, resource based measures that have a direct bearing on RCO programs. Here are the relevant conservation and recreation outcome measures and their associated leading indicators. Our partner natural resource agencies provide statewide data for these measures. These measures are continually reviewed and modified based on the availability of data and achievement of benchmarks. Selecting these measures took over a year and depended greatly on whether data sources were readily available and reliable.

Pacific Salmon

Data reported by the Washington Department of Fish and Wildlife.

- **Outcome Measure:** Increase the percentage of ESA listed salmon and steel-head populations at healthy, sustainable levels from 16% to 25% by 2022.
- **Leading Indicators:**
 1. Demonstrate increasing trend in Puget Sound Chinook populations from one in 2010 to five by 2016.
 2. Increase miles of stream habitat opened from 350 to 450 by 2016.
 3. Increase number of fish passage barriers corrected per year from 375 to 500 by 2016.
 4. Increase percentage of hatcheries in compliance with brood-stock management standards from 61% to 80% by 2015.

Wildlife

Data reported by the Washington Department of Fish and Wildlife.

- **Outcome Measure:** Increase the percentage of current state listed species recovering from 28% to 35% by 2020.
- **Leading Indicators:**

1. Increase number of successful wolf breeding pairs from 5 to 15 by 2020.
2. Increase the 5-year running average of statewide sage-grouse population from 1,000 to 1,100 by 2017.
3. Increase number of pygmy rabbits reintroduced to the wild annually from 103 to an average of 200 in 2017.
4. Increase amount of occupied Mazama pocket gopher habitat in Thurston County managed for conservation from 1,496 acres to 1,646 acres by 2016.
5. Increase number of directed southern resident killer whale vessel interaction enforcement patrols from 15 to 40 by June 2014.

Farmland

Data reported by the Washington State Department of Agriculture.

- **Outcome Measure:** Increase the net statewide acreage dedicated to working farms from 7.237 million to 7.347 million by 2020.
- **Leading Indicator:**
 1. Maintain current level of statewide acreage dedicated to working farms with no net loss through 2015

Outdoor Recreation

Data reported by the Washington State Parks and Recreation Commission and Washington Department of Fish and Wildlife.

- **Outcome Measure:** Increase participation in outdoor experiences on state public recreation lands and waters 1% each year from 2012 through 2016.
- **Leading Indicators:**
 1. Increase day use visitation to public recreation lands by increasing the number of Discover Passes and Daily Permits sold by 1% per fiscal year from 730,000 passes and permits sold to 760,000 passes and permits sold by 2016.
 2. Increase participation in State Parks environmental education and interpretive programs from 114,000 visitors to 160,000 visitors by 2016
 3. Increase the number of individual fishing and hunting licenses issued from 2.020 million to 2.103 million licenses by 2016

Habitat Protection

Data reported by the Washington Department of Fish and Wildlife, Washington Department of Natural Resources, and the Puget Sound Partnership.

- **Outcome Measure:** Reduce the rate of loss of priority habitats from 1.5% to 1.0% by 2016.
- **Leading Indicators:**
 1. Increase percentage of local jurisdictions that adopt priority habitats and species in local ordinances from 74% to 90% by 2016.
 2. Increase hydraulic project approval compliance rate from 80% to 90% by 2016.
 3. Reduce rate of conversion of marine and freshwater riparian habitat in Puget Sound from 0.13% to 0.10% by 2016 and provide mitigation to ensure maintenance of today's habitat functions.
 4. Reduce annual rate of shrub steppe loss from 1.4% to 1% by 2016.
 5. Increase eelgrass beds in Puget Sound from 22,600 hectares to 23,730 hectares by 2016.
 6. Increase the acreage of Puget Sound estuaries restored in the 16 major rivers from 2,260 acres between 2006 and 2012 to 5,028 acres by 2016.

Grant Round & Board Member Survey Results



April 8, 2015

Overview

This document highlights survey results from the Recreation and Conservation Funding Board (RCFB) applicants, advisory committees, staff, and members. Survey dates, the total number of responses, and the response rates for each survey are summarized in the table below.

Survey Type	Survey Dates	Total Responses ¹	Response Rate
RCFB Member Survey	December 9, 2014-January 9, 2015	9 ²	100%
RCFB Applicant Survey	November 13-December 10, 2014	83	35% ³
RCFB Advisory Committee Survey	November 7-December 3, 2014	101	67%
RCFB Staff Survey	November 7-December 4, 2014	8	100%

The following sections include details about:

- Staff recommended Action Items from the Surveys
- Board Member Survey Summary
- Applicant Survey Summary
- Advisory Committee Survey Summary
- RCO Grant Manager Survey Summary

Staff Recommended Action Items from the Surveys

RCO staff gleaned the following action items from the applicant, advisory committee, grant manager, and board member survey results gathered in late 2014 and early 2015. More detailed survey results are provided in the following sections. Full write-ups, including respondent comments, can be reviewed on the [RCO Web site](#).

Staff Recommended Action Items from the Board Member Survey

- Hold a board member retreat to discuss the board's role in policy making and other topics.
- Explore ways to better engage members in the ranking process, improve performance measures, and review conversion information.
- Develop ways to better link meeting topics to the board's strategic plan.
- Consider adding more time for board discussion and public comment in meeting agendas.

¹ The number of responses to each question in the survey may vary from this total because some participants skipped questions and/or did not complete the survey.

² Although the RCFB includes only eight members, a member and designee from the same state agency both responded to the survey. This brought the total number of respondents to nine.

³ This is roughly equivalent to the response the Salmon Recovery Funding Board achieved in its 2014 grant round survey and is an 11 percent increase from the 2012 RCFB survey.

Staff Recommended Action Items from the RCFB Grant Round Surveys of Applicants, Advisory Committee Members, and Grant Managers

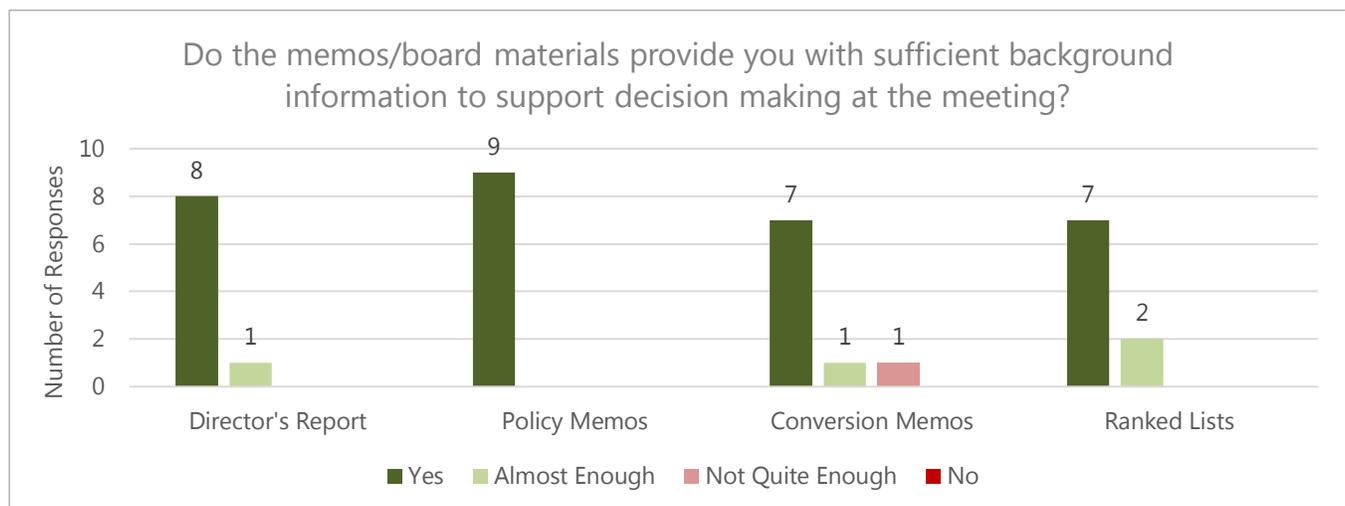
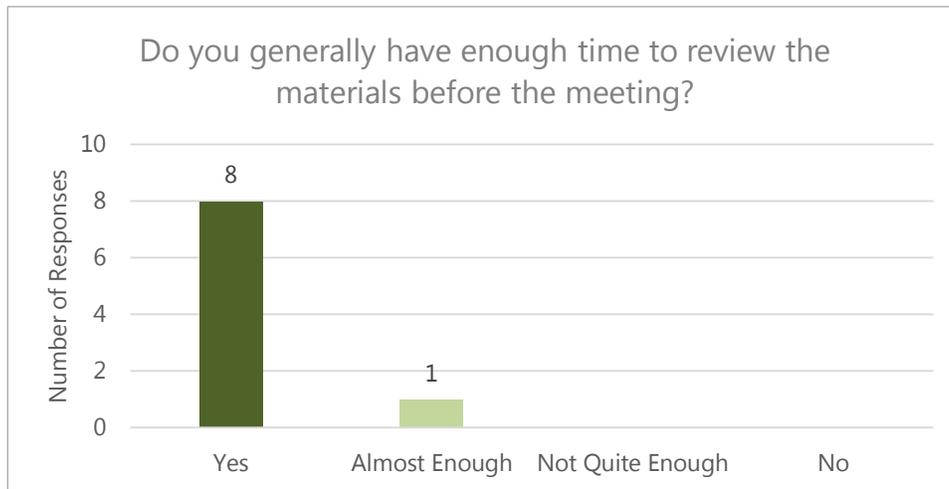
- Simplify the grant round process and shorten its duration; multiple comments across programs indicate that the process is too complex and labor-intensive. (Applicant Survey)
- Technology Improvements
 - Continue efforts to improve the speed and functionality of PRISM Online; ensure that improvements are prioritized based on customer feedback. (Applicant Survey and Grant Manager Survey)
 - Evaluate the use of Project Snapshot as an advisory committee tool and assess whether additional functionality and/or advisory committee member training is necessary. (Advisory Committee Survey)
 - Work to better organize online information and tools provided to applicants on the Recreation and Conservation Office's Web site. Consider communicating program deadlines to applicants in an improved online format. (Grant Manager Survey)
 - Address ongoing issues with GoTo Meeting's audio clarity and consistency. Encourage in-person presentations whenever possible. (Grant Manager Survey)
- Manuals
 - Release manuals before the start of the grant round and clearly communicate any program changes to all applicants. (Applicant Survey)
 - Work to clarify and re-organize the material contained in the manuals. (Applicant Survey and Grant Manager Survey)
 - Add citations to manuals to more clearly link them to RCW, WACs, and/or board policies. (Grant Manager Survey)
- Project Evaluation
 - Improve and expand orientation for advisory committee members regarding roles and expectations. Consider further options for decreasing the perception of bias. (Applicant Survey)
 - Strive to improve diversity of the volunteer review panels. (Grant Manager Survey)
 - Make improvements in the turn-around time for reimbursements. (Advisory Committee Survey)
 - Provide additional advance notice of the post-evaluation conference for advisory committee members and work on technology solutions to improve remote participation. (Advisory Committee Survey)

Summary of the Board Member Survey

Survey Approach

Board members had the opportunity to identify themselves in the survey question so that RCO's executive team could follow up individually with members. For the purposes of this summary, board member comments are included without names.

Board Memos and Materials



- Eight out of nine board members feel they generally have enough time to review materials before the meeting. One member said he or she had “almost enough” time.
- Board members responded unanimously that memos and other materials are clearly written by RCO staff.
- The majority of board members felt that the memos and other materials provide sufficient background information to support decision-making.
- One to two board members responded they could use more information in the Director’s report, conversion memos, and ranked lists.
- All but one board member responded that they find the news clippings a useful tool. At the end of the survey, a board member provided further comment: *“I glance through them and read part of them, depending on my time. Sometimes too many articles on same issue.”*
- Board member comments provided suggestions on better engaging members in the ranking process, improved performance measures, and additional review of conversion information.

Board Member Comments

The following table includes unedited board member comments submitted for this survey question series.

If you needed more background information, please tell us how we can improve. Were there particular issues for which you needed more information?

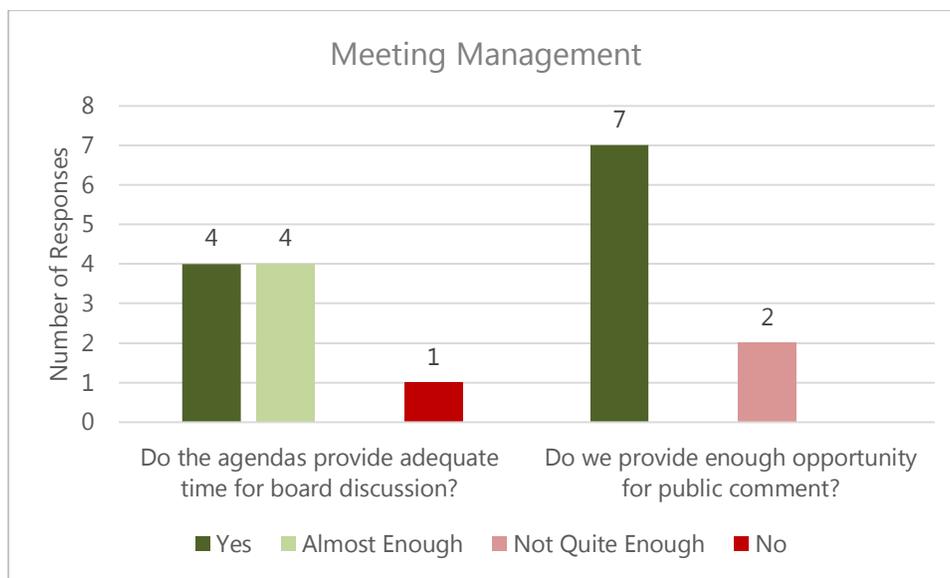
I find that my limited familiarity with the ranking process leads me to want to have more time to understand how projects were compared to each other.

Wondering if there is a way to engage board members meaningfully in approving project rankings. Perhaps this approval is more ceremonial, but if the board is approving the rankings, it would be nice to have a more meaningful interaction with the evaluation panels. Perhaps invite a representative or two from each panel to help present ranked list with staff and answer questions? There may be other ways to enhance this interaction....

Excellent presentations overall, however on the contested conversions, more lead time would be appreciated.

While the Director's report provides performance metrics/dashboard, it's not particularly meaningful to me as a Board member. The Board should develop its own set of metrics/dashboard regarding outcomes it wants to achieve- informed by the Strategic Plan, SCORP, Trails Plan, WWRC goals, equity of all acquisition and development investments, over-subscribed vs. under subscribed programs, etc. Conversions may need a subcommittee of the Board to review- depending upon complexity- to assure relevant information is obtained and analyzed. The Board needs to maintain a high bar in its evaluation and analysis of conversion requests.

Meeting Management



- Over half of board member respondents felt that meeting agendas provide enough or almost enough time for board discussion. One member responded the agendas do not provide enough time for discussion.
- Two board members responded that there is not enough opportunity for public comment.
- All board members responded that the order of the agendas generally makes sense.

Board Member Comments

The following table includes an unedited board member comment submitted for this survey question series.

Does the order of agenda items generally make sense to you? In particular, do we have the right sequence of policy discussions and actions?

The Board agendas are heavily structured & ordered (good for getting thru business) and staff reports are well packaged to generally size up the matter before us. However, there's more to the care and feeding of the Board- enabling the Board flexibility and time on the agenda to more fully reflect and discuss particular items. The opportunity for greater engagement, consideration of alternate points of view and the like can lead to better decision making.

We need to be cognizant of perceptions of "rubber stamping" or "rushing to judgment", while also avoiding "going down a rabbit hole" that has little value add to the matter at hand. Staff do an exceptional job in their research, staff memos and presentations- second to none! I appreciate their work, perspective and recommendation(s), but I believe the Board needs more time to consider some items (certainly not all) and engage in meaningful dialogue rather than "take what's served". This may mean not tackling as many agenda items, restructuring the agenda order, meeting more frequently, engaging in subcommittee work more frequently, routine 2 day meetings, etc. In addition, I suggest that perhaps we consider a "study session" as part of our meetings- between 90 minutes to 3 hrs- to enable more focused discussion, policy work, analysis, etc., as needed on topics/issues of greatest interest of the Board...

In addition, I would recommend 1 if not 2 full day retreats in a year to enable sufficient opportunity for reflection on our progress (bigger picture; alignment with our goals, plans, etc.).

Strategic Plan Linkages



- A slight majority of board members felt that RCO staff link meeting topics clearly to the board's strategic plan. The remainder replied that topics were "somewhat" linked or that they were unsure.

Board Member Comments

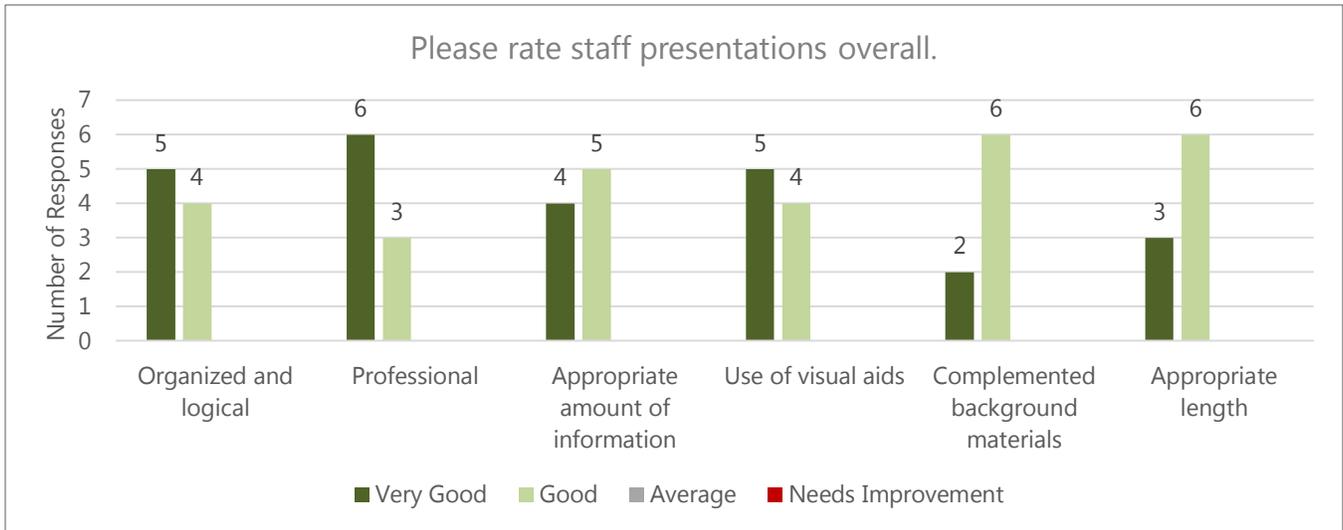
The following table includes unedited board member comments submitted for this survey question.

Where or how could we improve the link between meeting topics and the strategic plan?

Showing the bigger picture... summary of our progress toward achieving our strategic plan goals, as well as those in the SCORP, Trails Plan, etc.

I'm understanding that public participation in meetings used to be greater. Would be interested in how we might encourage more public interaction. Perhaps consider having a few more meetings in Seattle, Spokane, or other population center?

Staff Presentations



- Board members generally gave high marks to staff presentations.
- One board member commented that it would be helpful to see better incorporation of maps.

Board Member Comments

The following table includes unedited board member comments submitted for this survey question.

Staff does an exceptional job with their presentations and staff reports.... I'd like to see data and information displayed geo-spatially- greater incorporation of maps- whether parcel, vicinity, regional and state.

Staff is excellent

Staff presentations are great. I like the distinction in board memos between providing direction and making decision.

Board Member Retreat Suggestions

The following table includes unedited board member comments submitted for this survey question.

At your last meeting the board discussed the idea of holding a one-day board planning session in April 2015. In your opinion, what would be the goal of the session? What would be the desired outcome(s)?

- 1) How are we making the best use of grant funds toward achieving the Board's adopted plan priorities?
- 2) How are we adjusting the grant programs (evaluation criteria; points; max awards; match requirements, etc.) to respond to changing use trends and/or achieve our plan goals?
- 3) How much \$, acreage, geographic location, project sponsor type, land ownership, etc. have we invested in aquatic/water access (regardless of grant category), trails (regardless of grant category), wildlife habitat (regardless of grant category), active recreation (regardless of grant category), etc.? What's that "look like" (geospatially; rec benefit; etc.)
- 4) Where are the gaps?
- 5) How might we address the gaps?
- 6) Where are there opportunities to better utilize existing public lands to meet our priorities/goals and what are the implications?

Discuss the use of the Board in steering and policy setting - Are we involved enough, etc. Some of the work feels like "rubber stamping"

Goal: To have a good understanding of our role as a policy board. Outcome: good understanding of the role staff plays in our being able to make the best decisions we can.

Goal: Creating an environment without the structure of a normal business meeting for the Board to brainstorm and reflect on the key policy issues associated with conservation and recreation in Washington. Desired outcomes:

- 1) A better collective sense of the broader policy context and key policy topics that can be integrated more fully into the board's work.
- 2) A draft set of recommendations for better measuring/capturing the value of the agency.

I need to give that a little more thought, but I'm interested in pursuing ways to enhance public involvement in board meetings.

My thoughts on the agenda for the upcoming Board Retreat are as follows: I would favor a focused, policy driven, result-oriented agenda. Many worthy discussion options have been suggested, but I would suggest that the Retreat discuss a limited number of policy issues in order that we can have a substantive discussion on the issues that the Board selects. The goal of the Retreat would be to make meaningful contributions by way of resolution or recommendations to the ongoing and prospective responsibilities of the Board and the RCO. As a predicate to the agenda, it would be appropriate for the Board to agree that any recommendations or resolutions must:

- 1) Stay within the statutory authority of the RCFB and the RCO;
- 2) Preserve the recognized high level of accountability, transparency and service that the RCO currently provides;
- 3) Be within the fiscal and staff resources of the RCO and stakeholders alike.

As for specific agenda items, I would favor inclusion of the following:

1. Climate Change. The RCO should consider how to address the issue of climate change in grant applications. Just as the Board and the RCO developed a policy on sustainability, consideration should be given to the question of how grant applicants should factor into their applications the very real and imminent effects of climate change. The issue is near the top of the Governor's policy initiatives and the RCO should embrace that policy through innovations in the scoring of grant applications. It should be noted that this issue is also being

addressed by the White House. Policy recommendations on climate change from the Governor's Office are anticipated for release early in 2015. Those recommendations should be thoroughly parsed by RCO staff and where appropriate, should be integrated into RCO operations and grant review guidelines. In the event that the recommendations result in the placement of new responsibilities in, or upon, the RCO, a separate Retreat or Board meeting should be scheduled to address that particular issue.

2. Long Term Planning. The Board and the RCO already have strategic plans (such as SCORP and NOVA) for many programs, but discussion should be had on how to address prospective issues at the grant application level such as climate change, population growth, transportation patterns, the newer uses of technology and social media, Internet "crowd funding" for grant matches, and the tension and disequilibria between rural and urban populations and resources. Although the resources of the RCO are many, bearing in mind #2 above, a thought is that the RCO would benefit from the services of outside experts who can provide additional scope and depth to the issue. One suggestion is that the Board consider recommending to the RCO that an outside consultant be retained on "Needs and Resource Assessment for Outdoor Recreation and Conservation" with a report due in a specific time period. Any such report should enhance, but not duplicate, current plans and data such as those found in the SCORP.

3. Economic Metrics. The RCO already does an excellent job in reporting how funds are distributed and allocated between grant applicants, and on how state programmatic funds are allocated. However, an element that is currently not being addressed is the economic impact of those funds, i.e. the number of jobs that are being created by specific grants. Rather than having grant applicants or stakeholders address this issue, the RCO could use criteria already accepted by either the federal or state government. This data would be separate from calculations done by industry trade groups, which are important in their own right, but which are not subject to the same fiduciary calculus as is the RCO. Any metrics adopted should also be consistent with those found in Results Washington.

4. Legislative Review. Time should be allocated for a review of information learned from the current legislative session.

The goal should be to re-acquaint ourselves with the Board's Strategic Plan, then plan out the next 2 years of meetings by needed topic areas.

To blow any dust off of the plan, see if we are on track and to see if things have changed in the environment enough to make tweaks in the plan.

What else should we know?

The following table includes unedited board member comments submitted for this survey question.

What else should we know? Are there other questions we should be asking on this survey?

Board member perceptions/views of its role/desired role. The Board has delegated many authorities to the agency's Director over the past 6 years- to enable greater speed and efficiency in decision making- may be good to revisit/affirm Board roles vs. staff roles.

I thoroughly enjoy my role as an alternate member and appreciate being included in board activities so I am able to fully participate in Don's absence. I hope this arrangement is working out satisfactorily for staff as well.

Is the board spending enough time discussing the legislative/political environment? If not, what can be done to make sure the board is up to speed with new leadership, committee members and other political dynamics.

Question 9. [News Clips] I glance through them and read part of them, depending on my time. Sometimes too many articles on same issue.

Summary of the Applicant Survey

Survey Approach

At the time the survey was sent, the evaluation results for the Boating Infrastructure Grant (BIG), Recreational Trails Program (RTP), and Nonhighway and Off-Road Vehicle Activities Program (NOVA) programs had not been finalized and released. By the time the survey closed on December 10, however, all applicants had results in hand.

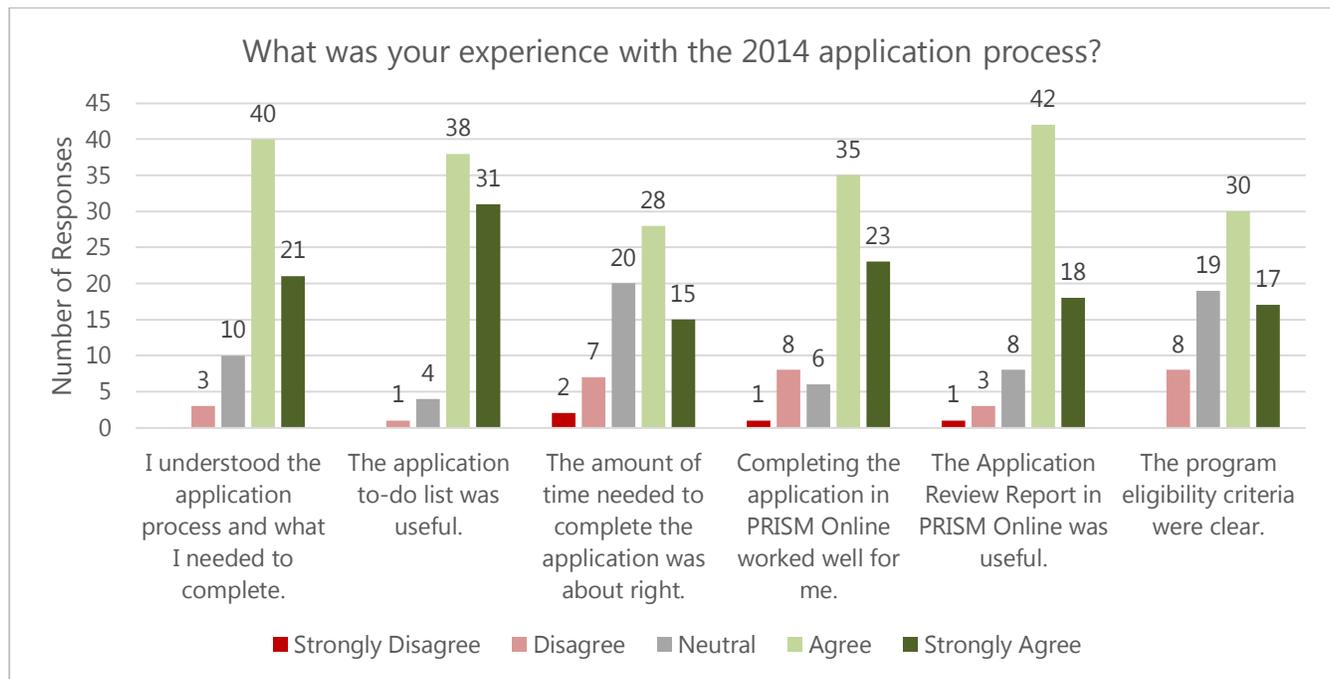
Respondents had the option to respond for more than one program. This accommodated applicants who applied in multiple programs. Nearly 15 percent of respondents provided feedback for more than one program.

About the Respondents

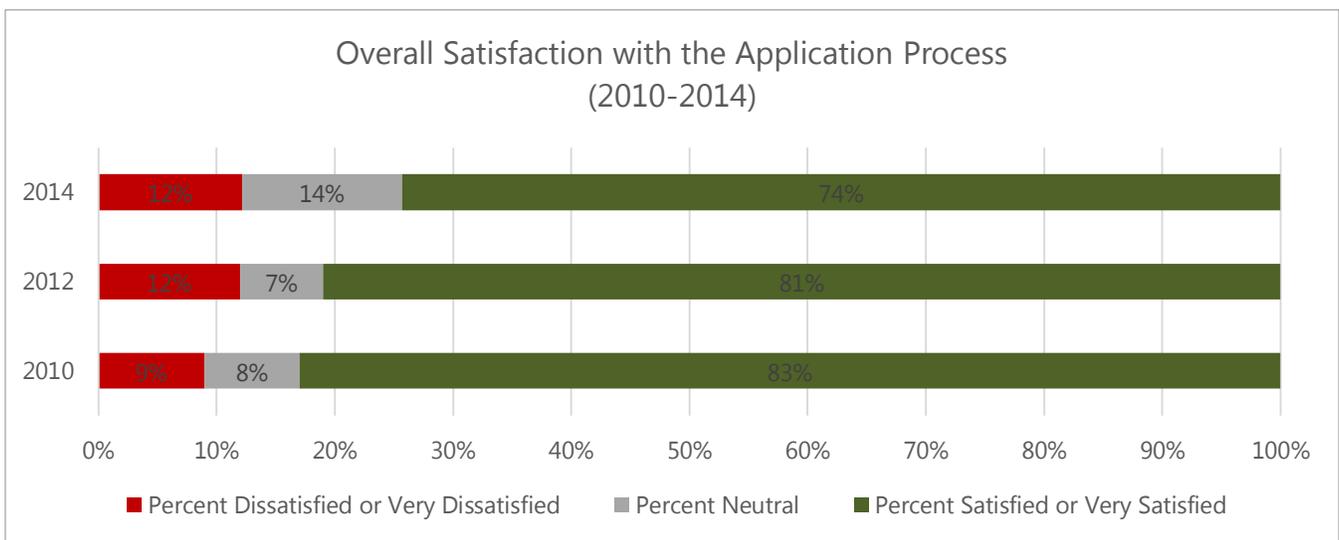
Approximately 36 percent of respondents reported that this was their first time participating in the RCO's grant process. This is an increase from 2012, when 20 percent of respondents identified themselves as first-time applicants. This year, 25 percent of first-time applicants reported that their co-workers had applied in the past. These experienced colleagues presumably assisted some first-time applicants. The Boating Facilities Program (BFP), and Land and Water Conservation Fund (LWCF), and NOVA had the greatest number of respondents reporting that they were new to the process.

Representatives of many organization types responded to the survey. Nonprofits, cities and towns, and state agencies submitted the most responses.

Application Process



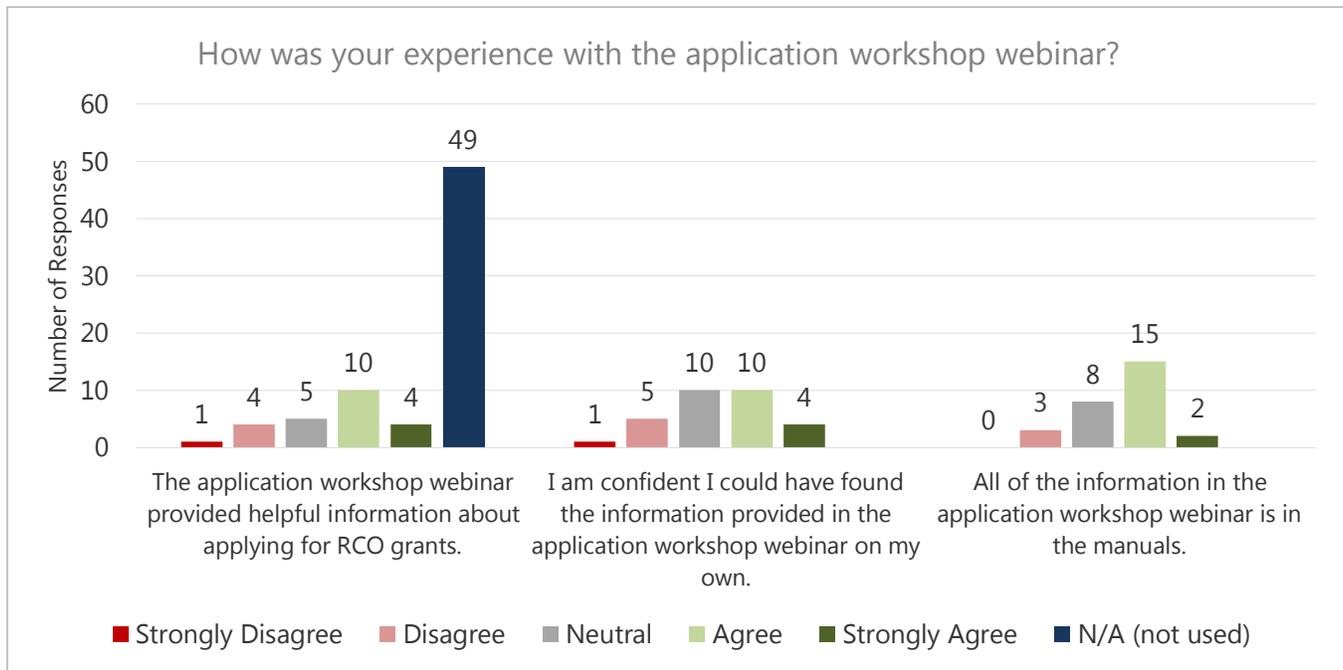
	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree
I understood the application process and what I needed to complete.	4%	14%	82%
The application to-do list was useful.	1%	5%	93%
The amount of time needed to complete the application was about right.	13%	28%	60%
Completing the application in PRISM Online worked well for me.	12%	8%	79%
The Application Review Report in PRISM Online was useful.	6%	11%	83%
The program eligibility criteria were clear.	11%	26%	64%



- A majority of respondents were satisfied or very satisfied with the application process.
- Six of the 9 respondents who disagreed or strongly disagreed with the statement “The amount of time needed to complete the application was about right” applied for a grant in the RTP program.
- Six of the 9 respondents who disagreed or strongly disagreed with the statement “Completing the application in PRISM Online worked well for me” were returning applicants. These respondents were different from the people who disagreed or strongly disagreed that the amount of time needed to complete the application was about right.
- Generally, applicants in 2014 felt less satisfied and more neutral about the application process than in 2012, but there is no noted increase in dissatisfaction since the last grant round. Satisfaction with the application process has decreased in each grant round since 2010.⁴

⁴ The data on overall satisfaction with the application process are not an aggregation of the more detailed questions outlined above; an overall satisfaction question was asked in a separate section of the survey.

Application Workshop Webinar

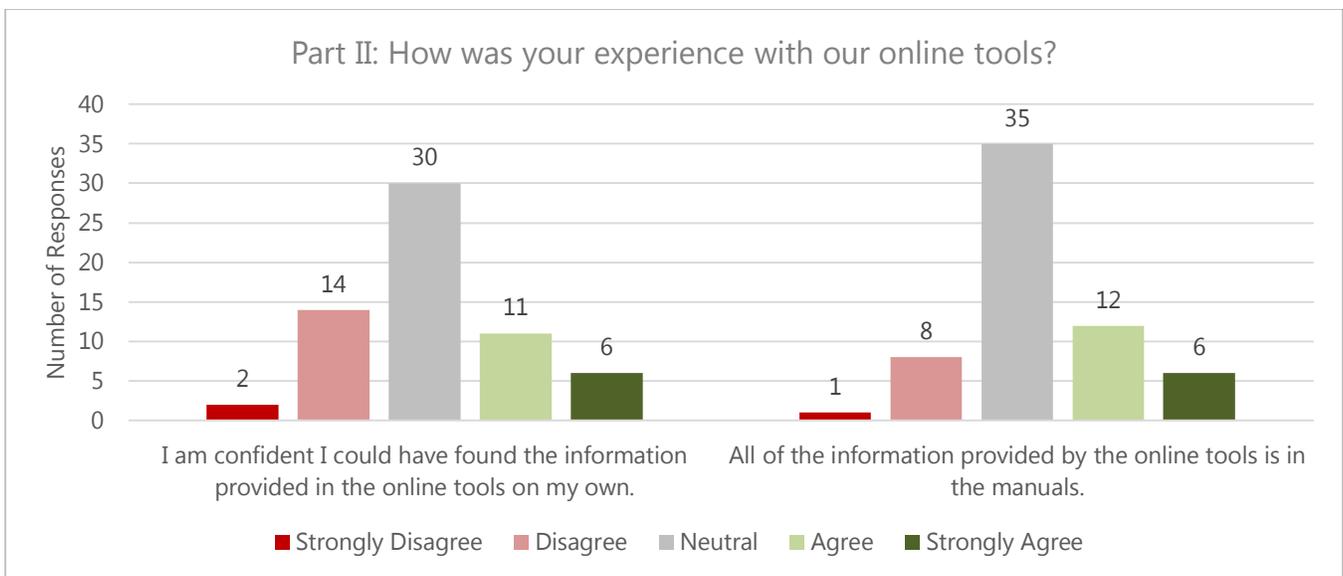
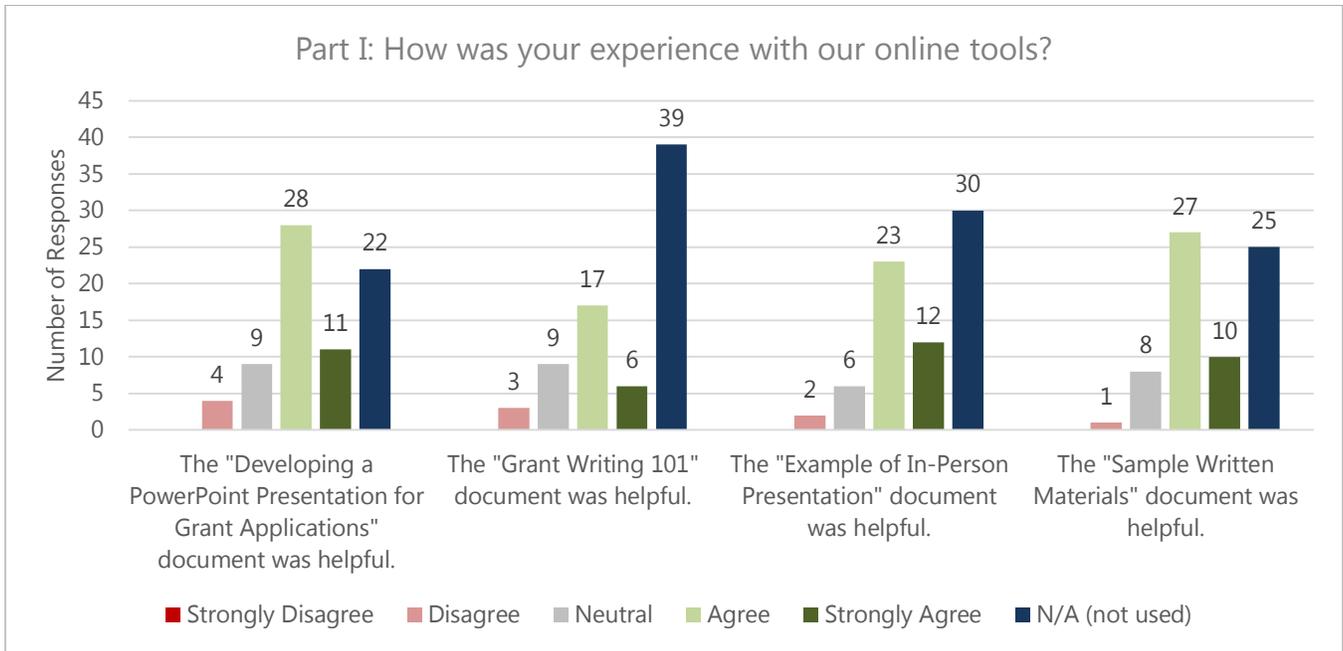


	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree
The application workshop webinar provided helpful information about applying for RCO grants. ⁵	7%	7%	19%
I am confident I could have found the information provided in the application workshop webinar on my own.	20%	33%	47%
All of the information in the application workshop webinar is in the manuals.	11%	29%	61%

- A total of 67 percent of respondents reported they did not use the webinar.
- Of those who responded that they did not use the webinar, around 70 percent have applied previously for RCO grants. Only 9 percent were first-time applicants without support from experienced co-workers.
- Of the respondents who didn't participate in the webinar, 98 percent responded in another section of the survey that they understood the application process. A similarly high percentage of respondents who didn't participate in the webinar also reported an understanding of the technical review (95 percent) and evaluation (91 percent) processes.
- One respondent shared, "The YouTube webinars were quite helpful and I did get some questions answered with the chat feature during the live webinar."

⁵ Forty-nine respondents (67 percent) indicated they did not participate in the application workshop webinar.

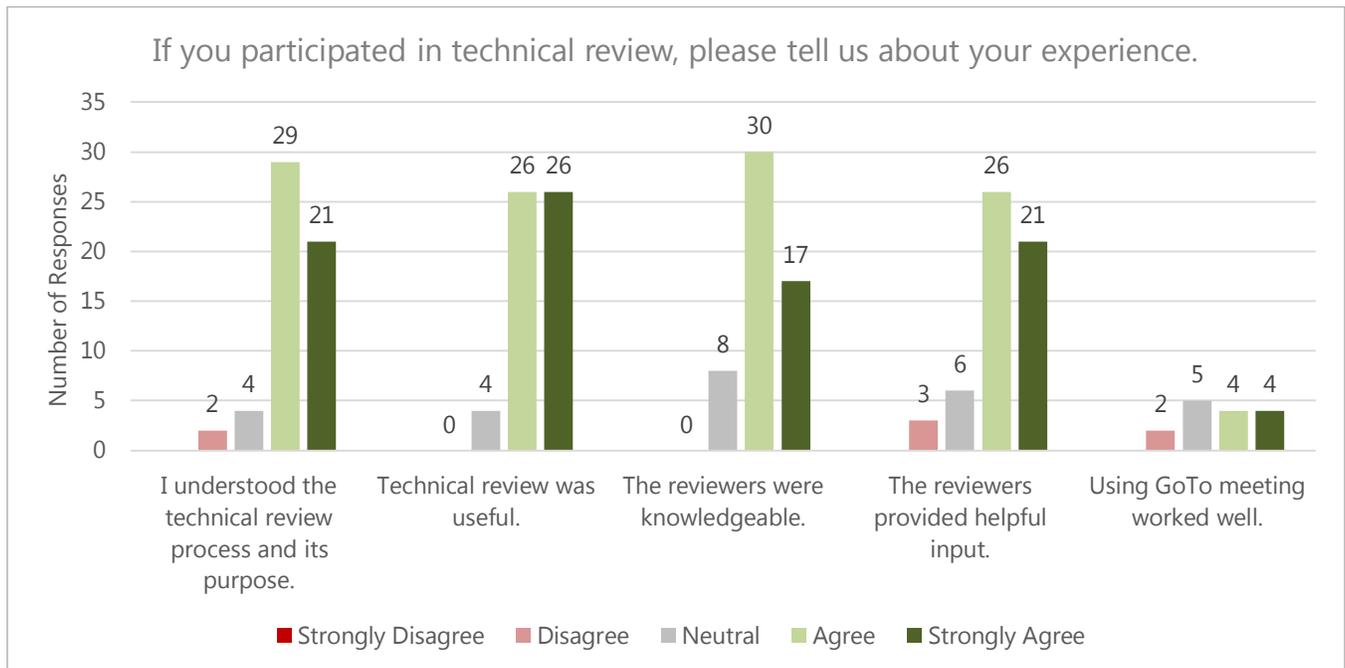
Online Tools



	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree	N/A (Not Used)
The "Developing a PowerPoint Presentation for Grant Applications" document was helpful.	5%	12%	53%	30%
The "Grant Writing 101" document was helpful.	4%	12%	31%	53%
The "Example of In-Person Presentation" document was helpful.	3%	8%	48%	41%
The "Sample Written Materials" document was helpful.	1%	11%	52%	35%
I am confident I could have found the information provided in the online tools on my own.	25%	48%	27%	--
All of the information provided by the online tools is in the manuals.	15%	56%	29%	--

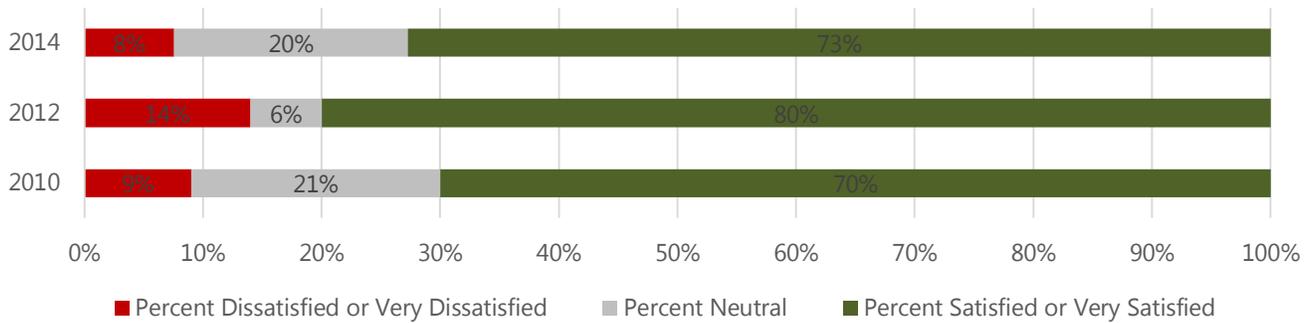
- This is the first year we asked detailed questions about specific online tools. On average, these resources are used by 60 percent of respondents.
- A majority of respondents who used online tools found them helpful.
- A majority of respondents were neutral on whether they could have found the information provided in the online tools on their own and whether all of the information provided by the online tools is in the manuals.

Experience with Technical Review



	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree
I understood the technical review process and its purpose.	4%	7%	89%
Technical review was useful.	0%	7%	93%
The reviewers were knowledgeable.	0%	15%	85%
The reviewers provided helpful input.	5%	11%	84%
Using GoTo meeting worked well.	13%	33%	53%

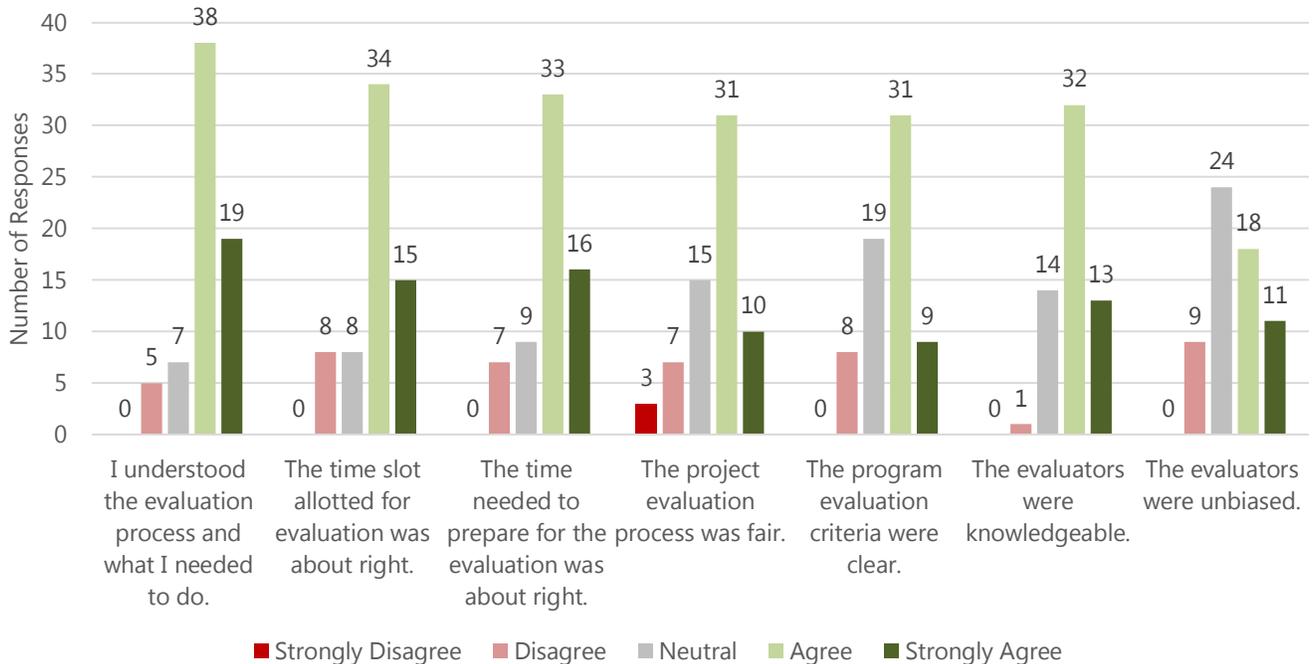
Overall Satisfaction with Technical Review (2010-2014)



- In comparison with survey results from 2012, a higher percentage of respondents in 2014 felt that technical review was useful and the reviewers were both knowledgeable and provided helpful input.
- Generally, applicants in 2014 felt less satisfied with technical review than in 2012, but they were also less dissatisfied. This year saw a notable increase in neutral responses.⁶
- Seventy-seven percent of respondents reported they attended technical review in person instead of through a GoTo Meeting.

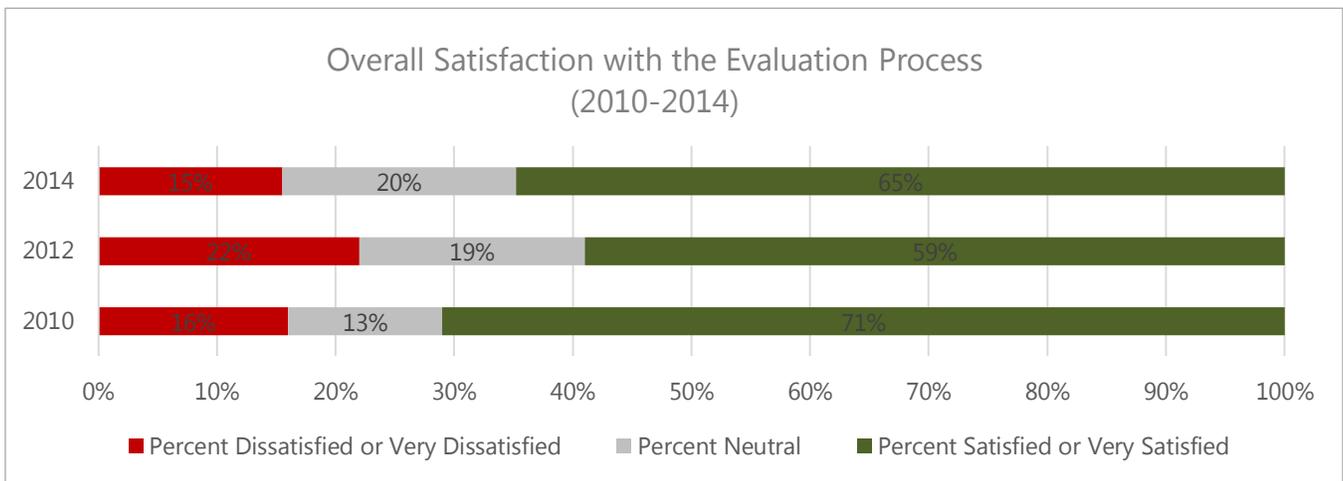
Evaluation Process

Please tell us about your experience with the 2014 evaluation process.



⁶ The data on overall satisfaction with technical review are not an aggregation of the more detailed questions outlined above; an overall satisfaction question was asked in a separate section of the survey.

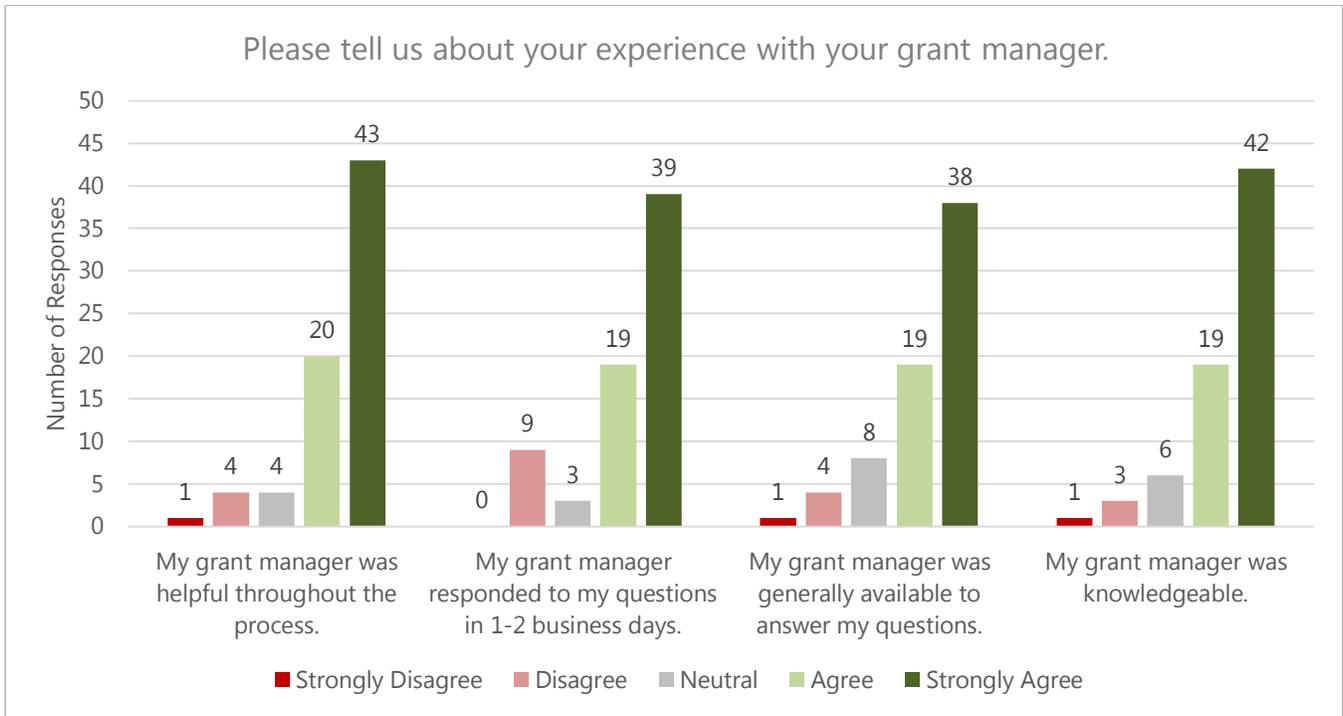
	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree
I understood the evaluation process and what I needed to do.	7%	10%	83%
The time slot allotted for evaluation was about right.	12%	12%	75%
The time needed to prepare for the evaluation was about right.	11%	14%	75%
The project evaluation process was fair.	15%	23%	62%
The program evaluation criteria were clear.	12%	28%	60%
The evaluators were knowledgeable.	2%	23%	75%
The evaluators were unbiased.	15%	39%	47%



- As in previous applicant surveys, some respondents noted that they were unsure that they could rate whether the evaluators were knowledgeable and/or unbiased. Others noted concerns about bias in specific programs.
- In comparison with 2012, there was a 19 percent increase in respondents who agreed or strongly agreed that the evaluators were knowledgeable and a 9 percent increase in respondents who agreed or strongly agreed that the evaluators were unbiased.
- Overall, applicants in 2014 were more satisfied with the evaluation process than in 2012.⁷

⁷ The data on overall satisfaction with the evaluation process are not an aggregation of the more detailed questions outlined above; an overall satisfaction question was asked in a separate section of the survey.

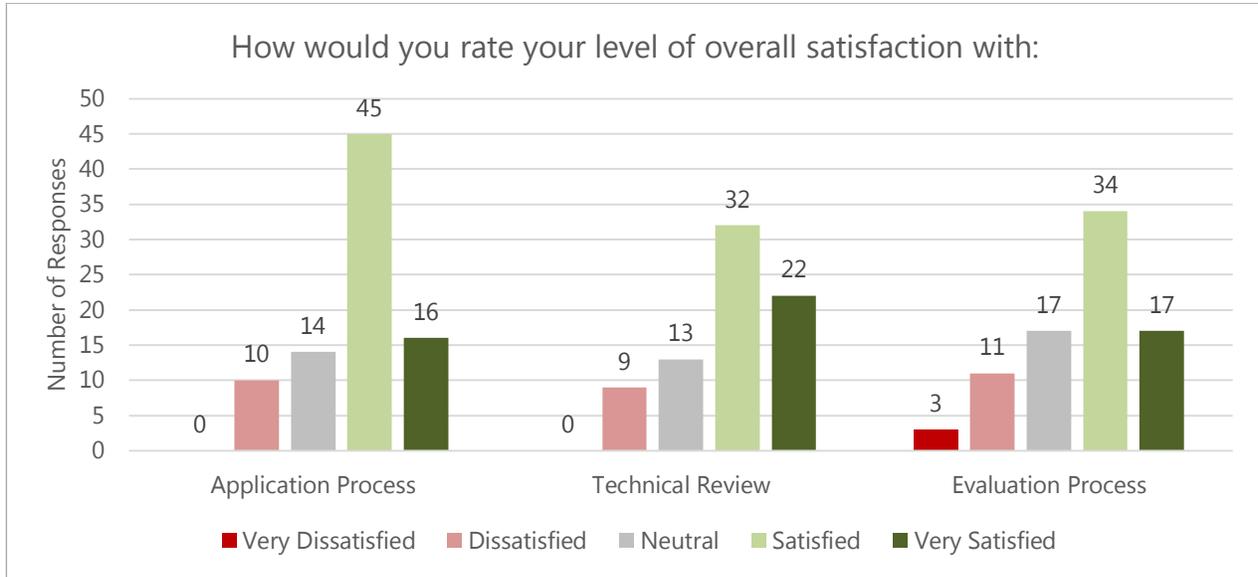
Interaction with Grant Manager



	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree
My grant manager was helpful throughout the process.	7%	6%	88%
My grant manager responded to my questions in 1-2 business days.	13%	4%	83%
My grant manager was generally available to answer my questions.	7%	11%	81%
My grant manager was knowledgeable.	6%	8%	86%

- It is clear from the comments and survey results that the grant managers are an integral part of the grant process.
- Of the respondents that included comments, 74 percent were positive. Respondents who had negative comments generally brought up availability issues.
- Managers are reviewing staff-specific feedback.

Overall Satisfaction



	Percent Dissatisfied or Very Dissatisfied	Percent Neutral	Percent Satisfied or Very Satisfied
Application Process	12%	16%	72%
Project Review	12%	17%	71%
Evaluation Process	17%	21%	62%

- The majority of respondents are satisfied or highly satisfied with the application process, technical review, and the evaluation process.
- Survey results from 2014 show only minor shifts from 2012 data, including increased satisfaction with the evaluation process and increased neutral responses for the application process and technical review.

Is there a part of the process that causes you frustration?

Fifty-seven⁸ respondents chose to answer this open-ended question. Their comments are roughly categorized as follows:

What Causes Frustration	Number of Responses
Grant Round Process	22
Technical Review and Evaluation	11
Manuals	6
PRISM	5
Outcomes for Small Communities	5
RCO Staff	3
Other*	2

⁸ Three non-substantive responses were not included in this summary (i.e. "no" or "already explained").

*The following table includes unedited comments from the "Other" category.

Comment
It's all frustrating. But the frustration level diminishes with each successive application.
If we had more funding and projects deeper into the list received grants the process would be more reasonable to complete. I personally lobby nearly every year for more funding. We need to keep explaining the need to the legislature and hopefully over time we will receive adequate funding.

Is there a part of the process that works especially well for you?

Forty-four respondents chose to answer this open-ended question. Their comments are roughly categorized as follows:

What works well	Number of Responses
Grant Round Process	14
Technical Review and Evaluation	11
PRISM	9
RCO Staff	8
Other	2

The following table includes unedited comments from the "other" category.

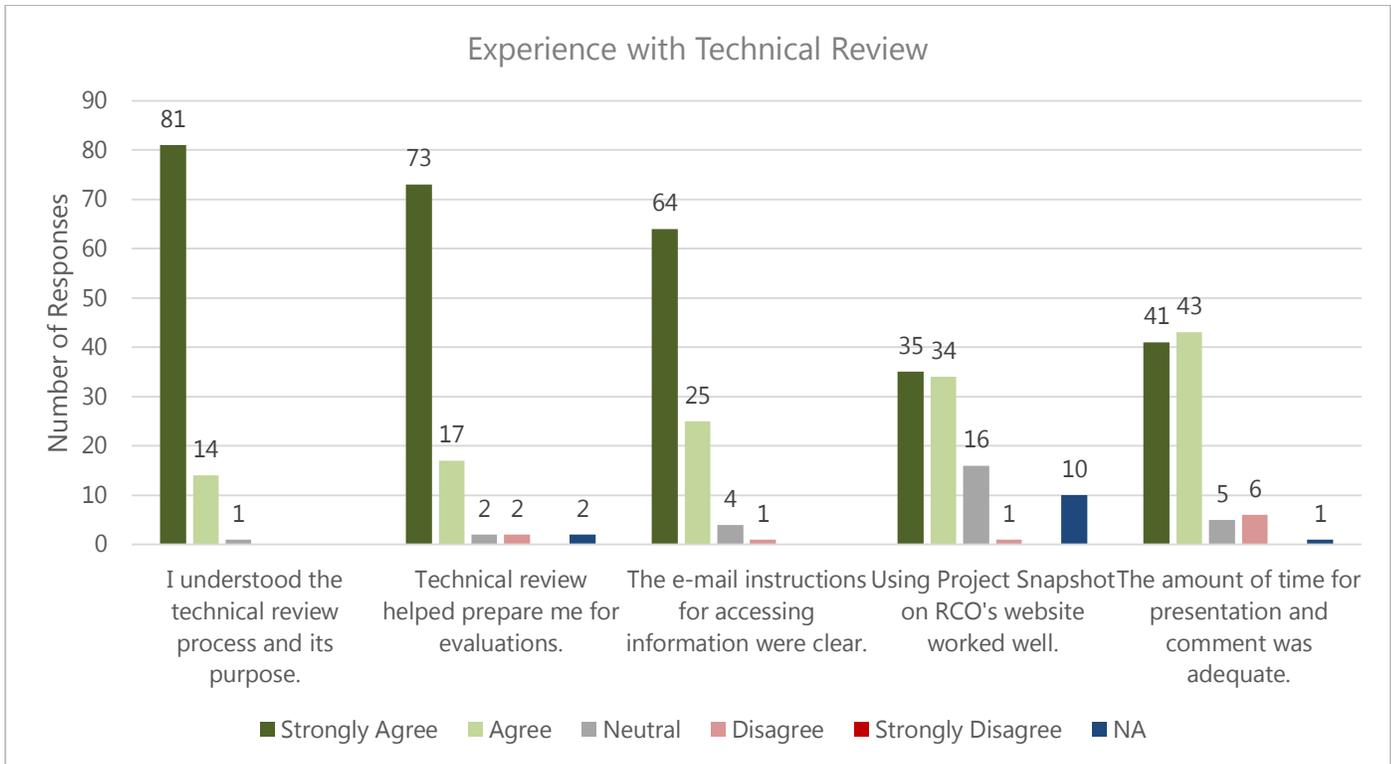
Comment
last minute decision for application so had little time, and new with grant process
not sure, just happy to get through first time.

Summary of the Advisory Committee Survey

Survey Approach

Respondents had the option to provide feedback for more than one program. This accommodated advisory committee members who participated in multiple programs. Nearly 11 percent of respondents provided feedback for more than one program.

Technical Review

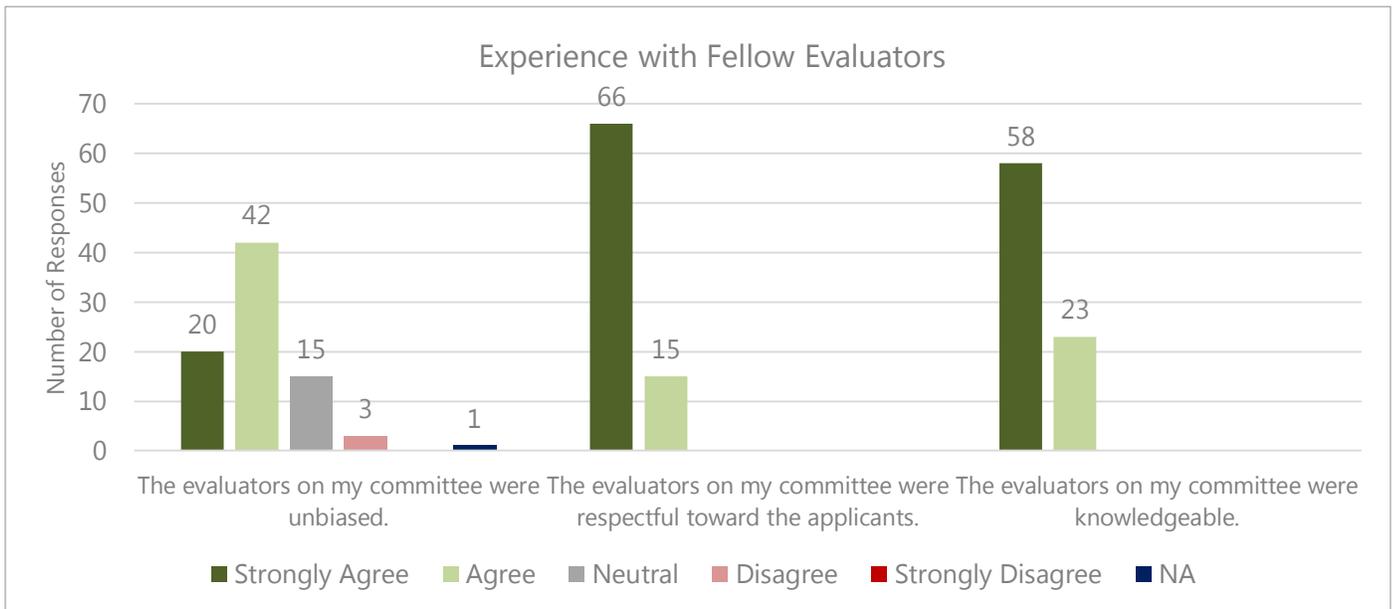
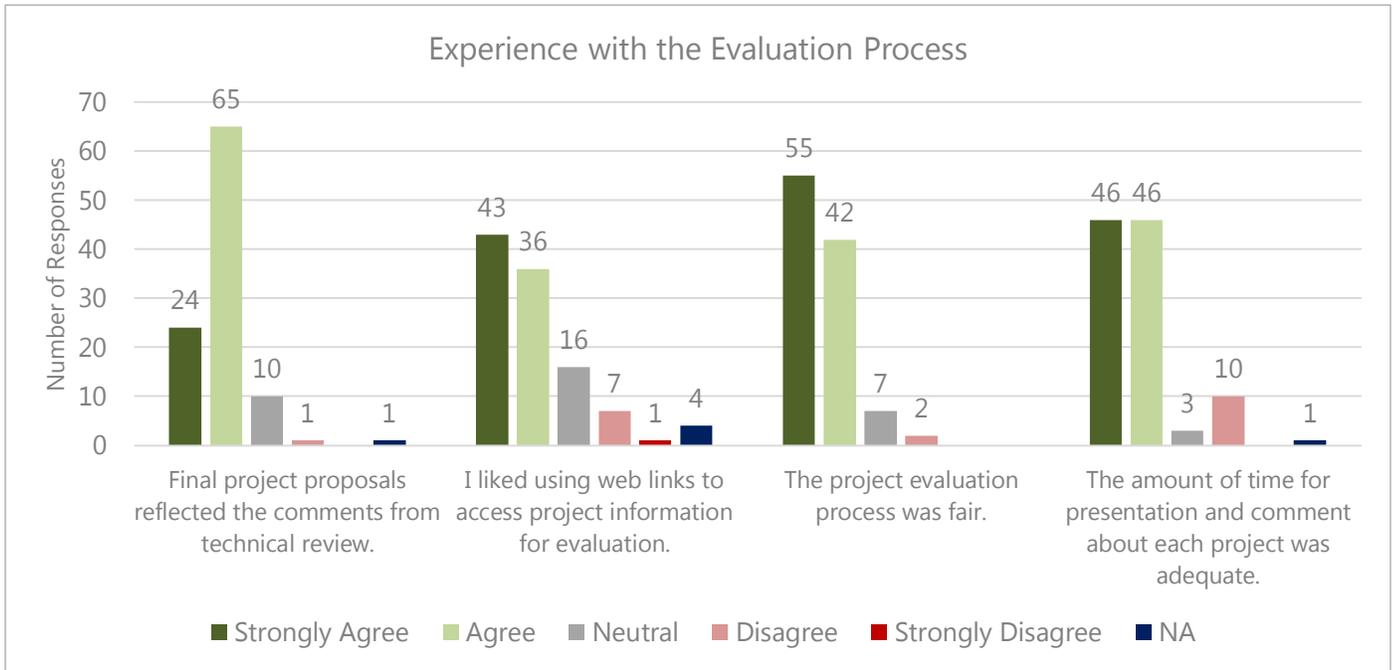


	Percent Disagree or Strongly Disagree	Percent Neutral ⁹	Percent Agree or Strongly Agree
I understood the technical review process and its purpose.	0%	1%	99%
Technical review helped prepare me for evaluations.	2%	2%	96%
The e-mail instructions for accessing information were clear.	1%	4%	95%
Using Project Snapshot on RCO's website worked well.	1%	19%	80%
The amount of time for presentation and comment was adequate.	6%	5%	88%

- Survey respondents were generally satisfied with technical review.
- Approximately 10 percent of advisory committee members indicated not applicable (NA) when asked whether Project Snapshot worked well. RCO did not use Project Snapshot for all programs in 2014. Survey comments indicate that some advisory committee members didn't know about Project Snapshot and others had technical issues that limited its use. These responses may also contribute to the 19 percent of respondents who were neutral on whether Project Snapshot worked well.
- In their comments, survey respondents suggested that RCO staff should consider completing technical review for selective programs.

⁹ Responses of "NA" were not included in this summary table of percentages.

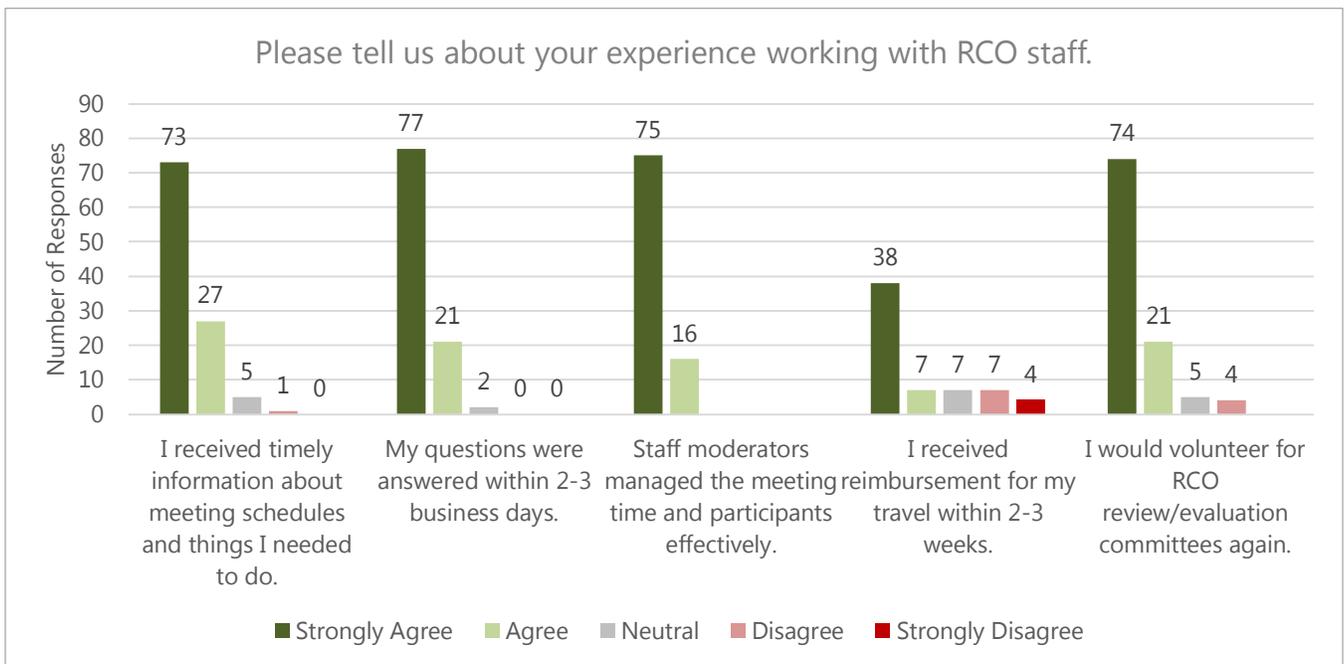
Evaluation Process



	Percent Disagree or Strongly Disagree	Percent Neutral ¹⁰	Percent Agree or Strongly Agree
Final project proposals reflected the comments from technical review.	1%	10%	88%
I liked using web links to access project information for evaluation.	7%	15%	74%
The project evaluation process was fair.	2%	7%	92%
The amount of time for presentation and comment about each project was adequate.	9%	3%	87%
The evaluators on my committee were unbiased.	4%	19%	77%
The evaluators on my committee were respectful toward the applicants.	0%	0%	100%
The evaluators on my committee were knowledgeable.	0%	0%	100%

- A strong majority of respondents (92 percent) felt that the project evaluation process was fair and that the amount of time for presentation and comment about each project was adequate (87 percent).
- Advisory committee respondents were unanimous in their responses that evaluators were respectful towards applicants and knowledgeable. Over three quarters also felt that fellow evaluators were unbiased.
- Respondent comments centered on the perception of evaluation bias, the evaluation process, whether presenters had enough time, and issues with online file access.
- Some respondents commented that it was more challenging to evaluate projects that did not go through technical review and it was frustrating when suggestions from technical review were not incorporated into final presentations.

Interaction with RCO Staff

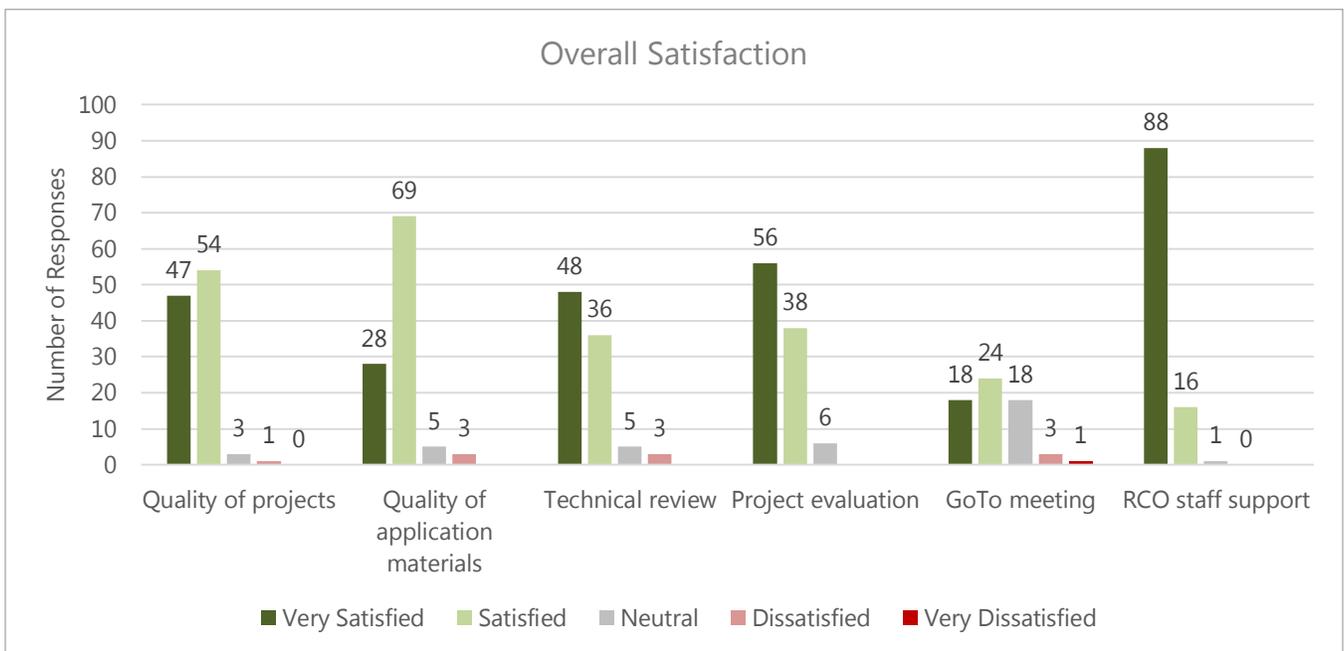


¹⁰ Responses of "NA" were not included.

	Percent Disagree or Strongly Disagree	Percent Neutral ¹¹	Percent Agree or Strongly Agree
I received timely information about meeting schedules and things I needed to do.	1%	5%	94%
My questions were answered within 2-3 business days.	0%	2%	98%
Staff moderators managed the meeting time and participants effectively.	0%	0%	100%
I received reimbursement for my travel within 2-3 weeks.	17%	11%	71%
I would volunteer for RCO review/evaluation committees again.	4%	5%	91%

- Survey respondents were generally satisfied with their experience working with RCO staff.
- All respondents felt that staff managed the meeting time and participants effectively.
- RCO staff could make improvements in the turn-around time for reimbursements.
- Survey respondents who provided comments regarding how the session moderator could improve were generally positive.
- General comments were categorized into several areas: reimbursement, scheduling, the time commitment of advisory committee members, and kudos for RCO staff.
- In a separate open-ended question, thirty-four respondents provided comments about what staff moderators could do to improve. Several responded that it would be helpful to provide presenters with cues on the amount of time remaining. Other comments were generally positive, such as “I think the moderators did very well. The process ran like a well-oiled machine.”

Overall satisfaction

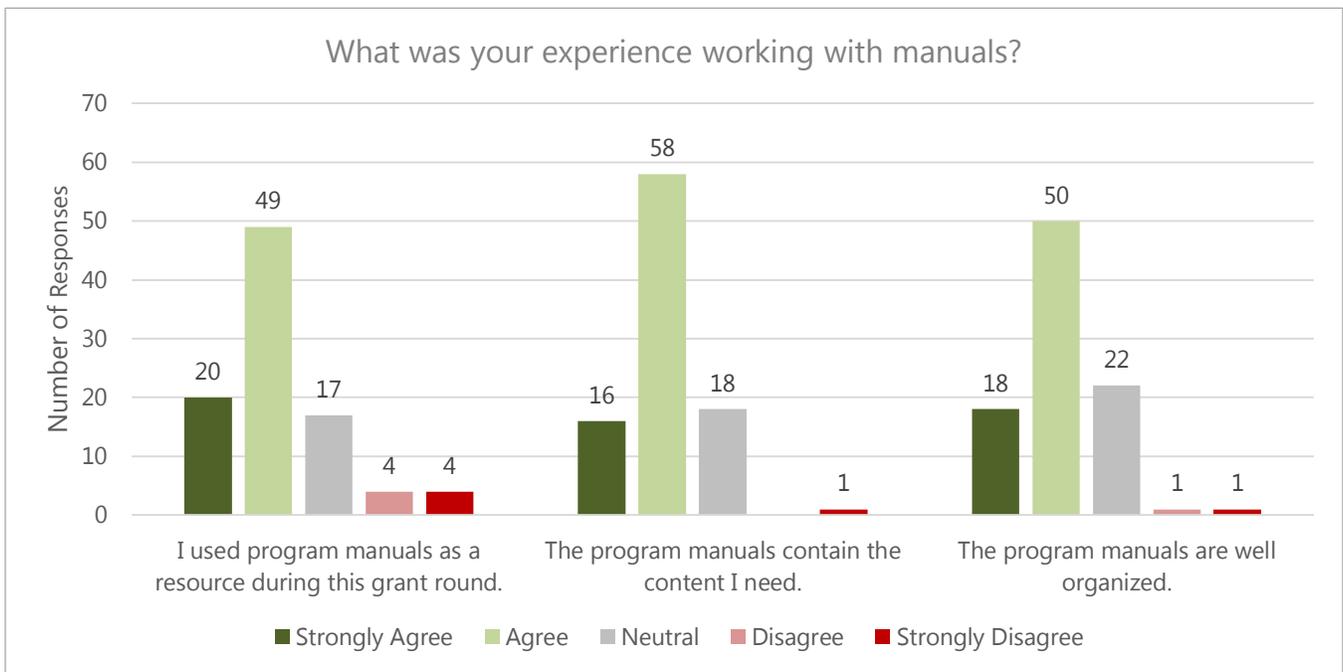


¹¹ Responses of “NA” were not included.

	Percent Dissatisfied or Very Dissatisfied	Percent Neutral ¹²	Percent Satisfied or Very Satisfied
Quality of projects	1%	3%	96%
Quality of application materials	3%	5%	92%
Technical review	3%	5%	90%
Project evaluation	0%	6%	94%
GoTo meeting ¹³	4%	17%	41%
RCO staff support	0%	1%	99%

- Survey respondents were generally satisfied with the 2014 grant round.
- Respondents provided comments on the evaluation criteria, particularly recommendations on improvements to the criteria used in the WWRP-Trails program.

Experience working with manuals



	Percent Disagree or Strongly Disagree	Percent Neutral	Percent Agree or Strongly Agree
I used manuals as a resource during this grant round.	9%	18%	73%
The manuals contain the content I need.	1%	19%	80%
The manuals are well organized.	2%	24%	74%

¹² Responses of "NA" were not included.

¹³ GoTo Meeting received 39 responses of "NA."

- Three quarters of survey respondents use manuals as a resource during the grant round.
- Survey respondents generally felt that the manuals have needed content and are well organized.

Do you have suggestions for how RCO could improve participation in post-evaluation conferences?

- Several respondents noted issues with dialing into the post-evaluation conference remotely.
- Respondents also commented on the need for RCO staff to provide more advance notice and adjust the timeline for the conference.

Is there a part of the process that causes you frustration?

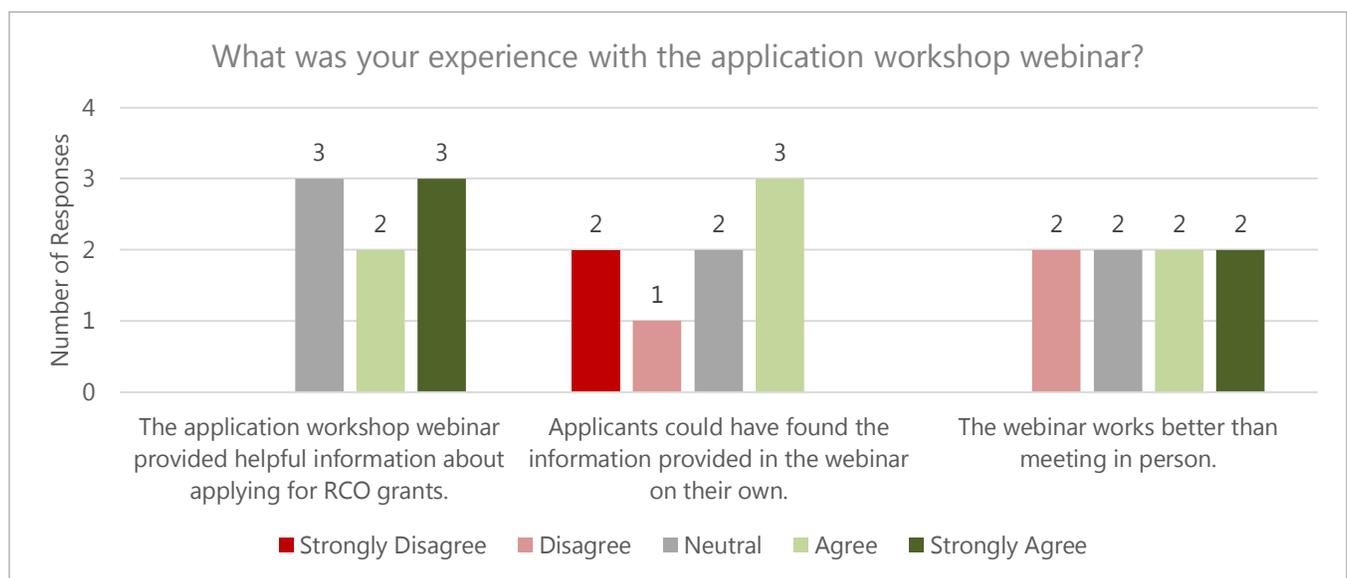
- Survey respondents were concerned about how to provide valuable feedback to applicants, given time constraints.
- Survey respondents suggested the greater diversity on the advisory committee would be helpful.
- Respondents also commented about the difficulty of using online materials.
- For the RTP program, several respondents voiced concerned that there was overlap and/or similarity between projects.

Is there a part of the process that works especially well for you?

- Advisory committee members provided diverse comments on what went well during the 2014 grant round.
- Some respondents commented on the importance of face-to-face interactions, while others praised the ability to participate remotely.
- Advisory committee member opinions were split on the merits of hard copy versus electronic documentation.
- Survey respondents expressed an appreciation for early access to online materials, although it was sometimes difficult for evaluators to focus on the specific materials they needed to review.

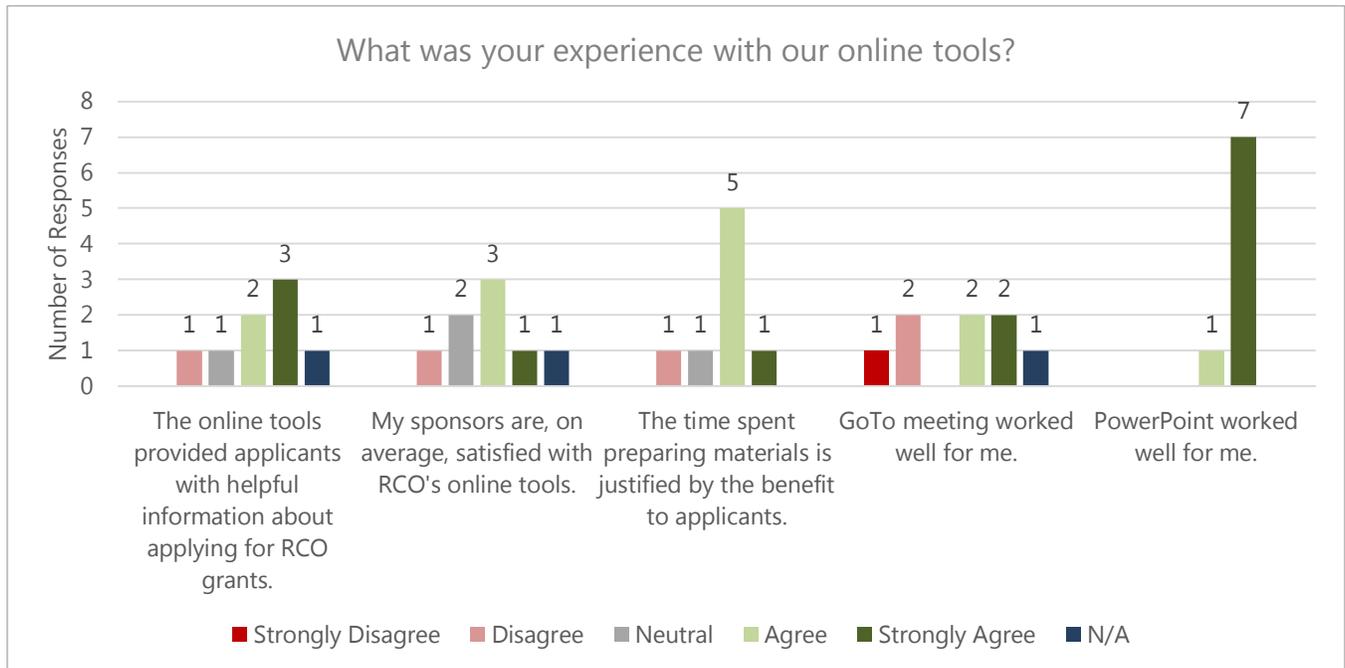
Summary of the RCO Grant Manager Survey

Application Workshop Webinar



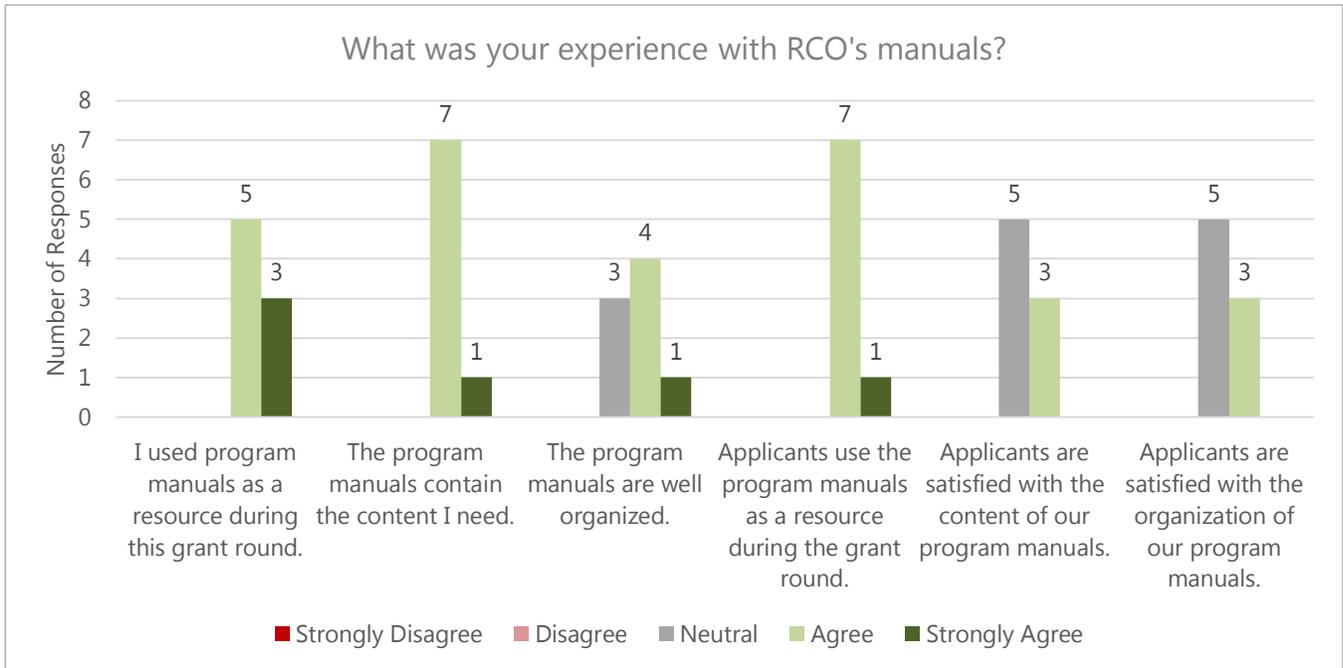
- Grant managers responded that the workshop webinar provided applicants with helpful information about applying for RCO grants.
- Grant manager responses were mixed on whether applicants could have found the information provided in the webinar on their own.
- Responses highlighted the balance between saving resources by hosting a webinar and developing personal interactions with applicants.

Online Tools



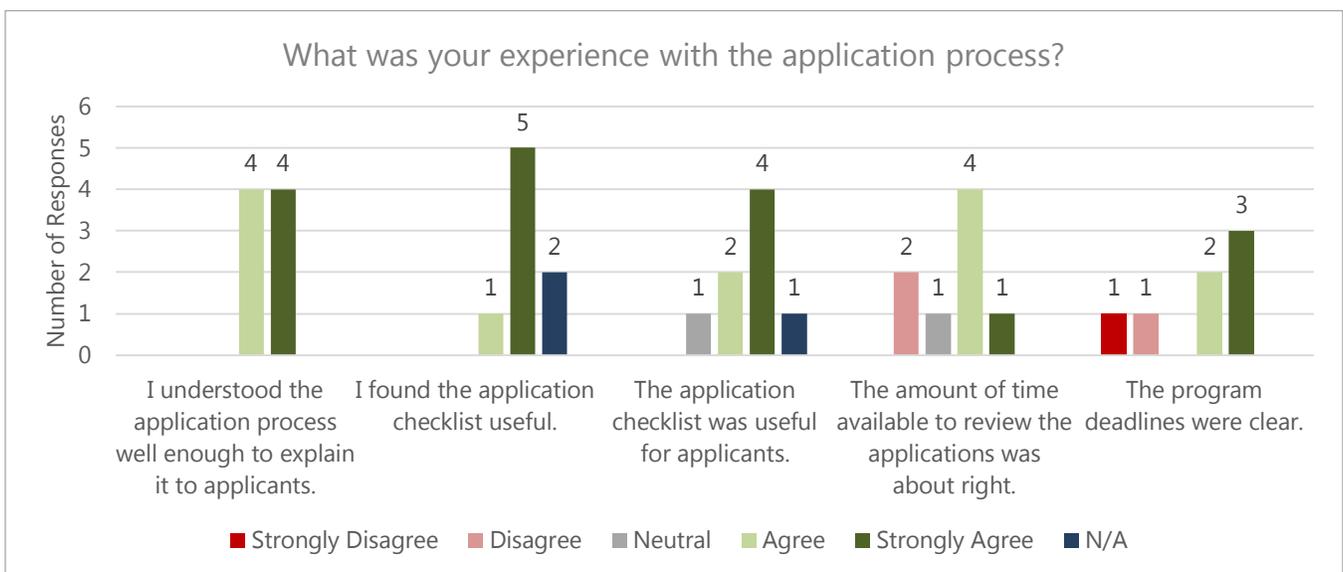
- Grant managers generally provided positive responses regarding online tools and felt that the time spent preparing materials is justified by the benefit to applicants. However, comments suggest that online information could be better organized.
- Grant managers had mixed responses related to GoTo meeting. One grant manager discussed ongoing issues with audio clarity and consistency, another recommended that applicants attend in-person unless there are extenuating circumstances.

Manuals



- Grant managers provided positive or neutral responses regarding RCO's manuals.
- Several grant managers suggested in their comments that manuals need further citations to RCW, WACs, and/or board policies.
- Grant managers also suggested several ideas for how to re-organize the content of manuals into a more usable format.

Application Process



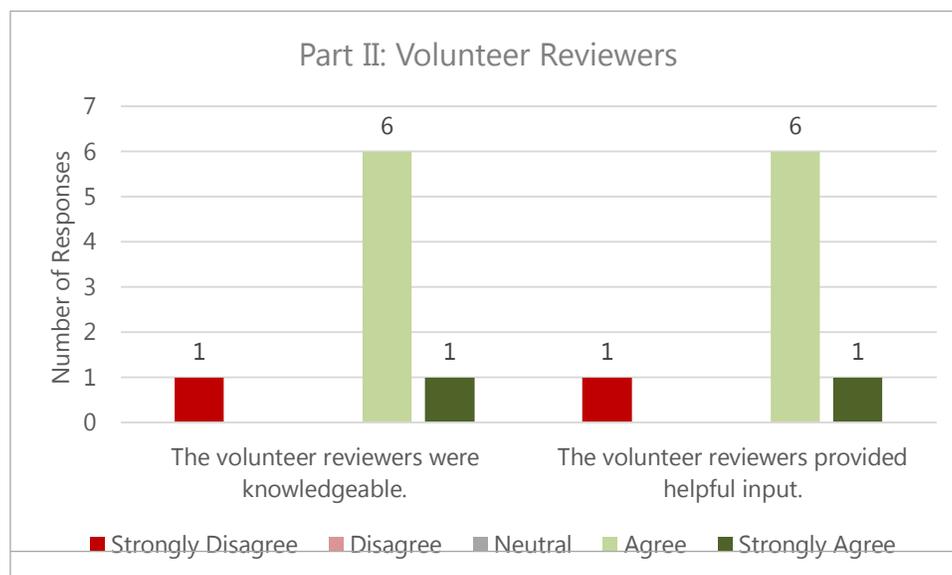
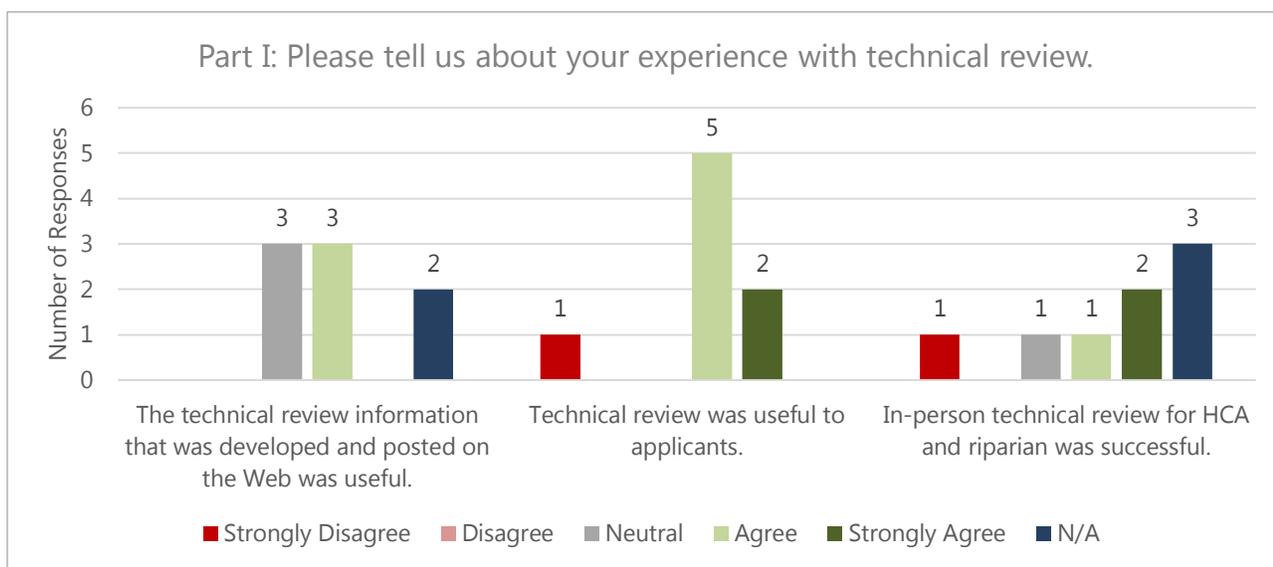
- Grant managers responded that they understood the application process well enough to explain it to applicants.

- Two grant managers selected not applicable (N/A) when asked if they found the application checklist useful. Comments suggest that at least one of these grant managers were unsure of what the application checklist was.
- Two grant managers felt they did not have enough time to review applications.
- Two grant managers also felt RCO should further clarify program deadlines for applicants. A suggestion from the comments was to share the deadline schedule electronically.

PRISM Online

- Grant managers responded unanimously that PRISM Online resulted in more complete applications.
- Grant managers commented that it remains challenging to interact with PRISM online due to speed and functionality issues. Several grant managers suggested improvements.

Technical Review



- Grant manager feedback on technical review was generally positive.

- One grant manager disagreed that technical review was useful to applicants, in-person technical review for HCA and riparian was successful, and that the volunteer reviewers were knowledgeable and provided helpful input.

Early Review

Early technical review meetings were intended to reduce the amount of time OGMs spend reviewing and commenting on each individual application.

- Grant managers generally responded that early review worked well.
- Between 1-2 grant managers felt that improvements were needed for the following programs:
 - Boating Facilities Program (BFP)
 - Firearms and Archery Range Recreation (FARR)
 - Land and Water Conservation Fund (LWCF)
 - Washington Wildlife and Recreation Program (WWRP)-Local Parks

Overall Satisfaction



- Grant managers were generally satisfied with the application process, staff project review, volunteer project review, and the evaluation process.
- One comment suggested that the volunteer review panels could be more diverse.

Section Performance

- Grant managers responded that their section performed superior (1) or excellent (7) during the grant round.
- Comments suggest that the RCFB grant managers are a tight-knit team who helped each other through the grant round.
- Non-grant management staff including Cindy, Lorinda, and Marguerite received kudos in the comments section.
- Grant managers made many suggestions for improvement in their comments, including multiple comments on the following topics.
 - Application webinar
 - Planning requirement process.
 - Scheduling technical review and evaluation meetings

How to Improve Efficiency

This question was open-ended. The following table includes unedited comments from grant managers.

Is there something RCO can change to make your work more efficient for the next grant round?
Limit the ability of sponsors to only upload required attachments and do not allow duplicate types. Shift from a bunch of separate attachments to a preliminary PowerPoint presentation that covers all the things we ask for....OGM's could then provide feedback in the Notes section of the PPT. This would also benefit the quality of Final PPT Presentations.
1. Electronic scoring at evaluations 2. Blog-style commenting for technical review 3. Utilizing the mapping capabilities we already have (why do we continue to ask for maps from applicants when they now pin-the-point? 4. More specialization for OGMs
Not sure. Let me think about this. Perhaps discussion at the retreat?
A cube with a window, absolutely necessary to improve the efficiency and production of all OGM's.

Additional Resources Needed

This question was open-ended. The following table includes unedited comments from grant managers.

Are there additional internal resources you would like for the 2016 grant round (ex. additional meeting support, online materials, training, or other tools)?
Two computer monitors for expedited review of applications.
1. More online training videos for evaluators, applicants, etc. This was valuable for NOVA orientation 2. Digitized APE and boundary maps in PRISM. OGMs cannot do proper analysis with a dot. 3. Better inter-agency coordination between RCFB and SRF projects that overlap. Work is silo'ed and causes delays and compliance issues down the road because project funding and work is not coordinated within the agency
I will have to think about this.

What Works Well?

This question was open-ended. The following table includes unedited comments from grant managers.

Is there a part of the process that works especially well for you?
Reviewing applications in PRISM Online. Automatic e-mails and notifications from PRISM.
The Wizard was a big improvement and saved OGM's and Sponsors time.
It all works pretty well overall, but the whole enchilada is too big/too much for a very stretched staff. Project workload is part of the equation. OGMs are not subject matter experts and that calls into question the effectiveness and quality of what RCO expects there staff to do.
Once comments were done on PRISM online I liked that I just had to submit and it sent it automatically to my sponsor. However, resolving technical issues as described earlier are key and also determining what is actually viewed by the sponsor would be helpful. I assumed they saw all the feedback including Tech Review comments.
The electronic Application Checklist is much better and more efficient than the old paper process. Also, having only the required attachments as a batch edit in the on-line application saved a huge amount of time and effort during this grant...the applications came in much more complete.
I felt the process worked pretty much seamless throughout the summer.

Board Adopted Plans

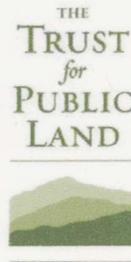
- [Washington State Comprehensive Outdoor Recreation Plan Executive Summary](#) (2013-2018)
- [Washington State Trails Plan](#) (2013-2018)
- [Washington State Nonhighway and Off-road Vehicle Activities Plan](#) (2013-2018)
- Boating Grants Program Plan (forthcoming April 2015)

Board and RCO Information and Resources

- [New Member Orientation PowerPoint](#)
- RCO's [Strategic Direction](#) (2014) and [Strategic Plan](#) (2013)

Other Recent Reports

- [Economic Analysis of Outdoor Recreation in Washington State](#) (2015)
- [Benefits of Outdoor Recreation Brochure](#) (2015)
- Joint Legislative Audit Review Committee Preliminary Report: [Legislature Would Benefit From Additional Information About Detailed Outcomes and Future Costs of Recreation and Habitat Lands When Considering Funding Requests](#) (2015)
- [Governor's Blue Ribbon Parks and Outdoor Recreation Task Force Final Recommendations](#) (2014)
- [Habitat and Recreation Lands Coordinating Group 2014 Progress Report](#) (2014)
- Statute for the Habitat and Recreation Lands Group [RCW 79A.25.260](#)
- [Washington Public Lands Inventory](#) (2014) Link to the PLI and link to the report to leg
- [Results Washington Goal 3 Map](#) (2014)
- [The President's Climate Action Plan](#) (2013)
- [Invaders at the Gate: Washington Invasive Species Council Strategic Plan](#) (2008)
- [Washington Biodiversity Conservation Strategy Executive Summary](#) (2007)



March 17, 2015

Sen. Brian Dansel
Washington State Senate
115B Irv Newhouse Building
PO Box 40407
Olympia, WA 98504

Rep. Joel Kretz
Washington House of Representatives
335A Legislative Building
PO Box 40600
Olympia, WA 98504

Rep. Shelly Short
Washington House of Representatives
427A Legislative Building
PO Box 40600
Olympia, WA 98504

RE: State Funding for Agricultural Conservation Easements in Okanogan County

Dear Senator Dansel and Representatives Kretz and Short:

Our organizations are writing to provide our perspectives on the request submitted by the Okanogan County Board of Commissioners to the Recreational and Conservation Office ("RCO") that the State Legislature not provide funding for agricultural conservation easements in Okanogan County. While we respect the role of county commissioners in expressing viewpoints on behalf of Okanogan County, we believe that agricultural conservation easements are a critical tool to protect working farm and ranchlands, preserve the agricultural economy, and provide financial benefits to Okanogan County.

A number of years ago, Okanogan County Commissioners and legislators in the 7th District expressed opposition to state agency land acquisitions, but did not oppose agricultural conservation easements. Since then, we have focused on agricultural conservation easements because they had political support at the local and state level, and because they did not involve government ownership of more land – the landowner remains the owner of the property.

In recent years, the opposition to funding agricultural conservation easements in Okanogan County has cost county residents and the county itself the benefits of millions of

dollars in investments. Because of Okanogan County Commissioner opposition, \$3.1 million in state conservation easement funding was not funded in 2013. This resulted in the loss of an additional \$3.1 million in matching funds. This year, additional \$4.1 million in state funding could be awarded through WWRP for agricultural conservation easements, and would result in an addition \$2.1 million in matching funds.

In total, \$12.4 million in agricultural conservation easement values could be lost. How would these funds have benefitted Okanogan County? Landowners use conservation easement funds to reinvest in their farm and ranch operations with local businesses, ensuring continued existence for large working ranches in Okanogan County and supporting other agricultural businesses. The irony is that in opposing such funds in Okanogan County, the funds simply go elsewhere, benefitting other parts of the state. Refusing conservation easement funding does not result in funding for other types of projects that Okanogan County Commissioners would prefer.

In 2008, The Trust for Public Land contracted with Headwaters Economics to provide a detailed, transaction-based analysis of real estate trends involving working agricultural lands in Okanogan County, titled "Land Ownership Change and the Ranching Economy in the Okanogan Valley and Eastern Okanogan County, Washington." This report detailed the trends involving the loss of productive agricultural lands to subdivision development activity, and the increasing cost pressures on agricultural landowners.

This report detailed that between 1993 and 2008, approximately 45% of large ranches in the Okanogan County study area (those over 400 acres) changed ownership. Of these transactions, over 50% resulted in changes of use that ended or significantly limited agricultural production. During this same period, the State Legislature directed the Washington Department of Agricultural ("WDOA") to prepare a Strategic Plan for agriculture in Washington State. WDOA produced a report entitled Future of Farming, which detailed the loss of productive agricultural land and its impact on local agricultural businesses as one of the major threats to the industry:

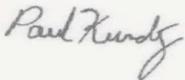
However, that land base is under constant threat of erosion since privately-owned agricultural land is also in heavy demand for nonagricultural uses such as roads, houses, industry, commerce, and schools and other public services, especially on urban fringes. That demand is tied closely to population changes. If the population of Washington increases by one third to 8 million people by 2025, as currently forecast, it would lead to a commensurate increase in non-agricultural demand for land. **As land is progressively lost, the core infrastructure for farming in the region falls below its critical mass, increasing costs to the remaining farmers and encouraging future conversion to other uses.**

Future of Farming, Washington Department of Agriculture p. 51 (2009) (emphasis added)

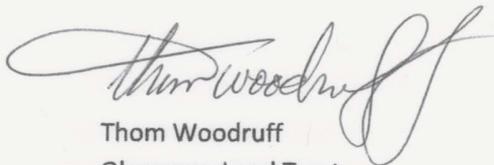
In addition to the direct economic benefits to agriculture from preserving lands, agricultural conservation easements also support fish and wildlife that is the foundation of the outdoor recreational economy. The RCO recently released a report requested by the State Legislature on the economic impacts of outdoor recreation in Washington State, and found that the 7th District had over \$57 million in expenditures for recreation on public lands, and that outdoor recreation contributes over \$117 million in economic activity in Okanogan County. *Earth Economics, Economics of Outdoor Recreation in Washington State, Appendices G and H.* In addition to preserving the agricultural economy, conservation easements preserve fish and wildlife habitat that in turn support outdoor recreation and related tourism and local businesses.

Finally, the reason our organizations continue to work on agricultural conservation easements in Okanogan County is not because of these economic statistics or because local and state elected officials once said they preferred easements over state agency acquisitions. The reason we continue to work on these projects is because of the ongoing and increasing demand from landowners. Most of these landowners are multi-generation residents of Okanogan County, and all of them seek to preserve large, in-tact, functioning agricultural businesses that drive the economy of Okanogan County. They understand that conservation easements enable them to reinvest in their operations and support other local businesses and agricultural operators, and we believe that this is a business decision that the county and state should support.

Sincerely,



Paul Kundtz
The Trust for Public Land



Thom Woodruff
Okanogan Land Trust

cc: Sen. Andy Hill, Chair, Senate Ways & Means Committee
Sen. Jim Hargrove, Ranking Member, Senate Ways & Means Committee
Sen. Jim Honeyford, Vice-Chair, Capital, Senate Ways & Means Committee
Sen. Karen Keiser, Ass't Ranking Member, Capital, Senate Ways & Means Committee
Rep. Hans Dunshee, Chair, House Capital Budget Committee
Rep. Richard DeBolt, Ranking Member, House Capital Budget Committee
Okanogan County Board of Commissioners
Kaleen Cottingham, Director, RCO

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Web site: www.rco.wa.gov

STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

February 9, 2015

Okanogan County Commissioners
123 Fifth Avenue N, Room 150
Okanogan, WA 98840

RE: Tunk Valley, RCO #14-1089A, Soriano Ranch, RCO #14-1652A

Dear Commissioners:

I am writing in response your letter, dated February 3, 2015, in which you raised concerns about two projects proposed for funding in the Washington Wildlife and Recreation Program (WWRP). These projects are the Department of Fish and Wildlife's grant application for Tunk Valley (#14-1089) and the Okanogan Land Trust's application for the Soriano Ranch (#14-1652). Both projects involve acquisition of property rights or conservation easements.

You may recall the WWRP statute (RCW 79A.15.110) requires applicants to notify the appropriate county commissioners or city council of its proposed projects prior to application. The County Commission or Council then has an opportunity to submit a letter to the Recreation and Conservation Funding Board (board) identifying its position with regard to the acquisition project. These letters are most effective when submitted prior to the board's decision ranking the projects (normally in October of each even-numbered year). If the board receives any letters, it sends them to the Governor along with the ranked project lists by November 1st of each even numbered year.

The Department of Fish and Wildlife and the Okanogan Land Trust each notified the County Commission of their intent to apply for the WWRP grants at issue. (RCO would be happy to make copies of these letters available to you.) Each project was fully vetted by the respective advisory committee and scored using the board-adopted criteria. The board was presented with the proposed project lists on October 29, 2014 and approved them for presentation to the Governor and the Legislature.

The two projects referenced above were included in project lists submitted to the Governor and the Legislature. As the board has approved the ranked lists, the decision on what to fund rests with the Legislature. I would suggest you contact them directly to express your concerns.

Although your letter arrived too late for inclusion with the ranked list to the Governor, I will include your letter in the briefing materials for the board. Their next meeting is April 8-9, 2015. The agenda and briefing materials will be posted on our Web site two weeks prior to the meeting http://www.rco.wa.gov/boards/rcfb_meetings.shtml.

Sincerely,

Kaleen Cottingham
Director

cc: 7th District Delegation
12th District Delegation
Senator Jim Honeyford
Joe Stohr, Department of Fish and Wildlife
Jacquelyn Wallace, Okanogan Land Trust
Recreation and Conservation Funding Board





OKANOGAN COUNTY

Board of Commissioners

Shellah Kennedy
Commissioner District 1
Ray Campbell
Commissioner District 2
Jim DeTro
Commissioner District 3
Laleña Johns
Clerk of the Board

February 3, 2015

Recreation and Conservation Office
P.O. Box 40917
Olympia, Washington 98504-0917

Dear RCO Funding Board:

The Okanogan Board of County Commissioners opposes any public funding for the purchase of conservation easements on the property identified as Tunk Valley and Soriano Ranch.

The State of Washington is under court order for its failure to perform one of the few mandates found in the Constitution of the State of Washington namely to fund the education of our children. If there was ever a time that a clear message was written by the hand of reality now is clearly it. We must change the way we conduct the business of government.

The Okanogan County Board of Commissioners, despite changes in three election cycles, has sent a consistent message to both Olympia and Washington D.C. Stop buying our land and development opportunities for the sake of catering to the perspective of a handful; albeit well-funded, special interests groups. Considering the millions of acres already in public ownership there is no compelling government interest in owning more. The same can be said for conservation easements. Considering the very firm regulatory grip government has on private property there is no compelling interest in the government owning the little develop opportunity that is left. This is once again money spent to satisfy special interest groups that are working hard to protect their own "quality of life" with little concern for the long term consequences of these actions.

And to be sure there are long term consequences to the land and development opportunity acquisition programs. The acquisition itself costs money that could be directed to other more compelling uses. The maintenance of public land costs the public money that could be directed to other more compelling uses. The artificial restriction of housing stock creates a situation with inflated prices which leaves many unable to afford their own home. Some parts of the state already face scenarios where professionals such as teachers cannot afford to purchase homes in the communities they serve. Not having enough or sufficient variety of housing stock has long been an obstacle to areas trying to retain expanding companies or to

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509.422.7106

recruit new ones. With a tax system based on commerce and the value added development of property it will be impossible to meet the demands of funding

education without a profound change in the priorities of government as established by those charged with conducting the business of the people.

The recent report released by the JLARC raises serious questions regarding the goals and objectives of the land acquisition efforts by state agencies. We welcomed the JLARC report as we have posed many of the same questions to WDFW for years. It was apparent to us that the acquisition of land and development rights was in itself the goal of WDFW and in fact their only measurement of success was the total acres purchased or placed under conservation easements. The more they acquired the more they touted the success of their program. This was circular reasoning at best and failed in any way to answer the question we often posed "how much is enough". We believe the dedication of any public money to the acquisition of property or development rights should be suspended until these questions are answered and until the true effects of the conversion of more private land and development rights to public ownership is clearly understood.

We ask you to oppose any request to utilize public money of any sort for the acquisition of land or the purchase of development rights in Okanogan County.

Sincerely,

Board of Okanogan County Commissioners



Jim DeTro, Chairman



Ray Campbell, Member



Sheilah Kennedy, Member

CC: Kaleen Cottingham, 7th and 12th District Delegation
Senator Honeyford

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Web site: www.rco.wa.gov

STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

February 27, 2015

Mr. Michael Hoge
Perkins Coie
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099

RE: William O. Douglas Trail, RCO #06-1851C

Dear Mr. Hoge:

This correspondence is in response to your letter dated February 19, 2015 in which you shared the William O. Douglas Trail Foundation's opinion that a conversion will occur at the above referenced project as a result of the Lower Cowiche Creek Restoration project, RCO #11-1320R.

I want to clarify the role my agency has in regard to the trail. The Recreation and Conservation Office (RCO) does not prescribe specific site locations to grantees within the acquired parcels for a funded project. For this reason, the grant agreement for the trail (#06-1851) does not mandate use of a specific alignment on abandoned rail right-of-way or bridges. It is the City of Yakima's decision, as the trail project sponsor, to determine the final location of the trail corridor and trail bridges following all pertinent environmental and land use laws. RCO's interest is ensuring the funded properties are used for outdoor recreation trail purposes. Habitat restoration is an allowable activity on WWRP trail grants as long as a trail is completed and accomplishes the objectives of the grant.

I encourage the Trail Foundation to work with the City of Yakima on finding a mutually agreed upon location for the trail and trail bridges or in understanding why they are proposing alternative routes.

If, after receiving this letter, you would still like to appear before the Recreation and Conservation Funding Board to discuss this issue, you may find the board meeting dates at <http://www.rco.wa.gov/boards/rcfb.shtml>. The board holds time on its agenda, generally in the morning of its business meeting, for public comment on issues not on its agenda.

Sincerely,

Kaleen Cottingham
Director

cc: Brett Sheffield, City of Yakima
Brian Faller, Office of the Attorney General
Myra Barker, RCO ✓
Kay Caromile, RCO



February 19, 2015

Michael W. Hoge
MHoge@perkinscoie.com
D. (206) 359-8900
F. (206) 359-9900

VIA EMAIL

Kaleen Cottingham, Director
State of Washington Recreation and Conservation Office
PO Box 40917
Olympia, WA 98504-0917

**Re: William O. Douglas Trail Foundation (WODTF), RCO #06-1851
Mid-Columbia Fisheries Enhancement Group (MCFEG), RCO #11-1320**

Dear Director Cottingham:

This letter, on behalf of our client William O. Douglas Trail Foundation, is written to follow up on your letter of January 20, 2015 to WODTF board vice president Stepniewski, in which you indicated that the above-referenced grant to MCFEG does not amount to an impermissible conversion.

WODTF is the founder and key advocate for the WOD Trail. WODTF is a major grant partner, contributing over \$500,000 in matching Transportation Enhancement funds as part of the above WWRP Grant, which WODTF helped write, present, and implement.

We request that you reconsider the January 20 conclusion in light of the following:

WAC 286-27-045 states in part:

A "conversion" occurs when interests in real property and facilities acquired, developed, renovated, enhanced or restored are converted to uses other than those for which the funds were originally approved and described in the project agreement. Interests in real property include, but are not limited to, options, rights of first refusal, conservation easements, leases, and mineral rights.

WAC 286-27-066 states in part:

- (1) Except as provided in this section, interest in real property and facilities acquired, developed, renovated, enhanced or restored shall not, without prior approval of the board be converted to uses other than those for which the funds were originally approved.
- (2) The board shall assure the substitution or replacement of interest in real property and/or facilities in accordance with this chapter.
- (3) The board shall only approve conversions when:

- (a) All practical alternatives to the conversion have been evaluated and rejected; and
- (b) The sponsor or successor will provide another interest in real property(s) and/or facilities to serve as a replacement. The replacement must:
 - (i) Be of equivalent or greater usefulness and location;
 - (ii) Be administered by the same sponsor or successor unless otherwise approved by the board;
 - (iii) Satisfy need(s) identified in the most recent plan(s) required under WAC 286-27-040;
 - (iv) Be eligible to receive a grant in the WWRP account or category from which funds were originally allocated, unless otherwise authorized by the board;
 - (v) If acquisition of interests in real property: Be interest in real property(ies) of at least equal market value and public benefit at the time of replacement;
 - (vi) If a development: Provide a facility of at least equal market value and public benefit as that which existed at the time of the original investment of WWRP funds; and
 - (vii) If a restoration or enhancement project: Provide restoration or enhancement activities necessary to replicate the ecological benefit intended by the project.

As more thoroughly explained in Mr. Stepniewski's letter of December 16 to you, the project agreement for project #06-1851 described the Trail's location on the abandoned railroad land and bridge site over Cowiche Creek, and the sponsor City of Yakima carried out portions of the grant's requirements by purchasing the railroad land and taking some of the other actions described in the project agreement.

The proposal in #11-1320 to demolish the rail route and bridge supports fails in significant respects to be of equivalent usefulness and location as the original Trail route described in the #06-1851 project agreement, or to meet several of the other requirements of section -066(3) above.

And, of course, it is wasteful of public funds to demolish key portions of a highly-ranked, exhaustively vetted, earlier-funded project (especially without first involving the earlier-project's proponents to explore whether a more win-win overall solution is feasible). The WODTF is not opposed to fish restoration efforts, and in fact has cooperated on similar projects in the past, but is opposed to having its legitimate interests undercut, often by stealth, with no financial assistance or other mitigation to undo the proposed destruction of its earlier-funded efforts that produced a bargain, ideal, ready-made trail route.

We understand that demolition of the railroad grade and pedestrian/biking bridge approaches envisioned by project #11-1320 is a conversion of project #06-1851 according to RCW 79A.15.030(8) and the agency's regulations and policies.

A focus only on which dollars may have been used to purchase the historic railroad grade, or on whether the non-Ketchen properties were purchased with non-WWRP funds, inappropriately narrows the issue that WODTF has attempted to raise with the RCO. The conversion issue is broader than the Ketchen property, and broader than which dollars, out of the coordinated funding the City had available due to the RCO grant and the matching funds secured by WODTF, were earmarked (if at all) for the Ketchen purchase or for the other activities covered by the project agreement.

Conversion of the other properties funded in part by grant #06-1851 and its matching funds is also at issue. The agency's regulations and policies define conversion more broadly than to permit a subsequent grantee to demolish earlier grant objects simply by claiming that certain non-grant funds, as part of an overall required package of project funding (see, e.g., RCW 79A.15.070(4)), were used to carry out specific activities required by the earlier project agreement. Under the approach taken in the January 20 response to Mr. Stepniewski, the requirements of any RCO grant conditioned on matching funds could easily be avoided by a sponsor's claim that other, non-RCO portions of the required, coordinated funding package paid for the matters in specific question, and that thus a prior project agreement has no force respecting a new proposal to destroy the objects of the earlier-funded project.

We recognize that the history and facts to be absorbed prior to making an informed decision in this matter are complex, and believe a meeting with appropriate RCO personnel would be a useful way to share the necessary information. If you agree, members of the WODTF board will make it a priority to identify and convene at an early mutually-convenient time.

Thank you for your consideration of this input. If your reconsideration does not change your conclusion, please consider this letter as our request to go next to the full RCO Board for a declaratory order under WAC 286-04-085 that grant #11-1320 causes an unlawful conversion with respect to the objects of grant #06-1851. (In that event, the facts to be considered are summarized in Mr. Stepniewski's December 14 letter, and will be supplemented prior to the board's meeting on the petition.)

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Kaleen Cottingham, Director
February 19, 2015
Page 4

Please forward a copy of this letter to the Deputy or Assistant Attorney(s) General with responsibility for the RCO's representation.

Very truly yours,

A handwritten signature in black ink, appearing to read "M. Hoge", with a long horizontal flourish extending to the right.

Michael W. Hoge

MWH

cc: WODTF Board

From: Barker, Myra (RCO)
Sent: Wednesday, January 21, 2015 12:53 PM
To: John Aylmer
Cc: Caromile, Kay (RCO); Moxham, Laura (RCO); Austin, Marguerite (RCO); Brett Sheffield (Brett.Sheffield@yakimawa.gov); 'Margaret Neuman'
Subject: FW: William O. Douglas Trail RCO #06-1851C

Mr. Aylmer,

I was forwarded your letter by Kay Caromile.

In response to your letter, I'm forwarding to you the response we provided to Mr. Stepniewski's December 16, 2014 letter and our response to the City of Yakima's letter that you referenced.

I believe these responses address many of the concerns you raise.

As stated in our response to Mr. Stepniewski's letter, the trail grant does not require the trail corridor to be located on railroad right-of-way.

Should the city decide to locate the a portion of the trail property acquired with RCO funding adjacent to a roadway, that portion of the trail must be physically separated from the road in order to be in compliance with RCO policy.

If you have any questions, please let me know.

Myra Barker
Compliance Specialist
Recreation and Conservation Office
PO Box 40917
Olympia, WA 98504
360-902-2976
360-902-3026 Fax



From: Barker, Myra (RCO)
Sent: Tuesday, January 20, 2015 12:16 PM
To: Andrew Stepniewski (williamodouglastrail@gmail.com)
Cc: Brett Sheffield (Brett.Sheffield@yakimawa.gov); 'Margaret Neuman'; Caromile, Kay (RCO); Moxham, Laura (RCO); Austin, Marguerite (RCO)
Subject: William O. Douglas Trail RCO #06-1851C

Mr. Stepniewski,

Please find attached our director's response to your December 16, 2014 letter regarding the William O. Douglas Trail project and the related restoration project.

In addition, attached is our response to the City of Yakima to their December 16, 2014 letter that outlined options for the trail and the planned restoration project.

Please let me know if you have any questions.

Myra Barker
Compliance Specialist
Recreation and Conservation Office
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Olympia, WA 98504
360-902-2976
360-902-3026 Fax



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Web site: www.rco.wa.gov

STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

January 20, 2015

Andrew Stepniewski
William O. Douglas Trail Foundation
Yakima, WA 98901

Re: William O. Douglas Trail, RCO #06-1851AD

Dear Mr. Stepniewski:

I am responding to your letter, dated December 16, 2014 expressing the Foundation's concerns with the Lower Cowiche Creek Restoration project (RCO #11-1320) as it relates to the William O. Douglas Trail project.

The Recreation and Conservation Office (RCO) and its respective funding boards do not make land use determinations. Each project sponsor is responsible for obtaining all necessary permits to conduct the scope of work funded by a project agreement.

The City of Yakima used a Washington Wildlife and Recreation Program – Trails category (WWRP-Trails) grant to acquire several properties and easements for development of a portion of the William O. Douglas trail and for future trail development. The RCO did not participate in funding acquisition of railroad right-of-way.

The trail grant does not require the trail corridor to be located on railroad right-of-way. The city may locate the trail on alternative routes different than the original proposed alignment.

The Ketchen property, which was acquired with RCO grant #06-1851, is the only WWRP-Trails funded property identified in the restoration activities in the Lower Cowiche Creek Restoration project, RCO #11-1320. Habitat enhancement (including restoration) is an allowable activity on WWRP-Trails funded sites as long as a trail and public outdoor recreation opportunities are not precluded. The city recently advised my staff of their plans to construct a trailhead and a portion of the trail on the Ketchen property.



January 20, 2015
William O. Douglas Trail Foundation
Page 2

The restoration activities proposed for the Ketchen property do not constitute a conversion. At this time, there is no compliance concern associated with the restoration activities proposed for the Ketchen property.

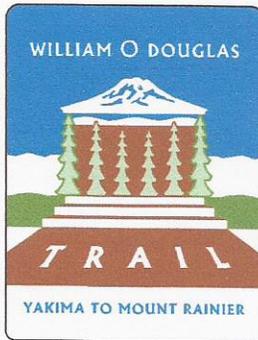
If you have any questions, please contact Myra Barker, compliance specialist, at (360) 902-2976 or email myra.barker@rco.wa.gov.

Sincerely,



Kaleen Cottingham
Director

cc: Myra Barker, RCO
Kay Caromile, RCO



January 16, 2015

Ms. Kay Caromile
Ms. Laura Moxham
Washington Recreation & Conservation Office
P.O. Box 40917
Olympia, WA 98504-0917

RE: William O. Douglas Trail Connections WWRP Grant # 06-1851C
Lower Cowiche Creek Restoration SRFB Grant # 11-1320

Dear Ms. Caromile and Ms. Moxham:

This letter is submitted in response to a map entitled "Trail Alignment Options.pdf," which was posted to RCO's PRISM website for SRFB Grant # 11-1320 with a PRISM Attach Date of 01/02/2015. The PRISM website indicates that on December 16, 2014, Yakima engineer Brett Sheffield sent this map to Laura Moxham, and the map purports to show three trail alignment options.

The William O. Douglas Trail Foundation originated the trail concept in 2005, and the Trail Foundation partnered with the City of Yakima and Yakima County on the WWRP Grant # 06-1851C. As the leading trail advocate since 2005, William O. Douglas Trail Foundation contributed \$582,047 in transportation enhancement matching funds for this project and has devoted countless hours of volunteer time to develop and maintain this trail system.

The most essential "William O. Douglas Trail Connection" was successfully accomplished by acquiring the 2-mile BNSF Railway corridor along Lower Cowiche Creek as a Rails-to-Trails project (10/28/2008). The WWRP Project Agreement on PRISM explicitly recognized the BNSF rail bed as indispensable by stating a "**Critical Project Milestone**" was to acquire parcels owned by **BNSF Railway Co.** by 6/30/2010 — this "**Special Condition**" was met and is shown on PRISM as "**Complete.**"

The Dec. 16 engineer's letter says the BNSF Railroad bed has been "abandoned" as a trail, and the map suggests three replacement trail options. But none of these new replacement trail options has been determined to be feasible, and there are major legal, financial, and private property impediments to "Trail Options 1, 2, and 3."

Trail Option 1-Cowiche Canyon Road is Not Feasible for the following reasons:

- State Law and RCO Manual 10a prohibit WWRP-funded trails on unprotected road shoulders and sidewalks next to roads because it is unsafe for non-motorized trail users
- No right of way has been acquired along Cowiche Canyon Road
- Existing rail-trail facility is already paid for and available to public
- No replacement funds are available to build a new 2-mile trail prism along Cowiche Canyon Road
- Cowiche Canyon Road is closer to houses than existing rail-trail
- Replacing existing natural area rail-trail with road-trail eliminates public access to creek and natural area
- Replacement trail along Cowiche Canyon Road provides no access to natural area
- City and County Trail Plans show William O. Douglas Trail on elevated railroad bed along Cowiche Creek, NOT on road
- Abandoning the existing rail-trail facility means WWRP funds totaling **\$817,107.49** were spent to acquire 34 interconnected recreation acres and to develop connecting trail along Cowiche Creek — these WWRP-funded recreation facilities will go unused and public recreational access will be cut off.

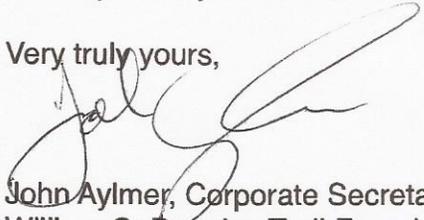
Trail Options 2 and 3 are Not Feasible at this time for the following reasons:

- Additional private land acquisition is needed to locate a new replacement trail route above the 100-year floodplain
- Additional funds are needed to construct a new replacement trail prism above the 100-year floodplain
- Mid-Columbia Fisheries wants to demolish the existing bridge support platform on the rail grade now located above the 100-year floodplain
- The long-planned 60-foot trail bridge span may become as much as a 200-foot span to stay out of the altered floodplain as a result of the Mid-Columbia project
- Mid-Columbia Fisheries has not identified any funding to investigate the feasibility of Options 2 and 3 nor any funding to cover substantial cost increases to replace the existing elevated rail-trail

Mid-Columbia Fisheries' proposal to convert grant-funded William O. Douglas Trail facilities to fish habitat has not gone through public review processes such as SEPA, NEPA, and cultural/historic resources. This lack of transparency concerns us. We respectfully ask RCO to include the William O. Douglas Trail Foundation in future meetings and processes concerning the William O. Douglas Trail.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John Aylmer', written over a faint, illegible background.

John Aylmer, Corporate Secretary
William O. Douglas Trail Foundation
williamodouglastrail@gmail.com

Natural Resources Building
1111 Washington St. S.E.
Olympia, WA 98501

P.O. Box 40917
Olympia, WA 98504-0917



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STATE OF WASHINGTON

RECREATION AND CONSERVATION OFFICE

January 20, 2015

Brett Sheffield, Chief Engineer
City of Yakima
129 North Second Street
Yakima, WA 98901

Re: William O. Douglas Trail, RCO #06-1851AD

Dear Mr. Sheffield:

This letter is in response to your letter, dated December 16, 2014, updating our agency on the above referenced project. The information you provided is very helpful in understanding the options the city is considering for the segment of the trail corridor located near Cowiche Canyon Road and Powerhouse Road.

I am responding on behalf of our agency to questions about compliance with the terms and conditions of the William O. Douglas Trail project agreement (RCO #06-1851) and the relationship between that trail project and the proposed restoration activities along Cowiche Creek funded by a grant awarded to the Mid-Columbia Fisheries Enhancement Group (RCO #11-1320). One of the properties identified for restoration under RCO #11-1320 is the Ketchen property, which was acquired under RCO #06-1851.

Habitat enhancement (which includes restoration) is an allowable activity on WWRP-Trails funded sites as long as a trail and public outdoor recreation opportunities are not precluded. It is my understanding from your letter and the restoration project details, that the proposed restoration project will not prevent future development of a trail on the Ketchen property. Your letter confirms that the city plans to construct a trailhead and a portion of the trail on the Ketchen property.

Therefore, given what we know today, there is no compliance concern associated with the restoration activities proposed for the Ketchen property.

We are very interested in the city moving forward to finalize the trail route and the plans for the properties funded with the trails grant. Should the city determine that any of the properties acquired with the WWRP-Trails grant will not be used for trail purposes, please contact me so that I may offer guidance on the compliance issues that would create.



It would be helpful to understand the city's timeline for making those determinations and for development of the trail. Please be aware that the next opportunity to seek RCO funding for trail development will be in 2016.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Myra Barker". The signature is written in a cursive, flowing style.

Myra Barker
Compliance Specialist

cc: Margaret Neuman, MCFEG
Laura Moxham, RCO
Kay Caromile, RCO
Sarah Thirtyacre, RCO



DEPARTMENT OF UTILITIES AND ENGINEERING

Debbie Cook, PE, Director

**Engineering Division
129 North Second Street
Yakima, Washington 98901
(509) 575-6111 • Fax (509) 576-6305**

December 16, 2014

Washington Recreation and Conservation Office
Attn: Laura Moxham
PO Box 40917
Olympia, WA 98504-0917

Re: William O. Douglas Trail Connections

Dear Ms. Moxham,

It was a pleasure to meet with you and Sarah Thirtyacre on November 17, 2014 to discuss and review the William O. Douglas Trail (Trail). The meeting was the result of allegations by the William O. Douglas Trail Foundation (Foundation) that a project proposed by the Mid-Columbia Fisheries Enhancement Group (MCFEG), and supported by the City of Yakima, would jeopardize the Trail. This letter is being written to update you on the status of the Trail and describe efforts that have been taken by the City and others to further its development.

The original proposed Trail alignment, as envisioned by the president of the Foundation, followed the old railroad bed within this lower reach of Cowiche Creek. As the City's Engineering Division looked further into this alignment, we realized that it wouldn't work in many locations, and therefore, purchased the Ketchen parcel (181309-34013), a strip of the Garretson parcel (181309-34017) and the Funkhauser parcel (181316-22412). As we have researched it further, we realize that there are other problems with using the old rail bed, such as, requiring two new bridges, angry neighbors and questions regarding the legitimacy of the quit claim deed received from BNSF. Although aligning the trail on the old rail bed remains the preferred location by the Foundation, the City has abandoned this idea due to the reasons listed above.

The Foundation is of the opinion that the two new bridges would be less costly due to the fact that the existing railroad berm could be used as bridge abutments. However, in response to the Foundation's statement that, "Floodplain regulatory agencies will allow the replacement of bridges that use existing berms that are above the 100-year flood level, but will not allow the creation of new berms in or bridges below the 100-year flood elevation," Perry Harvester of the State of Washington Department of Fish and Wildlife (WDFW) stated in a letter dated September 25, 2014 to the MCFEG, "New water crossing structure capacity requirements and calculations are not based on remaining elements of old structures. The Washington Administrative Code (WAC) 220-110-070(1(h)) states, '... that abutments, piers, piling, sills, approach fills, etc., shall not constrict the flow so as to cause any appreciable increase (not to exceed 0.2 feet) in backwater elevation (calculated at the 100-year flood) or channel wide scour and shall be aligned to cause the least effect on the hydraulics of the watercourse.' When old bridges reach the end of their design life, are removed or fail, the new bridge must meet conditions of the WAC without consideration of old abutments. Thus, a new bridge structure and associated abutments, piers, piling, sills, approach fills must be sized as if the old structure never existed. Thus, there is no benefit in leaving old remnants of a bridge structure intact as it is not considered in new designs. A professional hydraulic analysis is required to be submitted with a permit application for a new bridge regardless of the location selected."

Some of the property owners have expressed displeasure in having a trail go through "their yards." The City is considering three new Trail alignment options that are shown on the attached figure.

The proposed alignment options move the trail further from their yards, and in all but one case, options 2 and 3 move the trail to the other side of the creek. Option 1 continues the Trail adjacent to Cowiche Canyon Road to its intersection with Cowiche Canyon Lane. Option 2 continues the trail adjacent to the road to the southern edge of the Ketchen parcel, then crosses over Cowiche Creek and constructs the Trail at the base of the hill above the 100-year floodplain approximately parallel to the old rail alignment up to the Funkhauser parcel, then through this parcel (north of the creek) to Cowiche Canyon Lane. Option 3 constructs the Trail over Cowiche Creek near the northern edge of the Ketchen parcel and constructs the Trail at the base of the hill above the 100-year floodplain approximately parallel to the old rail alignment up to the Funkhauser parcel, then through this parcel (north of the creek) to Cowiche Canyon Lane. Option 3 would require purchasing the Dilley parcel (181309-31002). Once the proposed Trail alignments are further scrutinized and additional funding is secured, the Trail alignments will be evaluated under the appropriate regulatory environment for their impacts to the Cultural Resources.

In 2010, the City and the Cowiche Canyon Conservancy received a letter from an attorney working for one of the property owners adjacent to the former BNSF Railway property claiming that his client owned the portion of the former railroad bed adjacent to their property. The letter stated that when the railway was abandoned in the 1980's, his clients had retaken the ground and returned it to its natural state. The letter also stated that the railway had been located on an easement over his client's property.

The proposed Salmon Recovery Funding Board (SRFB) project 11-1320 administered by MCFEG does not affect the plans for the future facilities of the William O. Douglas Trail. The project will remove the old railroad berm that constricts Cowiche Creek on the former BNSF parcel adjacent to the Ketchen parcel, and plant non-invasive species within the Ketchen parcel. On the Ketchen parcel, the project will remove concrete and debris, and plant native species. The restoration project will change the elevation on the former BNSF parcel by removing the railroad berm, which at one time was being considered as the alignment for the trail. The restoration project:

- does not alter or diminish options for the eventual location of the Trail;
- does not change the factors that will be considered by the appropriate agencies in determining the final location of the Trail through this area;
- does not change legal requirements or estimated costs associated with a potential bridge within the project area;
- does not alter legal public access to these parcels; and,
- does not alter or change the potential of using these parcels (including the Ketchen parcel) for the purposes that they were acquired for.

Although the old railroad berm alignment was at one time being considered as the alignment for the Trail, it has since been abandoned due to the reasons described in this letter. The current proposed alignments move the trail further from the Creek, and only impact the floodplain at the crossing locations for Options 2 and 3. A trailhead and a section of the Trail are still planned for the Ketchen parcel. We have spoken with the Yakama Nation and they are in favor of the restoration project. There are also discussions underway among various partners including Yakima County, Yakama Nation and MCFEG about the potential purchase of the Dilley parcel for habitat conservation and restoration. If the Dilley parcel is able to be purchased, it would increase the feasibility of Option 3. It is too early in the process to know if this potential acquisition will proceed or not.

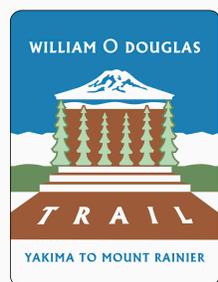
The City continues to seek for opportunities to enhance the Trail. As part of Yakima County's realignment of Cowiche Canyon Road, a 10-foot asphalt pathway was constructed adjacent to the road. The City also has acquired a Transportation Alternative Project (TAP) grant to construct a section of sidewalk that will extend the sidewalk from 40th Avenue to Cowiche Canyon Road.

If you have any other questions, feel free to call me at (509) 576-6797.

Sincerely,



Brett H. Sheffield, PE
Chief Engineer



December 16, 2014

Ms. Kaleen Cottingham, Director
Washington Recreation and Conservation Office
P.O. Box 40917
Olympia, WA 98504-0917

RE: William O. Douglas Trail Connections WWRP Grant # 06-1851C

Dear Director Cottingham:

During 2008-2010, recreation land and facilities were acquired or developed with State WWRP grant funds for the William O. Douglas Heritage Trail. Mid-Columbia Fisheries Enhancement Group (MCFEG) and Cowiche Canyon Conservancy (CCC) now propose to demolish and remove these facilities, part of the William O. Douglas Rail-Trail along Lower Cowiche Creek in Yakima County. MCFEG and CCC plan to use SRFB funds to convert WWRP land and facilities from recreation trail use to fish habitat use — conversion to a use other than that for which WWRP funds were originally approved.

The William O. Douglas Trail Foundation originated the trail concept in 2005, and the Trail Foundation partnered with the City of Yakima and Yakima County on the WWRP Grant # 06-1851C. As the leading trail advocate since 2005, WOD Trail Foundation contributed \$582,047 in transportation enhancement matching funds for this project and has devoted countless hours of volunteer time to develop and maintain this trail system.

We are writing this letter because we understand RCO Board member Betsy Bloomfield recently coordinated meetings with MCFEG, CCC, RCO, WDFW, and the City regarding the William O. Douglas Trail. But the William O. Douglas Trail Foundation was not notified and not given any opportunity to attend those meetings. Since 2011, MCFEG and CCC have consistently chosen not to involve the Trail Foundation and the public trails community in their proposal to remove WWRP trail facilities along Cowiche Creek.

We are concerned about the lack of transparency regarding use of RCO funds. MCFEG and CCC have not disclosed significant facts about environmental and cultural impacts

to the William O. Douglas Trail and historic North Yakima & Valley Railway facilities, and in some instances agencies have been given inaccurate or misleading information.

Here are some key facts from RCO's PRISM website for WWRP Grant # 06-1851C:

- (1) The "**Critical Project Milestone**" was to acquire four parcels owned by **BNSF Railway Co.** by 6/30/2010 — this "**Special Condition**" was met and is shown on PRISM as "**Complete**" by the target date.
- (2) WWRP Project Description — "A physically separated pedestrian/bicycle bridge will be constructed over Cowiche Creek, together with bridge approaches to access the **trail located on abandoned railroad land.**"
- (3) WWRP funds totaling **\$817,107.49** were spent on acquisition and development in Cowiche Canyon to fulfill the William O. Douglas Trail Connections Grant.
- (4) PRISM indicates that 34 acres of land connected to or adjacent to the BNSF Railway facility in Cowiche Canyon were acquired at a cost of \$652,181.45 together with associated development costs of \$164,926.04.
- (5) WWRP Acquisition and Development expenses for the "**Ketchen**" parcel (3.98 acres adjacent to BNSF Railway) totaled **\$189,738.98**.
- (6) Engineering expenses were billed to the WWRP Grant for the Cowiche Creek rail-trail bridge design.
- (7) Progress reports were submitted to RCO concerning the location of the pedestrian bridge across Cowiche Creek, using the historic railroad prism as the trail.
- (8) City of Yakima Engineering Division sent an April 12, 2010 request to RCO for a grant "Time Line Extension" to replace "**a former BNSF bridge**" for the trail using existing railroad piers — they committed to construct the rail-trail bridge across Cowiche Creek by the end of 2010.

Yakima County Courthouse records show that the four BNSF Railway parcels were acquired for the William O. Douglas Trail on October 28, 2008.

Acquisition and use of the former BNSF Railway facilities along Lower Cowiche Creek as a Rails-to-Trails project was essential for the William O. Douglas Trail Connections Grant. The rail bed facilities (now proposed for demolition) provided a "ready-made" trail grade without the need for any further trail development actions, other than a creek crossing. And replacing the 60 foot long former BNSF railway bridge on existing piers makes it possible to connect the Yakima Greenway Path system to Cowiche Canyon and also enables the William O. Douglas trail connection from Yakima to Mt. Rainier.

The existing railroad bridge support structures are above the 100-year floodplain. Demolishing the railroad grade and existing bridge support structures eliminates the only feasible creek crossing for the pedestrian/bicycle trail because regulatory agencies rarely allow new bridge structures to be built in floodplains.

MCFEG project documents propose extensive alterations to and habitat restoration activities on the **Ketchen** property (purchased and developed by WWRP) — conversion of **Ketchen** parcel from recreation trail use to fish habitat use.

Although the Cowiche Creek trail bridge has not yet been built, the public has used the existing rail bed facility for trail use — see attached photo of trail on **Ketchen** parcel. No feasible alternative exists for relocating the current rail-trail facilities, without first acquiring nearby private lands from willing sellers.

MCFEG and its SRFB Grant Partner CCC did not disclose the William O. Douglas Trail Connections WWRP Grant in SEPA or NEPA Environmental Checklists, SRFB grant submittals, cultural resources reports, nor in permit applications seeking to remove the rail-trail facilities. In August 2014, MCFEG awarded a contract bid for demolition of historic rail-trail facilities without first consulting the Department of Archaeology and Historic Preservation under Section 106 of the National Historic Preservation Act.

During the last three years, Recreation & Conservation Funding Board member Betsy Bloomfield advocated removal of WWRP Trails facilities along Cowiche Creek. In 2013, Ms. Bloomfield scheduled a “planning/strategy meeting” at the CCC office “to discuss the lower Cowiche” with City and MCFEG officials and has met with various agencies and government officials to seek removal of part of the William O. Douglas Trail rail bed facility and instead replace the trail on the “**shoulder of Cowiche Canyon Road.**”

For example, documents on the City of Yakima website indicate:

- (1) Betsy Bloomfield email to city’s attorney re: Cowiche Creek rail line (Mar. 2014) — “Using the **road shoulder as the trail** still makes the most sense for all the reasons we’ve already discussed.”
- (2) Bloomfield email to City management (Dec. 2013) — “I’ve offered to help make sure the City doesn’t get inadvertently crosswise with the **William O Douglas WWRP grant**, and I’d like to get together with you to go over the original contract.”
- (3) Bloomfield email to MCFEG and City (Mar. 2014) — “the quit claim deed from BNSF to the City was not a Rails to Trails project.”

In October 2014, after a briefing by Betsy Bloomfield, the CCC Board voted to support Mid-Columbia Fisheries’ salmon recovery project [removing the Rail Bed Trail], and CCC proposed an alternative trail “occupying the **shoulder of Cowiche Canyon Road** near Powerhouse Road.”

In November 2014, CCC Board Meeting minutes state: “Betsy briefed the board on her work with the City of Yakima based on the City/CCC MOU to ensure the City understands its contractual obligations under the 2007 **WODT grant.**” and “Betsy reported on her meeting with the City of Yakima, Mid-Col. FE and RCO regarding the city’s grant obligations for **east end of C. Canyon.**”

According to PRISM, Betsy Bloomfield (representing both CCC and RCO) was a “Project Contact” with management authority over the WWRP Grant, and CCC invoiced RCO for the WWRP Grant. PRISM contains this — “Only Betsy Bloomfield, Dana Kallevig, or Doug Mayo can submit the final report.” PRISM indicates the Final Report was not submitted before final payment and grant closeout.

Ms. Bloomfield signed a SFRB “Project Partner Contribution Form” (6/1/2011) as CCC Executive Director, and CCC billed Bloomfield’s time to the SFRB Grant. MCFEG paid SFRB funds for Bloomfield’s “project development” work.

The William O. Douglas Trail Foundation is concerned about: MCFEG’s and CCC’s proposed removal of WWRP Rail-Trail facilities along Cowiche Creek without any feasible replacement trail; the lack of transparency about the use of RCO funds; lack of public involvement; and inadequate disclosure of impacts to environmental and cultural resources. We respectfully ask RCO to include the William O. Douglas Trail Foundation in future meetings and processes concerning the William O. Douglas Trail.

Thank you for your consideration.

Sincerely,

/s/

Andrew Stepniewski, Vice-President
William O. Douglas Trail Foundation
williamodouglastrail@gmail.com

cc: Joan Davenport
Richard Visser
Marguerite Austin
Kay Caromile



Trail on Ketchen Parcel

Back Country Horsemen of Washington
Evergreen Mountain Bike Alliance
The Mountaineers
Washington Trails Association

March 30, 2015

Recreation and Conservation Funding Board
Recreation and Conservation Office
1111 Washington Street S.E.
Olympia, Washington 98501

Dear Recreation and Conservation Funding Board Members:

The Washington Wildlife and Recreation Program is essential in providing outdoor recreation experiences that create healthy, economically vital communities. Since 1989, the successful implementation of the program has demonstrated a commitment to finding solutions that fulfill unique community needs, facilitate the participation of underserved populations and reflect the demonstrated intent of the legislature to fund trails that are so fundamental to accessing the state's great outdoors, whether that is on a mountain top or right in town.

According to the 2013 State Comprehensive Outdoor Recreation Plan, recreation providers were asked to rank the "importance of activity" for a number of recreation activities. Soft surface (ex. dirt) and hard surface trails tied for third place just behind picnic areas and equipped play areas, demonstrating the importance of having high quality trail systems in Washington. Yet the WWRP Trails category distributes 85% of funding to hard surface trails and only 15% to soft surface trails – a clear imbalance in funding distribution.

In order to better represent the needs of Washington's trail users, **we request that the funding board utilize the analysis that we have conducted on the Trails Category and research the disparity.** The outcome we seek is to determine why there is such an imbalance between the funding of hard and soft surface trails and how it may be remedied.

We appreciate the partnership of the RCO and RCFB and look forward to working with you to fully realize these goals in the future. Please do not hesitate to contact us if we can assist you in any way or answer any questions.

Sincerely,

Karen Daubert
Executive Director, Washington Trails Association

Trygve Culp
President, Back Country Horsemen of Washington

Glenn Glover
Executive Director, Evergreen Mountain Bike Alliance

Martinique Grigg
Executive Director, The Mountaineers

Enclosed: WWRP Trails Category disparity one pager; Dec. 2013 WTA analysis

Back Country Horsemen of Washington
Evergreen Mountain Bike Alliance
The Mountaineers
Washington Trails Association

December 20, 2013

Dear Kaleen Cottingham, Recreation and Conservation Office Director
Harriet Spanel, Recreation and Conservation Funding Board Chair

Thank you for the opportunity to comment on the funding criteria for the Washington Wildlife and Recreation Program (WWRP) Trails category. The Washington Trails Association (WTA), the Back Country Horsemen of Washington (BHW), the Evergreen Mountain Bike Alliance (EMBA), and the Mountaineers share a common interest in facilitating meaningful opportunities for all Washington residents to engage in outdoor recreation. Every year, our members contribute thousands of hours to ensure that existing trails are safe and sustainable and to meet an ever-growing demand for new soft-surface trails. We have a strong stake in creating opportunities that introduce a younger and more diverse group to the outdoors: they will be our future stewards. We are grateful for the opportunity to work alongside the Recreation and Conservation Funding Board and RCO Staff to re-examine and revise the existing criteria to reflect the current and future recreation needs of Washington residents.

Outdoor recreation is essential to Washington's communities. Residents engage in outdoor recreation to enjoy nature, relax, spend time with family and friends, and to be active and healthy. Outdoor recreation promotes a sense of community and unites diverse users. As the state's population continues to grow over the next decade, our organizations will need to ensure that we are sustaining outdoor opportunities that respond to increased urbanization, an aging population, and growing minority communities.

Recreation in Washington has fundamentally changed. The number of people who can take multiple days to traverse linear trails is decreasing. The new face of outdoor recreation in Washington wishes to have a meaningful outdoor experience on a more compressed time schedule. We need to acknowledge this change to ensure that we are funding trails that address the most pressing needs of our community. To do this, we need to support the front-country and suburban soft-surface trails that will best meet the needs

of large communities with less time, but a persistent desire to spend time outdoors. This is the mission that unites our organization, and motivates the recreation components of WWRP funding—the desire to get more people outdoors.

The 2012 Statewide Comprehensive Outdoor Recreation Plan (SCORP) study illustrates the need for more soft-surface trails. The results demonstrate that Washington residents have a growing interest in hiking and mountain biking, desire more outdoor recreation opportunities close to home, and that younger and more diverse populations are becoming more interested in outdoor activities. The study showed that 90% of Washington residents participate in walking, hiking, climbing and mountaineering, and 37% participate in biking. The percentage of hikers has increased from 20% in 2008 to 54% in 2012. Among children, 41% hike and 29% bike. Similarly, from 2002 to 2012, hiking went from the #8 most popular outdoor recreation activity to #6.

Between 2006 and 2012, snowshoeing, camping in remote locations, hiking, and climbing or mountaineering were among the activities with the greatest increase in participation. Each of these activities saw at least a 10% increase. Furthermore the SCORP report states that “from 2006 to 2012, the importance of snowshoeing (supported by snow and ice trails) and horseback riding (supported by designated bridle trails) both increased in ranking based on participation rates. Because of the increased use of snow and ice trails and designated bridle trail.....it is reasonable to conclude that additional opportunities in these activities would be welcomed by Washington State residents.”

The central finding of this study is that the supply is not meeting the demand. Although Washington residents have a growing interest in activities that necessitate more soft-surface suburban and front country trails, the current funding criteria strongly favors hard surface trails.

The WWRP is a powerful and responsive program. Originally, the Trails category was created with soft-surface trails in mind. But over the last twenty years, the administrative criteria have become distanced from the priorities that initially motivated the fund. Under the current criteria, the WWRP Trails category distributes 85% of funding to hard surface trails and only 15% to soft-surface trails. These hard surface trails are very expensive and are by necessity constructed by government contractors, not volunteers. In the last ten years, all of the WWRP-funded hard surface projects combined have used less volunteers hours than each of our organizations utilizes in a single year. Any increase in funding will go a long way because soft-surface trails are so much less expensive to build and maintain.

Because the existing criteria favors hard-surface trails, soft surface trail applicants are in effect cut off from a significant source of funding. All grant applications are valuable, and grant distribution is often decided along very slim margins. Thus, the exact language provided to guide the advisory board is often crucial to the success of those applications. While there are significant sources of potential funding for hard-surface trails, there are virtually no other sources to fund the soft-surface trails that Washington residents so desperately need. The Olallie State Parks Trail project is illustrative of the uphill battle that soft-surface grant applicants face. In 2010, State Parks pursued funding for the Olallie State Park trail in the Trails category. Although the advisory committee was very receptive to the application, adherence to the criteria resulted in the application scoring next to last out of 26 applications. Two years later, State Parks pursued, and received, funding for that project through the State Parks category. For other similarly deserving soft-surface projects that are ineligible for state parks funding, WWRP funding is unattainable.

Refocusing funding on soft-surface trails in suburban or front country areas is essential to provide adequate opportunities for younger and more diverse populations to participate in outdoor recreation. According to the SCORP survey, two of the most underserved populations are minority groups and those living in suburban and urban areas. In addition, the study demonstrated that those 18 and younger spend the least amount of time participating in outdoor activities out of all age groups. Targeted soft-surface trail projects can address this need and encourage these populations to enjoy and protect Washington's natural spaces. For example, the Evergreen Mountain Bike Alliance is developing a soft-surface system of mountain biking trails in Swan Creek Park, a diverse community in Tacoma. The aim of this project is to target a more diverse population of youth to get them involved in mountain biking, and to clear the misconception that money is a barrier to involvement in the mountain biking community. EMBA members themselves will build the trail system and donors funded one-third of the project. EMBA's trail maintenance and youth outreach programs are targeted to bolster involvement, and have been very successful in doing so. This example demonstrates how the development of soft-surface trails, which are built by volunteers and not government contractors, encourages underserved communities to become involved in outdoor recreation and stewardship.

With a few subtle adjustments, the existing criteria can be tailored to better address the needs of Washington residents. All of these suggested changes can be made administratively and do not require any changes to the language of the RCW to be given full effect. We strongly support the following revisions to the existing Trails category criteria:

- **“Water Access, Views, and Scenic Values” Criterion:** The existing criterion places undue emphasis on access to or views of water. Where the RCW instructs the board to consider the “water access, views, and scenic values” of the proposed trail, with no demonstrated preference, the RCO criterion explicitly favors water access and water views: “Water access is the primary criterion; scenic values or views of water are secondary.” (RCO Project Evaluations Manual). This interpretation neglects the legislature’s intent to consider other views and scenic values that are unrelated to a natural water body. Because this criterion is currently weighted at 10 points, the undue emphasis on water access and water views has a significant impact on the applications that receive funding and may outweigh other fundamental factors. Although water access and water views may indicate the greater desirability of an application if all other fundamental factors are equal, it should not be given greater weight than the other fundamental factors. This criterion should be revised to give equal weight to water access, water views, and scenic values unrelated to a natural water body. This revision will allow the board to more broadly interpret the scenic value of a proposed trail site to ensure that WWRP funding is distributed in a manner consistent with the needs of Washington residents.
- **“Project Design” Criterion:** Currently, this criterion places a heavy emphasis on the accessibility of a proposed trail and an applicant’s score often turns on that factor. Out of context, a hard surface trail is essentially more accessible and will always score higher than a soft-surface trail if the criterion is interpreted in this manner. But when assessing a community’s need for a trail, context is inescapable. If a community has a pressing need for a soft-surface front country trail or connector, the accessibility of that trail can only be judged within the context of that need. When the legislature developed the guidelines, the legislature intended for the accessibility of a trail to be judged depending on the nature and purpose of the trail and the corresponding need.

Although similar guidelines have not yet been developed for non-federal trails, the guidelines to ensure that federal trails comply with the Americans with Disabilities Act (ADA) illustrate a context-specific interpretation of accessibility. These guidelines provide exceptions for situations where terrain and other factors make compliance impracticable or where compliance would fundamentally alter a site’s function or purpose. (Architectural Barriers Act Accessibility Guidelines; Outdoor Developed Areas). Given the nature of many surface trail projects, guaranteeing full accessibility would be prohibitively expensive and would fundamentally alter significant natural features of the trail. Instead, the

accessibility requirement should be interpreted to require that trails are accessible *to the greatest extent possible*, given the context and purpose of the trail.

- **“Trail and Community Linkages” Criterion:** This criterion is unnecessarily limited and literal. Currently, this criterion envisions trails as a means of transportation between two points. But trails are not meant to act as natural highways; trails are destinations in and of themselves. An effective trail connects communities culturally, not necessarily physically. The community criterion should be re-interpreted to emphasize the importance of trails as a place for diverse communities to gather and relate to one another through outdoor recreation. This interpretation is also consistent with the language of the Manual, which states that the RCO should “broadly interpret” the term “community” to include the stated factors, but that the board’s review is “not limited to” those factors. This criterion is currently weighted at 15 points, so this criterion is weighted more heavily than other fundamental factors that may favor soft surface trails.

These changes are essential to ensure the long-term stability of WWRP funding. WWRP is a broad coalition of diverse interests, from acquisitions and farmland to parks and trails. There is strong concern that the legislature will not support continued funding of the WWRP. To convince legislators that WWRP funding is necessary and worthwhile, we need to demonstrate that the current program is meeting the recreational needs of the largest number of people. These changes will help convince our legislators in Olympia that WWRP funding is an indispensable resource that is responsive to their constituents’ needs.

Our organizations are committed to finding a solution that addresses the most pressing outdoor recreation needs of our communities, facilitates the participation of underserved populations, and reflects the demonstrated intent of the legislature to fund the soft-surface trails that are so vital to the enjoyment of the outdoors in our state. We appreciate the partnership of the RCO and look forward to working with you and the rest of the Committee to fully realize these goals in the future. Please do not hesitate to contact us if we can assist you in any way or answer any questions.

Sincerely,

Karen Daubert
Executive Director, Washington Trails Association

Trygve Culp
President, Back Country Horsemen of Washington

Glenn Glover
Executive Director, Evergreen Mountain Bike Alliance

Martinique Grigg
Executive Director, The Mountaineers

» Gaps in Funding For Soft Surface Trails



Each year, 72% of Washingtonians use trails.

Funding for soft-surface trails has decreased while demand continues to increase.



WTA FILE PHOTO

BACKGROUND: Growing Demand for Trails Not Matched by Funding

The Washington Wildlife and Recreation Program (WWRP) is the largest source of funding for bike and ski trails in our state and is also a critical source of funds for hiking trails and walking paths. Funded in the state capital construction budget, proposals are competitively ranked with the intention that only the best projects are funded.

Currently, only 15% of WWRP Trail funds go to soft-surface trails. 51% of Washingtonians hike each year and another 21% use trails for other outdoor activities like biking, walking their dogs, you name it. While Washington residents have a growing interest in activities that necessitate more soft-surface suburban and front country trails, the current funding criteria strongly favors hard surface trails, such as paved paths.

OUR SOLUTION: Restore Balance in Trail Grats, Honor WWRP's Original Intent to Serve Community-Specific Needs

The founders of the program intended WWRP funding to be flexible for community-specific needs. The unbalanced funding of trails is a missed opportunity to recognize regional needs. The Recreation and Conservation Funding Board should **reevaluate its approach to the WWRP scoring criteria and increase funding for soft surface trails from 15 to 30%.**

- "Water Access, Views, and Scenic Values" Criterion: This criterion should **give equal weight to water views, and scenic values unrelated to water.** Prioritizing water views fails to recognize Washington's diverse landscape, putting many communities at a disadvantage.
- "Project Design" Criterion: Stating that hard surface trails are more accessible fails to recognize context. **Accessibility must be judged within the scope of the community's need.** For example, a proposal for a soft-surface trail in Wenatchee should not rank lower than a hard surface trail in Kirkland simply because one is paved while the other isn't if the community need is the same for each.
- "Trail and Community Linkages" Criterion: Trails are not meant to be highways; **trails themselves are destinations.** This criterion should emphasize the importance of trails as places for diverse communities to gather and relate to one another through outdoor recreation.

Case Study:

Olallie State Park Trail

In 2010, State Parks pursued funding for the Olallie State Park trail in the WWRP Trails category. Despite positive reception for the project, it went unfunded in favor of paved trails.

Unlike many other similarly deserving projects, the trail was eligible for alternative funding in the state parks category.

However, this is not a common story and funding was not received until two years after the original application.

» Action Needed to Meet Outdoor Recreation Demand

RATIONALE: Growing Need for Recreation, Public Health and Cost Reduction

We need to demonstrate that the current program is meeting the recreational needs of the largest number of people in order to ensure its longterm viability.

WWRP is meant to represent diverse interests, from habitat conservation and farmland to parks and trails. These changes will help convince our legislators in Olympia that WWRP funding is an indispensable resource that is responsive to their constituents' needs.

Recreation in Washington has fundamentally changed. The number of people who can take multiple days to traverse long trails is decreasing but dayhiking, mountain biking and other trail activities have gained popularity.

- As the state's population grows exponentially over the next decade, we need to **ensure that we are sustaining outdoor opportunities that respond to increased urbanization, an aging population, and growing minority communities.**
- **There are limited sources outside of the WWRP to fund soft-surface trails** that Washington residents so desperately need.
- **Creating abundant outdoor opportunities is critical to community health.** Doctors in Wenatchee have even begun to prescribe hiking outside as preventive medicine. (From "Wenatchee Latino Population Encouraged To Hike Outdoors For Health," NW News Network, June 9, 2014)
- **Soft-surface trails cause construction and maintenance cost reduction.** Soft-surface trails are much less expensive to build and maintain, so any increase in funding will go a long way toward meeting recreation needs while being sensitive to the fiscal climate.

SUPPORTERS

The proposal to increase soft-surface trail funding through the WWRP is supported by:

- Bill Chapman, former RCFB president
- Back Country Horsemen of Washington
- Evergreen Mountain Bike Alliance
- The Mountaineers
- Washington Trails Association



PHOTO BY EBENEZER HIKERS

For more information, contact:

Andrea Imler, Advocacy Director: 206.799.6197 (cell) 206.965.8558 (office) aimler@wta.org

**Recreation and Conservation Funding Board
Resolution #2015-01
April 2015 Consent Calendar**

BE IT RESOLVED, that the following April 2015 Consent Calendar items are approved:

- A. Approve Board Meeting Minutes from October 29-30, 2014
- B. Approve Time Extensions
 - 11-1173D, USFS, Franklin Falls Trail Renovations, Phase 2
 - 11-1144D, Whatcom County, Lighthouse Marine Park Dock Replacement 2011
 - 10-1383D, State Parks, Lake Sammamish Beach Renovation and Boardwalk
 - 10-1453R, DNR, Camas Meadows Rare Plant Habitat Restoration
 - 10-1660D, City of Sumner, Trail Segments #4 and #5
 - 10-1458, DNR, Dabob Bay Natural Area 2010
 - 10-1629, WDFW, Sinlahekin Ecosystem Restoration, Phase 2
- C. Recognition of Service for Don Hoch

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

RECREATION AND CONSERVATION FUNDING BOARD
SUMMARIZED MEETING AGENDA & ACTIONS
October 29-30, 2014

Item	Formal Action	Board Request for Follow-up
<p>1. Consent Calendar</p> <p>A. Approve Board Meeting Minutes – July 16-17, 2014</p> <p>B. Approve Board Meeting Minutes -August 26, 2014</p> <p>C. Approve Board Meeting Dates and Locations for 2015</p> <ul style="list-style-type: none"> • April 8-9 (Olympia) • June 24-25 (Olympia) • September 16-17 (Travel meeting, location TBD) • November 18-19 (Olympia) <p>D. Approve Time Extensions</p> <ul style="list-style-type: none"> • 08-1175 Acquisition: Bone and Niawiakum River Natural Area Preserves • 08-1177 Acquisition: Cypress Island Natural Area 2008 • 07-1974 Acquisition and Development: Malaga Community Park 	<p>APPROVED Resolution 2014-18</p>	<p>No follow up action requested.</p>
<p>2. Overview of Agenda and 50th Anniversary Celebration</p>		<p>No follow up action requested.</p>
<p>3. Washington Wildlife and Recreation Program (WWRP) Framework</p>		<p>The board requested information regarding overall funding amounts in each WWRP category since 1991, demonstrating how the funding and/or projects translate to jobs and economic impacts. RCO staff will review the available information to determine if this is feasible based on the existing data collected.</p>

Item	Formal Action	Board Request for Follow-up
4. Washington Wildlife and Recreation Program (WWRP) Outdoor Recreation Account Grants		Staff will forward the lists to the Governor for consideration in his capital budget.
A. Local Parks Category	APPROVED Resolution 2014-19	For the "Trails" category, the board request further information and a future discussion on the Supreme Court decision and policy implications of grant investments made on railroad ROWs.
B. State Lands Development and Renovation Category	APPROVED Resolution 2014-20	
C. State Parks Category	APPROVED Resolution 2014-21	
D. Trails Category	APPROVED Resolution 2014-22	
E. Water Access Category	APPROVED Resolution 2014-23	
5. Washington Wildlife and Recreation Program (WWRP) Riparian	APPROVED Resolution 2014-24	Staff will forward the list to the Governor for consideration in his capital budget.
6. Washington Wildlife and Recreation Program (WWRP) Farmland Preservation Account Grants	APPROVED Resolution 2014-25	Staff will forward the list to the Governor for consideration in his capital budget.
7. Washington Wildlife and Recreation Program (WWRP) Habitat Conservation Account Grants		Staff will forward the list to the Governor for consideration in his capital budget.
A. Critical Habitat Category	APPROVED Resolution 2014-26	
B. Natural Areas Category	APPROVED Resolution 2014-27	
C. State Lands Restoration Category	APPROVED Resolution 2014-28	
D. Urban Wildlife Habitat Category	APPROVED Resolution 2014-29	
8. Aquatic Lands Enhancement Account Grants	APPROVED Resolution 2014-30	Staff will forward the list to the Governor for consideration in his capital budget.
9. Director's Report		No follow up action requested.
A. Director's Report		
B. Policy Report and Legislative Preparations		
C. Grant Management Report		
D. Performance Report		
E. Fiscal Report		
10. State Agency Partner Reports	No follow up action requested.	

Item	Formal Action	Board Request for Follow-up
11. Feedback on the Grant Evaluation Process	See Item 15. Also, staff will follow up with applicants to provide information about the actions taken at this meeting regarding the ranked lists of projects.	
12. Youth and Community Athletic Facilities Program	The board requested that staff explore options for waiving match requirements, and to define what the phrase "open to the public" means, and report back at the April 2015 meeting.	
13. Washington Administrative Code (WAC) Phase II Public Hearing	APPROVED Resolution 2014-31	Staff will file the final rule-making and updated RCO's public records and disclosure webpage to include the new information and cost/fee schedule.
14. Conversion Request: City of Bellevue, Mercer Slough	DEFERRED Resolution 2014-32	The board requested additional information and deferred the decision to approve/deny the conversion request to the April 2015 board meeting.
15. Board Survey and Strategic Plan	The board requested that a retreat be scheduled next year, during which they would like to address in detail the board strategic plan and applicable performance measures, using data from the board survey, the performance report, and feedback from the grant evaluation process (Item 11). The board formed a subcommittee and requested that facilitator be present, if possible, to lead the retreat.	

RECREATION AND CONSERVATION FUNDING BOARD MEETING SUMMARY

Date: October 29, 2014

Place: Olympia, WA

Recreation and Conservation Funding Board Members Present:

Harriet Spanel	Chair, Bellingham	Jed Herman	Designee, Department of Natural Resources
Betsy Bloomfield	Yakima	Don Hoch	Director, Washington State Parks
Mike Deller	Mukilteo	Joe Stohr	Designee, Department of Fish and Wildlife
Pete Mayer	Renton		
Ted Willhite	Twisp		

It is intended that this summary be used with the materials provided in advance of the meeting. The Recreation and Conservation Office (RCO) retains a recording* as the formal record of the Recreation and Conservation Funding Board (board) meeting.

**Due to technical difficulties, the recording did not begin until the end of Item 4A, 54 minutes into the meeting.*

Opening and Call to Order

Chair Spanel called the meeting to order at 9:01 a.m. Staff called roll, and a quorum was determined. The agenda was reviewed and approved by the board.

Moved by: Member Willhite

Seconded by: Member Mayer

Agenda: APPROVED

Director Cottingham explained the contents of the board members' folders as they pertained to the meeting over the next two days.

Item 1: Consent Calendar

The board reviewed Resolution 2014-18, Consent Calendar. This resolution included:

- A. Approval of the July 17-18, 2014 board meeting minutes
- B. Approval of the August 26, 2014 board meeting minutes
- C. Approval of the board meeting dates and locations for 2015
 - April 8-9 (Olympia)
 - June 24-25 (Olympia)
 - September 16-17 (Travel meeting, location TBD)
 - November 18-19 (Olympia)
- D. Approval of Time Extensions:
 - 08-1175 Acquisition: Bone and Niawiakum River Natural Area Preserves
 - 08-1177 Acquisition: Cypress Island Natural Area 2008

- 07-1974 Acquisition and Development: Malaga Community Park

Resolution 2014-18

Moved by: Member Mayer

Seconded by: Member Willhite

Resolution: APPROVED

General Public Comment

No public comment was provided at this time.

Item 2: Overview of Agenda and 50th Anniversary Celebration

Director Cottingham distributed vests to the board members in honor of RCO's 50th Anniversary Celebration. Scott Robinson, Deputy Director provided an overview of the agenda and logistics for both days of the meeting, including the celebration event at the State Capitol building.

Item 3: Washington Wildlife and Recreation Program (WWRP) Framework

Scott Robinson shared information about the formation of the WWRP program, including background and purpose. He described the structure and current statistics of the program, and also provided an outline of program funding allocation for each account and their respective categories. The current calculation WWRP program budget is allocated based on statute, and examples of the breakdown to each category were presented based on potential funding amounts.

The board requested information regarding overall funding amounts in each WWRP category since 1991, and whether there was a matrix that demonstrates how the funding and/or projects translate to jobs and economic impacts, i.e., when a grant is awarded it is often stated that it will create "X" amount of jobs and have "X" impact on the economy. RCO staff will review the available information to determine if this is feasible based on the existing data collected.

Mr. Robinson provided an overview of the 2014 grant cycle, outlining the steps from early fall 2012 to date that are included in the full application, evaluation, and ranking process. He noted that staff would present the projects and ranked lists. The grant process is intended to fund priority projects that meet local and state needs, and an overview of the policies behind phased projects was presented. A brief description of the applications received to date in each account over the past five biennia demonstrated the trends that show fluctuations in each respective category.

Member Mayer requested a visual representation of the historical and current number of applications received, the respective funding requests (dollar amounts) for each application, and total funding requests (dollar amounts) per category. Some of this information – the funds requested – is included as part of the board materials, located in their folders.

During the staff presentations today, the board will be asked to approve the lists without funding lines, meaning lists of projects in ranked order without any funding allocations specified. Public comment is provided after each category, and then the board will vote on a resolution for each category. The lists are then submitted to the governor for inclusion in the budget; the governor or legislature can remove projects from the ranked lists, but cannot add projects to the lists. In June 2015, the board will make final approval and funding decisions, after which RCO will initiate contracts for each project.

Item 4: Washington Wildlife and Recreation Program (WWRP) Outdoor Recreation Account Grants

Darrell Jennings, Senior Outdoor Grants Manager, provided an overview of the Outdoor Recreation Account, and the distribution of applications received as compared to the other three WWRP accounts. Mr. Jennings described the criteria for applicant eligibility, project types, and phased project policies. There were some changes from the 2014 grant cycle highlighted, such as new evaluation criteria and updates to Manual 4. Best practices from the 2012 grant cycle were carried forward.

Item 4A: Local Parks Category

Adam Cole, Outdoor Grants Manager, presented information about the Local Parks category, including background and purpose. The category is typically the most competitive across the state, with the majority of projects focused on renovation of existing sites. Mr. Cole outlined the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round.

**The meeting recording begins here.*

Mr. Cole highlighted unique projects as part of the 2014 grant round that focus on making parks and playgrounds more accessible to children with disabilities including Selah Volunteer Park and Spokane Mission Park. He concluded by presenting the #1 ranked project in the category, Saddle Rock Gateway and Outdoor Education Area, located in Wenatchee (RCO Project [14-1135](#)).

Member Mayer noted that there has been a significant increase in the interest and participation in this category. Member Deller expressed appreciation of the top project, as the public need and use will be worth the funding invested. Member Bloomfield commented that the board should focus on sustainable building practices to enhance the investments made, extending the life of the sites and the value of the funds awarded.

Public Comment

No public comment was provided at this time.

Resolution 2014-19

Moved by: Member Mayer

Seconded by: Member Deller

Resolution: APPROVED

Item 4B: State Lands Development Category

Dan Haws, Outdoor Grants Manager, presented information about the State Lands Development and Renovation category, including background and purpose. He described the criteria for applicant eligibility, project types, and the written evaluation process adopted by the board. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. He noted the funds requested, locations, and the key themes in the projects such as trails, shoreline access, and camping.

He concluded by presenting the #1 ranked project in the category, East Tiger Mountain Trail system Development Final Phase, located in King County (RCO Project [11-1034](#)). The trail system is one of the most highly accessed areas in the state, due in part to its proximity to a densely populated urban area.

Public Comment

No public comment was provided at this time.

Resolution 2014-20

Moved by: Member Deller

Seconded by: Member Hoch

Resolution: APPROVED

Item 4C: State Parks Category

Karl Jacobs, Outdoor Grants Manager, presented information about the State Parks category, including background and purpose. A unique element of this category is that renovation projects are not eligible in this category, and only new development projects are considered. Mr. Jacobs highlighted some of the new policies for this category, specifically regarding the evaluation process. He outlined the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round.

Mr. Jacobs concluded by presenting the #1 ranked project in the category, Inholdings and Adjacent Properties 2014 (RCO Project [14-1681](#)). Briefings of several proposed projects were shared, including photos and high-level project details.

Member Spanel commented on the Clayton Beach funding, specifically with regard to the long-term funding delays and challenges. The board discussed the details of the projects highlighted, for further clarification and information purposes.

Public Comment

Peter Herzog, Assistant Director of Washington State Parks, provided comments in support of the process and results presented to the board. He was appreciative of the preparations made by RCO staff to bring the information to the board. He provided some background on the concerns of the evaluation process and criteria for the category, highlighting two key changes. First, he shared that the centennial strategic plan for State Parks and the phased projects emphasis where points are added in this category, were typically where the disconnect between the State Parks Commission and the evaluation committee have occurred. The changes to the criteria are intended to bring alignment between these groups. He noted that it's good that 50% of the evaluators/advisory committee members are non-state parks staff, and supports the diversity of the process. The second change he discussed was that the State Parks Commission does not approve lists, but will score one evaluation question that addresses how well the project supports the mission and vision of State Parks. Also, the commission will not have the ability to change the ranking but may withdraw projects. State Parks committed to working on fine-tuning the evaluation and ranking process, identifying determining factors that would bring more clarity to the Commission's evaluations. Mr. Herzog described the new process to coordinate with tribes, fulfilling State Parks' obligations towards management requirements.

Resolution 2014-21

Moved by: Member Willhite

Seconded by: Member Bloomfield

Resolution: APPROVED

Item 4D: Trails Category

Darrell Jennings, Senior Outdoor Grants Manager, presented information about the Trails category, including background and purpose. This category supports the most popular form of recreation according to the State Comprehensive Outdoor Recreation Plan – walking and hiking. He described the criteria for applicant eligibility, project types, and evaluation of projects. Three unique criteria include 1) trail and community linkages, 2) water access, views and scenic values, and 3) wildlife habitat connectivity. He outlined the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. He noted the funds requested, locations, and how the projects collectively meet the criteria for the category.

Mr. Jennings concluded by presenting the #1 ranked project in the category, Spruce Railroad McFee Tunnel Restoration, located in Clallam County as part of the Olympic Discovery Trail (RCO Project [14-1124](#)). He shared the rich history of the project, the current status, and future plans for the site. Clallam County addressed the board's new Sustainability and Environmental Stewardship criteria by sharing how this project is benefitting from another public works project, the removal of the Elwha River Dam, and how the recycled concrete from the dams will become the base-layers for the new trail. He highlighted for the board two cross-state trail visions, and how projects submitted as applications this grant cycle in multiple grant programs and categories, such as Trails and State Parks categories of WWRP, and the Recreational Trails Program projects, are helping to complete these cross-state trails.

Member Willhite commented that the Supreme Court recently made a decision concerning "rails to trails" and the potential of reversionary rights for these corridors. Marguerite Austin responded with the most current information available, stating that we currently believe the trails that RCO has funded so far will not be impacted by the court decision but we are not certain. There may be policy ramifications associated with those trails, which may be brought to the board at a later time in order to balance legal requirements, board direction, and public use. Member Mayer commented on the complexity of the policy implications, and encouraged a deeper understanding of the potential impacts of the legislation and discussion among the board.

Public Comment

No public comment was provided at this time.

Resolution 2014-22

Moved by: Member Willhite

Seconded by: Member Hoch

Resolution: APPROVED

Item 4E: Water Access Category

Laura Moxham, Outdoor Grants Manager, presented information about the Water Access category, including background and purpose. Marine access and water access to rivers, lakes, and streams are the focus of this category. A unique element is that 75% of the allocated funds must go towards acquiring land. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. She explained that projects include habitat enhancement, fishing, general access, restrooms, and signage. The demonstration of diverse use is highly scored in this category, and many support restoration and amenity development.

Ms. Moxham concluded by presenting the #1 ranked project in the category, the Washougal Waterfront Water Access Area, located on the Columbia River in Clark County (RCO Project [14-1347](#)).

Public Comment

No public comment was provided at this time.

Resolution 2014-23

Moved by: Member Mayer

Seconded by: Member Bloomfield

Resolution: APPROVED

Break 10:55 a.m. – 11:10 a.m.

Item 5: Washington Wildlife and Recreation Program (WWRP) Riparian Protection Account Grants

Sarah Thirtyacre, Senior Outdoor Grants Manager, provided an overview of the Riparian Protection Account, in which there is only one category of the same name. She shared a graphic to demonstrate the distribution of applications received as compared to the other three WWRP accounts. She described the criteria for applicant eligibility, project types, and evaluation elements.

Applications from this grant round were highlighted, including the geographic spread of the projects across the state. The unique and varied habitat included in this round's applications were described through photos and high-level project details. Habitat threats are a focus in this category, balancing mitigation of potential threats and public use.

Ms. Thirtyacre presented the #1 ranked project in the category, Phase 4 of the Mashel Shoreline Protection, located in Pierce County (RCO Project [14-1480](#)).

Ms. Thirtyacre shared that the resolution for this action was revised prior to the meeting because there are not enough projects should the legislature fund WWRP at \$97 million. She described the background and history of the past issues with projects and funding in this account, and provided the rationale for the updated language in the resolution. The revision would allow the agency to select alternate riparian projects on the previously approved WWRP list. Director Cottingham clarified the need for this language, as a potential tool that will ensure that eligible and viable alternate projects are funded should a surplus occur.

Public Comment

No public comment was provided at this time.

Resolution 2014-24

Moved by: Member Bloomfield

Seconded by: Member Deller

Resolution: APPROVED

Item 6: Washington Wildlife and Recreation Program (WWRP) Farmland Preservation Account Grants

Kim Sellers, Outdoor Grants Manager, presented an overview of the Farmland Preservation Account, including background and purpose. This category is one of the few for which non-profit organizations are eligible to apply, and public agencies are not required to submit matching funds. Using the 2012 Agricultural Census, Ms. Sellers shared information regarding the status and history of Washington farmland acres, with trends showing an overall decrease. However, the estimated value per acre is trending up. Progress in this grant round since 2012 shows increases in the number of applications received (mainly from Skagit County), in the acres proposed for protection, and in the number of easements proposed – three records broken since 2010.

Ms. Sellers shared information about the breakout of the applications received across the state, applicants, and projects evaluated and ranked as part of the current grant round. She explained the unique features of the farms, how they support the communities and wildlife, and the variety of different farms and rangelands. She concluded by presenting the #1 ranked project in the category, Vander Voet Farm Acquisition, located on Whidbey Island (RCO Project [14-1510](#)).

Member Mayer requested information about how farmland acreage in Washington compares to the national average, and Ms. Sellers committed to obtaining the information and sharing it with the board during tomorrow's meeting. He continued to ask whether there is pressure to change the allocation

formula in statute, considering the recent successes in the program. Director Cottingham affirmed this, stating that the Washington Wildlife and Recreation Coalition has expressed interest in this issue as well.

Member Mayer commented on the correspondence received from Okanogan County regarding projects, asking whether there were other communications regarding further issues. Director Cottingham replied that during the last biennium the Legislature put in a proviso for critical habitat, and after discussions with the county commissioners and after the Legislature didn't pass the capital budget, the project was pulled from the list by WDFW. Member Stohr confirmed concerns regarding the recent economic studies conducted by both Okanogan County and WDFW. There are some conflicts, and both parties are working towards a solution. At this time, WDFW has completed their own economic study and Okanogan County is still in the process of completing their study.

Public Comment

No public comment was provided at this time.

Resolution 2014-25

Moved by: Member Deller

Seconded by: Member Willhite

Resolution: APPROVED

Lunch 11:44 a.m. – 12:32 p.m.

Item 7: Washington Wildlife and Recreation Program (WWRP) Habitat Conservation Account Grants

Sarah Thirtyacre, Senior Outdoor Grants Manager, presented an overview of the Habitat Conservation Account, including the categories and primary focus, eligible project types, the types of habitat protected, applicant eligibility, and important evaluation elements. She noted the process and policy changes for the 2014 evaluations, demonstrating the grant cycle statistics and trends by comparing the current and most recent grant rounds from 2010 and 2012. The main differences included the changes in the written review and evaluation processes between the 2012 and 2014 grant rounds.

Member Mayer inquired about potential reasons why the interest and application numbers in the urban wildlife habitat category are relatively low. The criteria for this category are rather limited, and may contribute to the low response. Another suggestion included advertising more broadly that competition between state agencies is not a factor, as funding is allocated separately. Marguerite Austin shared an example from the City of Seattle, demonstrating that communication, outreach, and education would benefit applicants and inform them of additional options.

Item 7A: Critical Habitat Category

Sarah Thirtyacre, Senior Outdoor Grants Manager, presented information about Critical Habitat category, including background and purpose. The main focus of this category is protection and management of critical habitat areas for sensitive, threatened, and endangered species; however, the category allows for areas designated for public use. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. Applicants were asked to identify fish and wildlife species on proposed project sites, and describe why these areas are ecologically and biologically unique. Photos were shared that demonstrate the unique and varied habitat of the proposed project sites across the state.

Ms. Thirtyacre shared information about the Grand Coulee Ranch, which has received considerable attention by developers due to its rich and unique characteristics. These desirable features make it difficult

to protect and conserve remaining habitat, particularly the last existing areas of shrub-step. With WWRP funds, the project sponsors intend to protect the habitat into the future.

Ms. Thirtyacre concluded by presenting the #1 ranked project in the category, the Mountain View acquisition, located in Asotin County (RCO Project [14-1085](#)). Notably, this project was ranked only one quarter of a point above the next ranked project.

Member Willhite asked whether there is coordination between projects from the Critical Habitat and Trails categories, since trails often cross through critical habitat and in some cases this is allowed. Director Cottingham responded that these issues are dealt with on a case-by-case basis per project, as coordination is voluntary and not a requirement. The overlap could lend synergy to both grant categories, although in projects that propose acquiring easements this can cause issues, e.g., conflicts with public access requirements.

Member Willhite inquired about the authority and criteria for determining critical habitat. Ms. Thirtyacre explained that this is usually defined by applicant and demonstrated through the supporting required plans (which is often WDFW). Member Stohr shared that WDFW has a defined process in place to identify attributes that may qualify, involving "eyeballing" a parcel and then determining which grant category to pursue.

Public Comment

No public comment was provided at this time.

Resolution 2014-26

Moved by: Member Hoch

Seconded by: Member Willhite

Resolution: APPROVED

Item 7B: Natural Area Category

Kim Sellers, Outdoor Grants Manager, presented information about the Natural Areas category, including background and purpose. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. Geographically, projects were predominantly located on the western half of the state. Ms. Sellers shared details about the second highest ranked project, Kennedy Creek, noting the recent influx of chum present.

Ms. Sellers concluded by presenting the #1 ranked project in the category, Dabob Bay Natural Area Shoreline, located in Jefferson County (RCO Project [14-1249](#)). The U.S. Navy is providing significant funding and land acquisitions to support the project, supplementing the potential award from the board.

The board discussed the main differences between the natural areas category (open to state agencies only; driven by vegetation) and critical habitat (property that needs to be restored in some manner; driven by wildlife and habitat).

Public Comment

No public comment was provided at this time.

Resolution 2014-27

Moved by: Member Willhite

Seconded by: Member Deller

Resolution: APPROVED

Item 7C: State Lands Restoration Category

Prior to her presentation, Laura Moxham, Outdoor Grants Manager, clarified the motorized boat access requirements for the ALEA program versus the requirements for the WWRP Water Access category as a follow up to her presentation for Item 4A – WWRP Water Access Category.

Ms. Moxham then presented information about the State Lands Restoration category, including background and purpose. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. Several of the projects focused on prescriptive burning and invasive species removal. She explained what restoration thinning is intended to achieve, and highlighted the types of projects that constitute restoration.

Ms. Moxham concluded by presenting the #1 ranked project in the category from the Department of Fish and Wildlife, the Grassland Restoration in South Puget Sound, located in Thurston County (RCO Project [14-1697](#)).

Public Comment

No public comment was provided at this time.

Resolution 2014-28

Moved by: Member Bloomfield

Seconded by: Member Willhite

Resolution: APPROVED

Item 7D: Urban Wildlife Category

Sarah Thirtyacre, Senior Outdoor Grants Manager, presented information about Urban Wildlife Category, including purpose and background, as well as criteria for applicant eligibility and project types. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round. Ms. Thirtyacre provided high-level details on several proposed projects, highlighting types of habitat protected, public use and access, and rare species protected.

Ms. Thirtyacre concluded by presenting the #1 ranked project in the category, West Rocky Prairie, located south Thurston County (RCO Project [14-1098](#)). Member Deller commended staff for the coordination efforts between land owners, non-profits organization, and state agencies.

Member Mayer clarified the eligibility criteria, and asked about the balance between acquisition and restoration projects. Marguerite Austin explained that although restoration is permissible, they rarely score well; therefore, acquisition projects are more common in this category. Once the State Lands Restoration category was established, this became more popular for those types of sponsors. She helped to clarify the structure of restoration projects and how various organizations handle these types of projects according to their respective partnerships, strategic plans, and funding sources. Member Bloomfield suggested that the categories open to non-profits be highlighted for the WWRC.

Member Willhite asked how our agency, among other state agencies, coordinate with U.S. Forest Service on prescribed burn plans. Ms. Austin explained that it is a coordinated effort based on strategic plans and future restoration plans, often resulting in the largest number of time extension requests due to timing and seasonal sensitivity.

Public Comment

No public comment was provided at this time.

Resolution 2014-29

Moved by: Member Mayer

Seconded by: Member Bloomfield

Resolution: APPROVED

Item 8: Aquatic Lands Enhancement Account Grants

Kyle Guzlas, Outdoor Grants Manager, presented information about Aquatic Lands Enhancement account, including background and purpose. The grant program encompasses tidelands, shorelands, harbor areas, and the beds of navigable waters. He provided an overview of the program goals, evaluation criteria, and types of projects in the category. Application criteria for this category stipulates that projects must be adjacent to a navigable water body. Additionally, projects must meet public access goals or restoration/protection goals or both; the criteria are established to meet both sets of goals. An outline was provided that described the breakout of the applications received, applicants, and projects evaluated and ranked as part of the current grant round.

Mr. Guzlas concluded by presenting the #1 ranked project in the category, Glendale Shoreline Access and Restoration, located in Island County (RCO Project [14-1531](#)).

Member Deller asked about Edmonds Pier, an example of using WWRP and ALEA funds. The match came from the respective accounts, which is eligible. Marguerite Austin provided background on the project and the funding process the sponsors went through, meeting the required criteria, to submit their application.

Public Comment

No public comment was provided at this time.

Resolution 2014-30

Moved by: Member Mayer

Seconded by: Member Willhite

Resolution: APPROVED

Closing Remarks

Director Cottingham acknowledged the RCO staff and Recreation and Conservation Section grant managers that worked to put together today's presentations.

Adjournment

At 2:00 p.m., Chair Spanel adjourned the meeting for the day. The board proceeded to the State Capitol Reception Room for RCO's 50th Anniversary Celebration from 3:00 – 5:00 p.m. during which no board business was conducted.

RECREATION AND CONSERVATION FUNDING BOARD MEETING SUMMARY

Date: October 30, 2014

Place: Olympia, WA

Recreation and Conservation Funding Board Members Present:

Harriet Spanel	Chair, Bellingham	Jed Herman	Designee, Department of Natural Resources
Betsy Bloomfield	Yakima	Peter Herzog	Designee, Washington State Parks
Mike Deller	Mukilteo	Joe Stohr	Designee, Department of Fish and Wildlife
Pete Mayer	Renton		
Ted Willhite	Twisp		

It is intended that this summary be used with the materials provided in advance of the meeting. The Recreation and Conservation Office (RCO) retains a recording as the formal record of the Recreation and Conservation Funding Board (board) meeting.

Call to Order

Chair Spanel called the meeting to order at 9:01 a.m. Staff called roll, and a quorum was determined.

Management and Partner Reports

Item 9: Director's Report

Director's Report: Director Cottingham provided an update on the recently submitted report drafted by the Governor's Blue Ribbon Task Force on Parks and Outdoor Recreation (task force). The task force was established by executive order, and followed an in-depth public engagement process to reach their final outcomes and recommendations. An outline of the priority action areas and priority near-term actions demonstrated the intended programmatic and funding goals. She described the funding proposal submitted by the task force, as well as several ideas for future implementation of the goals described in the report. Suggestions included proposals such as supporting small towns with outdoor recreation planning and opportunities, integrating outdoor recreation into physical education programs in schools, and coordinating agency information so that it's easier for the general public to understand. The task force discussed at length the possibility of a single state-wide access pass for parking at all state and federal recreation areas.

Member Stohr commented on the work accomplished in a short timeframe, commending the work of the task force members for coordinating to provide their recommendations. He noted that the public need was well-recognized and acknowledged when the task force was discussing the issues and concerns.

Member Bloomfield inquired about congressional staff on the task force to support the work. Director Cottingham indicated that not all interest groups or key players were appointed to the task force.

Member Mayer commented on his experience at the regional and county level of parks, specifically regarding how to market and coordinate with other providers to develop passes to recreation areas. He also provided comment to the task force members, referencing statutes that place responsibility on RCO and the board to support these goals financially in some form, being best led by RCO due to the

existing authority and skill sets at the agency. Director Cottingham shared that the task force's discussion covered these ideas, but they did not take action on them in the proposed recommendations.

Member Bloomfield commented on the funding challenges and how they affect development proposals brought to voters. In smaller communities where many opportunities exist, the perception of additional taxes is often negative.

Member Willhite inquired about the use of extended technology in the task force discussions, such as applying for a Discovery Pass online or using a smart phone. Director Cottingham explained that the necessary infrastructure to support these ideas is not currently in place, limiting the options for technological innovation.

Director Cottingham shared brief updates about recent conference participation, including the National Association of State Outdoor Recreation Liaison Officers (NASORLO) Conference, held in Vancouver last month. RCO staff recently participated in the Washington State Trails conference, and have recently finalized a contract for a new Washington trails database; Darrell Jennings will share more about this experience during the grant management report.

RCO has hired a new executive coordinator for the Washington Invasive Species Council, Raquel Crosier, who will begin in early January. Ms. Crosier is a former member of the Washington Invasive Species Council, representing the Northwest Power and Conservation Council from 2011-2013, and is currently completing a master's degree in conservation biology at the University of New South Wales.

Director Cottingham reported on the submission of two projects for the new national Land and Water Conservation Fund Outdoor Recreation Legacy Partnership Program. She concluded by stating that RCO submitted the 2015-17 budget requests on time, following board-approved decisions from August, and a response is expected from the Governor's Office in December.

Policy Report and Legislative Preparations: Wendy Brown, Policy Director, provided information on the upcoming 2015 Legislative Session preparations. RCO has three priority areas: budget requests for 2015-17, the Washington Wildlife and Recreation Program (WWRP) request legislation (as approved by the board in August), and board member confirmations.

Ms. Brown briefed the board on the progress of Tier 1, 2, and 3 priorities for policy, per RCO's strategic plan. In response to a clarification by Member Bloomfield, Ms. Brown and Leslie Connelly explained the purpose behind developing a conversion acquisition policy, as itemized in Tier 3.

Grant Management Report: Marguerite Austin, shared information about a grant approved for the White Horse Trail, unique due to their need to open up the area after recent tragedies in order to stimulate economic opportunities from public use and tourism.

Darrell Jennings reported on the recent Washington State Trails Conference, held on October 16-18 at the Lakeway Inn Conference Center in Bellingham. This is the state's largest and most comprehensive gathering of trail users, planners, funders, and supporters. There were more than 30 breakout sessions, field trips, and keynote presentations. RCO provides some support for planning the conference, and staff also participated in or led three breakout sessions: Darrell Jennings and Leslie Connelly presented a session on investing in outdoor recreation; Rory Calhoun hosted a session on understanding the new federal accessibility requirements for trails; Darrell Jennings participated in a panel discussion on the career paths of trail professionals and the future of trail jobs. Other RCO staff attended and provide staff support for the conference and staffed a booth for RCO.

RCO has signed an agreement with the Office of the Chief Information Officer (OCIO) to create the first statewide geospatial database of Washington state trails and trailheads. An RCO-approved grant of \$177,636 from the Nonhighway and Off-road Vehicle Activities Program will be used by the OCIO to pull together GIS line data from federal, state, and local entities to create this database. Work is to verify and attribute as much of the line data as is possible and to make the data publically available for those who are interested in making maps and performing spatial analysis.

During yesterday's board meeting, Kim Sellers received a question from the board about the decline of farmland acreage in Washington as compared to the rest of the nation. She provided the information to the board, clarifying the numbers that demonstrate Washington's slightly more rapid decline in comparison.

Performance Report: Jen Masterson, Data and Special Projects Manager, briefed the board on the performance goals and measures for fiscal year 2015. Performance so far this fiscal year was impacted by the application process, during which grant manager's workloads were prioritized to focus on application review, site visits, and sponsor support during technical review and evaluation. Managers expect that performance will improve during the remainder of the year, when staff resume their regular grant management duties.

Ms. Masterson presented performance trends for sponsors' agreements issued and signed on time, contract closeouts, and bills paid on time. Member Mayer inquired about how lean principles are incorporated in the electronic payment processes, as well as streamlining steps for sponsors during submission of their data. Ms. Masterson explained that these principles were addressed early in the planning phases, and the board can expect to see changes that improve the efficiency and ease of the process.

A variety of factors impact the ability of projects to close on time, including the sponsor's ability to satisfy special conditions, meet requirements for barrier-free access, and whether RCO staff receive all of the required documentation in a timely manner. Member Bloomfield inquired about how this process can be improved by parsing the data to show the factors contributing to the performance metrics. Ms. Masterson explained the difficulties of incentivizing sponsors to submit their information. Director Cottingham suggested displaying the information by sponsor type in order to understand more about what barriers limit sponsor performance.

Member Mayer asked about the purpose for needing contracts closed out on time in terms of performance. Ms. Masterson explained potential impacts to staff workload, as well as issues with carrying forward allocated grant funds.

Member Herzog inquired whether post-completion inspections impact the project backlog list, specifically whether compliance issues noted during an inspection re-open a closed project. Director Cottingham noted that re-opened projects are often due to elements identified during an inspection. Myra Barker, Compliance Specialist, explained that closed projects with compliance issues are moved to a status of "active-completed" and are not included in the backlog.

General Public Comment

No public comment was provided at this time.

Item 10: State Agency Partner Reports

Washington State Parks: Member Herzog shared the new design for the Discovery Pass which will be made of more durable material. Temporary passes may be printed online, but the purpose is to guide the

public towards a streamlined process that decrease individual or duplicative purchases. There is space for two vehicle license plates. He shared information about the discussions concerning fees and revenues, as well as pricing for camping in state parks and moorage in marine parks.

Member Deller commented on the issues with marine parks compliance. Member Herzog noted that this is an issue, and shared that these concerns have been identified. The solutions lean towards electronic payments forms (apps, online registration, etc.), but to date no solution is currently in place.

Washington Department of Fish and Wildlife (WDFW): Member Stohr informed the board that WDFW is in the process of hiring a new agency director, anticipating the new recruit to begin in late December or early January. WDFW submitted their 2015-17 budget requests, focusing in part on commercial fishing fees. Member Stohr also reported that the Teanaway management plan is due at the end of the biennium; progress is going smoothly with few conflicts.

Member Stohr concluded by sharing that WDFW is attempting to resolve conflicts surrounding payment in lieu of taxes (PILT) payments. The main controversy surrounds actions taken by the Legislature, rolling back on counties that claim open space rates. A new bill would establish open space rate as a standard, and allow counties to retain fees and penalties, and keep taxes. Member Bloomfield asked if the PILT would move from treasury to DFW. Member Stohr responded that WDFW will likely retain the PILT responsibility.

Board Business: Briefings

Item 11: Feedback on the Grant Evaluation Process

Marguerite Austin, Recreation and Conservation Section Manager, briefed the board on the process for collecting information about the grant evaluation process from the evaluators. For context, she also provided an overview of the evaluation criteria and respective program policies. Following the evaluations, RCO staff conducts a post-evaluation meeting with each of the standing advisory committees. This meeting provides an opportunity for the evaluators to review the evaluation results, discuss the evaluation criteria, talk about the technical review and evaluation processes, and exchange ideas for improvements before the next grant cycle. The evaluators appreciate this opportunity and generally participate fully.

Scott Robinson, Deputy Director, announced that an upcoming survey soliciting additional feedback from applicants, volunteer evaluators and staff will be deployed in November.

Member Willhite inquired about the sustainability evaluation criteria and in which categories this is included. Ms. Austin explained that this used to be part of the design criteria for just State Parks and Local Parks, but this is the first year where it has been extended to all categories. Member Willhite furthered his comment by suggesting that this criteria also address global warming and/or climate change. Director Cottingham offered that this is possible, but would need to be appropriately stated for each category.

Member Bloomfield inquired about the possibility of extracting data from these surveys that can contribute to performance reviews. Member Mayer also believed that the evaluation results shared by Ms. Austin are critical to the performance of the agency and board. He suggested a retreat during with the board could focus on the feedback and strategically implement these suggestions.

Member Mayer asked whether the Salmon Recovery Funding Board (SRFB) review panel members are compensated. Director Cottingham replied that the agency recruits the review panel members via a Request for Proposals (RFP) process, soliciting for technical expertise, and therefore they are compensated. For the salmon recovery grants, the evaluation process uses a bottom-up approach which allows for the specialized expertise and compensation, in contrast to the state-level approach followed by

the recreation and conservation grant process. Member Mayer furthered his question, asking whether this board should consider recruiting specialized reviewers for the projects' technical aspects. Director Cottingham explained that the necessary expertise is gained through staggering the review members' terms of appointment, so there is some continuity across grant rounds.

Break 10:55 a.m. – 11:05 a.m.

Board Business: Requests for Direction

Item 12: Youth Athletic Facilities Program

Leslie Connelly, Policy Specialist, updated the board on the progress of the Youth Athletic Facilities (YAF) program, including a brief history of the actions taken in July and August and a timeline for future steps and decisions to be made. A detailed timeline and proposed policies for 2015 were included in the board materials. Ms. Connelly shared proposed policy considerations, as the policies for the YAF program were last reviewed in 2003. Decisions on policy changes will be made by the board at the next meeting in April 2015.

Member Willhite inquired about an attempt to harmonize these policy considerations with other grant programs, and how staff intends to blend these elements together. Ms. Connelly explained that there are efforts to align criteria and enhance the value between grant programs while avoiding overlaps with other programs. Member Willhite furthered his comment, encouraging alignment without overlaps with other programs as much as possible.

Member Deller inquired about feedback from the Governor's Office on this request. Director Cottingham replied that no feedback has been received at this time.

Member Mayer asked if there is a match requirement for the grants in this program. Ms. Connelly explained that it is board policy to decide and RCO is proceeding on a one-to-one match assumption at this time. Director Cottingham shared that some legislators are curious about finding a way to build in census economic factors, i.e. if community is below poverty level, so that the match is on some kind of sliding scale; the board could prepare recommendations to this effect in anticipation of such a request. Member Willhite supported the suggestion, stating the importance of assisting under-served communities and those that have suffered natural disasters. Director Cottingham stated that this is achievable, but the policy should outline the criteria in a quantitative and definitive manner that is non-subjective and non-negotiable, in order to ensure consistency and fairness.

Director Cottingham clarified that this grant program is distinct from WWRP because the YAF projects do not compete well in WWRP. Member Mayer emphasized the collaboration between school districts and athletic fields, which often bring to light issues with public access to the facilities. Director Cottingham agreed that this is an issue to address.

Board Business: Decisions

Item 13: Washington Administrative Code (WAC) Phase II Public Hearing

Leslie Connelly, Policy Specialist, described the background and purpose of the Washington Administrative Code as it pertains to the structure of the agency and public records, the focus of today's public hearing. She provided a summary of the staff recommendation for amendments to the administrative rules in Chapter 286-06 of the Washington Administrative Code titled Public Records and outlined the required public review process for the adoption of the amendments.

The last time the WAC for public records was updated was 2001. It currently does not address recent changes to the Revised Code of Washington (RCW), nor does it address current modes of business such

as electronic records management. The Attorney General's Office created model rules in 2007, which form the basis of RCO's proposed WAC changes.

Ms. Connelly provided a brief overview of the changes, highlighting WAC 286, Section 06-060 regarding contact information. A typo was noted in the proposed changes and a request was made to add the word "Fax" before the appropriate number in the contact information.

Ms. Connelly presented a proposed cost schedule for providing public records. Member Mayer inquired about the purpose behind services such as scanning, clarifying that it is a customer service element and not required by statute. Member Mayer also asked whether agency or state rules allow adoption by reference, rather than within the WAC specifically. Director Cottingham noted that this is the purpose behind including the actual cost schedule outside the WAC, with reference in WAC, in order to avoid needing to update the WAC each year.

Public Hearing

Chair Spanel opened the public hearing.

Public Comment

No public comment was provided at this time.

Board Discussion

Member Willhite inquired about making this a cross-agency process that is similar. Director Cottingham explained that this is why the Attorney General's Office has created model rules and RCO is following them as closely as possible. Each agency is unique and addresses public disclosure individually; there is not a universal public disclosure agency in existence. Wendy Loosle is currently RCO's Public Records Officer, and she coordinates with other agencies as much as possible to respond to public disclosure requests consistently. Member Stohr noted that electronic storage of records is costly both in storage capacity and staff time.

Chair Spanel closed the public hearing.

Ms. Connelly summarized the written public testimony for the board to consider. Attachment D, as noted in the board materials, was distributed to the board. There was one written comment received, which did not substantiate changes to the proposed WAC as set forth in the board materials.

Ms. Connelly outlined the options for adopting the rules, amendments, postponement, and/or withdrawal.

Chair Spanel requested the amended resolution language to be as follows:

" NOW, THEREFORE BE IT RESOLVED, that the board does hereby adopt the proposed rulemaking as filed with the Office of the Code Reviser on September 17, 2014, published October 1, 2014 in issue #14-19-116 of the Washington State Register, and as amended on October 30, 2014 by the board to add the word "Fax"; and "

Resolution 2014-31

Moved by: Member Willhite

Seconded by: Member Mayer

Resolution: APPROVED

Lunch 11:45 a.m. – 1:00 p.m.

The board went into executive session to discuss personnel matters, specifically the performance review of RCO Director Kaleen Cottingham.

Item 14: City of Bellevue, Mercer Slough Conversion

Member Herzog requested to be recused from this agenda item, identifying another State Parks staff member who can answer questions as needed in his absence.

Myra Barker, Compliance Specialist, began by explaining what constitutes a conversion and what the board's responsibilities are pertaining to conversions. Ms. Barker then provided a summary of the City of Bellevue and State Parks' request regarding the conversion of 1.06 acres at Mercer Slough Nature Park. The conversion at the Mercer Slough Nature Park is caused by the expansion of Sound Transit Light Rail system from downtown Seattle to Redmond, and full details may be found in the board materials. She briefed the board on the required criteria of the request, including location, proposed replacement property, and assessment of the proposal.

Member Mayer asked whether it is common if a substitute property to be identified as a prior acquisition. Member Mayer also asked about the number of trees referenced in the project, and inquired about what other vegetation impacts there may be from the project. Ms. Barker deferred this question to staff from the City of Bellevue, as the information is not required when a conversion request is submitted.

Chair Spanel clarified the role of the board for the audience, and then asked for public comment.

Public Comment

Geoff Bidwell, Chair of the Save the Mercer Slough Committee, provided a brief history of the committee. The committee was organized near 28 years ago specifically to protect the Mercer Slough Nature Park. He was nominated as chair, and is committed to the same cause today. He provided some history of the committee actions and their efforts to protect the nature park since the 1980s. He stated that the rail is not consistent with the long-standing plans for the park, including that the rail would diminish the aesthetic and recreation benefits of the park. He included among the impacts a number of detriments, such as loss of trees, noise issues, and negative water table effects (specifically drainage issues). He cited a report to this effect, stating that the City of Bellevue was not provided this information and it is critical to this decision. The ground water table would be dramatically impacted, affecting the storm water drainage system. He requested that the board not approve the conversion. Mr. Bidwell's testimony and referenced letters may be found at the end of this summary.

Chair Spanel asked if Mr. Bidwell has provided challenges during the City of Bellevue's planning process. He stated that he has, but has met barriers consistently or has not received feedback. He believes the information from Sound Transit definitively shows that the project would negatively impact the wetlands and this issue needs to be addressed.

Erin Powell, a resident of Bellevue, spoke on behalf of the Save the Mercer Slough Committee. She submitted a written copy of the spoken testimony shared with the board (see Appendix A).

Joseph Rosmann thanked the board for their efforts. He submitted a written copy of the spoken testimony shared with the board (see Appendix A).

William Popp, a resident of Bellevue, spoke on behalf of the Save the Mercer Slough Committee. He submitted a letter to the board (included in the "Late Arriving Public Comment" section of the board materials) which included information submitted to Sound Transit regarding alternatives of least harm that were not soundly evaluated. He responded to the allegation that there were no feasible alternatives

by quoting "B7R", a chapter from the Environmental Impact Statement for the East Link Project. He responded to the "highly complex" engineering statements, explaining that they were not accurate. He commented on the history of the project, and later found the chapter B7R to be feasible.

Chair Spanel asked if Mr. Popp had submitted an appeal to the City of Bellevue. Mr. Popp responded that he had not, but referenced a lawsuit that challenged the ROD. He commented on the trail constructed near the park will be truncated, and the recreational opportunities will be lost.

Alan Smith declined to provide comment, stating that the others who have spoken have covered similar issues that he intended to address.

Renay Bennett, a resident of Bellevue, spoke on behalf of the Save the Mercer Slough Committee and others who could not make it today. She submitted a written copy of the spoken testimony shared with the board (see Appendix A).

Bruce Nurse is a local resident and serves in a public affairs capacity in Lincoln Square, a downtown shopping center in Bellevue. Mr. Nurse responded to the comments provided in the preceding public testimony regarding least harm alternatives and business impacts. He asserted that Sound Transit is not fully considering viable alternatives, nor the potential mitigation of negative impacts. He stated that it would not be appropriate for the board to make a decision under pressure at this time, and suggested that the decision be delayed. Mr. Nurse has visited and enjoyed the park to great extent, grateful for its proximity. He thanked the board for the opportunity to provide comment.

Will Knedlik, President of the Eastside Rail Now, an environmental and rail advocacy organization. Mr. Knedlik shared that he resides north of Bellevue, which is important to note because the park serves as a regional resource for people beyond the citizens of Bellevue. He is concerned about the water table issues, but refrained from further comment as others have shared it in their testimony. He stated that other options exist and should be considered; Sound Transit has not provided the information necessary to make this decision. The value of the park as a resource has not been fully expressed, and the negative impacts have not been adequately dealt with in the proposal. The replacement property is not adequate enough to balance the value of the park as it currently exists. He asserted that testimony received by the Sound Transit regarding track vehicles exposes assets to degradation, and they would have to pay more for use of the bridge. This is important because the board should ensure that the reversion potential is irrevocable, and that the value and potential use is equivalent. He urged the board to assert whatever authority they may have to deny this request.

Elma Borbe, an environmental planner with Sound Transit, and **Cameron Parker**, a senior planner with Bellevue Parks and Community Services, were asked to come forth and address the water and drainage issues brought forth in previous public testimony.

The preliminary design was issued as part of conceptual engineering at 10% analysis, which was an initial step provided in 2010. In 2010 the preliminary design was not adequate; however, much progress has been made since that time. The technical details of the trench have been updated, and now at 90% analysis the engineers believe that the design will not de-water the slough, appropriately maintaining existing storm-water flows. She stated that they changed the design to address these issues. Annotated drawings have been provided as part of the (late arriving) public comment. Mr. Parker stated that the designs have been submitted to the City at various percentages, and they are available upon request to the public.

Ms. Borbe stated that any issues that come up are coordinated in weekly public meetings. Member Mayer asked if the Parks Board has taken a position on these issues, and asked for a response to the park's

master plan, as to whether the city council has allowed a vote on this alignment. Mr. Parker stated that the City has not chosen to use various boards and commissions to provide feedback nor taken a formal position on East Link project. The process has been lengthy, with opportunity for public comment, and decisions were made in 2011 on the project.

Member Deller responded to Mr. Knedlik's request to consider a reversion, should plans for the light rail not be completed. Director Cottingham added that it is not part of RCO's policy. Ms. Barker stated that it's within the board's authority to determine whether all practical alternatives were considered, and suggested that the board reject the proposal and allow the requestors to provide additional information and details on alternatives considered and mitigation of impacts.

Member Mayer also agreed with Mr. Knedlik; however, there was not sufficient information provided during his testimony regarding the trench and potential consequences of the design as to whether it falls under the purview of the board. Mr. Parker used a map to explain the intended project and anticipated impacts, explaining the proposed infrastructure and placement.

Member Mayer re-stated his question about vegetation impacts. Mr. Parker replied, stating that 120 trees will be removed, and more along the length of the park. South of the park-and-ride, a mitigation project outside of the boundaries will be removed for wetland restoration and allow for tree planning. Member Mayer asked about tree replanting requirements. Mr. Parker said that the permit process is still in progress, and is unsure of the ratios.

Member Mayer asked about the mitigation or plans to regenerate vegetation in the conversion area during the temporary construction easement, given the length of time. The limitations in the plan discuss buffers for the rail and for the wetland area.

Member Willhite thanked members of the public for attending. He asked about the hearing examiner and court of appeals, specifically whether they upheld the right to proceed in their final rulings. Ms. Borbe responded, stating that Sound Transit reported exploring all viable alternatives, and that they included the forest devaluation. Additionally, the Department of the Interior sent a letter in which they concurred with the review, and reaffirmed the analysis as sound. She explained that the courts sided with Sound Transit; the Environmental Impact Statement (EIS) was upheld by the courts.

Member Willhite asked if new or different information was provided by the public which causes a change in opinion from testimony offered in any of the appeals process (Hearing Examiner or Court of Appeals). Was the tunneling option discussed in these courts? The EIS did not consider a tunnel alternative. Although Sound Transit was challenged on the range of alternatives, the court system determined that they had an adequate range, and conceded that tunneling is too expensive.

Director Cottingham reminded the board of the Arboretum conversion request, and recommended delegating the final authority to the director. Member Mayer stated that it would be in the interest of the board to ensure that if the conversion were approved, that the park would be assured to remain consistent with its original purpose. He asked that Ms. Barker clarify where the final decision's authority exists. If the board denied the conversion, what would happen? Ms. Barker replied that staff wouldn't proceed and would not have a recommendation for the park service. She would ask direction on how to proceed and under what conditions.

Member Stohr asked for clarification on the content of the legal decisions before the court and the results, to understand how different options were delivered and evaluated, more about the hydrological issues, and what the board authority truly is. Director Cottingham asked about timeline for Sound Transit's

intended plans. Ms. Borbe explained that Sound Transit intended construction to begin in 2016, and they would need approval prior to that time.

Member Mayer stated that the cost is not the criteria which the board needs to consider (referring to the tunneling option), and therefore concerns about alternative options being too costly are not considered.

Member Deller expressed his interest in reversion discussions, including the appropriateness of this conversion. Should the rail plans change, he explained, some kind of reversion language would be necessary. Director Cottingham suggested deferring this decision until the April 2015 meeting, allowing time for exploration of the potential recreation, vegetation and environmental impacts under proposed conversion.

Mr. Parker described in more detail the proposed plans and potential impacts. Mr. Parker referred to two maps in the RCO staff presentation that included a satellite map with overlay of proposed areas under conversion and a conceptual map to show intended changes.

Member Mayer asked about alternative options for the rail system. Mr. Parker and Ms. Borbe addressed these questions, describing the least harm alternatives considered and reasons for the proposed plan. This was additional public comment and should be referenced as such. Mr. Rosmann shared history of the map under consideration, being from 2007, and shared the previous plans that conflict with the current plan proposed. He stated that the map does not represent an accurate depiction of what the rail system would impact. He described the current plan impacts in more detail and seasonal impacts.

The board discussed potential language for motion to defer this decision to a later date pending more information. Member Deller clarified that the role of the board is to determine the appropriateness of the conversion. He suggested that the board delay the decision until further information is obtained to make a more sound decision. Member Willhite seconded this suggestion, stating that they cannot take sides, but most focus on the appropriateness of conversion of property. Member Bloomfield expressed that there is room for examining alternative options for the conversion, even within the confines of the previous court decisions.

Member Mayer moved to table the decision to approve the Conversion for Mercer Slough Nature Park (RCO Projects #73-026 and 78-513) to the April 2015 meeting of the RCFB board pending additional information on the impacts to conversion areas, with regards to hydrological impacts, recreation use, species and habitat impacted, as well as opportunities relative to ensuring reversion right should the proposed alignment change.

Break 2:48 p.m. – 2:55 p.m.

Resolution 2014-31

Moved by: Member Mayer

Seconded by: Member Deller

Resolution: DEFERRED to the April 2015 meeting

Item 15: Board Survey and Strategic Plan

Director Cottingham outlined the staff proposal for conducting the end of the year Recreation and Conservation Funding Board survey and updating the board's strategic plan in preparation for the 2015-17 biennium. The survey is open to the board to provide feedback; currently it focuses on board meetings and preparations. The strategic plan is included in the board materials, last updated in 2012.

Member Mayer proposed the idea of a board retreat and Director Cottingham suggested using the first day (April 8th) of the scheduled April 2015 meeting as a possible date. Member Mayer suggested forming a subcommittee to continue progress and prepare an agenda for a retreat. Member Deller appreciated the simplicity of the current plan, and that it's aligned with the Governor's plan. He suggested following the same biennial guideline to avoid constant updates, allowing focus for longer durations on the work at hand. Director Cottingham reminded the board of the priorities presented in the policy report, and suggested not bulking up the plan too far beyond the currently identified actions. She suggested a one-day business meeting and a one-day retreat in April, since the approved 2015 schedule allows for two days.

Member Willhite brought up two issues. First, there is need to address grant program policy in regards to climate change. Second, he asked how the board could support communities in need that have suffered natural disasters, which may require some statutory changes.

Member Mayer would like to add metrics that measure accountability and planning across programs, ensuring that resources are used effectively, policies address gaps, and services are efficient. Director Cottingham noted that performance goals do need to be addressed, and Member Mayer's suggestions could be included. Member Bloomfield suggested adding these concerns in an agenda format in order to address them in an appropriate setting, whether at a retreat or regular business meeting, and evaluate the grant categories as needed.

Member Willhite suggested deferring all questions from the public and media to the chair, as a speaking person for the board to respond to questions that may come from the public. A sub-committee may be formed to prepare an agenda to address the issues raised today, comprised of Harriet Spanel, Peter Mayer, Betsy Bloomfield, and Ted Willhite. RCO staff will submit the code reviser's notice to schedule day one (April 8) as a retreat and planning session.

Director Cottingham suggested adjusting the survey for the board members to allow for data collection that will support planning for the retreat.

Director Cottingham also reminded the board members February 10, 2015 is the usual date for the WWRC Reception at the Governor's Mansion, although they are looking for an alternate location or date.

Member Deller shared the recent report published for the Land and Water Conservation Fund.

Closing

The meeting was adjourned at 3:33 p.m. by Chairwoman Chair Spanel.

Approved by:

Harriet Chair Spanel, Chair

Date

Appendix A

Item 14 – Public Comment

Erin Powell

“Good Afternoon, My name is Erin Powell, I am a Bellevue resident, a Parks and Community Services Board member with the City of Bellevue, and a Parks and Recreation professional, however I am speaking on behalf of Save the Mercer Slough Committee. “Mercer Slough Nature Park - 33 years and \$11 Million dollars after its first acquisition in the slough the City of Bellevue had assembled WHAT MAY BE THE BIGGEST AND BEST URBAN WETLANDS PARK IN THE UNITED STATES.” The Seattle Times. City of Bellevue- your grant recipient from 1973 and 1978 has lost its’ direction and specifically its’ Moral Compass direction because Bellevue is willing to sacrifice Mercer Slough Nature Parks’ entire western boarder of Bellevue Way SE and 112th Ave parklands, and allow Mercer Slough Nature Park to become the location of a rail road structure and related facilities that will adversely affect the public’s access and enjoyment of the Mercer Slough Nature Park. Current and future generations of people should be able to enjoy the valuable trails, wetlands, National Historic Winter’s House, the majestic significant trees and the overall green tree views along Bellevue Way and 112th, also the historic blueberry farm lands, farm and garden facilities without seeing, hearing and experiencing the disruptive intrusion of the Eastlink Light Rail train rolling by every 3 to 7 minutes 18 to 20 hours a day 365 days of the year. The value and enjoyment of the recreation experience is interrupted and the human senses assaulted by this railroad activity within the Mercer Slough Nature Park. Access to the park will be cut off because there will be railroad tracks and a trench 40 feet wide along Bellevue Way – half a mile in length-the whole length of Mercer Slough Nature Park . A security fence and the tracks themselves will block people from accessing the park along this rail corridor, where 1,279 significant trees will be cut down - devastating the tree canopy that provides shade in the summers and habitat for animals . The one and only proposed access point is next to the Winter’s House which will take even more parkland to provide space for the new parking lot, farm and garden operation, restroom facilities, this will eliminate and pave over even more acreage of Mercer Slough wetlands parkland. The recent Moon/Ross property purchase by the City of Bellevue has functioned as continuous open space that helped keep habitat and wetlands to thrive. Mercer Slough has enjoyed the undeveloped environmental benefits of this property for decades and the purchase of the property has been a goal and now a reality – This purchase is to be applauded. However, this site is not as valuable as the entire western boarder along Mercer Slough because it is NOT the GATEWAY INTO BELLEVUE NOR IS IT THE GATEWAY TO THE MERCER SLOUGH NATURE PARK, it is far away from large neighborhoods of people, existing trails, Winter’s House, blueberry fields, and farm and garden operation, and the trails linking our beloved National Scenic Byway trails of the Mountain to Sound Greenway system. Mercer Slough Nature Park is a large park experience-which THOUSANDS of people visit daily- it is easily accessed by families and school children from around the region who participate in environmental education programs. Mercer Slough is a destination nature park experience where children can explore, learn and have fun. What a wonderful investment in public lands that help develop future generations who will care and take action to save our environment for the future.

In 2009 the City of Bellevue cancelled building a new trail on the north side of Mercer Slough, a trail that had been in the Master Plan for some time - before the 2011 MOU was signed – Were agreements made before our democratic processes and system of government weighted in on these most important decisions? Just because we can build, something doesn’t mean we should. Bellevue and Sound Transit must do better than selecting to destroy these loved public park facilities, destroy habitat for the threatened Western Pond Turtle, native fish and salmon, threatened migratory birds, and risk the healthy richness of our wetland ecosystem.

We only have one earth; we only have one chance to get this monumental decision right for the good of the people and for the good of the integrity of publically held public open spaces that were

so hard won. The people of Bellevue, King County and the Federal Government did create -THE BIGGEST AND BEST URBAN WETLANDS PARK IN THE UNITED STATES. LET'S KEEP IT! HELP US KEEP IT! I am asking you to protect and conserved Mercer Slough Nature Park public lands into perpetuity as they are today. Mercer Slough Nature Park is a very special place that helps define us as a democratic people- Americans respect past generations' visions and hard work that bought this public lands in the first place. Americans exercise good stewardship of our responsibilities and obligations for these public lands today and always. PLEASE help us conserve all of our Mercer Slough Nature Park. Please Deny this conversion request – Alternative rail alignments are available you have examples in your packets. Thank you."

Joseph Rosmann

"Good afternoon Chair Spanel, Director Cottingham, and members of the Board. I am Joseph Rosmann, a Bellevue citizen living in the Surrey Downs community adjacent to the Mercer Slough Nature Park. Our extended Rosmann family is well known across the US for its work in advancing the goals of sustainable agriculture, protecting agricultural workers from chemicals and other substance risks, and preserving natural wildlife, including salmon, trout, and other at-risk fish. I operate a general contracting business that serves businesses and homeowners throughout the Seattle Eastside. We utilize the services of hydrologists, geotechnical engineers, soils engineers, structural engineers, and other similar experts in the course of serving our clients. These experts are knowledgeable regarding the character and natural environment of the Mercer Slough Nature Park, the height of the water table there and the construction challenges to be faced there. These experts have examined the report provided by CH2MHill to Sound Transit, dated April 5, 2010. They concur with the findings and advice of CH2MHill to Sound Transit regarding the likelihood of dewatering of the wetlands between Bellevue Way and 112th Avenue and Mercer Slough creek. Because Sound Transit is utilizing a closed-floor trench structure, whose base is well below the water table, build-up of water on the west side of Bellevue Way and 112th Avenue must be relieved using siphons under the trench as well as rock strainer structures. Unfortunately, these strainers can be expected to fill with siltation over time, making the siphons even more necessary. The water build up must be released eastward in large quantities via use of drainage trenches placed between the rail line and Mercer Slough Creek. During the dryer half of each year this drainage will eliminate the essential sources of water that would normally maintain the function of the wetlands located throughout the west side of Mercer Slough Nature Park. This is the essence of the dewatering effects on the Mercer Slough wetlands as set out in CH2MHill's report. This dewatering will lead to losses of endangered Western Sand turtles, and will dramatically diminish the nutrients (insects, worms, and other flora and fauna) that are essential to sustaining the travel of spawning salmon in Mercer Slough. You also have before you a letter from Dr. Don Davidson. Dr. Davidson could not be here today so he asked that I share the following with you. He has many reasons to understand these issues. He serves as Vice Chairman of the Puget Sound Salmon Recovery Council and is Chairman of the Lake Washington, Lake Sammamish and Cedar River Salmon Recovery Council. In his letter he states that these two Councils consider the Mercer Slough Nature Park, and its upstream Kelsey Creek Watershed, to be pre-eminent among all the salmon spawning areas in the greater Seattle area. He wrote that "it is essential that the Mercer Slough Nature Park waterways and wetlands not be compromised in any way such that this extremely important salmon propagation environment be destroyed." His letter further states that The Mercer Slough wetland functions will be permanently damaged thereby impeding the passage of several spawning salmon species. The Mercer Slough is the only way in which returning spawning salmon can reach the upstream Kelsey Creek Watershed areas where salmon eggs are extensively laid. Sound Transit's plan will likewise permanently destroy many hundreds of trees, and other vegetation and flora and fauna that provide essential nutrients for the returning salmon. Dr. Davidson has shared his letter with the other funding board that the RCO office supports, the Washington State Salmon Recovery Financing board. In his work with the two Councils he works closely with this equally important state oversight board Members of the Washington State Salmon Recovery Financing Board

share Dr. Davidson's understanding regarding the importance of the Mercer Slough Nature Park to the recovery of salmon in the Puget Sound Region. He therefore asks that, before you take any action today, that you confer with your colleagues on the Washington State salmon recovery financing board. Dr. Davidson and I also ask you today to consider two other important facts. First, as you heard and seen, there is a better alternative for bringing Eastlink into the City of Bellevue. Sound Transit's leaders have refused to study this alternative, even though their own engineering and financing staff experts recommended to them in October of 2012 that they do so. Sound Transit's in-house experts recommended then that this alternative be evaluated because Sound Transit had been having such great success with bored tunnels in Seattle. Second, you should also know that Sound Transit has never provided the Bellevue City Council with its final plans for mitigating the environmental impacts on the environment of Mercer Slough Nature Park. Sound Transit holds the results of the 90% engineering requirements and plans for the Mercer Slough Nature Park area. Bellevue City Council members have repeatedly requested that Sound Transit provide this vital information to them. Sound Transit refuses to do so. We know that Sound Transit can change their decisions when cost and environmental factors outweigh prior considerations. They did so in Seattle. Seven years after having received the Federal Record of Decision for the Northlink rail line, placed at grade, Sound Transit chose to build Northlink using a bored tunnel. Equity for the Mercer Slough Nature Park environment and its wildlife, for the users of the Park, and for our Bellevue citizens must be provided."

Renay Bennett

"When you change a park master plan, there is a specific process that is followed with lots of public involvement. None of that has occurred with this massive change in the Mercer Slough. In the FEIS, over 70% of the public comments opposed placing this train in the Mercer Slough. I am sure that our citizens would be equally opposed to a major taking of valuable park land downgrading the entire park had they been given the opportunity. In fact, in all the numerous public meetings held by Bellevue and Sound Transit, and I was at every single one of them, each and every meeting showed massive opposition to this decimation of the Mercer Slough. Washington families need to know that when their tax dollars are used for parks land it should stay park land. This is trading down the entire west side for a sliver of property that has already been promised to Bellevue taxpayers and approved in a parks bond, has a trail already running through it, is unbuildable, and is already being used as part of the Slough. Please save our Slough for now and our future and deny this conversion."

William Popp

I am here to speak on behalf of the Save the Mercer Slough Committee. I want to point out things in the staff report that you need to consider before taking your action.

There is an e-mail in your materials from me that covers the issues associated with outright avoidance of the Federal Department of Transportation's Section 4f rule about evaluation of the least harm alternative. The City of Bellevue attorney had pointed this out in a letter to Sound Transit and was subsequently over ridden by her boss. Another letter was issued that said we can mitigate this away.

I have been in the transportation business over 45 years on the governmental and the private sector side and I know when an evaluation has occurred and when it has not and in this case there are alternatives that were not soundly evaluated. And this keys directly into your policies and page 4 of the staff report that there were no feasible and prudent alternatives.

I submit that there was a feasible and prudent alternative called B7R that was funded by the City of Bellevue and rejected for purely political reasons by Sound Transit as the alignment did not support Transit Oriented Development opportunities. And that feasible alternative, as it relates to your role, presented a huge windfall by returning the existing 11.5 acre park and ride lot to the City for park use in the most park accessible location possible. Now there is another alternative – a tunnel alignment which Rossman mentioned Sound Transit is refusing to consider.

The RCFB memo page 4 offers reasons for not considering alternatives to avoid Mercer Slough Nature Park as requiring substantial property relocations or highly complex engineering. I submit that what Sound Transit is doing is highly complex engineering. B7R was not highly complex and neither is the tunnel alignment. What is highly complex is trying to run this train through the wetland and peat environment and trying to protect the wetlands from dewatering.

That same 11.5 acre windfall can be had with a tunnel alignment as well and to date there has been no movement in that direction. But there can be. I have been around long enough, and the Chairman as well, and we can recall the RH Thompson Expressway in Seattle that was on the plan for years and was 100% designed. I went to the Puget Sound Council of Governments in 1969 and the movement had started – no more freeways and an expressway in the Arboretum certainly did not belong.

I want to correct a statement I made in the e-mail to you that is in your packets. I said that the B7R alignment was politically unrealistic, but in reflection on the issue and past events that is not true. This board should not be cowed by the notion that the train is coming down the track and you are simply in the way.

Or putting it another way I am reminded of Clint Eastwood in "Unforgiven" when he told the bad guys you don't have to do this you know. Of course they came back and were killed, but you don't have to do this you know.

Question from the Chairperson: Did you go through an appeal process to Sound Transit or the City on all this?

Answer: I did not personally but there was a lawsuit that challenged the ROD and that was rejected. But interestingly the lawsuit did not challenge on the basis of the 11.5 acre park opportunity.

I have of course made a number of presentations to the Council over the years about problems with this corridor. But in this case we do have a recreational facility in that corridor (that I have not addressed). My wife and I enjoy walking that westside trail and as mentioned earlier, the trail was to extend north along the edge of the waterway. It would have been a very attractive facility and now the route will be truncated.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015
Title: Time Extension Requests
Prepared By: Recreation and Conservation Section Grant Managers

Summary

This is a request for the Recreation and Conservation Funding Board to consider the proposed project time extensions shown in Attachment A.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Resolution #: 2015-01

Purpose of Resolution: Approve the requested time extensions.

Background

Manual #7, *Funded Projects*, outlines the board's adopted policy for progress on active funded projects. Key elements of this policy are that the sponsor must complete a funded project promptly and meet the project milestones outlined in the project agreement. The director has authority to extend an agreement for up to four years. Extensions beyond four years require board action.

The RCO received a request for a time extension for each of the projects listed in Attachment A. This document summarizes the circumstances for the requested extensions and the expected date of project completion. Board action is required because the project sponsors are requesting extensions to continue the agreements beyond four years.

General considerations for approving time extension requests include:

- Receipt of a written request for the time extension;
- Reimbursements requested and approved;
- Date the board granted funding approval;
- Conditions surrounding the delay;
- Sponsor's reasons or justification for requesting the extension;
- Likelihood of sponsor completing the project within the extended period;
- Original dates for project completion;
- Current status of activities within the grant;
- Sponsor's progress on this and other funded projects;

- Revised milestones or timeline submitted for completion of the project; and
- The effect the extension will have on re-appropriation request levels for RCO.

Plan Link

Consideration of these requests supports the board's goal of helping its partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.

Summary of Public Comment

The RCO received no public comment on the requests.

Staff Recommendation

Staff recommends approval of the time extension requests for projects listed in Attachment A.

Attachments

- A. Time Extension Requests for Board Approval

Time Extension Requests for Board Approval

United States Forest Service, Mount Baker-Snoqualmie National Forest

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
11-1173 Development	Franklin Falls Trail Renovations, Phase 2	Nonhighway and Off-road Vehicle Activities Non-motorized category	\$82,386 (91%) Note they have also billed \$34,273 in non-reimbursable match.	6/30/2015	12 months (6/30/2016)	<p>The Snoqualmie Ranger District is reconstructing portions of the popular Franklin Falls Trail.</p> <p>The environmental assessment (EA) covering major parking area improvements for Franklin Falls, Denny Creek, and Wagon Road trails renovations was delayed. The EA was more complex than anticipated and fell behind schedule. Only work that did not require the EA could be accomplished until the EA was complete and the DN was signed. Both are now complete.</p> <p>The contractor will begin trail and viewpoint construction this spring and anticipate completing work by November 2015. Force account crews and WTA volunteers will continue working to complete trail relocation work, surface remaining portions of trail, construct additional viewpoints, and replace turnpike, puncheon and 2 short bridges. The extension will provide enough time for completion of the full scope of work.</p>

Whatcom County Parks

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
11-1144 Development	Lighthouse Marine Park Dock Replacement	Boating Facilities Program	\$71,434.06 (28.3%)	6/30/2015	6 months (12/31/2015)	<p>Whatcom County Parks and Recreation has completed all upland elements associated with this project and has constructed the boarding floats and fishing pier, which will be attached to the new steel piles. All that remains is the removal of 6 creosote piles and the installation of 7 steel piles.</p> <p>The environmental permitting for this project has been extraordinarily challenging. The in-water work window permitted covers July 15 through October 14; however, surf smelt spawning activity must be absent during that time to conduct any in-water work. Surf smelt spawning activity prevented in-water work from occurring for the past two complete work windows. This created a permitted window when work could not occur. Whatcom County is in the process of working with the Army Corps of Engineers and the Washington Department of Fish and Wildlife to allow for a time for the piles to be driven during a minus tide, potentially outside of the current work window.</p> <p>This 6 month extension will allow for the piles to be driven and the floats to be secured. This is the only public launch facility located on Point Roberts and it is the main access to the waters of the Strait of Georgia.</p>

Washington State Parks and Recreation Commission

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
10-1383 Development and Restoration	Lake Sammamish Beach Renovation and Boardwalk	Aquatic Lands Enhancement Account Washington Wildlife and Recreation Program, Water Access Category and State Parks Category	\$1,627,889 (74%)	6/30/2015	12 months (6/30/2016)	<p>The State Parks and Recreation Commission (State Parks) has completed the boardwalk construction, and design for the Sunset Beach improvements at Lake Sammamish State Park.</p> <p>The environmental permitting for Sunset Beach took longer than expected. Because part of this project involves in-water construction, work can only take place during one of two fish windows in July or November. State Parks expects to have permits in place by spring 2015, but they are requesting an extension to allow for construction in November because July is one of the busiest months in the park.</p> <p>Also, the grant funds (\$500k) and match (\$500k) from project 12-1249 (Lake Sammamish Sunset Beach Phase 2) were merged into this project in October 2013 in order to create a single agreement for improvements at Lake Sammamish. State Parks can now contract for and bill the entire project, rather than prorating costs between two grant contracts. Plans are to move quickly with this phase of development so the park can be ready for the summer 2016 recreational season.</p>

Washington State Department of Natural Resources

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
10-1458 Acquisition	Dabob Bay Natural Area 2010	Washington Wildlife and Recreation Program, Natural Areas Category	\$778,138 (26.6%)	6/30/2015	6 months (12/31/2015)	<p>To date, the Washington Department of Natural Resources (DNR) has purchased 17 properties with funding from this grant totaling approximately 100 acres.</p> <p>Partnering with the US Navy has allowed DNR to make grant funding go much further than expected allowing the acquisition of significantly more property.</p> <p>This time extension would allow DNR to finish closing on one property totaling 241 acres and complete negotiations with 4 more landowners where appraisal work has been completed and negotiations are underway. Additionally it would allow time to complete post closing work, including weed control, fencing and signage on 2 more properties recently acquired.</p>
10-1453 Restoration	Camas Meadows Rare Plant Habitat Restoration	Washington Wildlife and Recreation Program, State Lands Restoration	\$73,709 (51%)	6/30/2015	6 months (12/31/2015)	<p>To date, the DNR has completed approximately 80% of the work to restore and enhance habitat for two rare plant species on approximately 30 acres in Camas Meadows Natural Area Preserve.</p> <p>The project encountered significant delays with major wildfires that burned to the edge of the preserve in 2012, a statewide burn ban in 2013 and federal permitting requirements for cultural resources reporting. Additionally, DNR experienced significant cost savings in the hydrologic restoration of the project and was able to leverage additional funding, leaving them with more than 50% of grant funds remaining to date.</p> <p>This time extension would allow DNR to finish the remaining restoration within the original 30 acres and also increase the scope of the agreement to restore an additional 10 acres.</p>

City of Sumner

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
10-1660 Development	Sumner Urban to Mountain Trail, Section #4 and #5	Washington Wildlife and Recreation Program, Trails Category	\$108,586 (11%)	6/30/2015	6 months (12/31/2015)	<p>There is no project delay. The City of Sumner is under-budget and is requesting additional time to use the remaining funds to construct porta-potty enclosures and install additional signage along the trail.</p> <p>The City has completed trail sections 4 and 5. The original scope of work included 2,000 feet of 12-foot wide paved trail and a bridge over the White River. The bids came in lower than expected, so staff approved a scope change to allow construction of another 1,900 feet of trail.</p> <p>If approved, the City will construct the enclosures and use their own funds to purchase the porta-potty units. RCO funds will be used for the concrete pads, enclosures, and signs.</p>

Washington State Department of Fish and Wildlife

Project number and type	Project name	Grant program	Grant funds remaining	Current end date	Extension request	Reasons for Delay and Justification of Request
10-1629 Restoration	Sinlahekin Ecosystem Restoration, Phase 2	Washington Wildlife and Recreation Program, State Lands Restoration Category	\$71,288 (29%)	6/30/2015	12 months (6/30/2016)	<p>Progress to date includes prescription fires applied last spring to 191 acres that were harvested during the winter of 2012-13. Thinning on approximately 600 acres was completed this winter with slash and other logging fuels left on site to cure.</p> <p>Progress was hindered on this grant due to mild weather conditions over the past several winters. Frozen ground or 18 inches of snow is needed to avoid damaging soils with heaving logging equipment.</p> <p>Additional time will allow the slash from stands harvested in winter 2014-15 to finish curing so that prescriptive burns may be applied in the fall of 2015 and spring of 2016.</p>



A Resolution to Recognize the Service of

Don Hoch

To the Residents of Washington State and the Recreation and Conservation Office

WHEREAS, from January 2013 through March 2015, Don Hoch provided excellent service to the Recreation and Conservation Funding Board and the people of Washington; and

WHEREAS, Mr. Hoch guided the distribution of more than \$102 million in grants for 278 projects statewide, leveraging matching resources of more than \$58 million, for a combined investment of more than \$160 million in making Washington a great place to live, work, and play; and

WHEREAS, Mr. Hoch participated actively in board discussions, decisions, tours, and the general work of the board, making sure always to be thoughtful in his comments; and

WHEREAS, Mr. Hoch represented well the concerns and desires of the Washington State Parks and Recreation Commission, and ensured that his fellow board members understand his agency's goals and direction; and

WHEREAS, Mr. Hoch's intellect, wise counsel, and graciousness made him a valuable board member; and

WHEREAS, Mr. Hoch has decided to designate someone else to represent the Parks' Commission at the Recreation and Conservation Funding Board, and members of the board wish to recognize his leadership and service;

NOW, THEREFORE BE IT RESOLVED, that on behalf of the residents of Washington and in recognition of Mr. Hoch's dedication and excellence in performing his responsibilities and duties as a member of the Recreation and Conservation Funding Board, his peers and staff from the Recreation and Conservation Office extend their sincere appreciation and compliments on a job well done.

Approved by the Recreation and Conservation Funding Board
in Olympia, Washington
on April 9, 2015

Betsy Bloomfield
Citizen Member

Mike Deller
Citizen Member

Pete Mayer
Citizen Member

Harriet Spanel
Citizen Member

Ted Willhite
Citizen Member

Peter Herzog
Washington State Parks
and Recreation Commission

Jed Herman
Department of Natural Resources

Joe Stohr
Department of Fish and Wildlife

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015

Title: Management Reports: Director's Report

Summary

This memo is the director's report on key agency activities.

Board Action Requested

This item will be a:

<input type="checkbox"/>	Request for Decision
<input type="checkbox"/>	Request for Direction
<input checked="" type="checkbox"/>	Briefing

In this Report

- Agency update
- Policy report and Legislative update
- Grant management report
- Fiscal report
- Performance report

Agency Update

Economic Report Shows the Value of Outdoor Recreation

For the first time in Washington, an economic study on the value of outdoor recreation statewide has been completed. RCO's Policy Team worked with Earth Economics, a Tacoma economics firm, to produce the [Economic Analysis of Outdoor Recreation in Washington State](#). Released to the Legislature on January 8, the study clearly shows that outdoor recreation is an economic force in Washington. With people spending \$21.6 billion every year on outdoor recreation equipment and trip-related costs, outdoor recreation brings \$20.5 billion to the state's economy and creates nearly 200,000 jobs statewide. It is also one of the largest markets in the state for moving income from urban to rural areas and building businesses in more rural areas. There has been a great deal of interest in the report findings. A [summary fact sheet](#) also is online.

RCO Develops Brochure to Promote Role of Recreation

RCO, with the help of a consultant, produced a brochure promoting the benefits of outdoor recreation in Washington. The [We'll Go Far Outside](#) brochure is available online. Funding was donated by REI for this brochure. Using the results of RCO's economic study and the Governor's Blue Ribbon Task Force on Parks and Outdoor Recreation, the brochure highlights how recreation contributes to the economy, the health of our families and environment, and the education of our children. It will help to educate the public and public decision makers about the importance of investing in outdoor recreation.

Audit Conclusion

In late 2014, the State Auditor completed an accountability audit of RCO that focused on agency accounting functions. While the auditors could have reviewed any document, they focused on four areas:

grants, travel, cash receipts, and cash disbursements. RCO had no findings in this audit. This is an outstanding result and is due in no small part to the hard work of our grants and fiscal staff.

E-billing Coming Soon

The development of e-billing in PRISM is complete and will launch March 31. Beginning that date, all grant recipients and contractors will be required to use electronic billing; no more paper billings will be used. We are proud of the staff dedication and effort that went into the development of the e-billing process. About 200 people signed up to see demonstrations in February and March, with more being added all the time. Many of our staff were involved in the development and testing of this e-billing system, but the largest kudos goes to Mark Jarasitis, RCO's Chief Financial Officer, who dreamed about e-billing in 2007 and helped shepherd it into reality over the past seven years.

WSDOT to Assist with Cultural Resources Reviews

RCO signed an agreement with archeologists at the Washington State Department of Transportation (WSDOT) to review projects for possible cultural resources impacts, potentially saving our grant recipients time and money. Currently, the Department of Archeology and Historical Preservation (DAHP) requires all projects with ground-disturbing activity to survey the sites for possible cultural, Native American, or other historical resources. WSDOT's archaeology staff will review the potential projects and make a recommendation based upon their resources and expertise about which sites are the most likely to have cultural resources, increasing accuracy and potentially cutting down on the number and cost of doing surveys. Consultation with the Department of Archeology and Historical Preservation and tribes will continue to be conducted by RCO's cultural resources coordinator and staff. The current agreement runs until June 30, 2015, but it may be extended into next biennium if budget allows.

Study of the Costs of Public Lands

In the 2013-15 Capital Budget, the Legislature directed the Joint Legislative Audit and Review Committee (JLARC) to conduct a study of public recreation and habitat lands. The study considers the characteristics and costs of recent acquisitions, evaluates the cost and benefit measures for these lands, and examines the potential effects of these lands on county economic vitality.

In the [initial portion of this study](#), JLARC recommended that natural resource agencies and the Office of Financial Management (OFM) develop a single, easily-accessible source for information about land acquisitions. JLARC suggested that natural resource agencies and OFM submit a proposal to the Legislature by January 2016 that outlines how to implement such a data source and estimates its associated costs. RCO and other natural resource agencies provided written responses to the draft report, including a request for funding to research and plan the multi-agency data system recommended by JLARC. The next portion of the JLARC report is due in April and will focus on how public lands impact county economic vitality. A final report is due in July.

Washington State Trails Conference a Success

More than 300 trail managers, planners, users, trail maintenance organizations, businesses, and students attended the Washington State Trails Coalition's bi-annual conference in October 2014 in Bellingham. RCO sponsors the conference, which is the state's largest and most comprehensive gathering of trail users, planners, funders, and supporters. RCO staff participated in three breakout sessions: Darrell Jennings and Leslie Connelly presented on investing in outdoor recreation; Rory Calhoun hosted a session on understanding the new federal accessibility requirements for trails; and Darrell Jennings participated in a panel discussion on the career paths of trail professionals and the future of trail jobs. RCO staff also provided staff support before and during the conference. The conference was a tremendous success and a

special thanks to the Whatcom Parks Foundation for being the host organization and to Darrell for his leadership role.

Meetings with Partners

- **Washington Wildlife and Recreation Coalition (WWRC):** Director Cottingham attended the coalition's board meeting and shared information about RCO's preparation for the legislative session. The board discussed future policy issues under consideration.
- **Washington Recreation and Parks Association and the WWRC:** Director Cottingham spoke at the legislative day hosted by these two partners on February 25. She spoke about the outdoor recreation economic study and RCO's request legislation and budget. Later in the day, she joined several RCFB members and staff at the coalition's annual reception in the Governor's mansion.
- **Washington Association of Land Trusts:** Director Cottingham met with the association twice for their quarterly meetings, providing updates on several ongoing issues: the state budget, the outdoor recreation economic study, the new outdoor recreation brochure, the *2014 State of Salmon in Watersheds* report, and e-billing.
- **Washington State Conservation Commission:** Director Cottingham met with the director of the Conservation Commission and his staff to discuss our respective agency's budget requests, selection of a new board member for the Salmon Recovery Funding Board, and farmland preservation criteria. We strategized together to request an increase in the level of funding for farmland preservation in Washington State through the Natural Resources Conservation Service. This year, Washington State received \$1.4 million of the \$328 million available nationwide.
- **Washington Boating Alliance:** Director Cottingham made a presentation to Washington Boating Alliance members and others at the Seattle Boat Show in January. She covered the economic analysis of outdoor recreation and boating projects that recently received funding. RCO also held its quarterly boating stakeholder meeting where we talked about the legislative session and the draft boating programs plan.
- **Big Tent:** Policy Director Wendy Brown attended a legislative day hosted by the Big Tent Coalition, which is a collection of outdoor recreation providers, agencies, and supporters.
- **Washington Ag-Forestry program:** Director Cottingham participated in a panel discussion at the Ag-Forestry Education Foundation Leadership Program. She spoke about the outdoor recreation economic study and trends in recreation and fielded a lot of questions about hunting access on public and private land.

Update on Sister Boards

- **Salmon Recovery Funding Board (SRFB):** The SRFB held its large grant funding meeting in December, awarding nearly 100 grants for \$18 million to organizations in 29 counties to restore salmon habitat and conserve pristine areas. The SRFB also approved the *Manual 18, Salmon Recovery Grants* for 2015 grants and adopted a list of large capital projects for Puget Sound restoration projects to send to the Legislature for funding consideration. The SRFB welcomed two new board members – Erik Neatherlin, the new designee from the Department of Fish and Wildlife, and Brian Cochrane, the new designee from the Washington State Conservation Commission. Finally, the SRFB learned of plans for the May Salmon Recovery Conference, and reviewed the [2014 State of Salmon in Watersheds](#) report and [website](#).
- **Washington Invasive Species Council:** The council met December 4 and members were briefed on the New Zealand mud snail infestation at a state hatchery, ballast water program enforcement actions, changes to the 2015 noxious weed list, and a variety of other issues. Raquel Crosier, council

coordinator, visited Washington D.C. for National Invasive Species Awareness Week in February, along with her peers from Arizona, California, Oregon, and Nevada. The group focused its time on gaining more federal support for aquatic invasive species prevention efforts, especially boat inspection programs, in the West. The council is working with the Departments of Ecology and Fish and Wildlife to plan the fifth annual New Zealand mud snail conference, which will be in Seattle in June. Council staff also is working with the Departments of Fish and Wildlife, Ecology, and Transportation to stencil "Clean, Drain, Dry" on boat launches throughout Washington. The stenciled message is aimed at increasing voluntary cleaning of watercraft and reducing the spread of aquatic invasive species. If successful, the council hopes to see this project expanded to other high-use boat launches throughout the state. The council's next meeting is March 12.

- **Habitat and Recreation Lands Coordinating Group:** The lands group published two significant reports: The [2014 State Land Acquisition Forecast Report](#) and its [annual report](#). The forecast report includes information on proposed state land acquisitions from the Department of Fish and Wildlife, Department of Natural Resources, and the State Parks and Recreation Commission. The annual report includes the group's 2015 work plan. The lands group will meet next March 20.

Legislative Update

RCO's Budget Submitted and Governor's Budgets Released

RCO's budgets (both operating and capital) were submitted to the Office of Financial Management in early September. The details of our budget requests have been posted on our [website](#). The Governor's budget was released in December and we expect the Legislature to release its budgets in late March. Funding amounts related to the RCFB grant programs proposed in the Governor's capital budget, as compared to current funding levels and agency requests, include the following:

Program	2013-15 Funding	2015-17 Agency Request	2015-17 Governor's Proposal
ALEA	6,000,000	6,600,000	3,600,000*
BFP	6,363,000	9,360,000	9,360,000
BIG	2,200,000	2,200,000	2,200,000
FARR	800,000	580,000	580,000
LWCF	9,000,000	4,000,000	4,000,000
NOVA	8,500,000	8,670,000	8,670,000
PLIP	200,000	-	-
RTP	5,000,000	5,000,000	5,000,000
WWRP	65,000,000	97,000,000	70,000,000
YAF	3,630,000	12,000,000	3,000,000

*ALEA funds have been replaced with bonds in the Governor's budget.

In addition to our budgets, RCO's has submitted budget requests related to our salmon recovery grants and programs. RCO also submitted its request to pursue legislation to change the administrative rate charged in the Washington Wildlife and Recreation Program. This bill requests a change from the flat 3 percent administrative rate to a rate calculation based on actual administrative costs averaged over the past five biennia. The House version of the bill (HB 1392) has moved through the House and over to the Senate and is scheduled for public hearing in the Senate Natural Resources and Parks Committee on March 12. In the Senate, the bill (SB 5320) was amended to include some additional oversight by the

Legislature, but was not moved out of the Senate by the March 11 cutoff and is considered no longer in play. We are expecting the same amendments to be added back onto the House bill. The last day of the regular legislative session is April 26.

Grant Management Report

2014 Recreation and Conservation Grants Cycle Comes to an End

The Recreational Trails Advisory Committee held its annual meeting on December 4, 2014. At this meeting, advisory committee members reviewed the results of the most recent evaluation and ranking of projects, prepared a recommendation for funding education category projects, and members discussed possible policy, program, and process changes for the grant program. Federal Highway Administration requires states to hold an annual meeting with its advisors to maintain eligibility for Recreational Trails Program grants. The Recreation and Conservation Funding Board will review and approve the ranked list and funding for these projects in June 2015.

This meeting officially marked the end of the 2014 grants cycle for the Recreation and Conservation section staff. The vast majority of these grants will be presented to the board for funding in June. The focus now is on managing active projects, inspections and planning for 2016.

Recreational Trails Program Annual Report

The Recreational Trails Program (RTP) Fiscal Year 2014 Annual Report is now available [online](#). The purpose of the report is to provide information about the program and the projects funded in federal fiscal year 2013. This report serves as a useful guide to the RTP for trail managers and the public, highlighting program funding and administration, the RTP database, and how states use funds for trail projects. It illustrates eligible project types along with award-winning examples from across the country. It documents the many benefits of the program and national trends and issues affecting trails.

Grants Section Retreat

The Recreation and Conservation Grants Section held a two-day staff meeting to re-group after the past year. The team focused on assisting applicants with their grant proposals and had the opportunity to review the 2014 grants cycle, discuss the success and challenges of the past year, and to establish priorities for 2015. The meeting included a session that gave staff a chance to ask questions about the proposed budget and the 2015 legislative session and to discuss some of the proposed policy issues under consideration. As a follow-up, staff are working on brief "issue" statements to help inform decision makers on policy challenges before a final priority list is presented to the Recreation and Conservation Funding Board.

Deputy Director Scott Robinson also met with the team to roll out the Director's plan for delegating authority to staff for several decision making items. Marguerite Austin took the opportunity to recognize staff members for their fantastic work during a grueling, yet rewarding, grant year.

Washington Projects Receive Federal Boating Infrastructure Grants

The U.S. Fish and Wildlife Service awarded nearly \$1.5 million in competitive grants for four projects in Washington State through the Boating Infrastructure Grant (BIG) program. Grant recipients may use BIG funds to construct or renovate boating facilities for recreational boats that are at least 26 feet in length. The BIG program includes two funding tiers: Tier One (competitive in some states) and Tier Two (nationally competitive). Under Tier One, each state may receive up to \$100,000 in funding for eligible

projects. Tier Two funds, up to \$1.5 million annually per project, are made available through a nationally competitive process. This table provides a summary of the grants awarded.

Table 1. Boating Infrastructure Grants

Project Number	Project Name	Sponsor	Program Category	Grant Request	Funds Approved	Unfunded Balance
14-1615D	Port Angeles Transient Moorage Float Replacement	City of Port Angeles	Boating Infrastructure, Tier 2	\$268,575	\$268,575	-0-
14-1588D	Point Hudson Jetty Replacement	Port of Port Townsend	Boating Infrastructure, Tier 2	\$1,455,000	\$1,102,811	\$352,189
14-1523D	Tokeland Marina Transient Float Expansion Phase 2	Port of Willapa Harbor	Boating Infrastructure, Tier 1	\$75,970	\$75,970	-0-
14-1539D	Seaport Landing Visiting Vessel Moorage	Grays Harbor Historical Seaport Authority	Boating Infrastructure, Tier 1	\$95,000	\$55,155	\$39,845

The Port of Port Townsend will replace the north and south jetties that protect the entrance to the Point Hudson Marina on Puget Sound. The marina provides more than 50 guest moorage slips for recreational boaters headed to the Straits of Juan de Fuca. The City of Port Angeles will use its grant to replace six guest moorage docks that will accommodate boats up to 80 feet in length. Port Angeles is an important destination for boaters and provides a gateway to the Pacific Coast. Both projects are in Clallam County.

Two Tier 1 grants were given to communities in Grays Harbor County. The Port of Willapa Harbor and the Grays Harbor Historical Seaport Authority will develop guest moorage at Willapa Bay and Seaport Landing in Grays Harbor. Funds for the BIG Program are provided annually from the Sport Fish Restoration and Boating Trust Fund.

Using Returned Funds for Alternates Projects

RCO recently awarded two new grants for the alternate projects shown in Table 1. The funds are from projects that did not use the full amount of their grant awards.

Table 1. Funds for Unfunded Alternates

Project Number	Project Name	Sponsor	Program Category	Grant Request	Funds Approved
12-1160A	Edmonds Fishing Pier	Department of Fish and Wildlife	Aquatic Lands Enhancement Account	\$500,000	\$500,000
10-1643D	Swadabs Waterfront Park Expansion	Swinomish Tribe	Washington Wildlife and Recreation Program, Local Parks Category	\$301,750	\$50,610

Project Administration

This table summarizes the outdoor recreation and habitat conservation projects currently being administered by staff:

- Active projects are under agreement.

- Staff are working with sponsors to place the “Director Approved” projects under agreement.

Program	Active Projects	Board Funded Projects	Director Approved Projects	Total Funded Projects
Aquatic Lands Enhancement Account (ALEA)	11	0	1	12
Boating Facilities Program (BFP)	24	0	0	24
Boating Infrastructure Grant Program (BIG)	2	0	0	2
Firearms and Archery Range Recreation (FARR)	7	0	0	7
Land and Water Conservation Fund (LWCF)	2	0	3	5
Marine Shoreline Protection (MSP)	2	0	0	2
Nonhighway and Off-road Vehicle Activities (NOVA)	94	0	0	94
Recreational Trails Program (RTP)	58	0	0	58
Washington Wildlife and Recreation Program (WWRP)	116	0	5	121
Youth Athletic Facilities (YAF)	4	0	0	4
Total	320	0	9	329

In addition to managing the projects shown in this table, staff closed more than 60 active grants in the last few weeks and has several hundred funded projects they monitor for long-term compliance.

Fiscal Report

The following financial reports reflect Recreation and Conservation Funding Board activities as of March 5, 2015. You will see:

- The budget status of board activities by program.
- The budget status of the entire agency by board.
- Revenue collections. We are on track to meet our projections.
- A Washington Wildlife Recreation Program (WWRP) summary and history of committed and expenditures. Since 1990, \$632 million have been spent in WWRP.

Recreation and Conservation Funding Board Activities by Program

For the Period of July 1, 2013 - June 30, 2015, actuals through 3/05/2015 Fiscal Month 20. Percentage of biennium reported: 83.3%.

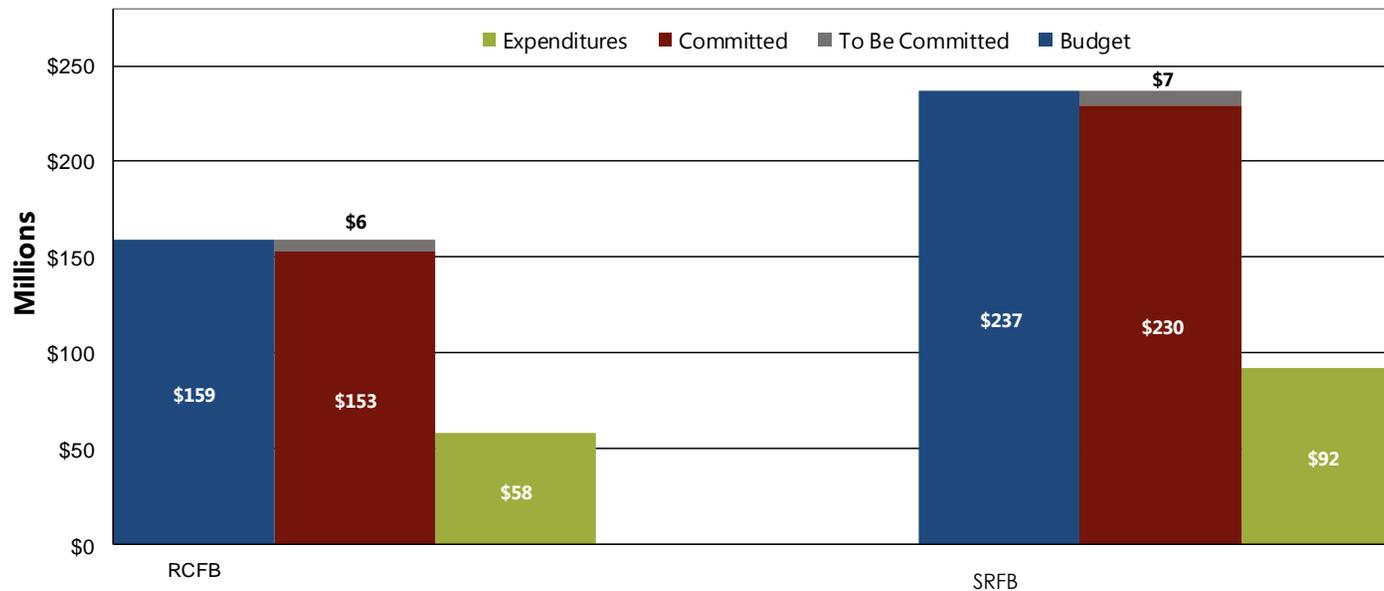
Grant Programs	BUDGET	COMMITTED		TO BE COMMITTED		EXPENDITURES	
	New & Re-appropriation 2013-2015 (\$)	Dollars (\$)	% of Budget	Dollars (\$)	% of Budget	Dollars (\$)	% Expended of Committed
Washington Wildlife and Recreation Program (WWRP)							
WWRP Re-appropriations	43,402,789	38,568,730	89%	4,834,059	11%	13,957,741	36%
WWRP New 13-15 Funds	63,050,000	62,179,031	99%	870,969	1%	18,772,797	30%
Boating Facilities Program (BFP)							
BFP Re-appropriations	4,767,400	4,642,239	97%	125,161	3%	3,142,605	68%
BFP New 13-15 Funds	6,363,000	6,318,492	99%	44,508	1%	2,609,192	41%
Nonhighway and Off-Road Vehicle Activities (NOVA)							
NOVA Re-appropriations	3,912,066	3,831,859	98%	80,208	2%	2,564,451	67%
NOVA New 13-15 Funds	8,075,900	8,058,502	100%	17,398	0.2%	2,622,477	32.5%
Land and Water Conservation Fund (LWCF)							
LWCF Re-appropriations	807,276	807,276	100%	0	0%	752,042	93%
LWCF New 13-15 Funds	1,713,150	1,713,150	100%	0	0%	250,000	15%
Aquatic Lands Enhancement Account (ALEA)							
ALEA Re-appropriations	3,160,577	3,160,577	100%	0	0%	2,046,543	65%
ALEA New 13-15 Funds	6,000,000	5,998,554	100%	1,446	0.02%	1,898,711	32%
Recreational Trails Program (RTP)							
RTP Re-appropriations	1,550,604	1,550,604	100%	0	0%	1,028,634	66%
RTP New 13-15 Funds	3,415,822	3,410,447	100%	5,375	0.2%	863,093	25%
Youth Athletic Facilities (YAF)							
YAF Re-appropriations	395,675	193,559	49%	202,116	51%	163,290	84%
YAF New 13-15 Funds	3,480,444	3,480,444	100%	0	0%	1,525,260	44%
Firearms and Archery Range Recreation (FARR)							
FARR Re-appropriations	389,563	389,563	100%	0	0%	183,813	47%
FARR New 13-15 Funds	800,000	799,112	100%	888	0.1%	511,149	64%
Boating Infrastructure Grants (BIG)							
BIG Re-appropriations	495,104	495,104	100%	0	0%	183,515	37%
BIG New 13-15 Funds	0	0	100%	0	0%	0	0%
Marine Shoreline Protection (MSP)							
Marine Shoreline Protection (MSP)	1,431,329	1,431,329	100%	0	0%	59,886	4%
Sub Total Grant Programs	153,210,700	147,028,571	96%	6,182,129	4%	53,135,199	36%
Administration							
General Operating Funds	6,121,924	6,121,924	100%	0	0%	4,833,152	79%
Grant / Administration Total	\$159,332,624	\$153,150,495	96%	\$6,182,129	4%	\$57,968,351	38%

Note: The budget column shows the state appropriations and any received federal awards.

2013-15 Capital and Operating Budget Status for the Recreation and Conservation Office

For the Period of July 1, 2013 - June 30, 2015, actuals through 3/5/2015 (Fiscal Month 20). Percentage of biennium reported: 83.3%.

Board/Program	New (\$)	Re-appropriation (\$)	BUDGET	COMMITTED		TO BE COMMITTED		EXPENDITURES	
			New and Re-appropriation 2013-2015 (\$)	Dollars (\$)	% of Budget	Dollars (\$)	% of Budget	Dollars (\$)	% of Committed
Recreation and Conservation Funding Board	97,170,920	62,161,704	159,332,624	153,150,495	96%	6,182,129	4%	57,968,351	38%
Salmon Recovery Funding Board	89,156,611	147,674,212	236,830,823	229,578,327	97%	7,252,497	3%	92,365,207	40%
Governor's Salmon Recovery Office	885,380	\$0	885,380	885,380	100.0%	\$0	0.0%	480,984	54%
Invasive Species Council	200,000	\$0	200,000	200,000	100.0%	\$0	0.0%	155,974	78%
Total	\$187,412,911	\$209,835,916	\$397,248,827	\$383,814,202	97%	\$13,434,625	3%	\$150,970,516	39%



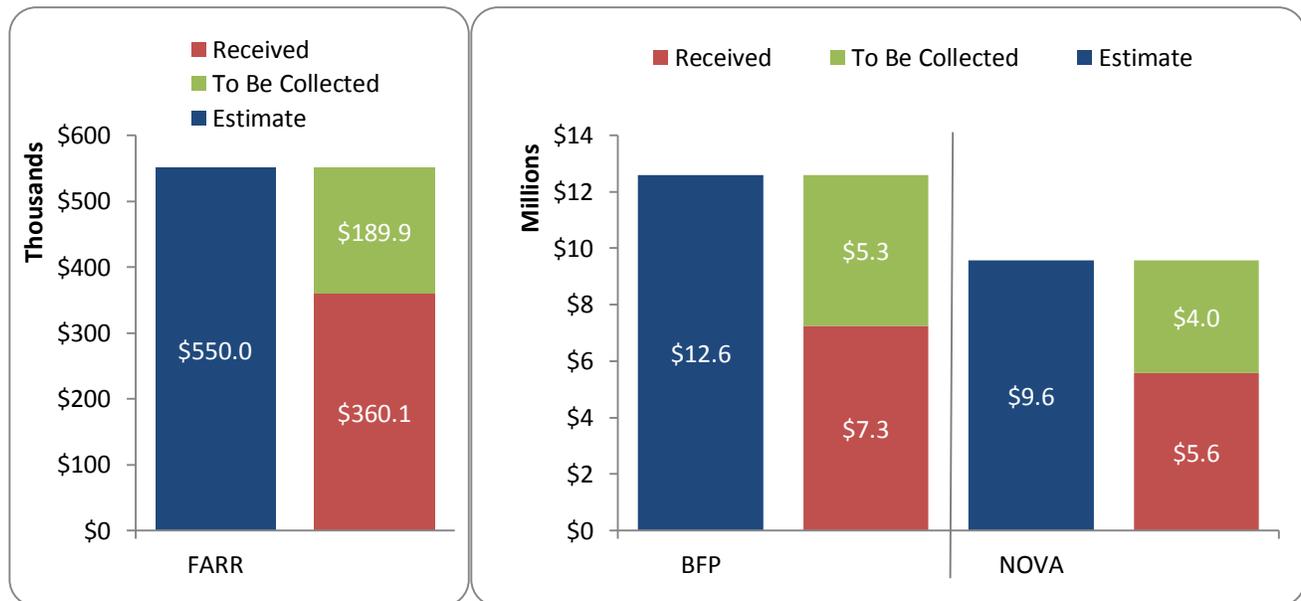
Recreation and Conservation Funding Board Revenue Report

For the Period of July 1, 2013 - June 30, 2015, actuals through 01/31/2015 Fiscal Month 19. Percentage of biennium reported: 79.2%.

PROGRAM	BIENNIAL FORECAST	COLLECTIONS	
	Estimate	Actual	% of Estimate
Boating Facilities Program (BFP)	\$12,616,007	\$9,895,217	78.4%
Nonhighway, Off-Road Vehicle Program (NOVA)	\$9,521,559	\$7,453,303	78.3%
Firearms and Archery Range Rec Program (FARR)	\$550,000	\$479,862	87.2%
Total	\$22,687,566	\$17,828,382	78.6%

Revenue Notes:

- Boating Facilities Program (BFP) revenue is from unrefunded marine gasoline taxes.
- Nonhighway Off-Road Vehicle Activities Program (NOVA) revenue is from the motor vehicle gasoline tax paid by users of ORVs and nonhighway roads and from the amount paid for by ORV use permits.
- Firearms and Archery Range Rec Program (FARR) revenue is from \$3 each concealed pistol license fee.
- This reflects the most recent revenue forecast of November 2014. The next forecast is due in February 2015.



Washington Wildlife Recreation Program (WWRP) Biennial Appropriations Summary

Biennium	Appropriation (\$)
89-91 Biennium	53,000,000
91-93 Biennium	61,150,000
93-95 Biennium	65,000,000
95-97 Biennium ¹	43,760,000
97-99 Biennium	45,000,000
99-01 Biennium	48,000,000
01-03 Biennium	45,000,000
03-05 Biennium	45,000,000
05-07 Biennium ²	48,500,000
07-09 Biennium ³	95,491,955
09-11 Biennium ⁴	67,344,750
11-13 Biennium ⁵	40,740,000
13-15 Biennium ⁶	63,050,000

Grand Total **\$721,036,705**

Notes:

¹ Original appropriation was \$45 million.

² Entire appropriation was \$50 million; 3% or \$1,500,000, went to administration.

³ Entire appropriation was \$100 million; 3% or \$3,000,000 went to administration, removed \$981,000 with FY10 supplemental budget.

⁴ Entire appropriation was \$70 million; 3% or \$2,100,000 went to administration.

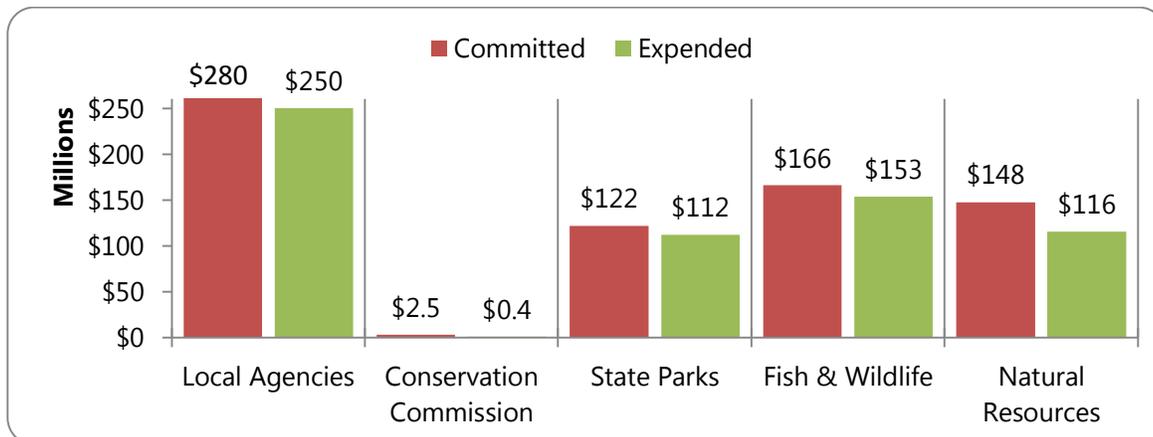
⁵ Entire appropriation was \$42 million; 3% or \$1,260,000 went to administration.

⁶ Entire appropriation was \$65 million; 3% or \$1,950,000 went to administration.

WWRP Expenditure Rate, by Agency or Organization

Agency	Committed (\$)	Expenditures (\$)	Percent Expended
Local Agencies	\$278,715,136	\$258,466,712	93%
Conservation Commission	2,549,463	378,559	15%
State Parks and Recreation Commission	122,400,769	113,038,191	92%
Department of Fish and Wildlife	165,226,581	158,619,090	96%
Department of Natural Resources	145,704,716	116,182,662	80%
Riparian Habitat Administration	185,046	185,046	100%
Land Inventory	549,965	549,965	100%
Subtotal Committed	\$715,331,676	\$647,420,225	91%

History of Committed and Expended Funds for WWRP Program



Performance Report

The following performance data are for recreation and conservation projects in fiscal year 2015. Data are current as of March 3, 2015. Performance so far this fiscal year was impacted by the application process, during which grant manager's workloads were prioritized to focus on application review, site visits, and sponsor support during technical review and evaluation. Managers expect that performance measures will increase during the remainder of the year, when staff resume their regular grant management duties.

Recreation and Conservation Funding Board Performance Measures

Measure	Target	Fiscal year-to-date	Status	Notes
Percent of Projects Issued Agreement within 120 Days of Board Funding	85-95%	88%	●	A total of 42 projects were scheduled to come under agreement this fiscal year. For projects where an agreement has been issued, staff took an average of 48 days.
Percent of Projects Under Agreement within 180 Days of Board Funding	95%	78%	●	A total of 41 projects were scheduled to be under agreement so far this fiscal year.
Percent of Progress Reports Responded to On Time	65-75%	78%	●	A total of 320 progress reports have been due so far this fiscal year. Of these, 249 were responded to in 15 days or less.
Percent of Bills Paid within 30 days	100%	79%	●	This fiscal year to date 517 bills have come due. For bills which were paid, staff took an average of 18 days. Staff anticipate that e-billing will improve performance for this measure.
Percent of Projects Closed on Time	60-70%	51%	●	Thirty-eight of 74 projects closed on time.
Number of Projects in Project Backlog	0	23	●	Staff continue to work with sponsors to get the proper documentation to close backlog projects.
Number of Post-Completion Inspections	No target set	32	N/A	
Percent of Project Sponsors Submitting Annual Bill	100%	76%	●	Of the 309 active recreation and conservation projects, 236 have submitted a bill this fiscal year. The remaining sponsors have until June 30 to submit a bill.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015
Title: Overview of the Outdoor Recreation Economic Study
Prepared By: Wendy Brown, Policy Director

Summary

This memo outlines the major findings of the [Economic Analysis of Outdoor Recreation in Washington State](#) released in January 2015.

Board Action Requested

This item will be a:

<input type="checkbox"/>	Request for Decision
<input type="checkbox"/>	Request for Direction
<input checked="" type="checkbox"/>	Briefing

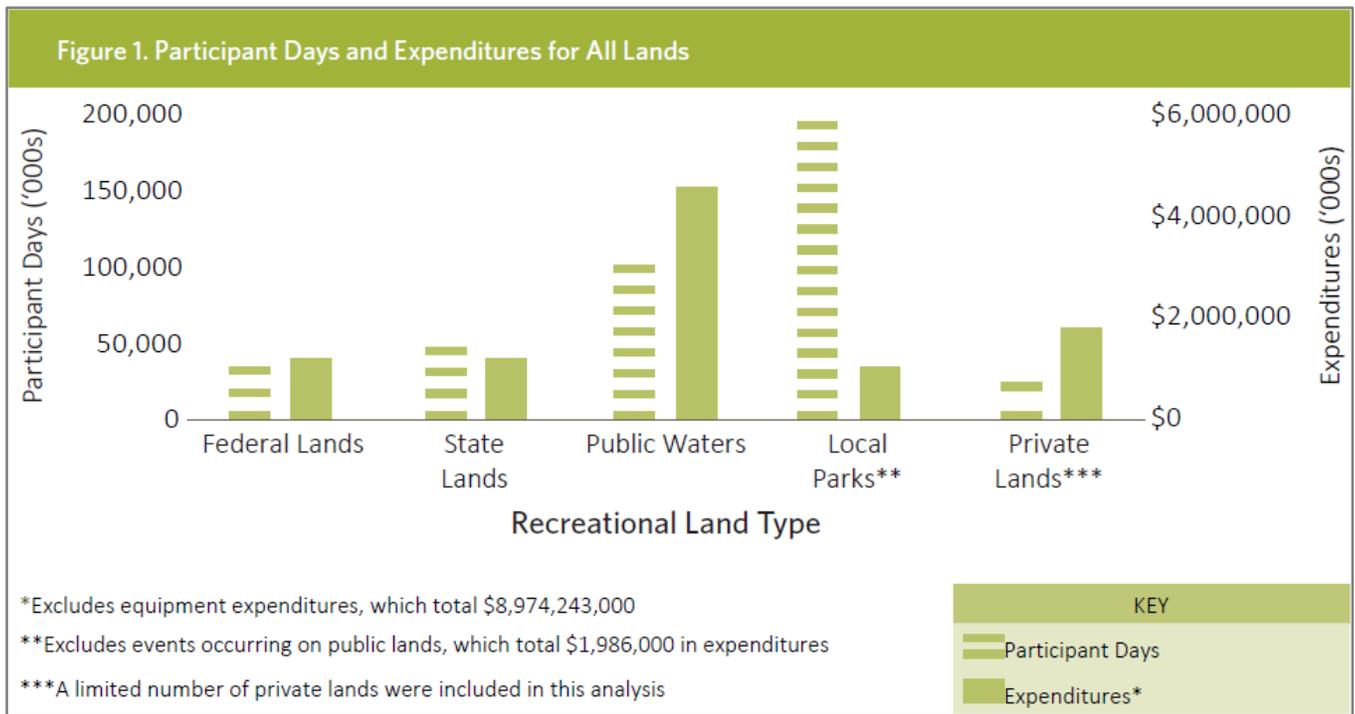
Background

In a 2014 supplemental operating budget proviso, the Legislature instructed the Recreation and Conservation Office (RCO) to conduct an analysis of the contribution of outdoor recreation to the economy of Washington State. The analysis was conducted by Earth Economics and completed in January 2015. A summary of the major findings is presented below.

Major Findings

Outdoor recreation spending in Washington equates to roughly \$21.6 billion annually. The expenditure categories include both equipment and trip-related expenses such as lodging, gas, and food. Economic contributions of \$20.5 billion per year trickled down into the economy from these categories. In comparison, a 2012 study by the Outdoor Industry Association estimated consumer spending on outdoor recreation to be \$22.5 billion per year; but, that study only captured part of the full picture. The new study encompasses outdoor recreation statewide in a comprehensive look beyond just economic contributions.

When looking at total spending and participation rates by land type, the study found that expenditures were highest for recreation associated with public waters (Figure 1). Water recreation includes a number of activities with high equipment and trip expenditures, especially motorized boating. Ranking second were special events such as sports tournaments and races, which generally involve fees and attract overnight stays. Ranking third was recreation on private lands, which includes expensive recreation activities such as golf, skiing, off-highway vehicle riding, and hunting. Local parks are the most visited of the different land types, being the most accessible and least costly destination.



The economic contribution analysis was conducted through the use of an economic model known as IMPLAN, demonstrating how money spent on outdoor recreation flows through local and state economies, promoting exchange from one business to another. Of the \$21.6 billion spent on outdoor recreation per year, about \$9.1 billion is transferred to out-of-state producers of related goods and services. This leaves about \$12.5 billion in direct sales to circulate through the local economy, producing in turn about \$3.3 billion in supply chain activity related to recreation goods and services and \$4.7 billion in household wages that further stimulate economic activity. Thus, in total, economic contributions to the state economy amount to \$20.5 billion every year.

Nearly 200,000 jobs are supported in Washington as a result of outdoor recreation spending. A total of about 122,600 jobs, or about 62 percent, are from expenditures associated with outdoor recreation on public lands (as opposed to both public and private lands). These jobs include both full-time and part-time jobs in sectors such as food and beverage services, retail, and general recreation services. In general, these sectors are made up of many businesses ranging from small, local shops to large retailers such as REI.

Detailed results for recreation-related expenditures by land type are provided for Washington State as a whole, as well as for all individual counties and legislative districts. The results show that outdoor recreation markets play an important role bridging urban and rural communities. The recreation market is unquestionably one of the largest markets in the state for moving income from urban to rural areas and for building sustainable jobs in rural Washington counties. Out-of-county visitors support a redistribution of wealth between the place of origin and the destination for outdoor recreation. For example, Seattle residents going to Twisp for outdoor recreation redistributes income from King to Okanogan County. These dynamics are important to many rural counties.

Out-of-state visitors also play an important role in the economics of outdoor recreation. Out-of-state visitors accounted for an estimated 12 percent of all participant days and 27 percent of total outdoor recreation spending. Every dollar spent by an out-of-state traveler in Washington generates \$1.36 in economic contribution, resulting in a total of \$4.6 billion in new money circulating in the state's economy.

A total of 46,400 jobs or 23 percent of total outdoor recreation-supported jobs in Washington are the result of expenditures by out-of-state visitors. The results of the out-of-state visitor impact analysis highlights the importance of promoting outdoor recreation in Washington beyond state borders.

In addition to the monetary contribution of outdoor recreation to Washington's economy, there are a number of other benefits not accounted for within traditional economic analysis. These benefits include the satisfaction and increase in general quality of life people get from engaging in outdoor recreation and from the ecosystem services that recreational lands provide. Trees, water, and animals provide ecosystem goods and services such as swimmable water, habitat, and aesthetic beauty. Washington's 23 million acres of public land provide many of these benefits. The combined total estimated value of these non-market benefits is between \$134 and \$248 billion per year.

Communication and Outreach

The [report](#) and accompanying [fact sheet](#) were delivered to the Legislature on January 8, 2015. On January 8, there was a media event to discuss the results of the report. Subsequently, working with Pyramid Communications, a [brochure](#) was developed that combined findings from the economic study and the Governor's Outdoor Recreation Task Force. To date, the report has generated 33 articles in newspapers, Web sites, blogs, and Facebook sites. RCO Director Kaleen Cottingham and staff have also conducted several presentations on the study and will continue to do so. The findings from the economic study were widely cited during various legislative events organized by our stakeholders.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015
Title: Draft Farmland Preservation Criteria
Prepared By: Leslie Connelly, Natural Resource Policy Specialist
Meg O'Leary, Policy Administrator

Summary

This memo summarizes the background of the Farmland Preservation Account (FPA) in the Washington Wildlife and Recreation Program, reviews the evaluation criteria, and proposes a method to restructure the criteria. Recreation and Conservation Office staff seek direction from the Recreation and Conservation Funding Board on revising the evaluation criteria for the FPA grant program in preparation for the next grant cycle in 2016.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Background

Farmland Preservation Account History

The Legislature added the Farmland Preservation Account (FPA) to the Washington Wildlife and Recreation Program in 2005.¹ Funds appropriated from the FPA "must be distributed for the acquisition and preservation of farmlands in order to maintain the opportunity for agricultural activity upon these lands".² Farmland is defined as those lands that meet the definition of farm and agricultural land in the Open Space Act.³

Funding for the FPA occurs only if the Washington Wildlife and Recreation Program receives more than \$40 million in a biennium. If that happens, then the FPA receives 40 percent of any amount over \$40 million up to \$50 million and an additional 10 percent of any amount over \$50 million. Table 1 shows the funding amounts in the FPA since it was created.

¹ Section 7, Chapter 303, Laws of 2005

² Revised Code of Washington [79A.15.130\(1\)](#)

³ Revised Code of Washington [79A.15.010\(4\)](#)

Table 1. Funding Amounts in the Washington Wildlife and Recreation Program (WWRP) and Farmland Protection Account (FPA)

Biennium	WWRP Funding Amount	FPA Funding Amount	Number of Projects Funded in FPA
2007-09	\$100 million	\$9 million	15
2009-11	\$70 million	\$6 million	10
2011-13	\$42 million	\$800,000	7
2013-15	\$65 million	\$5.5 million	17
Totals	\$277 million	\$21.3 million	49

Since inception, sponsors protected 6,780 acres and extinguished 452 development rights with funding assistance from the FPA.

In 2014, applicants submitted 25 projects for funding in FPA, requesting over \$22 million. All together, the projects seek to protect 32,660 acres of farmland and extinguish 7,537 development rights. The board will award grant funds for the 2014 applications at the June 2015 meeting. The ranked list of projects is on RCO’s Web site at <http://www.rco.wa.gov/documents/rcfb/wwrp/2014GrantsAwarded.pdf>.

Farmland Preservation Account Review

RCO conducted a review of the FPA to assess whether any changes were needed to improve the grant program. A group of 25 people interested in the program were convened to provide feedback. The final recommendations of the work group were:

- 1) Follow-up with collection of conservation easement monitoring reports from sponsors to get a better idea of the overall program success;
- 2) Draft revisions to the evaluation criteria to correct conflicting questions, reduce the emphasis on environmental values, and streamline the questions; and
- 3) Improve the application process.

2014 Grant Application Review

In addition to the feedback received during the program review, staff collected suggestions for improving the evaluation criteria during this past year’s grant evaluation process. Significant issues raised by the FPA advisory committee members were:

- The most important factor for evaluation is the potential productivity of the farmland.
- Focus should be on the opportunity to farm, not current farming practices.
- Do not rely on current economic productivity of the farm as this can change based on the types of crops grown and growing seasons.
- Congruity of the parcels within the proposed easement area is important.
- Size and location of the building envelope (i.e., the area set aside for non-farming activities) is important.

- Conflicts in the evaluation criteria between the threats of the property converting to non-farming uses versus strong local support for agriculture that will help support farming on-site.
- Lack of direction on how to evaluate community support for the project.

Analysis

Evaluation Criteria Required in State Law

The board adopted⁴ the current FPA evaluation criteria in 2007 (see Attachment A). The evaluation criteria includes the required criteria as defined in state law and other discretionary criteria. State law requires the following criteria when evaluating applications to the FPA⁵:

- 1) Community support for the project;
- 2) A recommendation as part of a limiting factors or critical pathways analysis, a watershed plan or habitat conservation plan, or a coordinated region-wide prioritization effort;
- 3) The likelihood of the conversion of the site to nonagricultural or more highly developed usage;
- 4) Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process;
- 5) Benefits to salmonids;
- 6) Benefits to other fish and wildlife habitat;
- 7) Integration with recovery efforts for endangered, threatened, or sensitive species;
- 8) The viability of the site for continued agricultural production, including, but not limited to:
 - Soil types;
 - On-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, housing, livestock sheds, and other farming infrastructure;
 - Suitability for producing different types or varieties of crops;
 - Farm-to-market access;
 - Water availability; and
- 9) Other community values provided by the property when used as agricultural land, including, but not limited to:
 - Viewshed;
 - Aquifer recharge;
 - Occasional or periodic collector for storm water runoff;
 - Agricultural sector job creation;
 - Migratory bird habitat and forage area; and
 - Educational and curriculum potential.

⁴ Recreation and Conservation Funding Board Resolution #2007-11

⁵ Revised Code of Washington 79A.15.130(9)

Discretionary Evaluation Criteria

In addition to the required criteria above, the FPA evaluation criteria includes the following discretionary criteria:

- Size of the property;
- Economic productivity of the farm;
- Fit of the project to local priorities;
- Proximity to roads and utilities (cropland projects only);
- Carrying capacity (rangeland projects only);
- Drainage of the property;
- Presence of other features that could hinder or restrict use for agriculture;
- Zoning of the property;
- Likelihood that the region will continue to support agriculture;
- How agricultural productivity enhances the property's environmental values;
- Cost benefit of the acquisition;
- Local match;
- Sponsor's ability to acquire, manage, monitor and enforce conservation easements; and
- Term length of the easement.

The combination of the required criteria by state law and the discretionary criteria creates for a complicated evaluation with specific elements that can appear to conflict. For example, state law requires an evaluation of whether the farmland is an occasional or periodic collector of runoff. The additional criteria addresses site drainage. A farm may be a good collector of runoff during the fallow season and therefore would not necessarily have good drainage all year. This is one example of how the criteria can be confusing for the advisory committee when evaluating applications, as well as confusing for the applicant. Other criteria such as land use, zoning, economic productivity, and cost benefit are also challenging to interpret.

Reorganizing Evaluation Criteria by Themes

RCO staff is assessing how the criteria work together, determining ways to reduce conflicts and considering how to reorganize the criteria. An initial approach bundles the criteria into four main themes: land, infrastructure, stewardship, and community values.

Table 2 illustrates how the criteria required by state law fits within four main themes. Based on the four themes, the board could add discretionary criteria to complement the required criteria.

Table 2. Potential Farmland Criteria Themes

Farmland Criteria Theme	Required Criteria by State Law
Land	<ul style="list-style-type: none"> • The likelihood of the conversion of the site to nonagricultural or more highly developed usage. • The viability of the site for continued agricultural production, including, but not limited to: <ul style="list-style-type: none"> ○ Soil types; ○ Suitability for producing different types or varieties of crops; and

	<ul style="list-style-type: none"> ○ Water availability.
Infrastructure	<ul style="list-style-type: none"> ● The viability of the site for continued agricultural production, including, but not limited to: <ul style="list-style-type: none"> ○ On-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, housing, livestock sheds, and other farming infrastructure; and ○ Farm-to-market access.
Stewardship	<ul style="list-style-type: none"> ● Benefits to salmonids. ● Benefits to other fish and wildlife habitat. ● Integration with recovery efforts for endangered, threatened, or sensitive species. ● Migratory bird habitat and forage area.
Community Values	<ul style="list-style-type: none"> ● Community support for the project. ● A recommendation as part of a limiting factors or critical pathways analysis, a watershed plan or habitat conservation plan, or a coordinated region-wide prioritization effort. ● Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to RCW 90.58.080 or local comprehensive plans updated according to RCW 36.70A.130 must be highly considered in the process. ● Viewshed. ● Aquifer recharge. ● Occasional or periodic collector for storm water runoff. ● Agricultural sector job creation. ● Educational and curriculum potential.

Request for Direction

RCO seeks direction from the board on:

1. Whether to develop revised evaluation criteria for the FPA based on the four main themes of land, infrastructure, stewardship, and community values or use the existing structure of the criteria as the framework for which to propose changes;
2. Which discretionary criteria are most relevant to include alongside the required criteria; and
3. What other discretionary criteria the board may want to include.

Next Steps

After receiving direction from the board, staff will consult with the FPA advisory committee and draft revised evaluation criteria. Staff will brief the board on the draft revised evaluation criteria at the June meeting. After the board's feedback and direction in June, RCO staff will solicit formal comment from stakeholders, applicants and the interested public this summer. Final draft evaluation criteria will be presented to the board at the October meeting for consideration and adoption.

Attachments

- A. Farmland Preservation Account Evaluation Criteria

Farmland Preservation Program Evaluation Criteria Summary Table

Criteria	Points
Agricultural Values	
<ul style="list-style-type: none"> • Importance: <ul style="list-style-type: none"> ○ Soil types; suitability for producing agricultural products; size; economic productivity; fit of the project to local priorities • Viability: <ul style="list-style-type: none"> ○ On-site production and support facilities; farm to market access; proximity to roads and utilities (croplands only); carrying capacity (rangelands only); water availability; drainage; presence of other features that could hinder or restrict use for agriculture; zoning; likelihood that the farm will remain in agriculture; immediacy of threat to conversion to non-agricultural uses; likelihood that the region will continue to support agriculture 	68
Environmental Values (Acquisition only projects)	
<ul style="list-style-type: none"> • Species and habitat support: <ul style="list-style-type: none"> ○ Description of supported species; reliance of species on the property; quality of habitat provided; impact to the species if the habitat were converted. • Bigger picture: <ul style="list-style-type: none"> ○ Fit of the project with local, regional, and statewide conservation priorities • Agricultural productivity: <ul style="list-style-type: none"> ○ Consider how production activities benefit the environment 	22
OR	
Environmental Values (Combination acquisition + restoration/enhancement projects)	
<ul style="list-style-type: none"> • Species and habitat support: <ul style="list-style-type: none"> ○ Description of supported species; reliance of species on the property; quality of habitat provided; how restoration/enhancement will benefit the species • Bigger picture: <ul style="list-style-type: none"> ○ Fit of the project with local, regional, and statewide conservation priorities • Likelihood of success: <ul style="list-style-type: none"> ○ Likelihood that restoration/enhancement will achieve the anticipated benefits to species and habitat; results of any past stewardship activities • Agricultural productivity: <ul style="list-style-type: none"> ○ Consider how restoration or enhancement will promote productivity 	22
Community Values and Priorities	
<ul style="list-style-type: none"> • Community support for the project; consistency with a local land use or a regional or statewide recreational or resource plan • Other community values: <ul style="list-style-type: none"> ○ View shed; aquifer recharge; occasional or periodic collector for storm water runoff; floods; agricultural sector job creation; educational and curriculum potential; historic value; buffer to public lands, demonstration 	12
Other	
<ul style="list-style-type: none"> • Cost benefit; local match; sponsor's ability to acquire, manage, monitor, and enforce conservation easements, term 	31
Total Points Available	133

Farmland Preservation Program Evaluation Criteria Details

A. Agricultural Values: Preservation of farmlands in order to maintain the opportunity for agricultural activity.	Maximum Points
1. Importance. How important is this farmland to the region and state?	
A. Soil types; percent of property with important soil types. Consider presence of prime and unique soils; soils important or appropriate for the anticipated crops or livestock forage, and local climatic conditions; soils important to the region.	5
B. Suitability for producing the current or anticipated agricultural products.	5
C. Size. Consider whether the size of the commercially productive portion of the property is adequate for the intended agricultural use. Give preference to larger parcels, especially as compared to other parcels with the same type of agricultural activity in the same area.	5
D. Economic productivity. Give preference for farms with greater incomes or potential incomes. Compare rangeland to other ranches, rather than to cropland.	5
E. Fit of the project to local priorities. If the sponsor has a land preservation program that includes farmland and/or has developed a strategy for farmland preservation, consider the extent that the project addresses priorities in that program and/or strategy	5
2. Viability: The viability of the site for continued agricultural production and the likelihood it will remain in production:	
A. On-site production and support facilities such as barns, irrigation systems, crop processing and storage facilities, wells, housing, livestock watering, rangeland fencing, livestock sheds, and other farming or ranching infrastructure.	3 points for cropland projects, 2 points for rangeland
B. Farm-to-market access.	3
C. Cropland projects only: Proximity to roads and utilities.	3
D. Rangeland projects only: Carrying capacity.	4
E. Water availability. Does the property have legitimate water rights and adequate water to support intended or likely agriculture activities?	4
F. Drainage.	3
G. Presence of other features that could hinder or restrict use for agriculture (access, presence of frost pockets, chronic flooding, invasive species, nearby land uses or activities that could constrain agricultural activities).	0 points if no such feature. Maximum deduction -5 points.
H. Zoning. Consider whether the property is in an Agricultural Protection District or other type of protected zone (ex. "Agricultural Natural Resource Lands" zoning in Skagit).	4

<p>I. Likelihood that the farm will remain in agriculture if protected. What is the likelihood that acquiring the development rights on this property will make a difference in keeping the property in agricultural production? Consider whether there is an increased likelihood that the property will be converted to nonagricultural uses if it is not protected. What and how imminent are the threats to ongoing agricultural use? Are these new or ongoing threats? This item applies to factors that could affect long-term viability, such as landowner motivation, potential for rezoning, history of farmland conversion in the area, and anticipated development patterns.</p>	16
<p>J. Likelihood that the region will continue to support agriculture. Consider the condition of local farming infrastructure; proximity to other protected agricultural lands; other farmland protection and conservation efforts; and land use designations.</p>	7
Environmental Values (Acquisition-only Projects) Maximum Points	
<p>1. Species⁶ and Habitat Support: Which species does the property support? How does the property support the species that use it?</p> <p>A. Describe the species that rely on the property for all or part of their life functions. Which, if any, endangered, threatened, or sensitive species does the property help recover? What, if any, are the benefits to salmonids?</p> <p>B. How do the species use the property? (For example: migration, connectivity to habitat, food, water, cover, breeding and/or resting areas. The property may be important for a species entire lifecycle, or may serve a critical function during part of its lifecycle, such as seasonal habitat for migratory species).</p> <p>C. What is the quality of the habitat provided? (Are the size, condition and other characteristics of the habitat adequate to support the species? If not, describe the quality and indicate if the property contributes important habitat to surrounding protected lands that, when combined, adequately support the species. Be specific.)</p> <p>D. What would the impact to the identified species be if this habitat were converted? (How much does each species rely on this particular habitat?)</p>	10
<p>2. The Bigger Picture: How does protecting this property fit with local, regional, statewide conservation objectives?</p> <p>A. Other than benefits that support specific species, what are the other environmental benefits of protecting the property, such as aquifer recharge, flood control, connectivity to other protected land, air and/or water quality improvement, etc.?</p> <p>B. Which local, regional, and/or statewide plans support protecting the identified species and/or habitat? (For example: a watershed plan or habitat conservation plan, the Washington State Natural Heritage Plan, or a coordinated region-wide prioritization effort). Which, if any, plans identify this property as being important for conservation? Which priorities in the identified plan(s) are addressed by protecting this property?</p>	8

⁶ Species can include, for example, invertebrates, plants, and fungi.

<p>3. Agricultural Productivity: How does the agricultural productivity of this property enhance its environmental values?</p> <p>A. Describe how agricultural production activities on this property can benefit the environment. (For example: seasonal grazing to control weeds; hedgerows or other plantings to attract pollinators, and provide habitat for birds who factor into an integrated pest management plan; crops that provide habitat for small rodents, which in turn become food for area raptors.) Describe any past stewardship activities that have taken place on the property. What were the results of these activities?</p>	4
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B. Environmental Values (Combination Projects)	Maximum Points
Enhancement or restoration projects must further the ecological functions of the farmlands.	
Briefly describe the restoration/enhancement activity.	
<p>1. Species and Habitat Support: How will the project further the ecological function of the land?</p> <p>A. Describe the species that will rely on the property for all or part of their life functions. Which, if any, endangered, threatened, or sensitive species will the property help recover? What, if any, are the expected benefits to salmonids?</p> <p>B. How do the species use the property? (For example: migration, connectivity to habitat, food, water, cover, breeding and/or resting areas)</p> <p>C. What's the quality of the habitat that will be provided? (Will the size, condition and other characteristics of the habitat be adequate to support the species? If not, do surrounding protected lands provide quality habitat that will adequately support the species? Be specific.)</p> <p>D. How will the proposed restoration/enhancement activity benefit the species identified above? (How much will each species rely on this particular habitat?)</p>	8
<p>2. The Bigger Picture: How will protecting this property fit with local, regional, and/or statewide conservation objectives?</p> <p>A. Other than benefits that support specific species, what are the other environmental benefits of protecting the property, such as aquifer recharge, flood control, connectivity to other protected land, air or water quality improvement, etc?</p> <p>B. Which local, regional, and/or statewide plans support protecting the identified species and/or habitat? (For example: a watershed plan or habitat conservation plan, the Washington State Natural Heritage Plan, or a coordinated region-wide prioritization effort.) Which, if any, plans identify this property as being important for conservation and/or restoration? Which priorities in the identified plan(s) are addressed by protecting this property?</p>	6
<p>3. Likelihood of Success: What is the likelihood that the restoration or enhancement will achieve the anticipated benefits for species and habitat?</p> <p>A. Describe how the proposed restoration or enhancement activities will achieve</p>	4

B. Environmental Values (Combination Projects)	Maximum Points
<p>the benefits for species and habitat. Are they generally accepted methods of achieving beneficial enhancement or restoration results? (For example: Who recommended the proposed activities as appropriate for this property? Was the recommendation made as part of a conservation or stewardship plan? What is the relevant expertise of the person who wrote that plan? Do the activities enjoy widespread support?)</p> <p>B. Describe any past stewardship activities that have taken place on the property. What were the results of these activities?</p>	
<p>4. Agricultural Productivity: How will the restoration or enhancement promote agricultural productivity?</p> <p>A. Describe how the proposed restoration or enhancement activities will promote agricultural productivity. (For example, if the proposal is to install water efficiencies, describe how that will allow the farmer to produce greater crop yields. If the proposal is to install a livestock well, describe how that will not only benefit water quality, but will support an increase in animal units. Address how the benefits to productivity do not cancel out the environmental benefits described in number 1. For example, describe how the lack of water may have been a limiting factor on the property, and how the increased number of livestock now supported by the well will not lead to exceeding the carrying capacity of the land).</p>	4

C. Community Values and Priorities	Maximum Points
<p>1. Community support for the project.</p>	6
<p>2. Consistency with a local land use plan, or a regional or statewide recreational or resource plan. The projects that assist in the implementation of local shoreline master plans updated according to Revised Code of Washington 90.58.080 or local comprehensive plans updated according to Revised Code of Washington 36.70A.130 must be highly considered in the process.</p>	2
<p>3. Other community values provided by the property when used as agricultural land, including, but not limited to:</p> <ul style="list-style-type: none"> • View • Aquifer recharge • Occasional or periodic collector for storm water runoff and/or providing flood capacity • Agricultural sector job creation • Educational potential • Historic value • Buffer to public lands • Demonstration project 	4
Other	Maximum Points
<p>1. Cost benefit. Consider the percentage of total acreage that is in agricultural production or set aside to preserve ecological values (versus the percentage of the property that is taken up by structures, roads, etc.; allow for acreage that is not in</p>	5

agricultural production for the purpose of preserving ecological values, such as protected riparian buffers, CREP leases). Consider cost per acre? Consider contributions by the landowner, for example a bargain sale?	
2. Local match. Consider the amount of local (non-state, non-federal) match to be provided by the grant recipient. Includes contribution of land, labor, and materials.	2
3. Sponsor's ability to acquire, manage, monitor and enforce conservation easements. Consider the history of project sponsor in acquiring, managing and enforcing easements. Consider whether the applicant has an established farmland PDR (purchase of development rights) or conservation easement program and staff devoted to farmland protection. Consider the ability and experience of any organizations or entities assisting or partnering with the sponsor. For counties and cities without an established farmland PDR or conservation easement program, consider whether the award of a grant will provide the impetus for establishing a continuing program. Consider the presence of an endowment or other dedicated funding sources for management, monitoring, and enforcement.	4
4. Term (Staff Scored Question). The following formula will be used to determine points for duration of lease or easement:	
Duration of Conveyance	Point Value
• Perpetual Easement	20
• Easement or Lease of 60 plus years	10
• Easement or Lease of 40 plus years	5
• Easement or Lease of less than 40 years	0

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015
Title: Washington Administrative Code (WAC) Phase III Overview
Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo presents an overview of a third phase of proposed changes to Title 286 of the Washington Administrative Code (WAC). If so directed by the board, the Recreation and Conservation Office staff will initiate rule-making changes per the Administrative Procedures Act.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Background

Administrative rules are regulations of executive branch agencies issued by authority of state statutes. The Recreation and Conservation Office's (RCO) administrative rules are found in [Title 286 of the Washington Administrative Code](#) (WAC). The rules cover a number of subjects including general authorities of the Recreation and Conservation Funding Board (board) and RCO director, general grant assistance rules, and specific program rules. The rules are organized into the following chapters:

Chapter	Title
286-04	General
286-06	Public Records
286-13	General Grant Assistance Rules
286-26	Nonhighway and Off-road Vehicle Funds
286-27	Washington Wildlife and Recreation Program
286-30	Firearms Range
286-35	Boating Facilities Program
286-40	Land and Water Conservation Fund
286-42	Aquatic Lands Enhancement Account Program

Chapters 286-04, 286-06, and 286-13 WAC are broad in scope and apply to the agency's operations and the board's grant programs. The remaining chapters are specific to certain grant programs. Note there are no specific administrative rules for grants RCO manages on behalf of other agencies, at the direction of the Legislature, or for the following board programs: Boating Infrastructure Grants, the Recreational Trails Program, and Youth Athletic Facilities.

Phase I and II Complete

In April 2014, the board approved non-substantive changes to the administrative rules which changed the name of the board and agency and updated references throughout the title. This first phase also included

substantive changes that clarified some of the grant assistance rules and deadlines in preparation for the 2014 grant cycle. This rule-making became effective May 19, 2014.

In October 2014, the board approved substantive changes to the administrative rules regarding public records in Chapter 286-06 of the Washington Administrative Code. These changes reflect the model rules adopted by the Office of the Attorney General for compliance with the Public Records Act. This rule-making became effective December 5, 2014.

Phase III WAC Revisions

In June 2014, the board directed staff to conduct revisions to [Title 286 WAC](#) that included more than the revisions to the public records chapter. Staff was unable to complete all the changes in phase II; therefore, staff is proposing a third phase to complete the revisions previously discussed in June 2014. Table 1 describes the specific changes proposed for phase III.

Table 1. Phase III WAC Changes

WAC	Subject	Summary of Proposed Changes
286-04-010	Definitions	<ul style="list-style-type: none"> Update definitions with state law and the project agreement. Add new definitions, as appropriate (e.g., restoration projects).
286-04-030	Goals	<ul style="list-style-type: none"> Update board and agency goals.
286-04-080	Federal overlay	<ul style="list-style-type: none"> Clarify the interaction of federal program requirements and board policy.
New section Chapter 286-13	Compliance	<ul style="list-style-type: none"> Create new section and move long-term compliance rules from the program chapters. Organize compliance by project type. Address long-term compliance rules for maintenance and operation grants and equipment purchases. Address when long-term compliance rules are not required (e.g., education and enforcement projects). Address the length of the compliance period for development and restoration projects located on property owned by the project sponsor and on property not owned by the project sponsor. Define the compliance "project area". Address which programs and projects administered by the board or office are subject to the compliance rules.
New section Chapter 286-13	Planning	<ul style="list-style-type: none"> Create new planning section and move planning requirements in the other program chapters together.
286-13-045	Matching resources	<ul style="list-style-type: none"> Move matching share requirements from the program chapters to this section. Adjust matching requirements when one RCO grant is used to match another RCO grant.
286-13-060	Project agreement	<ul style="list-style-type: none"> Update project agreement requirements to reflect current policy and procedure. Repeal parts that are better represented in the contract itself.
286-13-085	Retroactive and increased costs	<ul style="list-style-type: none"> Add restoration projects to the types of projects eligible for retroactive and increased costs.

WAC	Subject	Summary of Proposed Changes
286-13-090	Federal assistance	<ul style="list-style-type: none"> Repeal section or be more specific about how to use statewide planning to maximize federal funding.
286-13-110	Income, use of income	<ul style="list-style-type: none"> Repeal parts that are better represented in the contract itself.
Chapter 286-40	Land and Water Conservation Fund (LWCF)	<ul style="list-style-type: none"> Repeal chapter and address in the federal overlay WAC 286-04-080.
Chapter 286-42	Aquatic Lands Enhancement Account (ALEA)	<ul style="list-style-type: none"> Add reference to what rules, if any, apply to projects before April 1, 2004. Repeal long-term compliance. Compliance to be organized by project type in a new section in Chapter 286-13 WAC. Repeal match requirements. Matching shares to be addressed in WAC 286-13-045.
Chapter 286-35	Boating Facilities Program (BFP)	<ul style="list-style-type: none"> Repeal long-term compliance. Compliance to be organized by project type in a new section in Chapter 286-13 WAC. Repeal match requirements. Matching shares to be addressed in WAC 286-13-045.
Chapter 286-26	Non-highway Off-road Vehicle Account (NOVA)	<ul style="list-style-type: none"> Repeal long-term compliance. Compliance to be organized by project type in a new section in Chapter 286-13 WAC. Repeal match requirements. Matching shares to be addressed in WAC 286-13-045. Repeal unnecessary definitions.
Chapter 286-27	Washington Wildlife and Recreation Program (WWRP)	<ul style="list-style-type: none"> Repeal long-term compliance. Compliance to be organized by project type in a new section in Chapter 286-13 WAC. Repeal match requirements. Matching shares to be addressed in WAC 286-13-045.
Chapter 286-30	Firearms and Archery Range Recreation (FARR)	<ul style="list-style-type: none"> Repeal match requirements. Matching shares to be addressed in WAC 286-13-045.

Analysis

RCO staff have identified the following two topics for which direction is needed from the board before drafting the proposed revisions to the administrative rules.

Goals of the Board

Goals of the board are defined in the administrative rules¹ as follows:

1. Provide funds and planning assistance for acquisition and development and use of outdoor recreation and habitat conservation resources to maximize protection of the natural quality of the environment;
2. Provide funds and planning assistance for a system of public recreational facilities and opportunities for state residents and visitors;

¹ Washington Administrative Code 286-04-030

3. Aid organizations and local government, with funds and planning assistance, in providing the type of facilities and resources which, under their jurisdiction, will best serve their needs for outdoor recreation and habitat conservation; and
4. Encourage programs which promote outdoor education, skill development, participation opportunity and proper stewardship of recreation and natural resources. See also RCW 79A.25.005.

The board also has goals in its strategic plan² which are:

1. We help our partners protect, restore, and develop habitat and recreation opportunities that benefit people, fish and wildlife, and ecosystems.
2. We achieve a high level of accountability in managing the resources and responsibilities entrusted to us.
3. We deliver successful projects by inviting competition and by using broad public participation and feedback, monitoring, assessment, and adaptive management.

Question for the board: Staff would like direction from the board on whether to retain the goals in the administrative rules or remove the goals from the administrative rules and address goals only within the strategic plan.

Retaining the goals in the administrative rules could be used as a foundation for goals within the strategic plan. If retained in the administrative rules, goals should be consider long-term, stable goals that would not be frequently revised. Removing the goals from the administrative rules would provide more flexibility for the board to develop and revise goals that reflect current needs within the strategic plan.

Definition of Project Area

Project area is a geographic term used in three contexts but is not specifically defined. The first instance is in the administrative rules within the section that addresses whether sponsors may generate income at a site that received grant assistance from the board. Within this context:

The way the project or **project area** is defined varies with the source of funds provided by the board. That is, income generated in a project assisted with funds that originate from:

- A state source must be consistent with the limits of the element(s) assisted by the board (for example, within the area of an athletic field or habitat area).
- The federal land and water conservation fund must be consistent within the protected boundary as described in the Land and Water Conservation Fund Act, 36 C.F.R., Part 59.86-13-110.³

The term project area is also used in the Washington Wildlife and Recreation Program as it relates to applicants obtaining local jurisdiction review of their applications.⁴

A state or local agency shall review the proposed project application with the county or city with jurisdiction over the **project area** prior to applying for funds for the acquisition of property under this chapter. The appropriate county or city legislative authority may, at its discretion, submit a letter to the board identifying the authority's position with regard to the acquisition project. The board shall make the letters received under this section available to the governor and the

² Adopted June 27, 2012

³ Washington Administrative Code 286-13-110

⁴ Revised Code of Washington 79A.15.110

legislature when the prioritized project list is submitted under RCW 79A.15.120, 79A.15.060, and 79A.15.070.

Finally, the term project area is used in the board's compliance policy as it relates to the area which is subject to the conversion requirements.⁵

A conversion would be determined when one or more of the following takes place, whether affecting an entire site or any portion of a site funded by RCO:

- Property interests are conveyed for non-public outdoor recreation, habitat conservation, or salmon recovery uses.
- Property interests are conveyed to a third party not otherwise eligible to receive grants in the program from which funding was derived.³
- Non-outdoor recreation, habitat conservation, or salmon recovery uses (public or private) are made in a manner that impairs the originally intended purposes of the **project area**.
- Non-eligible indoor facilities are developed within the **project area**.
- Public use of the property or a portion of the property acquired or developed/restored with RCO assistance is terminated, unless public use was not allowed under the original grant.
- If a habitat project, the property or a portion of the property acquired, restored, or enhanced no longer provides the environmental functions for which RCO funds were approved originally.

The term project area also appears frequently in the context of RCO's procedures for grant compliance such as the geographic area where staff conducts inspections, where sponsors may use equipment purchased with grant funds, and where cultural resources review occurs.

Question for the board: Staff would like direction from the board on how to define the term "project area." Options for considerations are:

- Create a definition based on the use of the word in the administrative rule for income and use of income;
- Apply the same definition of project area throughout the board's policies;
- Develop different definitions depending on the context of the term; or
- Develop new terms depending on the context.

Conceptually, understanding the "project area" is fundamental to how RCO administers grants on behalf of the board. It affects where on the land staff applies the board's policies. It frames the context of the terms of the agreement between RCO and the sponsor. Application of the term "project area" also significantly matters to sponsors that are subject to the board's compliance policies and terms of the project agreement.

Phase III Schedule

The schedule for WAC revisions must fit within the deadlines established by the Code Reviser's Office for filings with the Washington State Register. If the board approves moving forward, the schedule for phase III is described in Table 2.

⁵ Resolution #2007-14

Table 2. Phase III Schedule

Date (2015)	Action
April 1	File pre-proposal statement of inquiry (CR-101)
April 9	Board meeting – briefing on the topics included in phase III
April 15	Notice of pre-proposal statement of inquiry published in Washington State Register
May 20	File notice of proposed rule-making (CR-102)
June 3	Notice of proposed rule-making published in Washington State Register
June 24 or 25	Board meeting, public hearing, final adoption
June 26	File notice of permanent rule-making (CR-103)
July 27	Effective date for phase II

Public Involvement and Comment

The Administrative Procedures Act requires at least one public hearing be conducted by the board at a scheduled meeting prior to adopting revisions to the rules. The schedule above identifies the board’s June board meeting for the formal public hearing. Interested persons may either attend the public hearing or submit formal written comments in advance. In addition to this formal opportunity, RCO staff will notify interested persons about the proposed revisions similar to the outreach it does for public comment opportunities on board policies. The revisions will also be posted on RCO’s Website.

Board Direction

RCO staff seeks board direction on whether to proceed with revisions as described in this memo. Specifically, staff seeks the board’s direction on the two issues raised in the previous section.

- Whether to retain the goals in the administrative rules or remove the goals from the administrative rules and address goals only within the strategic plan; and
- How to define the term “project area.”

Next Steps

If approved by the board, RCO staff will draft rule revisions for phase III and implement the proposed schedule in time for the board’s June meeting.

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015
Title: Final Youth Athletic Facility Program Policies and Evaluation Criteria
Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo presents final policies, evaluation criteria, and program measures for the Youth Athletic Facilities Program for grant applications starting in 2015.

Board Action Requested

This item will be a:

<input checked="" type="checkbox"/>	Request for Decision
<input type="checkbox"/>	Request for Direction
<input type="checkbox"/>	Briefing

Background

Capital Budget Request

At the July 2014 Recreation and Conservation Funding Board (board) meeting, staff provided background on the history and scope of the Youth Athletic Facilities (YAF) grant program. During the meeting, the board discussed a potential capital budget request to reinvigorate the program, including a narrower scope of the types of projects (improving and maintaining existing facilities) and a larger scope of the types of applicants (cities, counties, park districts, Native American tribes, and non-profit sports organizations) that the program might include. The board directed staff to solicit letters of intent from prospective applicants who would like to apply for a grant should funding be appropriated in the 2015-17 capital budget.

At the August 2014 board meeting, staff presented the results of the solicitation for letters of intent to apply for a YAF grant. There were 193 submittals requesting \$38.8 million in grant funds with \$60.6 million in matching funds for a total of \$99.4 million. Individual grant request amounts ranged from \$500 to \$1.5 million; the average request was \$200,000.

Based on the letters of intent submitted, the board directed staff to request \$12 million in general obligation bond funds in the 2015-17 capital budget and a request to retain five percent of any appropriation for program administration (Resolution #2014-17). The Governor's capital budget proposal to the Legislature included \$3 million for the YAF program (House Bill 1115 and Senate Bill 5097).

Recreation and Conservation Office (RCO) Preparation

In anticipation of funds appropriated by the Legislature, the board directed staff at the October 2014 meeting to proceed with a work plan to revise the YAF grant program (See table 1). One major goal was to allow the board the ability to award grant funds as soon as possible should the Legislature approve funds in the capital budget. Since October, staff completed draft revisions to the YAF program policy statements, evaluation criteria and procedures, solicited comments from the public, and incorporated comments into a revised draft.

Table 1: YAF Grant Program Timeline

Task	When	Status
Draft revisions to YAF program policy statements and evaluation criteria	October – December 2014	Complete
Solicit public comments and conduct stakeholder outreach	December 2014	Complete
Incorporate public comments	January – February 2015	Complete
Board review and adopt policy statements and evaluation criteria	March 2015	Pending
Prepare application materials and post on Web	April 2015	Pending
Applications open to entities that submitted a letter of intent in August 2014	May 2015	Pending
Application due date	July 1, 2015	Pending
Application evaluations	September 2015	Pending
Board approves YAF grant funding	November 2015	Pending

Public Comments Received

Public Comment Period and Response

RCO shared a draft YAF program manual with the public and solicited public comments from December 10, 2014 to January 5, 2015. RCO distributed a notice for the public comment period to 2,000 individuals by email and posted the announcement on its website. Nine individuals submitted comments (listed with RCO staff's reply in Attachment A).

Summary of Comments

The public comments received have five main themes:

1. General support for the changes.
2. Types of eligible athletic facilities:
 - a. Concern that construction of new athletic facilities is not eligible for grant funding.
 - b. Support for limiting applications to existing athletic facilities.
 - c. Clarify what "public competitive play" means.
3. Grant maximum amount of \$250,000:
 - a. Too high.
 - b. Just right.
4. Types of eligible applicants:
 - a. Applicants limited to those that submitted letters of intent: one in support, one not in support.
 - b. Clarify when the legal opinion is required for first time applicants.
 - c. Support for allowing park districts to be eligible applicants.
5. Match waiver proposal:

- a. Perceived conflict between waiving the match requirement and awarding extra evaluation points to applicants that provide additional match beyond the minimum requirement.
- b. Support for waiving match for natural disaster areas.
- c. Clarify the specific time when the natural disaster area is determined in relation to the grant application.
- d. Concern that the 80% threshold for student enrollment in the free and reduced school lunch program was the right threshold for waiving the match requirements.
- e. Concern that students in the school attendance area may not be the same youth participating in the athletic program at the YAF facility.
- f. Suggestion to reduce the match requirement for disadvantaged communities rather than waiving the match requirement.

RCO Staff Response

In response to the public comment received, RCO staff revised the draft YAF policies as follows:

- Clarified competitive play within the policy that says fields must be open to the public.
- Clarified the time when natural disaster areas are determined and that the match policy applies only to those areas directly affected by the disaster, not the entire county or jurisdiction that was subject to the declaration.
- Drafted an alternative option for the board to consider reducing the matching share for disadvantaged communities.

In addition, RCO staff clarified and refined the following policies based on additional staff review and feedback:

- Clarified the program's purpose.
- Refined the eligible and ineligible renovation activities eligible for grant funding.
- Clarified the requirement for activities to occur "in-bounds".
- Added the board's existing policy on project progress for projects that include acquisition of land.
- Clarified the parameters for scoping a grant application.
- Added the board policy on control and tenure of the property where the project occurs.
- Refined the long-term obligations to align with the board's existing compliance policies.
- Added the board's policy on using one board funded grant to match another.
- Added the board's policy on not awarding additional match points when using another board funded grant as the source of match.
- Refined the evaluation criteria.

RCO staff prepared final draft YAF policies and evaluation criteria based on comments from the public and further revisions from staff. The next section of the memo explains the YAF policies for the board's consideration.

Proposed YAF Policies and Evaluation Criteria

Proposed YAF Policies for Consideration

The complete text of the final draft policies are in Attachment B. Table 2 provides a summary of the policies.

Table 2: Summary of Proposed YAF Policies

Policy	Brief Statement
#1 - Program Purpose	The Youth Athletic Facilities (YAF) grant program provides money to purchase land and renovate outdoor athletic facilities serving youth.
#2 - Facilities must be Open to the Public	The facility funded with a YAF grant must be open to the public for youth or community athletic purposes.
#3 – Grant Request Limits	The minimum grant request is \$25,000. The maximum grant request is \$250,000.
#4 - Matching Share	Applicants must contribute matching resources at least equal to the amount of the grant requested.
#5 – Match Sharing for Disadvantaged Communities	Option 1: Match Waived for Disadvantaged Communities Option 2: Match Reduced for Disadvantaged Communities
#6 - Eligible Applicants	Only cities, counties, park districts, Native American tribes, and qualified non-profit organizations that submitted a letter of intent in August 2014 are eligible to apply.
#7 - Legal Opinion for First Time Applicants	The Recreation and Conservation Funding Board requires all organizations wishing to apply for a grant to RCO for the first time to submit a legal opinion.
#8 - Renovation Projects	A renovation project means the activities intended to improve an existing site or structure to increase its service life or functions.
#9 - Eligible Renovation Activities	Eligible renovation projects are those that renovate existing facilities.
#10 - Items “In Bounds” Required	Each application must include items found within the field of play or on the court or track and that are essential for the competitive sport to occur.
#11 - Combination Projects	Combination projects involve acquisition and facility renovation. Acquiring land is eligible if it is necessary to increase the capacity of an existing facility and if combined with an eligible, in-bounds, renovation element.
#12 – Progress Policy	To help ensure timely completion of these projects, at least 1 month before the Recreation and Conservation Funding Board considers approving funds; applicants must secure the property by one of three methods: 1) acquisition under a waiver of retroactivity, 2) acquisition pending in escrow, or 3) option secured on the property.
#13 - Project Scoping	Only one park location or site is allowed in each application.
#14 - Ineligible Project Activities	Several sources are used to determine project eligibility. Examples of ineligible elements for funding consideration are listed.
#15 - Control of the Land	An applicant must have adequate control of the land where the YAF facility is located to assure that its proposal will be implemented as proposed and meet the long-term obligations for project compliance.
#16 - Long-term Obligations	Identifies the long-term obligations based on the project area, compliance period, useful life of the athletic facility, and conversions of use.

Proposed YAF Evaluation Criteria for Consideration

The complete text of the final draft YAF evaluation criteria is in Attachment C, Table 3 provide a summary of the evaluation criteria.

Table 3: Summary of Proposed YAF Evaluation Criteria

Summary of Questions and Scores					
Scored by	#	Title	Maximum Points	Multiplier	Total
Advisory Committee	1	Need and Need Satisfaction	5	3	15
Advisory Committee	2	Design and Budget	5	2	10
Advisory Committee	3	Sustainability and Environmental Stewardship	3	1	3
Advisory Committee	4	Facility management	3	1	3
Advisory Committee	5	Availability	5	1	5
Advisory Committee	6	Readiness to proceed	3	1	3
Advisory Committee	7	Support and Partnerships	5	2	10
RCO Staff	8	Matching shares	2	1	2
RCO Staff	9	Proximity to people	1	1	1
RCO Staff	10	GMA Preference	0	1	0
Total possible points = 52					

Proposed YAF Program Measures

Should the Legislature provide capital budget funding for the YAF program, RCO staff recommends the board define specific measures to track program outputs. Defining specific output measures will help tell the story of how sponsors spent grant funding and whether grants aligned with the intent of the YAF program.

Staff recommends three proposed measures. The first measure focuses on the main program purpose of the YAF program, which is funding athletic facilities for youth. The second measure tracks how much funding sponsors are leveraging in the project that is not from state sources. The third measure tracks whether the state is making progress on providing outdoor recreation opportunities for underserved communities as identified in the State Comprehensive Outdoor Recreation Plan. The data would be collected for each project and could be added together to reflect outputs for the YAF program as a whole.

The three proposed YAF program measures are:

1. The number of youth served in each project on an annual basis, both currently served and expected to be served, because of the YAF project.
2. The total amount of non-state funds leveraged in each project.
3. The percent of underserved individuals (i.e., non-white and persons with disabilities) served in each project.

Board Direction

RCO staff seeks board direction on the proposed YAF policies, evaluation criteria, and program measures. Resolution 2015-02 in Attachment D is provided for the board's consideration.

Next Steps

Should the board approve policies, evaluation criteria, and program measures for the YAF program, RCO staff will proceed with a grant application process as described in table 1. Should the Legislature not provide funding for the YAF program in the capital budget, RCO staff will halt implementation of the YAF application process.

Attachments

- A. Public Comments Received on Proposed Youth Athletic Facilities (YAF) Program Changes
- B. Proposed YAF Policies for Consideration
- C. Proposed YAF Evaluation Criteria for Consideration
- D. Resolution 2015-02

Attachment A

Public Comments Received on Proposed Youth Athletic Facilities (YAF) Program Changes

Comment Period: December 10, 2014 – January 5, 2015

Commenter	Comments	RCO Staff Reply
Glenn Kost, Director, Parks and Community Services, City of Bellevue	<p>I have reviewed the proposed policy changes to Manual 17 (the YAF program). Regarding the new policy requiring applicants to submit a legal opinion confirming their legal status to accomplish the project:</p> <p>Is this intended to apply to ALL applicants as it currently states, or just non-governmental agencies? It seems that the requirements noted are fundamental purposes of government, and thus should not apply to eligible governmental agencies;</p> <p>Is this intended to mean first time applicants <u>to the YAF program</u>, or first time applicants <u>to any RCO managed grant program</u>?</p> <p>Other than these questions, we take no exception to the proposed policy changes to the YAF program.</p>	<p>The proposal is to require a first time applicant to RCO to provide a legal opinion in order to be eligible to apply for any RCO grant. The Recreation and Conservation Funding Board adopted this policy in 1965 but it was not applied to the YAF program when it was created in 1999.</p> <p>This proposal applies to all first time applicants, public and private. A first-time applicant provides the legal opinion once as part of their first application to RCO. They do not need to submit it with each subsequent application.</p> <p>For example, if an applicant applies for a YAF grant and they have never applied for a grant from RCO before, they need to provide the legal opinion. Once provided, the applicant may apply to any RCO grant program in the future for which they are eligible.</p>
Debbi Hanson, Director, Parks & Recreation, City of Battle Ground	<p>Thank you for the opportunity to review the proposed YAF policy changes and provide comment.</p> <p>The changes are significant....I'm disappointed that it will no longer fund new construction. That may be a major funding setback for smaller communities that currently do not have any or limited number of outdoor sports facilities/fields.</p> <p>Based on the proposed changes to the Grant Limits, I feel that the funding maximum of \$250,000 for only</p>	<p>New construction of athletic facilities is typically a good fit for the Washington Wildlife and Recreation Program (WWRP), another grant program administered by RCO. The intention is to limit the overlap in the eligible types of projects in the YAF program and WWRP. However, non-profit organizations are not eligible to apply in WWRP.</p> <p>The Recreation and Conservation Funding Board approved the maximum grant amounts for YAF in 2003. Increasing the maximum amount now reflects the higher cost in today's dollars for renovating athletic fields. Based on the letters of intent received in August, 89</p>

Commenter	Comments	RCO Staff Reply
	<p>renovation type projects is a bit too high. The old fee structure would have provided a maximum of up to \$100,000 if you combined the "existing" with the "maintenance" funding. I would suggest a maximum of \$150,000. That would still increase the funding by \$50,000 and would potentially allow more projects to receive funding.</p>	<p>percent of the proposed projects requested a maximum grant amount of \$250,000 or less. Setting the maximum request amount at \$250,000 meets a large majority of the need. If the maximum grant amount is set at \$150,000, only 45 percent of the proposed projects would fall under this maximum grant amount.</p>
<p>Theresa Glatstein, Grant Writer, Boys and Girls Clubs of Snohomish County</p>	<p>Applicants are awarded more points for a greater match; are applicants that waive the match at a disadvantage as they have fewer points than applicants with a match? Could applicants that waive receive a standard number of points so they are not ranked too low?</p> <p>What does <i>public competitive play</i> involve? Most competitive play is in conjunction with a league. If the league is open to the public does that satisfy the public competitive play requirement?</p>	<p>Evaluation criteria #8 <i>Matching Shares</i> awards 1 or 2 points to those applicants that provide additional match above the minimum requirement. Criteria #8 has been part of the YAF criteria since 2000. If the Recreation and Conservation Funding Board adopts a policy that reduces or waives the match for certain applicants, they would not be eligible for the additional match points. The two policies are not intended to conflict with one another, but reward applicants that can leverage additional resources to complete a YAF project while providing a financial advantage to applicants located in a disadvantaged community.</p> <p>Yes, if the league is open to the public for participation on a non-discriminatory basis, it meets the threshold for public competitive play. A league may select participants based on skill level, but may not discriminate based on race, religion, creed, gender, sexual orientation, disability, or income.</p>
<p>Lynn D. Sordel, Director Parks, Recreation & Cultural Arts Department, City of Lynnwood</p>	<p>I have served as Director of Parks and Recreation for the City of Lynnwood for the past eight years and I continue to be amazed at the growth of outdoor youth programs. In our area, we have seen tremendous growth of year-round soccer, lacrosse and a steady delivery of youth baseball. I also believe there are more young girls playing these sports now than before. In our community, we cannot keep up with this growth. The Edmonds School District has been an excellent partner, but we are</p>	<p>Thank you for your comments supporting the YAF program.</p>

Commenter	Comments	RCO Staff Reply
	<p>not able to consistently tap into the use of their facilities due to their demands from their own sport programs. There is a documented shortage of year-round facilities in our area.</p> <p>Accordingly, I totally support the new RCO driven initiative to create a grant funding program designed to provide to badly needed resources for these important facilities. I am aware RCFB recommended to the Governor's office an allocation of \$ 12 million for statewide bonding/funding. Earlier this year, the City of Lynnwood submitted a grant request for \$500,000 to renovate the 30 year old Meadowdale Playfields facility. We proposed the installation of artificial surfaces on the two existing soccer fields and solicited support from the School District and other partners. This new grant program would provide funding for this type of request.</p> <p>Our Mayor and elected officials have also provided written and verbal support to our local legislators, and recently, we hosted Lt Governor Owen for a day-long meeting and tour of our city. We spoke about this program and he indicated there would likely be support coming from the Governor's office as well.</p> <p>In summary, a funding program designed to improve and maintain youth athletic fields in our state is welcomed and should be supported. We sincerely hope there will be a positive outcome for this great idea.</p> <p>Thank you for the opportunity to provide written comments about this new program.</p>	

Commenter	Comments	RCO Staff Reply
Jon Lunsford, Parks and Forest Lands Manager, Anacortes Parks & Recreation	<p>Thank you for taking my comments on the Youth Athletic Facilities Manual update. We would like to be able to apply for a grant this year if YAF funds become available. Our request is that agencies such as ours that didn't file a letter of intent last year be able to apply if the Legislature approves the Governor's budget request.</p>	<p>RCO announced early on and widely distributed the notice that it would be required to submit a letter of intent in order to apply for a grant in 2015. RCO staff discussed this approach with the Recreation and Conservation Funding Board at their public meetings in 2014. RCO shared the list of applicants that submitted a letter of intent with the Legislature to support the capital budget request for the YAF program; therefore, changing the approach now may disrupt the legislative process for the budget request.</p> <p>If you are interested in receiving future notices about RCO grant programs, please sign-up for our e-mail distribution on our Web site at http://www.rco.wa.gov/about/Email-list.shtml.</p>
Paul J. Kaftanski, Parks and Recreation Director, City of Everett	<p>More agencies today are considering whether "morphing" into a parks district (with voter approval) makes sense. The economic realities of competing against other general fund services, particularly public safety services, places parks and recreation services in a financial jeopardy – year after year. A more stable source of funding helps to alleviate that. They shouldn't however, be penalized for asking voters to levy additional taxes on themselves to fund park and recreation services. So to me, it just makes plain sense to include parks districts as eligible for YAF funding.</p> <p>Everett (and others) submitted letters of interest in pursuing YAF funding, knowing that there is a cap of \$250,000 per project. With the ability to match other RCO funds, this cap is acceptable. It can have an intended consequence of spreading grant money around the state, which isn't a bad outcome.</p> <p>I support the approach to focus on existing fields. There are many fields in the state and I can easily foresee would seek, for example, to convert natural turf to</p>	<p>Thank you for your comment supporting park districts as an eligible applicant.</p> <p>Thank you for your comment supporting the grant maximum and the ability to match one RCO grant to another.</p> <p>Thank you for your comment supporting the focus on renovating existing athletic facilities.</p>

Commenter	Comments	RCO Staff Reply
	<p>synthetic. This would dramatically increase the capacity of field playing time without the need to acquire and develop new facilities (in other words, a less costly approach).</p> <p>I think the proposed policy of providing discretion for areas subject to a natural disaster is prudent. With respect to the 80 percent issue, I think this should be re-thought. I'll use Kasch Park in Everett as an example of my request. It is located in the Mukilteo School District at the western end of Casino Road. This area is highly transitory in terms of residents and the data would show it has a very high percentage of students on a free and/or reduced lunch program. The fact of the matter however is that Kasch Park also attracts competitive (including select) teams from across Snohomish, Skagit, Island and King Counties. I think it would have an unfair advantage in a competition. I believe that the issue is not the nearest school but rather, the income level in the school district/city. Additionally, parks facilities and programs are already delivered by many agencies today in areas such as these without special consideration. Though I understand the desired geographic nexus I think the reality is that the overwhelming use of facilities that would benefit from YAF funding is regional facilities that attract people from a very large draw area. If something needs to be done for facilities in lower income areas, applicants could be given more points in the evaluation criteria if they can demonstrate a certain percentage use of the facility by residents within a limited geographic area (surrounding the facility) that includes schools where there is a high percentage of kids getting reduced/free lunches. That would place the challenge on the agencies to ensure that there is an</p>	<p>Thank you for your comment supporting waiving the matching share requirement for applicants located in areas affected by natural disasters.</p> <p>RCO considered other methods prior to selecting the school lunch program as a threshold for a match preference. RCO considered poverty rates as an indicator of need, however, staff at the Office of Financial Management advised RCO that there is not one method for calculating poverty rates and the different methodologies produce conflicting data. OFM staff recommended using data from the school lunch program as it is more objective than the census data.</p> <p>RCO also considered different geographic scales for applying the school lunch program. At the school district level, 17 school districts meet the 80 percent rate of participation in the school lunch program in all their schools, none of which is located in an area in which a YAF project is proposed. Using the elementary school data, 24 proposed YAF projects are located in elementary school attendance areas with an 80 percent rate of participation in the school lunch program.</p> <p>We also considered whether an applicant could demonstrate the percentage of low-income youth participating in competitive sports at the proposed YAF facility. While this seemed like a preferred approach to demonstrate the direct participation by individuals, we determined that such information would be subjective and difficult for the applicant to obtain from existing sports registration data. At best, it would be an estimate of the economic situation of the players enrolled. Such information could not be objectively scored and would be difficult to evaluate.</p>

Commenter	Comments	RCO Staff Reply
	<p>effort to make available these facilities to local area residents.</p>	<p>We share your concern that a proposed YAF facility may not be used by the youth located around it. Facilities constructed for competitive play often draw from a larger geographic area. The economically disadvantaged community around a facility may not be able to afford to register for the competitive sport. It is difficult to assess the local recreational benefit of an athletic facility that draws competitive play from a specific region or the state. However, the founding purpose of the YAF program is to support competitive sports. To acknowledge this dynamic of the use of the YAF facility by neighborhoods versus competitive sports, there is a new policy proposed to require the applicant to keep a facility open for play when it is not scheduled for competitive play. This policy requires the facility be open and available to the neighborhood for use while acknowledging that competitive play is its primary use.</p>
<p>Doug Levy, State Lobbyist for Washington Recreation and Parks Association</p>	<p>Thank you for the opportunity to comment on the RCO's draft update of a YAF Guidance Manual – and for recognizing the holiday period by granting a comment extension until today. The comments below reflect a consensus position of the WRPA, based on outreach to and discussion with our broad-based Legislative Committee. We are of course very appreciative of the proposed funding for reinstating a statewide competitive YAF grant program, and there is a general comfort level with most of the updates to the manual such as allowing Metropolitan Park District and Park District entities to apply as eligible jurisdictions, and the focus on addressing existing fields problems vs. new fields development.</p> <p>With regard to the YAF manual proposals for waivers, we have the following comments:</p>	<p>Thank you for your comments supporting the addition of park districts as eligible applicants and the focus of the program on renovation of existing facilities.</p>

Commenter	Comments	RCO Staff Reply
	<p>A preference for some match vs. zero: Our local parks officials had concerns about granting a full, 100 percent waiver, particularly based on the low-income threshold. The thought is that there should be some “skin in the game,” even if it is only through an in-kind match of some level. One of our Parks Directors suggested that if there is going to be an 80 percent threshold on the free/reduced lunch programs – maybe the match waiver is at 80 percent. I had one other Park Director suggest the RCO look at ability to pay, or base criteria on an organization’s budget;</p> <p>A need for more clarity in defining low-income areas and applying a waiver or reduction: Our folks believe a lot more work needs to be done in better pinpointing the thresholds and definition for match waivers (we would prefer match reductions) in the areas beset by lower incomes. Is the 80% threshold the right one? <i>(One of our folks noted a 70% threshold in an area near him where the Park District was very financially strapped).</i> If it is for individual schools, what is the distance the school could or should be from the application site? Should this be based on school districts or individual schools? Our local Parks directors and managers feel like this needs considerably more thought and dialogue.</p> <p>Federal disaster waiver declarations: With regard to the waivers that would be based on being in a federally-declared disaster area (wildfires, Oso landslides), our folks suggested that RCO should be ensuring this type of declaration not give applicants permanent matching dollars waiver status – in other words, there should be well-thought-through beginning and ending dates, perhaps tied just to an application cycle.</p>	<p>Based on your comment, RCO staff will present two options to the Recreation and Conservation Funding Board at its meeting in April regarding matching shares. One option will be to require no matching share for disadvantaged communities. A second option will be to require \$125,000 (or 25%) matching share for disadvantaged communities.</p> <p>Disadvantaged communities will remain the same (i.e., natural disaster or school lunch program) as objective criteria that RCO can apply fairly and transparently. RCO believes the proposed 80 percent threshold is an objective measure that is fair and transparent to apply. As a clarification, RCO staff will propose to use the elementary school attendance area boundaries and the current 2014-2015 school year lunch program data to determine whether an applicant qualifies for the match waiver.</p> <p>There is precedent for the state to use participation rates in the school lunch program to award grant funds. The Office of Superintendent for Public Instruction uses the data from the school lunch program to award grants to schools. It uses 77-80 percent as participation in the school lunch program as representative of a “high need” school.</p> <p>We agree that clearing dates are needed. RCO will change the proposed policy on natural disasters to reflect a specific date in time. The new proposal will allow for a match preference if an applicant is located within in a natural disaster area, as designated by the Federal Emergency Management Agency (FEMA), at the time the RCO grant application is due which is tentatively scheduled for July 15, 2015. If FEMA declares a new disaster after the application deadline at any time during project implementation, the applicant may request the</p>

Commenter	Comments	RCO Staff Reply
	<p>I hope this is helpful in assisting you and RCO staff with further finalizing the YAF Guidance Manual. We would of course appreciate a chance for direct involvement in that work as it goes forward, and we appreciate the ongoing outreach and partnership efforts by RCO.</p>	<p>Recreation and Conservation Funding Board apply the match preference policy retroactively. As a clarification, RCO staff will propose that only communities directly affected by the natural disaster be eligible for the match waiver, not the entities located within entire jurisdiction that administers the disaster area. For example, communities directly affected by a wildlife would be eligible for a match preference, but communities located within the same county but not directly affected by the natural disaster would not be eligible.</p>
<p>Lori Flemm, Director Parks and Recreation Department, City of Lacey</p>	<p>You asked for our input about the 2015 YAF Grant Program. The issue is that the RCO widely publicized the need and deadline for Letters of Intent, and notified potential applicants that a letter of intent was mandatory in order to submit an application. Now, some who did not submit a letter of intent have asked to be allowed to submit an application.</p> <p>I support you if the decision is made to NOT allow an application to be submitted from someone who did not submit a letter of intent. The dollar value of the projects included in the letters of intent exceeded the funds requested in the Governor’s budget. If the “table turns” and the funds included in the Capital Budget exceeds the dollar value of the projects included in the letters of intent, then I would support allowing those who did not submit a letter of intent to submit an application.</p>	<p>Thank you for your comments.</p>
<p>Calvin White</p>	<p>Physical Fitness First, Jocks Last!!! All athletic events should be funded by participants of the event. Tax heavily people who drive to work. Put wifi in public transport. Clean neighborhoods maintained by community residential landscape workers within 10 miles of work. Military deployment for local threats only to our own domestic turf. Export 3 time offenders of domestic</p>	<p>Thank you for your comments.</p>

Commenter	Comments	RCO Staff Reply
	<p>violence to Asians. Stay out the way of foreign military coups. Guard our own turf with full ride scholarships for 2 years of active service.</p> <p>END DOMESTIC TERRORISM LOCALLY BY ARMING LOCAL CONSTABULARY WITH NON- LEATHAL WEAPONS.THE WORST PUNISHMENT FOR TERRORISTS IS ALLOWING THEM TO LIVE OUT THE REST OF THEIR OWN PATHETIC LIVES IN A CAGE WITH MODEST ACCOMMODATIONS AND GAINFULLY EMPLOYED FOR 10 BUCKS A DAY TO PAY RESTITUTION TO THE VICTIMS AFTER SEIZING ALL THEIR SEPARATE NON- Family Assets. Brotherhood is relative</p>	

Attachment B Proposed YAF Policies

#1 - Program Purpose

The Youth Athletic Facilities (YAF) grant program provides money to purchase land and renovate outdoor athletic facilities serving youth. An athletic facility is an outdoor facility used for playing sports or participating in competitive athletics and excludes playgrounds, tot lots, vacant lots, open or undeveloped fields, and open areas used for non-athletic play.

The program priority is to enhance facilities that serve people through the age of 18 who participate in sports and athletics. Compatible, multi-generation use – including amateur adult use – of facilities funded through this program is strongly encouraged. To achieve multi-generation use, applicants may submit proposals for facilities sized for adults but which primarily serve youth.

#2 - Facilities must be Open to the Public

The facility funded with a YAF grant must be open to the public for youth or community athletic purposes. Open to the public means that the facility is available for enjoyment by the general public for the facility's intended purpose when it is not scheduled for games or practice. For example, a family may drop in and play softball on a field if it is not scheduled for use. If the facility is on property owned by a school district or non-profit organization, the facility may be closed to the public during school hours, during school-sponsored activities, or the non-profit organization's business hours but it must be available for use for competitive play and practice or for the general public's use at all other times.

Adequate signs must be posted to identify when the facilities are available for use by the general public. Temporarily closing athletic facilities for maintenance or during the off-season is allowed. Use of YAF-funded facilities by sports leagues and other competitive organizations is allowed as long as the organization is open to the general public for registration and the organization does not discriminate as described below in the section on eligible applicants. Competitive sports organizations may charge a fee to participate in their activity and select participants based on skill level.

#3 – Grant Request Limits

The minimum grant request is \$25,000. The maximum grant request is \$250,000.

#4 - Matching Share

Applicants must contribute matching resources at least equal to the amount of the grant requested.

Matching shares of more than an amount equal to the amount requested are encouraged. Applicants can earn more points in the evaluation if they demonstrate a matching share that is 55 percent or more of the total project cost.

For evaluation scoring purpose, an RCO grant used as match will not count toward the award of matching share points.

#5 – Match Sharing for Disadvantaged Communities

Option 1: Match Waived for Disadvantaged Communities

Recognizing that providing at least an equal matching share can be a challenge for some communities, the match requirement is waived for YAF facilities in a:

- Federal disaster area as declared per the Stafford Act¹ that is in active disaster status when the grant application is due to RCO and the disaster directly affected the area where the YAF facility is proposed. Projects located in a federal disaster area but not located in an area directly affected by the disaster are not eligible for a match waiver. When RCO reviews the grant application, it will determine whether a project is located within one of the designated federal disaster areas and whether the disaster directly affected the area where the project is located. If a disaster is declared after the grant application due date, the applicant at any time during the implementation of the project may request the board waive the matching share retroactively.
 - EXAMPLE: A project is located within a county designated as a federal disaster area due to a wildfire. The disaster area is in active status with the Federal Emergency Management Agency. The YAF facility is located in the designated county and wildfire directly affected the area where the YAF facility is proposed. This project is eligible for a match waiver.
 - EXAMPLE: A project is located within a county designated as a federal disaster area due to a wildfire. The disaster area is in active status with the Federal Emergency Management Agency. The YAF facility is located in the designated county but the wildfire did not directly affect the area where the YAF facility is proposed. This project is not eligible for a match waiver.
 - As of the publication date of this manual, the following communities are designated disaster areas by the Federal Emergency Management Agency: Chelan County, Colville Indian Reservation, Kittitas County, Okanogan County, Sauk-Suiattle Indian Reservation, Snohomish County, Stillaguamish Indian Reservation, Tulalip Indian Reservation;
 - 5 potential Youth Athletic Facilities are located in a federal disaster area;
- Within the boundary of an individual elementary school in which 80% or more of the students enrolled qualify for free or reduced lunches as determined by the United States' Child Nutrition Program guidelines.
 - 135 elementary schools have a rate of 80% or more of the students enrolled in the free or reduced lunch program based on the 2013 enrollment data. This data will be updated when the Office of the Superintendent of Public Instruction released the 2014 enrollment data.
 - Based on the 2013 data, 24 potential Youth Athletic Facilities projects are located within the elementary school attendance area of the 135 elementary schools with a rate of 80% or more of the students enrolled in the free or reduced lunch program.

Option 2: Match Reduced for Disadvantaged Communities

Recognizing that providing at least an equal matching share can be a challenge for some communities, the match requirement is reduced to one quarter matching share (25% of the total project) for YAF facilities in a:

- Federal disaster area as declared per the Stafford Act² that is in active disaster status when the grant application is due to RCO and the disaster directly affected the area where the YAF facility is proposed. Projects located in a federal disaster area but not located in an area directly affected by the disaster are not eligible for a reduced match amount. When RCO reviews the grant application, it will determine whether a project is located within one of the designated federal

¹ Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq. Federal disaster areas include major disasters, emergency disasters, and fire management assistance.

² Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121 et seq. Federal disaster areas include major disasters, emergency disasters, and fire management assistance.

disaster areas and whether the disaster directly affected the area where the project is located. If a disaster is declared after the grant application due date, the applicant at any time during the implementation of the project may request the board reduce the matching share retroactively.

- EXAMPLE: A project is located within a county designated as a federal disaster area due to a wildfire. The disaster area is in active status with the Federal Emergency Management Agency. The YAF facility is located in the designated county and wildfire directly affected the area where the YAF facility is proposed. This project is eligible for a reduced match amount.
- EXAMPLE: A project is located within a county designated as a federal disaster area due to a wildfire. The disaster area is in active status with the Federal Emergency Management Agency. The YAF facility is located in the designated county but the wildfire did not directly affect the area where the YAF facility is proposed. This project is not eligible for a reduced match amount.
- As of the publication date of this manual, the following communities are designated disaster areas by the Federal Emergency Management Agency: Chelan County, Colville Indian Reservation, Kittitas County, Okanogan County, Sauk-Suiattle Indian Reservation, Snohomish County, Stillaguamish Indian Reservation, Tulalip Indian Reservation;
- 5 potential Youth Athletic Facilities are located in a federal disaster area; or
- Within the boundary of an individual school in which 80% or more of the students enrolled qualify for free or reduced lunches as determined by the United States' Child Nutrition Program guidelines.
 - 135 elementary schools have a rate of 80% or more of the students enrolled in the free or reduced lunch program based on the 2013 enrollment data. This data will be updated when the Office of the Superintendent of Public Instruction released the 2014 enrollment data.
 - Based on the 2013 data, 24 potential Youth Athletic Facilities projects are located within the elementary school attendance area of the 135 elementary schools with a rate of 80% or more of the students enrolled in the free or reduced lunch program.

#6 - Eligible Applicants

Only cities, counties, park districts,³ Native American tribes⁴, and qualified non-profit organizations that submitted a letter of intent in August 2014 are eligible to apply.

A "qualified non-profit organization" is one that meets each of the following criteria:

- Is registered with the Washington Secretary of State as a non-profit corporation.
- Has been active in youth or community athletic activities for a minimum of 3 years.
- Does not exclusively use the facilities paid for through this program. The organization must allow public access to the facility funded. See the Program Purpose in Section 1 for a definition of what it means to provide public access.

³ Established by Chapters 35.61, 36.68 or 36.69 Revised Code of Washington.

⁴ Native American tribes as recognized by the Governor's Office of Indian Affairs.

- Does not discriminate on the basis of race, religion, creed, gender, sexual orientation, disability, or income. For example, “boys only” or “girls only” organizations would not be eligible to apply for a grant.
-

#7 - Legal Opinion for First Time Applicants to RCO (Note: This is an existing policy in other programs.)

The Recreation and Conservation Funding Board requires all organizations wishing to apply for a grant for the first time to submit a legal opinion that the applicant is eligible to:

- Receive and expend public funds, including funds from the Recreation and Conservation Funding Board;
- Contract with the State of Washington and the United States of America;
- Meet any statutory definitions required for Recreation and Conservation Funding Board grant programs;
- Acquire and manage interests in real property for public outdoor recreation purposes;
- Develop and provide stewardship for structures or facilities eligible under Recreation and Conservation Funding Board rules or policies;
- Undertake planning activities incidental thereto; and
- Commit the applicant to statements made in any grant proposal.

Note that the legal opinion is required only once to establish eligibility in the YAF program.

#8 - Renovation Projects

A renovation project means the activities intended to improve an existing site or structure to increase its service life or functions. A renovation project does not include regular or routine maintenance activities. A renovation project retains the original playing capacity or adds playing capacity to an athletic facility by:

- **Changing use.** Changing the athletic facility from one type to another to meet community priorities. Example: Changing an unused or underused outdoor tennis court to a high-demand outdoor basketball court.
 - **Extending use.** Extending time of use or season of use. Example: Adding new lights to an existing field to allow scheduling of evening games. Example: Changing field surface types to allow more games per season or extending the number of seasons.
 - **Expanding size.** Expanding the physical size of an existing athletic facility to accommodate new or extended types, seasons, or hours of athletic use resulting in more games or events and use by more players. Example: Lengthening the outfield and base path dimensions of a youth-size softball field to accommodate broader community uses. Example: Reorienting a softball field so it can accommodate another athletic activity such as soccer.
 - **Retaining Size.** Continuing or retaining the original design and capacity of a facility to bring it to, or keep it at, an accepted standard of safe use without changing or extending use or expanding the size of the facility. In other words, the project will result in a better facility with no additional capacity. Grants may not be used for day-to-day operations or routine maintenance such as cleaning restrooms, mowing lawns, or preparing fields before games.
-

#9 - Eligible Renovation Activities

Eligible renovation projects are those that renovate existing facilities. Renovations are considered a type of development project and complete guidelines are in [Manual 4, Development Projects](#). Elements may include:

- Athletic fields (soccer, baseball, softball, football, lacrosse, etc.).
- Hard court areas (basketball, tennis, pickle ball, covered courts, etc.).
- Drainage and grading.
- Field and court re-surfacing.
- Underground irrigation systems.
- Lighting.
- "In-bounds" amenities (goals, nets, bases, fences, etc.).
- New or renovated "out-of-bounds" amenities that support the athletic facility (restrooms, roads, parking lots, paths, scoreboards, bleachers, landscaping, signs, etc.).
- Addition of accessible facilities and elements.
- Architectural, engineering and administrative costs.

#10 - Items "In Bounds" Required

Each application must include items found within the field of play or on the court or track and that are essential for the competitive sport to occur. Such items are referred to as being "in bounds," and include courts, fields, tracks, pools, and their parts such as goals, nets, bases, pitching mounds, hurdles, jumps, fences, backstops, irrigation, drainage, and field lighting.

Items that are outside the field of play or off the court or track are eligible for funding as long as there is one or more item "in bounds" in the grant application. Such items are referred to as being "out of bounds," and include scoreboards, bleachers, landscaping, restrooms, parking lots, accessible routes of travel, fire lanes, and landscaping (including shade trees or wind breaks).

#11 - Combination Projects

Combination projects involve acquisition and facility renovation. Acquiring land is eligible if it is necessary to increase the capacity of an existing facility and if combined with an eligible, in-bounds, renovation element. Acquisition includes buying real property rights such as land, easements, and leases. Acquisition of less than fee interests such as an easement or lease must be for at least 20 years and may not be revocable at will. Properties acquired must be developed within 5 years. Incidental and administrative costs related to acquisitions are eligible.

#12 – Progress Policy (Note: This is an existing policy in other programs.)

To help ensure timely completion of these projects, at least 1 month before the Recreation and Conservation Funding Board considers approving funding; applicants must secure the property by one of the following methods:

- Acquisition under the Waiver of Retroactivity policies and procedures ([Manual 3, Acquisition Projects](#)).

- Have property in escrow pending grant approval. Closing must occur within 90 days after the funding meeting.
- Obtain an option on the property that extends past the Recreation and Conservation Funding Board funding meeting. Execution of the option must occur within 90 days after this meeting.

If the acquisition is for less than fee interest, and if not acquired already by a waiver of retroactivity, applicants also must provide draft copies of all leases or easements to RCO for review. Execution of the leases or easements must occur within 90 days after the funding meeting.

#13 - Project Scoping

Only one park location or site is allowed in each application. Applicants may submit more than one application. Each application may contain one or more eligible activities but must be located at the same park location or site. Each application must stand alone on its own merits with a viable, recreation experience and not be dependent on other projects or future phases of work.

#14 - Ineligible Project Activities

Several sources are used to determine project eligibility. The following project elements are examples of ineligible elements for funding consideration:

- Indoor facilities (gyms, courts, pools, ice rinks, etc.).
- Construction of new athletic facilities.
- Mobile surface irrigation systems or supplies
- Operation and maintenance costs.
- Projects that include only "out of bounds" elements.
- Any facility intended primarily for professional sport.
- Any project intended to only benefit a school district's or nonprofit organization's facility needs.
- Consumable supplies (paint, chalk, light bulbs, fertilizer, toilet paper, etc.).
- Concession buildings.
- Elements that cannot be defined as fixtures or capital items (balls, cones, bats, etc.).
- Costs not directly related to implementing the project such as indirect and overhead charges, or unrelated mitigation.
- Purchase of maintenance equipment, tools, or supplies.
- Properties acquired via a condemnation action of any kind.

#15 - Control of the Land

An applicant must have adequate control of the land where the YAF facility is located to assure that its proposal will be implemented as proposed and meet the long-term obligations for project compliance. This "control and tenure" may be through land ownership, a lease, use agreement, or easement. Details on how to meet this requirement are in RCO Manual 4, Development Projects.

#16 - Long-term Obligations

RCO recognizes that changes occur over time and that some facilities may become obsolete or the land needed for something else. The compliance policy discourages casual discards of land and facilities by ensuring that grant recipients replace the lost value when changes or conversions of use take place. See RCO [Manual 7, Long-term Obligations](#) for a discussion of conversions and the process required for replacement of the public investment. Non-compliance with the long-term obligations of an RCO grant may jeopardize an organization's ability to obtain future RCO grants.

Conversions: Interests in real property, structures, and facilities acquired, developed enhanced, or restored with YAF grants are not to be changed, either in part or in whole, not be converted to uses other than those for which the funds were originally approved.⁵ Lands converted to other uses, or not developed to provide a youth athletic facility within 5 years of acquiring the property,⁶ will be subject to compliance policies in [Manual 7, Long-term Obligations](#).

Project Area: The project area subject to the long-term obligations is defined as the area consistent with the geographic limits of the scope of work of the YAF project. It includes the physical limits of the project's final site plans or final design plans and any property acquired with YAF funding assistance. The project area also may include the surrounding area within the project sponsor's control in order to meet the public outdoor recreation benefits described in the project agreement. The RCO and sponsor will agree on a boundary map for the project area when the project is complete and include reference to the map in the project agreement.

Useful life: The sponsor must maintain the useful life of a YAF funded facility for a specific period of time. RCO and the sponsor will agree on a period of useful life when the project is complete and include reference to the useful life period in the project agreement. The useful life period may be shorter than the compliance period. If RCO and the sponsor agree on a useful life period less than 20 years, the sponsor must continue to make the project area available for outdoor recreation for the remainder of the compliance period.

Compliance Period: The compliance period for a YAF project is as follows:

- **Acquisition projects.**
 - **Perpetual acquisitions.** Land acquired in perpetuity with YAF funds must be available for outdoor recreation purposes in perpetuity.
 - **Less than perpetual acquisitions.** Land acquired that is for less than a perpetual interest with YAF funds must be available for outdoor recreation purposes for a minimum of 20 years from the date of final reimbursement or the date RCO accepts the project as complete per the project agreement, whichever is later. When the term of the acquisition ends, the compliance period ends and the long-term obligations cease.
- **Renovation projects.** Facilities renovated with YAF funds must remain for public outdoor recreation for 20 years from the date of final reimbursement from RCO or the date RCO accepts the project as complete per the project agreement, whichever is later (the same as the period for control and tenure). After the 20-year period is complete, the compliance period ends and the long-term obligations cease.

⁵ Recreation and Conservation Funding Board Resolution 2007-14

⁶ Recreation and Conservation Funding Board Resolution 2010-34

Attachment C: Proposed YAF Evaluation Criteria

Detailed Scoring Criteria

Questions 1-7 are scored by the advisory committee.

- 1. Need and Need Satisfaction.** What is the community's need for the proposed renovated youth athletic facility? To what extent will the project satisfy the needs in the service area?

Consider the number and condition of existing youth athletic facilities; the number of leagues, teams, or players in the community; whether the community has gone through a public process to reveal deficient numbers or quality of available facilities; and whether significant unserved or under-served user groups are identified. Your discussion of need must include measurable (quantifiable) evidence. At a minimum, please include the following information in your answer:

- Type of facility to be funded.
- Service area, either in square miles or in a radius by miles.
- The population of the service area, youth and adult (estimated or actual) and how the numbers were determined.
- Number and type of similar facilities inside the service area.
- Number of leagues, teams, and players served in the service area.
- Number of leagues, teams, and players that are expected to use the renovated facility.
- The estimated hours of competitive play at the current facility and how this project improves or maintains this use.
- Whether the project will address facility needs for underserved or disadvantaged populations as identified in the State Comprehensive Outdoor Recreation Plan.
- Demonstrate how the proposed project will satisfy youth athletic facility needs and provide for a priority youth athletic facility.

▲ Point Range: Evaluators award 0-5 points, which are multiplied later by 3.

- 2. Design and Cost Estimate.** How well is the project designed? How reasonable are the cost estimates, does it accurately reflect the scope of work, and are there enough funds to implement the proposed projects?

Describe the project's design and the cost estimate. Describe how the project makes the best use of the site. Consider the size, topography, soil conditions, natural amenities, and location of the site to determine if it is well suited for the intended uses. Some design elements that may be considered include:

- Accuracy of cost estimates
- Aesthetics
- Maintenance
- Materials
- Phasing

- Recreation experience
- Risk management
- Site suitability
- Space relationships
- User-friendly, accessible design above the minimum requirements
- Value of the out-of-bounds amenities as support to the athletic facility

▲ Point Range: Evaluators award 0-5 points, which are multiplied later by 2.

- 3. Sustainability and Environmental Stewardship.** What techniques or resources are proposed to ensure the project will result in a quality, sustainable, recreational opportunity while protecting the integrity of the environment? Describe how the project will integrate sustainable elements such as low impact development techniques, green infrastructure, or environmentally preferred building products.

▲ Point Range: Evaluators award 0-3 points.

- 4. Facility Management.** Does the applicant have the ability to operate and maintain the facility?

- Describe your organization's structure and indicate how long your organization has been involved in youth or community athletics.
- Describe how the athletic facilities are addressed in your organizations maintenance plan..
- If the applicant does not own the property, describe the management agreement with the property owner.

▲ Point Range: Evaluators award 0-3 points.

- 5. Availability.** When the project is complete, how often will it be available for competitive youth sports in a calendar year?

Provide details on when the facility will be open for competitive play for youth and adults or use by the general public for drop-in play. Hours when the facility is not available for competitive play or use by the general public are not considered in the evaluation.

Consider seasons of use, types of use, hours of use, and restrictions on access. Identify when the facility will be closed for competitive play, for example when the facility will be closed for use by a school or nonprofit organization. Describe the use policy for scheduling the facility: Who can schedule the facility, what sports can use it, and how do they get on the schedule?

Also, complete the application tables that describe the use by month and by type of sport or team to illustrate the current and future availability of the facility.

▲ Point Range: Evaluators award 0-5 points.

- 6. Readiness to Proceed.** What is the timeline for completing the project? Will the sponsor be able to complete the project within 3 years?

Explain how you can move quickly to complete the project by documenting completed appraisal and review, completed architectural and engineering work, permits secured, or availability of needed labor

or volunteers. In addition to your answer, please estimate your project timeline by providing a specific timeline for completing your project.

▲ Point Range: Evaluators award 0-3 points.

7. Project Support and Partnerships. To what extent do users and the public support the project?

Support can be demonstrated in both financial and non-financial ways and varies depending upon the project type. In scoring this question, evaluators consider the type of support that is most relevant. Evidence includes but is not limited to: Letters of support; voter-approved initiatives, bond issues, referenda; ordinance or resolution adoption; media coverage; public involvement in a comprehensive planning process that includes this project; a capital improvement program that includes the project; a local park or comprehensive plan that includes the project by name or by type. If you submit letters of support or other documents, remember to attach them to your application in PRISM.

▲ Point Range: Evaluators award 0-5 points, which are multiplied later by 2.

Questions 8-9 are scored by RCO staff.

8. Matching Shares. Is the applicant providing a matching share more than an amount equal to the grant amount requested?

▲ Point Range

0 points	Less than 55 percent of the total project cost
1 point	55-64.99 percent of the total project cost
2 points	More than 65 percent of the total project cost

9. Proximity to People. State law requires the Recreation and Conservation Funding Board to give funding preference to projects in populated areas. Populated areas are defined as a town or city with a population of 5,000 or more, or a county with a population density of 250 or more people per square mile.⁷ Is the project in an area meeting this definition?

▲ Point Range

0 points	No
1 point	Yes

10. Growth Management Act Preference.

Has the applicant made progress toward meeting the requirements of the Growth Management Act (GMA)?⁸

State law requires that whenever a state agency is considering awarding grants to finance public facilities, it shall consider whether the applicant⁹ has adopted a comprehensive plan and development regulations as required by Revised Code of Washington 36.70A.040.

⁷Revised Code of Washington 79A.25.250

⁸Revised Code of Washington 43.17.250 (Growth Management Act preference required.)

⁹County, city, or town applicants only. This segment of the question does not apply to Native American tribes, park districts, or non-profit organizations.

When reviewing such requests, the state agency shall accord additional preference to applicants that have adopted the comprehensive plan and development regulations. An applicant is deemed to have satisfied the requirements for adopting a comprehensive plan and development regulations if it:

- Adopts or has adopted within the time periods specified in state law;
- Adopts or has adopted by the time it requests a grant or loan; or
- Demonstrates substantial progress toward adopting within the time periods specified in state law. An agency that is more than 6 months out of compliance with the time periods has not demonstrated substantial progress.

A request from an applicant planning under state law shall be accorded no additional preference over a request from an applicant not planning under this state law.

This question is scored by RCO staff based on information from the state Department of Commerce, Growth Management Division. Scoring occurs after RCO's technical completion deadline. If an agency's comprehensive plan, development regulation, or amendment has been appealed to the Growth Management Hearings Board, the agency cannot be penalized during the period of appeal.

▲ Point Range

Minus 1 point	The applicant does not meet the requirements of Revised Code of Washington 43.17.250.
0 points	The applicant meets the requirements of Revised Code of Washington 43.17.250.
0 points	The applicant is a Native American tribe, park district, or nonprofit organization.

RCO staff subtracts a maximum of 1 point; there is no multiplier.

**Recreation and Conservation Funding Board
Resolution #2015-02
Youth Athletic Facilities Program 2015**

WHEREAS, pursuant to state law, the Recreation and Conservation Funding Board (board) administers and approves policies that govern the Youth Athletic Facilities grant program and sets evaluation criteria for grant applications; and

WHEREAS, the board directed staff to request capital budget appropriations for the Youth Athletic Facility program and prepare draft policies and evaluation criteria in anticipation of funds from the Legislature; and

WHEREAS, the Recreation and Conservation Office prepared draft policies and evaluation criteria and solicited for comments from the public, and staff adjusted the policies and evaluation criteria as appropriate and recommends the board approve the final draft materials as presented in Attachments B and C;

WHEREAS, the changes are consistent with state law, the board’s administrative rules, and the State Comprehensive Outdoor Recreation Plan; and

WHEREAS, the Recreation and Conservation Office prepared draft YAF program measures to track program outputs which are:

1. The number of youth served in each project on an annual basis, both currently served and expected to be served, because of the YAF project.
2. The total amount of non-state funds leveraged in each project.
3. The percent of underserved individuals (i.e., non-white and disabled) served in each project.

NOW, THEREFORE BE IT RESOLVED, that the board does hereby adopt the changes in the policies and evaluation criteria for the YAF program as shown in Attachments B and C and the program measures above; and

BE IT FURTHER RESOLVED that the board directs RCO staff to incorporate these changes in the appropriate policy manuals with language that reflect the policy intent; and

BE IT FURTHER RESOLVED that these policies shall be effective beginning with the 2015 grant cycle.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

March 30, 2015

Leslie Ryan Connelly
WA State Recreation and Conservation Office
1111 Washington Street NE
Olympia, WA 98501

RECEIVED
APR - 6 2015
WA STATE
RECREATION AND CONSERVATION OFFICE



Dear Leslie,

I am writing on behalf of the Boys & Girls Clubs of Bellevue in reference to the YAF Grant program for 2015. I understand the Recreation and Conservation Funding Board will be making final YAF grant program decisions at its meeting on April 9th and I would like to encourage you to consider Boys & Girls Clubs of Bellevue in your discussions.

Boys & Girls Clubs of Bellevue is in an active campaign to significantly address the recreation needs of the Eastside with construction of a new athletic Fieldhouse in partnership with the City of Bellevue. This effort, which began in 2010 provides a state-of-the-art athletic facility for youth, adults and seniors in our community.

I understand the application process for this round of funding differed from past processes, and unfortunately, our Club did not receive notification about the LOI process for the YAF grant. We therefore did not have the opportunity to demonstrate the relevance of this project and the impact it will have in our local community.

My hope is, with this letter, to provide some general information about our project so that you might consider Boys & Girls Clubs of Bellevue. Our project is very well aligned with the YAF goal of providing athletic facilities to support youth sports and a multi-generational approach to programming through our long-time partnership with the City of Bellevue. With the support of YAF Funds, the Club can have a significant impact in our community.

Our Club is currently in a capital campaign to raise \$21M dollars with funds designated to a 25,000 sf Fieldhouse in Hidden Valley—recently opened—and the construction of a new Main Club in downtown Bellevue. The Fieldhouse includes three full-sized basketball courts, and is designed for junior & senior basketball, volleyball, and badminton and pickle ball. It also has three indoor batting cages, a classroom, concessions and indoor and outdoor restrooms. We partnered with the City of Bellevue to upgrade existing baseball fields which can be used for football, lacrosse and soccer. Our agreement with the City included \$2.5M to upgrade the fields making them usable year-round. Additionally, through our partnership with the City the facility will be open during off hours to be used as a senior and community center.

We would be most grateful for your consideration of accepting our LOI during your upcoming approval session in April and will be happy to forward any additional information you may need.

Sincerely,

Michèle Heffron
Director of Development

Capital Campaign Steering Committee:

Robbie Bach
Leo Backer
Rich Bray
Scott Cameron
Jim Voelker, Campaign Chair
Rip Warendorf
Gloria Wildeman
Phil Wood

GREAT FUTURES START HERE.



BOYS & GIRLS CLUBS
OF BELLEVUE

Staff and Consultant:
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Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015
Title: Boating Grant Programs Plan
Prepared By: Leslie Connelly, Natural Resource Policy Specialist

Summary

This memo presents a final draft of the Boating Grants Program Plan for the board's consideration. Adoption of the plan will guide the board's grant funding in grant programs that provide funds for boating facilities starting in 2016.

Board Action Requested

This item will be a:

<input checked="" type="checkbox"/>	Request for Decision
<input type="checkbox"/>	Request for Direction
<input type="checkbox"/>	Briefing

Background

Boating Plan Overview

The Boat Grants Program Plan was created and last adopted in 2009 to guide all of the Recreation and Conservation Funding Board (board) boating grant programs. Prior to 2009, the plan was specifically for the Boating Facility Program. In 2013, the board adopted *The Statewide Comprehensive Outdoor Recreation Plan*, which provides new information regarding recreational boating participation rates. There are two additional 2013 reports that include information about recreational boating: the *Final Recommendations* from the Governor's Blue Ribbon Task Force on Parks and Outdoor Recreation and the *Economic Analysis of Outdoor Recreation in Washington State*. An update of the boating plan is needed to reflect the new information available.

The board adopts the boating plan at its discretion and it is specifically for use by the board to guide its grant programs. Other interested parties can use the boating plan as an information source on recreational boating. Statute does not require the board to adopt a boating plan.

Board Member Review

Board Member Comments

Staff prepared a draft boating plan and shared it with the board for their review in February. Board members made suggestions and staff incorporated them into the plan before it was available to the public for review. Staff addressed the board member comments by adding:

- An introductory section about the importance of boating in Washington State and reference other recreational activities that occur while boating such as scuba diving;
- A reference to the types of eligible applicants including Native American tribes and port districts;

- A reference to the Governor’s Blue Ribbon Task Force on Parks and Outdoor Recreation in *Section I: Introduction*;
- The location of the board launches funded since 2009 in *Section II: Accomplishments*;
- A reference to supporting water trails in *Section V: Recommendations for the Future*; and
- A reference to investigating impacts of climate change on boating projects in *Section V: Recommendations for the Future*.

Board members also provided feedback that staff did not include in the final draft of the boating plan, as they would need further consideration by the board and more detailed analysis. These other topics are:

- Include a jobs metric that translates spending on recreation boating into the number of local jobs that are created by that spending;
- Identify statewide manufacturing impacts from recreational boat construction, maintenance, repair and services; and
- Consider how to harmonize growth patterns of population concentrated in major metropolitan areas with slower growth in rural areas and at the same time locating boating facilities in areas remote from population centers.

The board could incorporate these additional topics into the final plan or address in them through other policy initiatives, if appropriate. Should the board decide to include them in the boating plan; staff will revise the plan and need direction from the board on whether to seek additional public comments.

Public Comments Received

Public Comment Period and Response

RCO shared the draft boating plan with the public and solicited public comments from February 19 to March 6, 2015. RCO distributed a notice for the public comment period to 1,900 individuals, including other state agencies, by email and posted the announcement on its website. In addition, the Washington Boaters Alliance shared the public comment notice with its members. Seven individuals submitted comments, which are listed in Attachment A along with RCO staff’s reply to the comments.

Summary of Comments

The public comments received have five main themes:

1. Support for water trails.
2. Support for funding motorized boating facilities for boats less than 26 feet in length.
3. Suggestions on data collection that would help identify the types of boaters and their needs.
4. Need for flexibility with funding sites that provide recreation for multiple types of users.
5. Support for renovating existing facilities.

RCO Staff Response

In response to the public comment, RCO staff revised the draft boating plan policies as follows:

- Specific suggestions added to the boater needs assessment recommendation.
- Clarification made to the action regarding compatible uses at boating sites.
- Suggestions added on how to update grant program priorities and evaluation criteria.
- Additional examples provided in the action to adopt the sustainability criteria in all the boating grant programs.

In addition, RCO staff clarified and refined the following policies based on additional staff review and feedback:

- Clarification made under grant program accomplishments and the boating data.
- Strategies and actions reorganized and clarified so they fit better together.
- Additional actions added related to working cooperatively with other state agencies.
- Clarification made to the action regarding defining distinct grant programs for boating.
- New recommendation added to create boating program measures.

RCO staff prepared final draft boating plan based on comments from the public and further revisions from staff.

Boating Grants Program Plan Summary

The final draft Boating Grants Program Plan is in Attachment B. Table 1 provides a summary of the strategies and actions in the plan.

Table 1: Strategies and Actions in the Boating Grants Program Plan

Strategy	Action
1 – Fund construction of boating facilities to address the most important boater needs and the most popular types of boating.	1A – Revise grant program evaluation criteria to give a priority to projects that address boater needs and boating participation rates.
2 – Define grant programs’ priorities to fund different types of boating facilities in different grant programs.	2A – Emphasize consistency with funding sources when determining boating grant programs’ priorities. 2B – Allow for compatible uses of boating facilities only if the use does not impair or displace the primary boating use of the grant program. 2C – Support facilities for transient public recreational boating uses.
3 – Support stewardship and retention of current boating infrastructure.	3A – Encourage projects that maximize the efficient use of existing boating sites and facilities. 3B – Encourage projects that use design standards and construction techniques that maximize the service life of the facility and minimize maintenance.
4 – Promote Infrastructure Projects and Construction practices that reduce environmental impacts.	4A – Give priority funding to projects that satisfy user needs in an environmentally responsible manner. 4B – Adopt the Recreation and Conservation Funding Board’s policy on sustainability in all its boating grant programs. 4C – Support actions related to invasive species prevention and control in the Invasive Species Council’s Strategic Plan.
5 – Provide accurate and timely information to boaters.	5A – Maintain and improve the Washington Water Cruiser. 5B – Maintain the boat.wa.gov Web site. 5C – Participate in the Washington Boaters Alliance. 5D – Participate in education and training seminars.

Strategy	Action
6 – Work cooperatively with other state agencies to improve boating programs and services.	6A – Coordinate and participate in the Agency Boating Committee which is comprised of RCO, WDFW, DNR, State Parks, and DOL. 6B – Work with other State Agencies to Address Control and Tenure Requirements. 6C – Participate in Other State Agency Boating Committees.

Board Direction

RCO staff seeks board direction on the final draft Boating Grant Programs Plan. Resolution 2015-03 in Attachment C is provided for the board’s consideration.

Next Steps

Should the board approve the boating plan, RCO staff will implement the plan and use it to guide recommendations for changing grant program priorities and evaluation criteria for the 2016 grant applications.

Attachments

- A. Public Comments Received on the Draft Boating Grants Program Plan
- B. Final Draft Boating Grants Program Plan
- C. Resolution 2015-03

Attachment A

Public Comments Received on Boating Grants Program Plan

Comment Period: February 19 – March 6, 2015

Commenter	Comments	RCO Staff Reply
Jerome Brown	<p>I didn't see anything in the plan for <u>maximizing benefits of spending by RCO by fostering "partnerships" between Districts and Private businesses</u> except for one brief mention of Port of Morrow. In just one instance, the Port of Woodland, WA. has had off and on discussions about putting in a launching facility at Jones Beach on the Columbia but nothing ever seems to happen. It seems to me if the RCO got behind it and supported it the combination of the Port and RCO could be enough to put in a dock for launching of boats 26 ft. and less. The needs of boats greater than 26 ft. seems mostly to be anchorages and marinas.</p> <p>In the case of private businesses in launch and dock business it is the subject of occasional conversations in the Woodland area that a private party tried to get a permit and construct a private launch and dock close to the town but was denied due to some supposed impact on salmon recovery. Meanwhile a private campground at the mouth of the Lewis R. 3 miles away regularly launches and recovers boats with no apparent concern for salmon recovery.</p> <p>I highly support the concept of <u>water trails</u>. The Columbia River should be the primary focus. The anchorage at Martin's Island about 3 mi. north of Woodland is a great example of promoting and supporting those traversing the Columbia and needing overnight anchorage.</p>	<p>Typically, state law dictates who can apply for grant funding; however, partnerships can play a significant role in some projects. The most appropriate way to recognize partnerships is within the application evaluation criteria. We will add a reference to partnerships in the boating plan to support projects that are brought forward with partnerships when they are evaluated for grant funding.</p> <p>RCO is not a regulatory agency therefore cannot reply to permitting conditions for specific projects.</p> <p>Thank you for your comment supporting water trails.</p>

Commenter	Comments	RCO Staff Reply
	<p>I would also support <u>collection of fees from out-of-state boaters who use non border waters with those fees to go to RCO earmarked for launching/docks</u>. An example is the very heavy use of the three reservoirs on the North Fork of the Lewis R. by residents of Oregon. An example of this in a boating related activity is the requirement for non-resident fishing licenses except when fishing from a boat on, for example, the Columbia River.</p> <p>Finally it is not clear to me why RCO has so much emphasis in their purpose statements about <u>salmon recovery</u> as I saw almost nothing in the plan about it. There are more than enough fingers in that pie and it seems to me the only statement necessary for RCO is that it will coordinate with and take into account comments by DFW regarding any Salmon impact from RCO's activities.</p> <p>Thank you for encouraging public participation and comment regarding RCO.</p>	<p>Recreation and Conservation Funding Board does not have the statutory authority to collect fees at boating facility sites. If fees are collected at boating facilities funded by the board, the landowner or site manager must reinvest the funds collected back into maintenance or development of the same or similar boating facilities.</p> <p>The Recreation and Conservation Office manages grant programs on behalf of the Salmon Recovery Funding Board as well as the Recreation and Conservation Funding Board. The reference to salmon recovery in RCO's strategic plan addresses the work the agency does on behalf of the Salmon Recovery Funding Board. Salmon recovery is not a specific goal of the Recreation and Conservation Funding Board.</p> <p>Thank you for your comments.</p>
<p>Lorena Landon, Member, Boating Programs Advisory Committee</p>	<p>After reviewing the draft of RCO policy changes, I herein submit the following comments:</p> <ol style="list-style-type: none"> 1. Page 4, second paragraph: I recommend changing the words "to go boating" to "for boating access" which better defines RCO boating goals. 2. Page 5, third paragraph: under "Those grant programs are:" I recommend adding "(motor boats under 26ft only)" after the line item "Boating Facilities Grant Program" 	<ol style="list-style-type: none"> 1. We will make the change on page 4. 2. There is no limit on the length of boats in the Boating Facilities Program. There was a preference for trailer-able boats in the Boating Facilities Program evaluation criteria prior to October 2010.

Commenter	Comments	RCO Staff Reply
	<p>3. Page 5, third paragraph from the bottom: I recommend defining "sailboats" as either "day sailor's (those without motors)" OR as "all sailboats, both with and without motors" whichever is correct. This would help clarify if all sailboats are included in this category or if only non-motorized sailboats are included in this category.</p> <p>4. Page 10, second paragraph: under the heading "Economic Contribution of Boating" I suggest adding "mooring fees and fuel expenditures."</p> <p>5. Page 26, last paragraph: under the heading "Update the Boater Needs Assessment" I recommend it be made clear that this assessment is completed for all boating groups, including those over 26 feet as well as boats under 26ft along with non-motorized craft.</p> <p>6. Page 27, third paragraph: under the heading "Explore Non-motorized Boating" I recommend including the fact that many boats over 26ft carry kayaks and other non-motorized craft and therefore would serve as another source of data collection for non-motorized activities.</p> <p>7. You may want to make clear if the statistics cited in this drafted document are from boaters with vessels under 26ft only or if the statistics also include responses from boaters with vessels over 26ft. Perhaps a separate survey is needed for the larger boats/yachts which better addresses their circumstances/needs i.e. buoys, public wharfs etc.</p>	<p>3. We will clarify the difference between motorized and non-motorized sailboats.</p> <p>4. Moorage fees and fuel expenses for operating boats was not specifically included in the economic contribution analysis. Fuel expenses to drive a boat to a destination were included.</p> <p>5. We will add clarification that the next boating needs assessment capture needs from all boating groups mentioned.</p> <p>6. We will add a reference to non-motorized boats carried on larger motorized boats as a source of data.</p> <p>7. We will clarify that the data is from all types of boaters regardless of the length of their boat.</p> <p>Thank you for your comments.</p>

Commenter	Comments	RCO Staff Reply
Paul Thorpe, President, Recreational Boating Association of Washington	<p>I think you have done a good job with this plan. I have just one comment, on Page 28, the last paragraph says there is a list of future actions following the summary. The only things following the summary are three appendices.</p>	<p>Thank you. We will make this correction in the final version.</p>
Matt Goehring, Aquatic Policy, Aquatic Resources Division, Washington Department of Natural Resources	<p>The Department of Natural Resources (DNR) appreciates the opportunity to comment on the Recreation and Conservation Office's (RCO) draft Boating Grant Programs Plan. DNR is the proprietary steward of over 2.6 million acres of state-owned aquatic lands. DNR is directed to manages state-owned aquatic lands in manner that provides for "...a balance of public benefits for all citizens of the state." DNR staff participates in the Boating Programs Advisory Committee and the Boating Grant Programs complement DNR's management directive to encourage direct public use and access (RCW 79.105.030). DNR strongly supports RCO's efforts to align grant funding with current recreational boating interests and invest in developing boating facilities that enhance public access to state-owned aquatic lands. DNR commends RCO's accomplishments since the 2009 plan was adopted and looks forward to supporting the Boating Facilities and the Boating Infrastructure Grants programs moving forward.</p> <p><u>Comments</u></p> <p>Strategy #2A – Coordinate and participate in the Agency Boating Committee. <i>The ABC was established in 2008. Although the charter was completed and signed in 2013, the group has been meeting and addressing 9 of the 10 issues the JLARC study charged them with since 2008.</i></p>	<p>We will make this change to the reference to the formation of the Agency Boating Committee.</p>

Commenter	Comments	RCO Staff Reply
	<p>Strategy #6A – Satisfy user needs in an environmentally responsible manner.</p> <p><i>Please clarify the importance of a collaborative partnership with DNR. Close coordination with DNR is essential to understanding aquatic land ownership and ensuring funded proposals are compatible for overarching management guidelines for state-owned aquatic lands. Suggest including the following... "For example, RCO will work with the Department of Natural Resources, in their role as proprietary manager of state-owned aquatic lands, to ensure applicable proposals are consistent with DNR's management directives and the Aquatic Lands Habitat Conservation Plan, if adopted."</i></p>	<p>We will make this change to clarify the RCO's collaboration with DNR on proprietary issues.</p>
	<p>Recommendations for the Future</p> <p><i>DNR strongly supports items identified in the "Recommendations for the future" section. These items are of particular interest to DNR as the agency evaluates how to maintain and expand public access to state-owned aquatic lands. We look forward to working collaboratively with RCO through the ABC to identify new and emerging needs of the citizens of Washington related to accessing SOAL [state-owned aquatic lands].</i></p>	<p>We look forward to working DNR on the future recommendations in the plan.</p>
	<p>Summary</p> <p><i>This sections concludes by referencing a list of future actions that is to follow; however, "recommendations for the future" were presenting in the previous section. It seems this was intended to reintroduce or summarize those recommendations.</i></p>	<p>We will make this correction in the final version.</p>
	<p>Thank you for considering DNR's comments on the draft Boating Grant Programs Plan. DNR looks forward to collaborating with RCO on expanding boating facilities that enhance public access to aquatic lands throughout the state.</p>	<p>Thank you for your comments.</p>

Commenter	Comments	RCO Staff Reply
	Please do not hesitate to contact myself, or Heather Gibbs, with any questions.	
Clay Sprague, Lands Division Manager, Washington Department of Fish and Wildlife	<p>Thank you for the opportunity to review and evaluate the RCO Draft Boating Grant Program Plan for 2015. As you know, the Washington Department of Fish and Wildlife (WDFW) maintains over hundreds of motorized boating facilities for outdoor recreationists across Washington State, and therefore has a vested interest in ensuring RCO grants in the Boating Facilities Program (BFP) category are evaluated fairly and consistently across the board.</p> <p>WDFW staff have had the opportunity to review the draft plan and have the following comments that we hope will be considered when grant applications are evaluated in the future:</p> <p>Page 8 -New motorized boat launches include (changes):</p> <ul style="list-style-type: none"> • Newman Lake is a renovation project, not a new project. • Long Lake is a renovation project, not a new project. • Patterson on the Columbia River - Suggest to remove the project from the list. • Sprague Lake is a renovation project, not a new project. <p>Page 15 -Where do people go boating? Comment: From the volume of fresh water boaters, it would be beneficial to see how many are using small lakes over the large water bodies. Are they fishing, recreating, or something else? The scoring criteria seem to be geared for larger boats, but this may not always match the use.</p> <p>Page 17 -What other activities involve boating?</p>	<p>Page 8 - We will make these corrections to the list of motorized boat launches funded.</p> <p>Page 15 - The data from the State Comprehensive Outdoor Recreation Plan or the Boaters Needs Assessment does not distinguish between small or large water bodies specifically. We will consider collecting this type of data in the future. The preference for trailer-able boats in the Boating Facilities Program evaluation criteria was removed in 2010.</p> <p>Page 17- The data from the State Comprehensive Outdoor Recreation Plan nor the Boaters Needs Assessment does</p>

Commenter	Comments	RCO Staff Reply
	<p>Comment: It would be nice to have a breakdown of boat size below 26 feet. With 53% of boaters fishing, it would be important to- see what type of facilities would match the right boat size. Also, many of our sites have different user groups based on time of day or season.</p>	<p>not distinguish to this level of detail on boat length; however, data is available from the Washington Sea Grant program on the length of boats for boat sales registered with the Washington State Department of Licensing. It would not be possible to correlate length of boats from boat sales data with fishing activities as a way to determine the length of boat that people who fish are using. We will consider collecting data related to boat length and fishing activities in the future.</p>
	<p>Page 22 -Action #1 Comment: Participation is not balanced to include small motorized boats and non- motorized boats. Consider adding fishing groups.</p>	<p>Page 22, Action #1 - The data from the State Comprehensive Outdoor Recreation Plan distinguishes between motorized and non-motorized boats and motorized boats less than 26 feet in length and 26 feet or more in length. The State Comprehensive Outdoor Recreation Plan also includes data on fishing in general as a recreation activity.</p>
	<p>Page 23 – Action #3 Comment: The evaluation criteria make it difficult for single item replacement, such as ramp. "Extras" in the uplands may not be needed for the boater, but must be added to score well. More projects across Washington State could be funded if projects could be simplified to match the true "boater's need," rather than the evaluation criteria.</p>	<p>Page 23, Action #3 - We will consider your comments on the evaluation criteria for the Boating Facilities Program as we prepare for the next grant applications in 2016.</p>
	<p>Comment: We are concerned that the current evaluation methods for the BFP category are clearly geared to larger boats and bodies of water, while the small boat/small lake facilities projects are being overlooked. The small boat/small lake group is the overall larger user base for WDFW projects.</p>	

Commenter	Comments	RCO Staff Reply
	<p>Comment: To meet the needs for new boaters -New users will be more apt to start with smaller boats to learn the basics before moving on to larger motor boat sizes.</p>	
	<p>Page 25 -Action #4 Comment: We must recognize that there is mixed use, and changing use, on our sites. Allow grant funds to support other uses within proportion of the full grant. The benefit of being able to separate users aids in the true boating experience.</p>	<p>Page 25, Action #4 – We agree that boating facilities are often serving multiple recreational purposes such as swimming, fishing, and other types of water access activities. We will add a reference that encourages projects to provide for a mixed use of recreation while requiring pro-rating costs if needed to ensure the funding in the grant programs stays within the statutory requirements.</p>
	<p>Page 25 -Action #5 Comment: Recognize that there are changing use patterns. It would be beneficial to encourage mixed use, not discourage it.</p>	<p>Page 25, Action #5 – See previous response.</p>
	<p>Comment: The renovation of one item in need, such as a toilet or ramp, is often a better use of funds than a full site renovation. This is especially true if the full site renovation is not needed. However, though it is unfortunate, this type of renovation does not seem to score as well as the larger project.</p>	<p>Renovation of existing facilities is a need expressed also by boaters in the needs assessment. We will consider your comments on encouraging renovation of certain facilities for each boating grant program when we prepare for the next grant applications in 2016.</p>
	<p>Page 26 -Action #6 Comment: WDFW, HPA and USACE permits have been in place for years to monitor impacts to the environment. RCO's task should involve streamlining multiple agencies for a common goal.</p>	<p>Page 26, Action #6 – RCO does not have the capacity to coordinate streamlining the permitting process for boating facilities but is available to assist if such as effort was led by another agency.</p>
	<p>WDFW staff supports the following actions and strategies in the draft plan:</p>	
	<p>We agree with Strategy #3b and ask that priority be given to launches located in freshwater lakes.</p>	

Commenter	Comments	RCO Staff Reply
	<p>We agree with Strategy #5a to renovate and maintain existing launch ramps as a priority instead of acquiring new sites, as that appears to be a cost efficient and effective use of grant monies.</p> <p>We strongly support Strategy #6c. We often receive feedback from our boating constituents regarding aquatic weeds that interfere with the functionality, use, and enjoyment of our launch facilities.</p> <p>Thank you, for considering our input on this important issue.</p>	<p>Thank you for your comments.</p>
<p>Craig Galivan, Commodore, Olympia Outboard Association</p>	<p>The Olympia Outboard Club was established in 1950, and owns a clubhouse and dock on Steamboat Island in Thurston County. We are a group of fifty boating families, most of whom own trailered boats or moor their boats, all promote boating safety, and enjoy recreational boating on the waters of Puget Sound and freshwater lakes. Some of our members own sailboats and hand carried boats. We represent a full spectrum of boating interests.</p> <p>We have reviewed the draft plan and have the following comments that we hope will be considered as grant applications are evaluated:</p> <p>Parking at many existing launch ramps is inadequate and many times unavailable when we launch our boats. Stalls need to be lined and signed so that sunbathers, swimmers, picnickers and bank fisherman don't park in stalls designed for vehicles with boat trailers. Vehicle only stalls are often located further away from the shoreline, yet people won't walk a bit further. New and renovated facilities should provide sufficient parking.</p>	<p>We will work with grant applicants to address the issue that boating facilities need to be designed to manage for mixed use and provide adequate parking for all users. We will add reference in the Boating Grants Program Plan that adequate site management is important to addressing site with mixed uses and consider site management as part of the application evaluation.</p>

Commenter	Comments	RCO Staff Reply
	<p>We agree with strategy #4B which allows for compatible uses of boating facilities only if the use does not impair or displace the primary boating use of the grant program. What we find when launching at many freshwater sites is the compatible users (swimming and wading) won't move off the launch ramp to allow us to pull our boats out of the water. At some WDFW sites without boarding floats, bank fishermen won't pull their lines in to allow boaters to beach their boats to retrieve their vehicle and trailer to pull boats off the lake. The compatible users aren't recognizing the primary boating user. We understand how difficult it is to control etiquette of compatible users, but would hope that the site manager has to demonstrate that concurrent or proposed uses are compatible.</p> <p>We agree with Strategy #5A to renovate and maintain existing launch ramps as a priority instead of acquiring new sites. Boarding floats should be a priority for WDFW sites on freshwater lakes.</p> <p>We ask that you add to Strategy #6A that pit, vault, or toilets on septic system should be upgraded to flush toilets on sanitary sewers for improved water quality.</p> <p>Thank you for considering our input.</p>	<p>We will add a reference in the Boating Grants Program Plan that encourages projects to provide for a mixed use of recreation while requiring pro-rating costs if needed to ensure the funding in the grant programs stays within the statutory requirements.</p> <p>Accommodating multiple recreational uses at water access sites can be a challenge for land managers. We will add reference in the Boating Grants Program Plan that adequate site management is important to addressing site with mixed uses and consider site management as part of the application evaluation.</p> <p>Thank you for your comment on renovation of boating facilities.</p> <p>We will add reference to encourage upgrading restroom facilities to improve water quality at boating facilities.</p>
<p>Lori Flemm, Director Parks and Recreation Department, City of Lacey</p>	<p>The City of Lacey does not manage any motorized boating facilities. The Washington State Dept. of Fish and Wildlife (WDFW) manages one boat launch within the city limits (Hicks Lake) and two others in Lacey's UGA (long Lake and Pattison Lake). The WDFW boat launch on Chambers Lake is just outside the city limits and UGA, but is frequently used by city residents. The City of Lacey owns and maintains Wanscher's Park with Hicks Lake water frontage which is used by hand carried</p>	

Commenter	Comments	RCO Staff Reply
	<p>boaters, stand up paddlers, bank fishermen, swimmers and waders, and is located adjacent to the WDFW boat launch. The City of Lacey owns Lake Lois Habitat Reserve which is used by hand carried boaters and bank fishermen and Lake Lois Park which is used by bank fishermen. Many city residents who own trailered boats and enjoy recreational boating on freshwater lakes within the city or UGA and have expressed concerns to our staff.</p> <p>Staff has reviewed the draft plan and has the following comments that we hope will be considered as grant applications are evaluated:</p> <p>There is not sufficient parking at many existing WDFW launch ramps, and often vehicles with trailers parallel park along city street shoulders. Grant applications for new or renovated facilities should provide sufficient parking, and should develop street frontage improvements to accommodate parallel parking if that use will continue. Street frontage improvements may require dedication of land for public right-of-way, land which may have been acquired with state grant funds. Per current RCO policy it appears this would trigger conversion; we strongly suggest that this policy be revised to allow for a public purpose (parking to use the launch ramp) that is compatible with the intent of the land acquisition.</p> <p>A complaint we hear associated with lack of parking is that non-boaters (swimmers, bank fisherman, hand carried boaters) are parking in stalls designated for vehicles pulling boat trailers. Design and management solutions to address this problem could be given bonus points in evaluation criteria.</p>	<p>We understand that parking can be a challenge for some boating facility sites. We will consider your comments regarding conversion due to street frontage improvement the next time the Recreation and Conservation Funding Board reviews its compliance policies for acquisition projects.</p> <p>Accommodating multiple recreational uses at water access sites can be a challenge for land managers. We will add reference in the Boating Grants Program Plan that adequate site management is important to addressing site with mixed uses and consider site management as part of the application evaluation.</p>

Commenter	Comments	RCO Staff Reply
	<p>Boaters have asked the city to install a boarding float at the WDFW Hicks Lake, Long Lake, Pattison Lake and Chambers Lake boat launches. We ask that boarding floats be given "bonus points" in the evaluation criteria.</p> <p>A complaint we often hear from boaters (fishing, pleasure, waterskiing, etc.) is that swimmers, waders and bank fishermen won't move off the launch ramp or shoreline adjacent to the ramp, or pull fishing lines in to allow boaters to retrieve boats. Adding a boarding float may offer a potential solution to this problem.</p> <p>Staff supports the following action and strategies in the draft plan:</p> <p>We agree with Strategy #38 and ask that priority be given to launches on freshwater lakes located in urban areas.</p> <p>We support strategy #48 which allows for compatible uses of boating facilities, only if the use does not impair or displace the primary boating use of the grant program, but also recognizing the demand for public use of waterfront parks is high. We don't have enough public access waterfront in the city limits or the UGA. The evaluation criteria should require that the site manager demonstrate that concurrent or proposed uses are compatible.</p> <p>We agree with Strategy #SA to renovate and maintain existing launch ramps as a priority instead of acquiring new sites, as that appears to be a cost efficient and effective use of grant monies.</p>	<p>Boarding floats may or may not be appropriate at all boating facilities. Including board floats is at the discretion of the applicant. Docks (which includes boarding floats) were not a major finding in the Boater Needs Assessment; therefore, would not be significant priority for grant funding.</p> <p>Thank you for your other comments in support of the Boating Grants Program Plan.</p>

Commenter	Comments	RCO Staff Reply
	<p>We support Strategy #6C. We often hear environmental concerns from citizens regarding aquatic weeds that interfere with use and enjoyment of the launch sites.</p> <p>We support strategy #6A and ask that priority be given to improving water quality associated with failing septic systems.</p> <p>We ask that you add bonus points to the evaluation criteria to encourage vault, or toilets on septic system, to be upgraded to flush toilets and connected to sanitary sewer systems for improved water quality.</p> <p>Thank you for considering our input.</p>	<p>We will add reference to encourage upgrading restroom facilities to improve water quality at boating facilities.</p>

Boating Grant Programs Plan



April 2015



Table of Contents

<u>I.Introduction</u>	1
<u>Boating in Washington State</u>	1
<u>Purpose of the Boating Plan</u>	1
<u>Recreation and Conservation Office</u>	2
<u>Studies that Inform this Plan</u>	3
<u>Governor’s Blue Ribbon Task Force on Parks and Outdoor Recreation</u>	3
<u>II.Accomplishments Since the Last Boating Plan in 2009</u>	4
<u>III.Data about Recreational Boating in Washington State</u>	6
<u>Notes about the Data Used in this Report</u>	6
<u>Economic Contribution of Boating</u>	7
<u>How Many People Go Boating for Recreation?</u>	7
<u>How Popular is Boating Compared to Other Types of Recreation?</u>	10
<u>Who Goes Boating?</u>	10
<u>Where do People Go Boating?</u>	13
<u>What Types of Facilities Do Boaters Use?</u>	14
<u>What Size are Motorboats and Sailboats?</u>	14
<u>What Other Activities Involve Boating?</u>	14
<u>Are Boaters Satisfied with their Boating Experience?</u>	14
<u>Who Else Wants to Go Boating?</u>	15
<u>Summary of Data and Findings</u>	17
<u>IV.Actions to Support the Boating Grant Programs</u>	18
<u>Strategy 1 - Fund Construction of Boating Facilities to Address the Most Important Boater Needs and the Most Popular Types of Boating.</u>	19
<u>Strategy 2 - Define Grant Programs’ Priorities to Fund Different Types of Boating Facilities in Different Grant Programs</u>	19
<u>Strategy 3 - Support Stewardship and Retention of Current Boating Infrastructure</u>	21
<u>Strategy 4 - Promote Infrastructure Projects and Construction Practices that Reduce Environmental Impacts</u>	21
<u>Strategy 5 - Provide Accurate and Timely Information to Boaters.</u>	22
<u>Strategy 6 – Work Cooperatively with other State Agencies to Improve Boating Programs and Services.</u>	23

<u>V.Recommendations for the Future</u>	24
<u>Recommendations for the Future</u>	24
<u>Appendix A – State Agency Boating Programs</u>	26
<u>Appendix B – Recreation and Conservation Funding Board Resolution</u>	27
<u>Appendix C – Definitions Used for Recreation and Conservation Funding Board Grant Programs</u>	28

I. Introduction

Boating in Washington State

Recreational boating in Washington State is important to many people across the state. Significant opportunities exist on freshwater lakes, rivers, and the Columbia River as well as on saltwater in Puget Sound and the coast. Venturing out on a boat is an opportunity to float, paddle, cruise, water ski, wake board, inner tube, scuba dive, fish and camp. Boating is an activity in and of itself and a gateway to another world of birds, waterfowl, fish, frogs, turtles, otters, and seals.

The State of Washington provides recreational facilities for boating access, boating safety and law enforcement training, clean vessel programs, and grant funding. See Appendix A for a list programs related to boating administered by the State of Washington. Cities, counties, port districts, other special purpose districts, non-profit organizations and Native American Tribes also provide recreational boating programs, services, and facilities.

Purpose of the Boating Plan

The Washington State Recreation and Conservation Funding Board uses the Boating Grant Programs Plan to inform and guide its grant funding and decision-making. This plan includes non-motorized and motorized recreational boating in Washington State. It explores participation rates and other relevant data. The plan also includes information on the economic contribution of recreational boating to the state's economy.

Purpose	Guide the Recreation and Conservation Funding Board's grant funding for boating facilities and provide boating program services.
Goal	Align grant funding with recreational boating interests and needs.
Objective	Fund boating facilities to support statewide trends and reflect local priorities.

To accomplish the above, this plan identifies specific actions for implementation.

The Recreation and Conservation Funding Board adopted this plan in [insert month, year] during a public meeting under the authority granted in Revised Code of Washington 42.56.040 of the Public Records Act. The resolution adopting this Plan is in Appendix B.

Recreation and Conservation Funding Board

The Recreation and Conservation Funding Board is a governor-appointed board composed of five citizens and the directors (or designees) of three state agencies – Department of Fish and Wildlife, Department of Natural Resources, and Washington State Parks and Recreation Commission.

Mission of the Board

Provide leadership and funding to help our partners protect and enhance Washington's natural and recreational resources for current and future generations.

Services Provided by the Board

Statewide strategic investments through policy development, grant funding, technical assistance, coordination, and advocacy.

Values of the Board

Efficient, fair, and open programs conducted with integrity. The results foster healthy lifestyles and communities, stewardship, and economic prosperity in Washington.

The board administers seven grant programs that support recreational boating. Money from these grant programs support the acquisition of land; construction of boating related facilities; and, in some programs, construction planning and design, educational and navigational aids.

These grant programs are:

Facilities for motorboats:

Aquatic Lands Enhancement Account (motorboats up to 10 horsepower only)

Boating Facilities Program

Boating Infrastructure Grant program (motorboats 26 feet or more in length only)

Land and Water Conservation Fund

Recreational Trails Program

Washington Wildlife and Recreation Program, Outdoor Recreation Account categories:

- Local Parks, State Parks, and State Lands Development and Renovation

Facilities for non-motorized boats:

Aquatic Lands Enhancement Account

Land and Water Conservation Fund

Nonhighway and Off-Road Vehicles Activities

Recreational Trails Program

Washington Wildlife and Recreation Program, Outdoor Recreation Account categories:

- Local Parks, State Parks, State Lands Development and Renovation, Trails, and Water Access

For grant program purposes, motorboats include gas, diesel, and electric powered boats, sailboats and personal watercraft. Non-motorized boats include sailboats, canoes, kayaks, rowboats, rafts, paddleboards and other hand-powered boats. See Appendix C for complete definitions used by the Recreation and Conservation Funding Board in its grant programs.

Depending on the grant program, funds are available to cities, counties, special purpose districts, port districts, state agencies, federal agencies, non-profit organizations, and Native American Tribes.

Recreation and Conservation Office

The Recreation and Conservation Office (RCO) supports the Recreation and Conservation Funding Board. RCO is a small state agency that manages multiple grant programs to create outdoor recreation opportunities, protect the best of the state's wildlife habitat and farmland, and help return salmon from near extinction. RCO implements the Recreation and Conservation Funding Board's policies through grant program rules and evaluation instruments approved by the board.

Vision of the RCO

RCO is an exemplary grant management agency that provides leadership on vital natural resource, outdoor recreation and salmon recovery issues.

Mission of the RCO

As a responsible steward of public funds, RCO works with others to protect and improve the best of Washington's natural and outdoor recreational resources, enhancing the quality of life for current and future generations.

Studies that Inform this Plan

In writing this plan, RCO relied on the following studies and data:

- [Washington Boater Needs Assessment](#), Responsive Management, 2007.
- [Improving Coordination of State Services to Recreational Boaters](#), Ross & Associates Environmental Consulting, Ltd., October 31, 2008.
- [Activities Supporting Recreational Boating In Washington](#), Report 10-12, State of Washington Joint Legislative Audit & Review Committee, December 1, 2010.
- [Outdoor Recreation in Washington, The 2013 State Comprehensive Outdoor Recreation Plan \(SCORP\)](#), Washington State Recreation and Conservation Office, May 2013.
- [Economic Analysis of Outdoor Recreation in Washington State](#), Earth Economics, January 2015.

Governor's Blue Ribbon Task Force on Parks and Outdoor Recreation

In 2014, Governor Jay Inslee created the Blue Ribbon Task Force on Parks and Outdoor Recreation, [Governor's Executive Order 14-01](#). The Task Force developed a number of actions for the Governor to consider and documented in the [Final Recommendations](#). The following actions specifically relate to recreational boating:

- ACTION 11 – Continue to fund and protect current outdoor recreation grant programs, including the Washington Wildlife and Recreation Program, Boating Facilities Program, Nonhighway and Off-Road Vehicles Account, and others administered by the Recreation and Conservation Funding Board.
- ACTION 12 – Remove the 23-cent cap on the portion of the gas tax attributed to off-road recreation that is transferred to the dedicated accounts for off-road vehicles (Nonhighway and Off-Road Vehicle Activities program), boating (Boating Facilities Program), and the snowmobiling grant program.

The Recreation and Conservation Funding Board works as directed by the Governor to advance these boating related recommendations from the Blue Ribbon Task Force on Parks and Outdoor Recreation.

II. Accomplishments Since the Last Boating Plan in 2009

The Recreation and Conservation Funding Board last approved the *Boating Grant Programs Policy Plan* in October 2009 (2009 plan). One of the goals in the plan stated that funding “shall encourage projects that best meet the needs of the boating public” (Policy C-1). The 2009 plan leaned on data from the *Washington Boater Needs Assessment*, which identified needs for specific types of boating facilities, both renovation of existing boating facilities and development of new facilities.

Table 1 is a summary of the most important facility needs by the type of boater as expressed in the *Washington Boater Needs Assessment*.

Table 1 – What is the Most Important Type of Boating Facilities that Boaters Want Improved or Built?¹

Type of Boater	Improve Existing Facilities	Build New Facilities
Motor-boaters	Boat launch ramps	Boat launch ramps
Sail boaters	Mooring buoys or docks	Marinas
Paddlers	Restrooms at boat launch ramps	Boat launch ramps
Other Hand-Powered Boaters	Boat launch ramps	Mooring buoys or docks

For motorized boaters, boat launch ramps were the most important type of facility to improve or build. Since approving the 2009 plan, the Recreation and Conservation Funding Board awarded grant funds to renovate 15 motorized boat launch ramps. Note that in 2012, the legislature reduced funding in the Boating Facilities Program, one of the motorized boating grant programs, by \$3.3 million. Because of this funding reduction, three new boat launch ramps were not funded.

The motorized boat launch facilities funded since 2009 are:

Renovated Motorized Boat Launches by Project Sponsor (15)

- Boating Facilities Program
 - Black Lake, Thurston County (Washington Department of Fish and Wildlife)
 - Crow Butte, Benton County (Port of Benton)
 - Don Morse Park, Chelan County (City of Chelan)
 - Lacamas Lake, Clark County (City of Camas)
 - Lake Chelan, Chelan County (Washington State Parks and Recreation Commission)
 - Lake Samish, Whatcom County (Washington Department of Fish and Wildlife)
 - Lake Sammamish, King County (Washington State Parks and Recreation Commission)
 - Langsdorf Landing, Clark County (Washington Department of Fish and Wildlife)
 - Levee Street, Gray Harbor County (City of Hoquiam) – construction pending
 - Lighthouse Marine Park (Whatcom County)
 - Long Lake, Kitsap County (Washington Department of Fish and Wildlife)
 - Newman Lake, Spokane County (Washington Department of Fish and Wildlife)
 - Oneida, Wahkiakum County (Washington Department of Fish and Wildlife)
 - Salisbury Point (Kitsap County)

¹ Responsive Management, *Washington Boater Needs Assessment: Data Compendium* (2007), 280, 292.

- Squalicum Harbor, Whatcom County (Port of Bellingham)

As a group, non-motorized boaters wanted to see existing mooring buoys, docks, restrooms, and boat launch ramps improved and new mooring buoys, docks, boat launch ramps, and marinas built. Since approving the 2009 plan, the Recreation and Conservation Funding Board awarded grant funds to renovate one non-motorized launch, build seven new non-motorized launches and build 40 linear feet of new non-motorized boarding floats.

The non-motorized facilities funded since 2009 are:

Renovated Non-Motorized Boat Launches (1)

- Washington Wildlife and Recreation Program Water Access Category
 - Hathaway, Clark County (City of Washougal)

New Non-Motorized Boat Launches (7)

- Aquatic Lands Enhancement Account
 - Swadabs Shoreline, Skagit County (Swinomish Indian Tribal Community)
 - Port Angeles Waterfront, Clallam County (City of Port Angeles)
 - Islands Trailhead, Spokane County (Spokane Conservation District)
- Nonhighway and Off-road Vehicles Program
 - Similkameen River (Washington Department of Fish and Wildlife)
- Washington Wildlife and Recreation Program Water Access Category
 - Don Morse Park, Chelan County (City of Chelan)
 - Yakima River, Benton County (City of West Richland)
- Washington Wildlife and Recreation Program State Lands Development Category
 - Old Highway 10, Kittitas County (Washington Department of Fish and Wildlife)

New Boarding Float (1)

- Aquatic Lands Enhancement Account
 - Harper Pier, Kitsap County (Port of Bremerton)

The Recreation and Conservation Funding Board also awarded grant funds for other facilities and activities beyond the top indicators shown in Table 1.

III. Data about Recreational Boating in Washington State

Notes about the Data Used in this Report

The majority of the data used in this section is from *Outdoor Recreation in Washington, The 2013 State Comprehensive Outdoor Recreation Plan (SCORP)*, produced for the Recreation and Conservation Funding Board under contract by Responsive Management. To prepare the SCORP, Responsive Management surveyed 3,114 adult residents of Washington State on outdoor recreation demand by telephone between August 27 and October 26, 2012. Random digit dialing selected the individuals who participated in the telephone survey.

To meet the regional planning requirements of the project, the random sample of individuals was stratified by the 10 planning regions in Washington as described below. See Appendix A of the SCORP for survey methodology.

Planning Regions in The State Comprehensive Outdoor Recreation Plan	
Region	Counties in the Region
The Islands	Island and San Juan Counties
Peninsulas	Clallam, Jefferson, Kitsap, and Mason Counties
The Coast	Grays Harbor, Pacific, and Wahkiakum Counties
North Cascades	Chelan, Kittitas, Okanogan, Skagit, Snohomish, and Whatcom Counties
Seattle-King	King County (including the City of Seattle)
Southwest	Clark, Cowlitz, Klickitat, Lewis, Pierce, Skamania, and Thurston Counties
Northeast	Ferry, Pend Oreille, Spokane, and Stevens Counties
Columbia Plateau	Adams, Douglas, Grant, and Lincoln Counties
South Central	Benton, Franklin, Walla Walla, and Yakima Counties
The Palouse	Asotin, Columbia, Garfield, and Whitman Counties

Responsive Management obtained a minimum of 300 completed telephone interviews in each region. Within each region, results were weighted by demographic characteristics so that the sample was representative of residents of that region when it was reported in the SCORP. For statewide results, Responsive Management weighted each region to be in proper proportion to the state population as a whole.

The SCORP defined motorized and non-motorized boating differently than RCO's grant programs. In the SCORP, motorboats do not include sailboats or personal watercraft and non-motorized boats do not include sailboats or whitewater rafts. These alternative definitions of motor and non-motorized boating are used below in the data section of this plan.

In addition, this plan uses data from the *Washington Boater Needs Assessment* conducted by Responsive Management in 2007. This study was conducted on behalf of the Recreation and Conservation Office to determine the needs of Washington boaters and priorities for allocating resources. The Washington State Legislature authorized the assessment in Substitute House Bill 1651. The study entailed focus groups of boating services providers and telephone surveys of boating service providers, the public in Washington, and registered boaters in Washington.

The data obtained from boaters in both surveys used in this plan represent all types of boats for all boaters 18 years or older.

Economic Contribution of Boating

Annually, people spend about \$4.5 billion on recreational boating in Washington State (Table 2). This makes recreational boating the second highest in expenditures when compared to other forms of outdoor recreation, behind only wildlife viewing and photography.

Recreational boating makes up almost 11 percent of all expenditures for outdoor recreation in Washington State.² Trip-related expenditures are the total spent on boating, including equipment, travel and lodging, entrance fees, and food and beverages. Trip-related expenditures do not include expenses related to boat fuel or launch and moorage fees.

Table 2: Annual Expenditures for Recreational Boating in Washington State (2014 Dollars)³

Type of Boating Activity	Trip-Related Expenditures	Equipment Expenditures	Total Expenditures
Motor-boating	\$1,648,673,371	\$2,186,800,000	\$3,835,473,371
Non-motorized boating	\$578,668,526	\$9,759,968	\$588,428,495
Rafting	\$42,323,278	\$9,759,968	\$52,083,246
Total Boating Expenditures	\$2,269,665,175	\$2,206,319,937	\$4,475,985,112

How Many People Go Boating for Recreation?

Thirty-six percent, 2.4 million,⁴ of Washington residents participate in boating for recreational purposes (Figure 1).⁵ Washington's participation rate is slightly higher than the national participation rate of 33 percent reported by the National Marine Manufacturers Association.⁶

The most popular type of boating is motor-boating,⁷ with nearly 1.7 million Washington residents, or around 25 percent of the state population participating. Eleven percent, or 740,000, of Washington

² Earth Economics, [Economic Analysis of Outdoor Recreation in Washington State](#) (2015) 69.

³ Ibid.

⁴ Based on US Census data from 2010.

⁵ Recreation and Conservation Office, [Outdoor Recreation in Washington State: The 2013 State Comprehensive Outdoor Recreation Plan](#) (SCORP), 161.

⁶ National Marine Manufacturers Association, *Recreational Boating Industry Trends*, December 2011.

⁷ In the 2013 SCORP, "motor-boating" does not include use of personal watercraft.

residents use non-motorized boats;⁸ 5 percent, or 34,000, use personal watercraft; 4 percent, or 270,000, go sailing; and 3 percent, or 200,000, raft whitewater.

In the past 10 years, the relative rank of Washington resident participation in non-motorized boating increased while the relative rank of motor-boating and personal watercraft use slightly decreased.⁹ There was no marked difference in the rank for sailing or whitewater rafting.

In terms of frequency, boaters, other than whitewater rafters, participate in boating an average of 15 days a year. Whitewater rafters participate in rafting an average of 6 days a year.¹⁰

While the overall participation rate for all boating recreation is 36 percent, participation rates vary by planning regions as described above (Figure 2).¹¹

⁸ In the 2013 SCORP, "non-motorized boating" does not include sailing or whitewater rafting. It also does not include other water-related activities such as surfboarding, wind surfing, water skiing, inner tubing or floating.

⁹ 2013 SCORP, 74-75. Because of differences in the survey methodology between the last three SCORPs, a direct comparison of the recreational boating participation rates over time is not possible; however, a comparison of the relative rank of each activity can be made.

¹⁰ 2013 SCORP, 19.

¹¹ Responsive Management, Results of General Population Survey in Support of the Development of the Washington State Comprehensive Outdoor Recreation Plan, (2012).

Figure 1: Washington State Resident Participation Rates in Recreational Boating, by Type of Boat

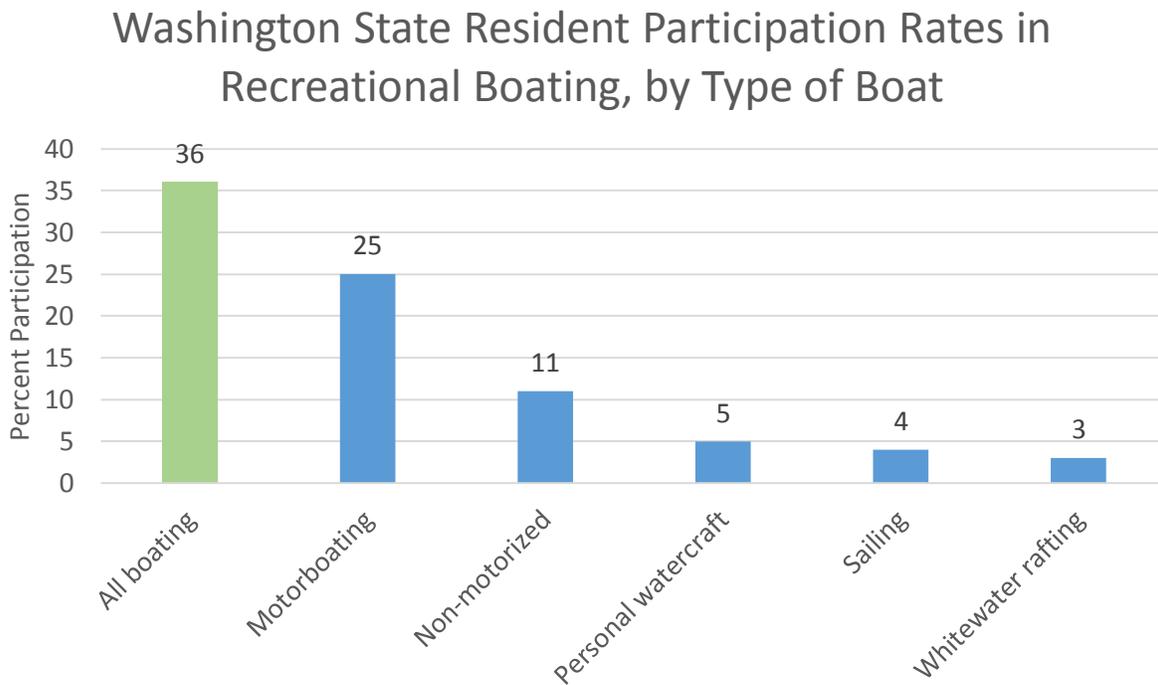
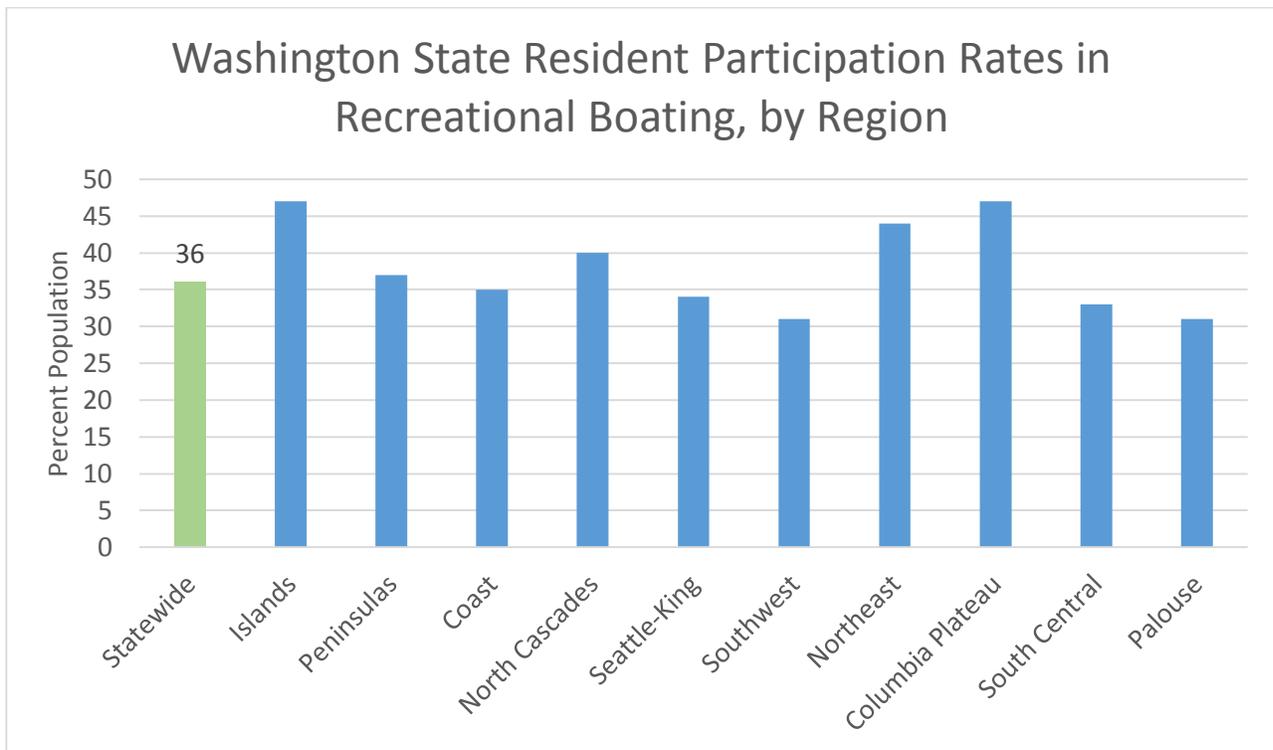


Figure 2: Washington State Resident Participation Rates in Recreational Boating, by Region



How Popular is Boating Compared to Other Types of Recreation?

Compared to other types of outdoor recreation, boating activities rank in the middle range in popularity among Washington residents (Table 3).¹²

Table 3: Rank of Boating Activity Compared to Other Outdoor Recreation Activities in Washington State

Type of Boating Activity	Percent of Washington Residents Participating	Rank Compared to All Outdoor Recreation
Motor-boating	25.8 percent	22 nd
Non-motorized boating	11.1 percent	29 th
Riding personal watercraft	5.2 percent	46 th
Sailing	3.5 percent	52 nd
Whitewater rafting	2.8 percent	56 th

Who Goes Boating?

Ownership

Not all boaters own boats. For those boaters surveyed, 58 percent of boaters own a boat and 42 percent do not. Of those who own boats, 44 percent registered their boats with the Washington Department of Licensing and 14 percent did not.¹³ In Washington State, all boats 16 feet or more in length or with 10 or more horsepower must be registered.

Gender

Boaters in Washington State are primarily male. When compared to other types of outdoor recreation, the gender gap in participation for boating ranks fourth (behind fishing or shell fishing, hunting or shooting, and golf). Forty-two percent of the male population in Washington participates in boating, compared to 29 percent of females (Figure 3). The majority of the gender difference is in motor-boating, with participation by 30 percent of the male population compared to 19 percent of females. There is less of a gender gap in participation for other types of boating such as sailing, riding personal watercraft, non-motorized boating and whitewater rafting (less than 5 percentage points difference).¹⁴

Ethnicity

Thirty-seven percent of Washington residents who identify themselves as white go boating, compared to 22 percent of non-white residents (Figure 4). This is the largest difference between white and non-white participation rates of any outdoor recreation activity for which data was available. The majority of the difference is in motor-boating and non-motorized boating. There is less of a difference in ethnicity

¹² 2013 SCORP, 48-49.

¹³ Responsive Management, *Washington Boater Needs Assessment: Data Summary* (2007), 5.

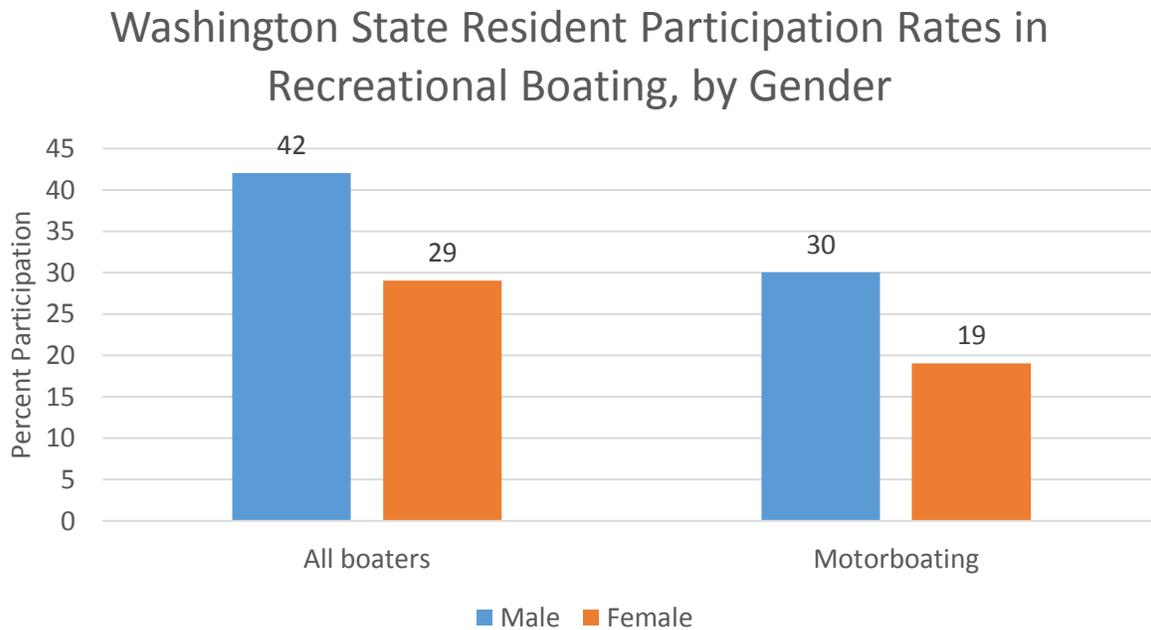
¹⁴ 2013 SCORP, 64; supplemented with additional data received from Responsive Management, 2014.

for other types of boating such as sailing, riding personal watercraft, and whitewater rafting (less than 5 percentage points difference).¹⁵

Age

The adult boating population in Washington is distributed across age groups, with the majority of boaters between the ages of 25-54 (Figure 5).¹⁶ Motor-boaters tend to be slightly younger than other types of boaters.¹⁷

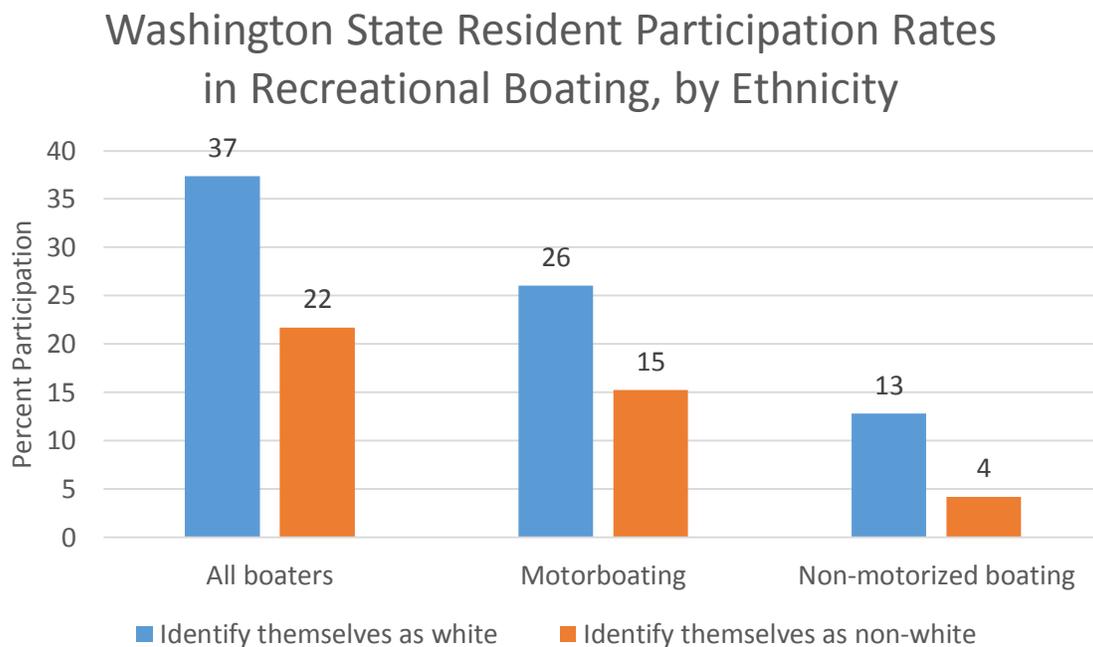
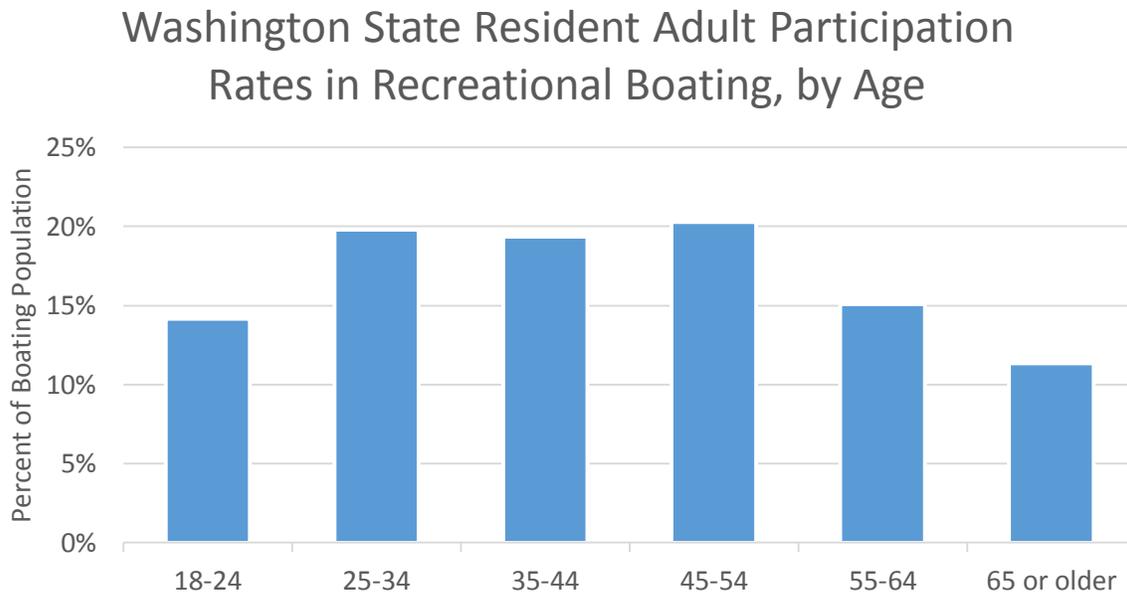
Figure 3: Washington State Resident Participation Rates in Recreational Boating, by Gender



¹⁵ 2013 SCORP, 66. According to the SCORP, non-white survey participants “included black/African-American, Hispanic/Latino, Native Americans, Asians, and other ethnicities.”

¹⁶ Data received from Responsive Management, 2014.

¹⁷ 2013 SCORP, 65. motor-boating excludes personal watercraft.

Figure 4: Washington State Resident Participation Rates in Recreational Boating, by Ethnicity**Figure 5: Washington State Resident Adult Participation Rates in Recreational Boating, by Age**

Motivation

In the boater needs assessment, boaters said they boated for relaxation (49 percent), fishing (29 percent), to be with friends and family (26 percent), for general recreation (14 percent), and to be close to nature (11 percent).¹⁸

¹⁸ Responsive Management, *Washington Boater Needs Assessment: Data Summary* (2007), 10.

Where do People Go Boating?

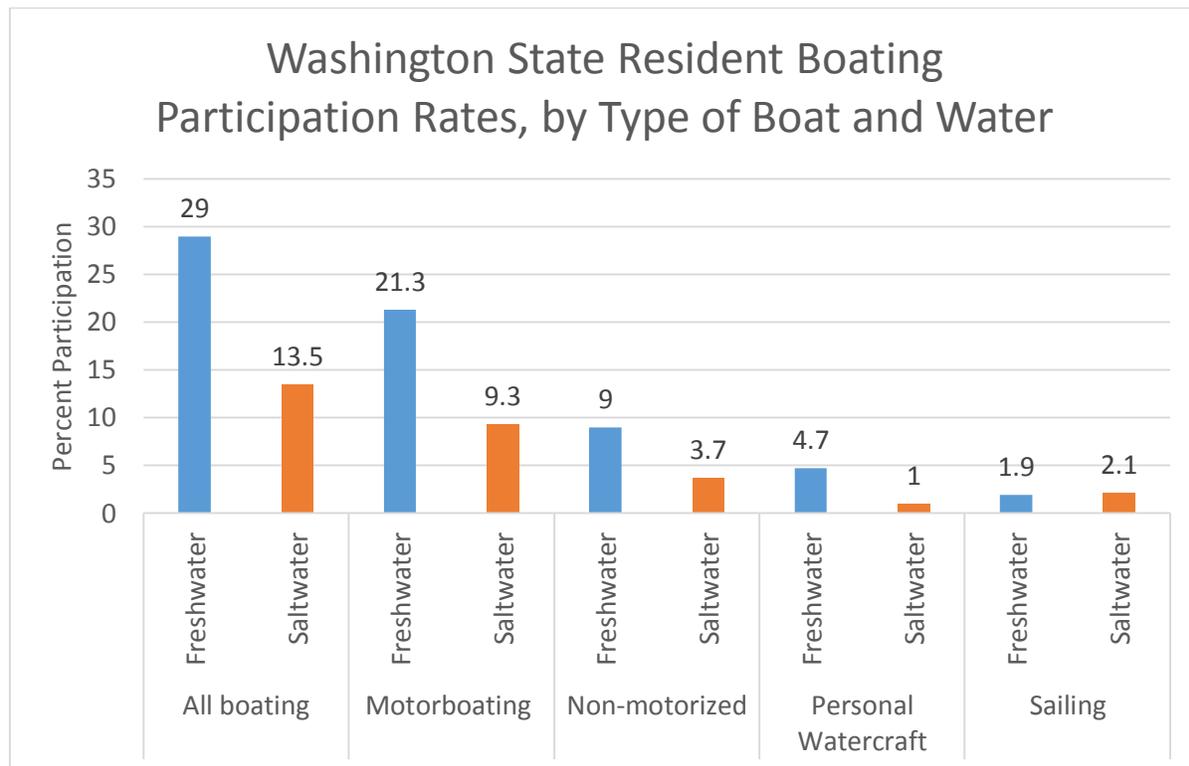
Fresh versus Saltwater

Overall, more than twice as many boaters in Washington State recreate in freshwater compared to saltwater (Figure 6).¹⁹ More than 6 percent boat in both freshwater and saltwater.²⁰

Body of Water

When measured by days boated in the past two years (2007 survey), most boating occurred in freshwater: Columbia River (12.7 percent), Lake Washington (8.7 percent), Lake Roosevelt (3.5 percent), and the Snake River (2.2 percent).²¹ However, as a specific destination, Puget Sound was the most popular body of water (25 percent of the days boated).

Figure 6: Washington State Resident Boating Participation Rates, by Type of Boat and Water



Location

A majority of boaters (62 percent) went boating where they lived in the previous 2 years. King County leads the way in the most days where boaters went boating (18.4 percent boated the most days there), followed by Pierce County (8.2 percent), Snohomish County (6.6 percent), Clark County (4.4 percent), and San Juan County (4.3 percent).²²

¹⁹ 2013 SCORP, 161.

²⁰ 2013 SCORP, 161. This total was calculated by aggregating the total participation rate of saltwater and freshwater boaters and subtracting the total participation rate of all boaters.

²¹ Responsive Management, *Washington Boater Needs Assessment: Data Summary* (2007), 8.

²² Responsive Management, *Washington Boater Needs Assessment: Data Summary* (2007), 7.

What Types of Facilities Do Boaters Use?

Twenty-three percent of Washington residents use a boat launch ramp and 8 percent use a marina.²³

Boaters ranked the management of existing ramps ahead of the development of new launch ramps in terms of importance for boaters. Similarly, boating service providers also ranked management of existing ramps ahead of development of new launches.²⁴ Improved parking and launch ramps also were cited as priorities by boaters and boating service providers.²⁵

What Size are Motorboats and Sailboats?

More than four times as many Washington residents motorboat in boats less than 26 feet in length compared to boats longer than that. For sailboats, the lengths are more evenly distributed (Figure 7).²⁶ Similarly, 96 percent of boats registered in 2012 were less than 26 feet in length.²⁷

What Other Activities Involve Boating?

Almost 19 percent of Washington residents fish from a private boat and 3 percent fish using a guide or charter boat.²⁸ Almost 5 percent of Washington residents camp with or in a boat.²⁹

Boaters said they did the following activities while boating: fishing (53 percent), sightseeing and fish and wildlife viewing (35 percent), water skiing (19 percent), relaxing or entertaining friends (17 percent), being with family and friends (17 percent), and water tubing (15 percent).

Are Boaters Satisfied with their Boating Experience?

There is a high level of satisfaction among boaters concerning the opportunities to go boating and the facilities available: 86 percent were highly satisfied or satisfied with the facilities for boating in Washington State and 90 percent were highly satisfied or satisfied with the opportunities for boating in Washington State.³⁰ A large majority of boaters (72 percent) indicated that access issues, such as crowding at boat launch ramps, had taken away from their boating satisfaction.

²³ 2013 SCORP, 161.

²⁴ Management, Washington Boater Needs Assessment: Data Summary (2007), 33.

²⁵ Responsive Management, Washington Boater Needs Assessment: Data Summary (2007), 34.

²⁶ 2013 SCORP, 161. Results for motorboats do not include personal watercraft because the data was not available. Results do not include non-motorized boating because the data was not available.

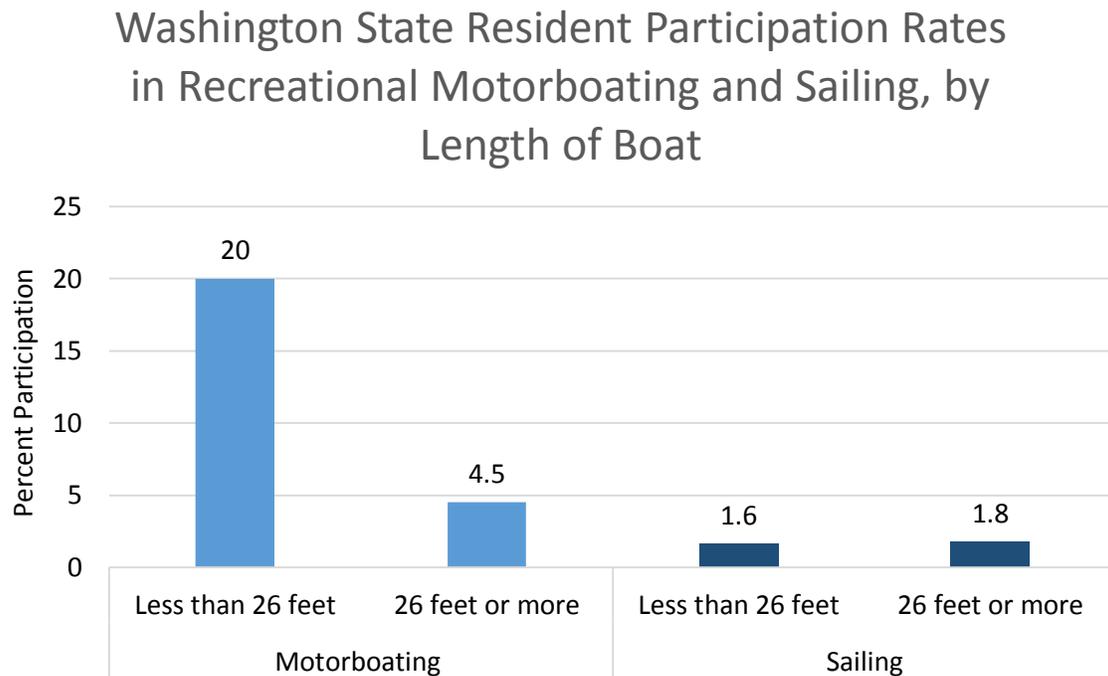
²⁷ Washington Department of Licensing and Washington Sea Grant Program

²⁸ 2013 SCORP, 160.

²⁹ 2013 SCORP, 163.

³⁰ Responsive Management, Results of General Population Survey in Support of the Development of the Washington State Comprehensive Outdoor Recreation Plan (2012), xv. Results do not include whitewater rafters because the data was not available.

Figure 7: Washington State Resident Participation Rates in Recreational Motor-boating and Sailing, by Length of Boat



Who Else Wants to Go Boating?

Of the Washington residents that do not go boating, almost 6 percent said they would like to canoe or kayak and the same percentage of people said they would like to boat generally (Figure 8).³¹ These rank sixth and eighth, respectively, out of all of the outdoor recreation activities identified. More than 4 percent of Washington residents who already go boating desire to boat more (Figure 9).³²

³¹ 2013 SCORP, 72.

³² 2013 SCORP, 73.

Figure 8: Percent of Washington Residents who would like to Participate in an Outdoor Recreation Activity

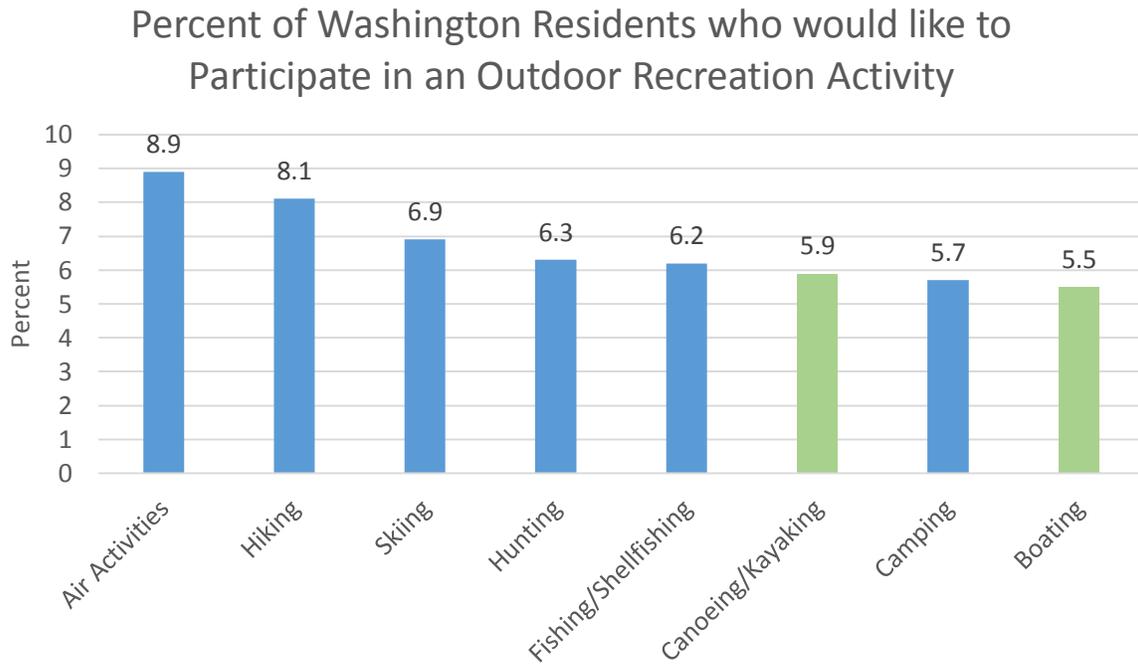
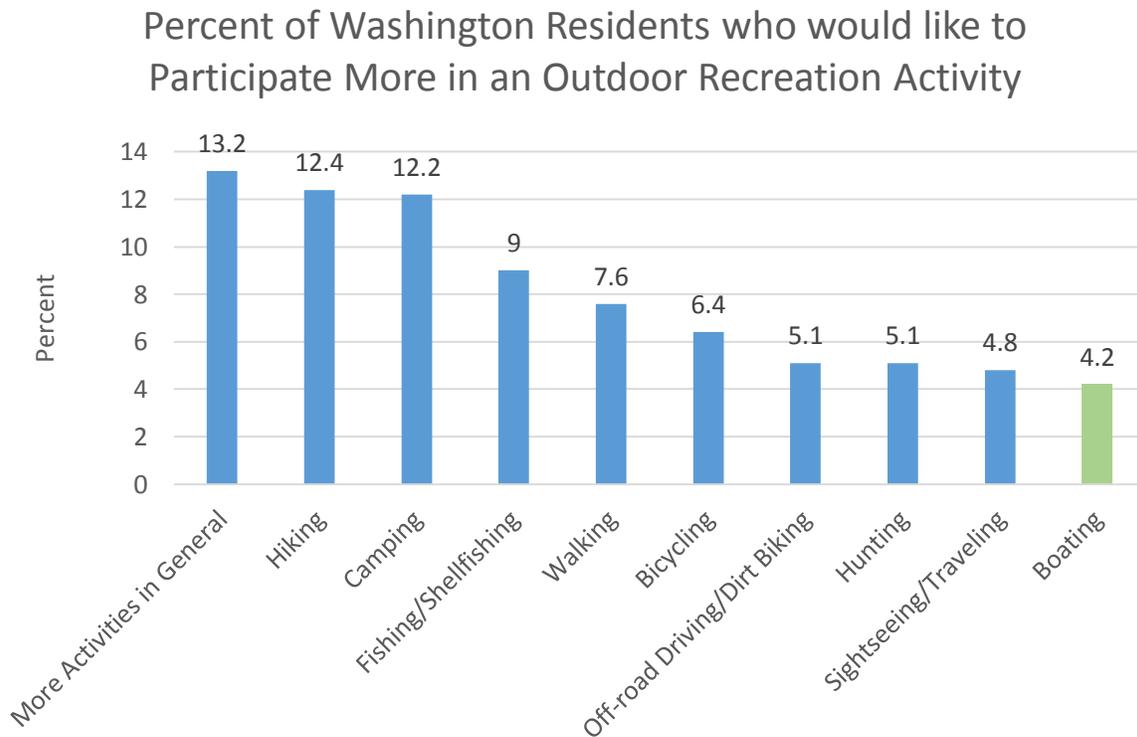


Figure 9: Percent of Washington Residents who would like to Participate More in an Outdoor Recreation Activity



Summary of Data and Findings

Highlights of the data and findings are:

- One out of three residents in Washington State boat during the year.
- Boating ranks in the middle range in popularity among Washington residents compared to other types of outdoor recreation.
- More people boat in freshwater than saltwater, and in boats less than 26 feet in length.
- More men boat than women, more white people boat than non-white people, and most boaters are around the age of 46.
- During the past 10 years, non-motorized boating increased in popularity.
- Non-motorized boating does not have a significant difference between the gender and age of the participant.
- Boating is one of the most expensive types of outdoor recreation, particularly motor-boating, which ranks second only to wildlife viewing for its economic contribution to the state.
- Overall, existing boaters are satisfied with the boating facilities and opportunities in Washington State.

IV. Actions to Support the Boating Grant Programs

As previously stated in Section I, the purpose, goal and objective of this plan are to:

Purpose	Guide the Recreation and Conservation Funding Board’s grant funding for boating facilities and providing boating program services.
Goal	Align grant funding with current recreational boating interests and needs.
Objective	Fund boating facilities to support statewide trends and reflect local priorities.

To accomplish the above, the Recreation and Conservation Funding Board will implement the actions in Table 4 to support boating in Washington State.

Table 4: Strategies and Actions to Support the Recreation and Conservation Funding Board Boating Grant Programs

Strategy	Action
1 – Fund construction of boating facilities to address the most important boater needs and the most popular types of boating.	1A – Revise grant program evaluation criteria to give a priority to projects that address boater needs and boating participation rates.
2 – Define grant programs’ priorities to fund different types of boating facilities in different grant programs.	2A – Emphasize consistency with funding sources when determining boating grant programs’ priorities. 2B – Allow for compatible uses of boating facilities only if the use does not impair or displace the primary boating use of the grant program. 2C – Support facilities for transient public recreational boating uses.
3 – Support stewardship and retention of current boating infrastructure.	3A – Encourage projects that maximize the efficient use of existing boating sites and facilities. 3B – Encourage projects that use design standards and construction techniques that maximize the service life of the facility and minimize maintenance.
4 – Promote Infrastructure Projects and Construction practices that reduce environmental impacts.	4A – Give priority funding to projects that satisfy user needs in an environmentally responsible manner. 4B – Adopt the Recreation and Conservation Funding Board’s policy on sustainability in all its boating grant programs. 4C – Support actions related to invasive species prevention and control in the Invasive Species Council’s Strategic Plan.

Strategy	Action
5 – Provide accurate and timely information to boaters.	5A – Maintain and improve the Washington Water Cruiser. 5B – Maintain the boat.wa.gov Web site. 5C – Participate in the Washington Boaters Alliance. 5D – Participate in education and training seminars.
6 – Work cooperatively with other state agencies to improve boating programs and services.	6A – Coordinate and participate in the Agency Boating Committee. 6B – Work with other State Agencies to Address Control and Tenure Requirements. 6C – Participate in Other State Agency Boating Committees.

Strategy 1 - Fund Construction of Boating Facilities to Address the Most Important Boater Needs and the Most Popular Types of Boating.

Action 1A - Revise grant program evaluation criteria to give a priority to projects that address boater needs and boating participation rates.

The Recreation and Conservation Funding Board will revise its grant program evaluation criteria for the 2016 grants to reflect the data in this plan. For example, the board should consider whether grant funding should be prioritized based on the information that most boating occurs on freshwater in boats less than 26 feet in length and that non-motorized boating is increasing in popularity. The board could also include evaluation criteria to encourage funding projects that will meet the needs of underserved communities such as non-whites and women.

Strategy 2 - Define Grant Programs' Priorities to Fund Different Types of Boating Facilities in Different Grant Programs.

Action 2A – Emphasize consistency with grant funding sources when determining boating programs' priorities.

Each grant program will strive to fund boating facility projects that are consistent with the source of funds that support the program. The Recreation and Conservation Funding Board accomplishes this objective by adopting policies to guide the funding priorities in each grant program. The board will revisit grant program eligibility and priorities on a biennial basis to ensure this consistency. The board will also consider revising grant program priorities to reduce redundancy in funding opportunities. For example, the board could consider giving funding preference to water trails in the Water Access category of the Washington Wildlife and Recreation Program. The board will make clear when specific elements are not eligible in specific funding sources. A summary of each grant program's priorities for the boating community are in Table 5.

Table 5: Recreation and Conservation Funding Board Boating Grant Programs and Types of Boats Served

Grant Program	Types of Boats Served
Aquatic Lands Enhancement Account	Motorized up to 10 horsepower and non-motorized boats ³³
Boating Facilities Program	Motorized boats ³⁴
Boating Infrastructure Grant	Motorized boats 26 feet or more in length ³⁵
Nonhighway and Off-Road Vehicles Activities - Nonhighway Road Category	Non-motorized boats at sites accessed via a non-highway road ³⁶
Recreational Trails Program	Motorized and non-motorized boats using water trails in a backcountry experience ³⁷
Washington Wildlife and Recreation Program - Water Access and Trails Category	Non-motorized boats ³⁸
Washington Wildlife and Recreation Program – Local Parks, State Lands Development and Renovation, and State Parks Categories	Motorized and non-motorized boats ³⁹
Land and Water Conservation Fund	Motorized and non-motorized boats ⁴⁰

Action 2B – Allow for compatible uses of boating facilities only if the use does not impair or displace the primary boating use of the grant program.

While boating facilities are primarily for the intended users in the grant program, public use of a facility by other types of recreationists, including non-boating recreationists, is allowed as long as it does not impair or displace the targeted boating community in that grant program. For example, it is compatible to allow non-motorized use or fishing use of a motorized boating facility as long as the non-motorized use or fishing use does not impair or displace the motorized boating use at the facility. In this example, the non-motorized use and fishing use is a secondary or minimal benefit to the public because of the motorized boating project.

³³ *Manual 21: Aquatic Lands Enhancement Account Grant Program* (March 1, 2014).

³⁴ *Manual 9: Boating Facilities Program* (March 1, 2014).

³⁵ Code of Federal Regulations Section 86.11

³⁶ *Manual 14: Nonhighway and Off-Road Vehicles Activities Program* (May 1, 2014)

³⁷ *Manual 16: Recreational Trails Program* (May 1, 2014)

³⁸ *Manual 10a: Washington Wildlife and Recreation Program – Outdoor Recreation Account* (March 1, 2014)

³⁹ Ibid

⁴⁰ *Manual 15: Land and Water Conservation Fund* (March 1, 2014)

Allowing compatible uses of publicly funded boating facilities to conserve government budget and resources while protecting the facilities' primary uses. The board will adopt policies that allow for compatible use of boating sites and require pro-rating costs to ensure consistency with Action 2A. The board will also consider adding a preference in the evaluation criteria to on the importance of active site management in order to avoid user conflicts when sites have multiple uses.

Action 3C – Support facilities for transient public recreational boating uses.

Facilities supported by Recreation and Conservation Funding Board grants must be available for the “transient” use by the general boating public. The Recreation and Conservation Funding Board defines transient use as a maximum of 14 consecutive days of moorage.⁴¹

Strategy 3 - Support Stewardship and Retention of Current Boating Infrastructure

Action 5A – Encourage projects that maximize the efficient use of existing boating sites and facilities.

Boating grant programs should focus on maximizing the efficient use of the existing facilities rather than the acquisition of land for and construction of new facilities. Use of existing sites avoids time-consuming and costly land acquisition. Renovation can extend facility service life and reduce need for costly maintenance and repairs. To the extent practicable, the board will consider a preference for projects that includes public-private partnerships in site construction and management. This action is consistent with recommendations in the boater needs assessment that prioritized funding to maintain existing boating facilities rather than build new ones.⁴²

Action 3B – Encourage projects that use design standards and construction techniques that maximize the service life of the facility and minimize maintenance.

Projects often may incorporate design elements and construction standards that reduce maintenance. Adequate consideration of maintenance during the design phase can result in long-term savings that far outweigh most short-term construction cost increases.

Strategy 4 - Promote Infrastructure Projects and Construction Practices that Reduce Environmental Impacts

Action 4A – Satisfy user needs in an environmentally responsible manner.

In making funding available to facility providers, RCO recognizes its responsibility as a partner in the stewardship of the natural environment. To this end, RCO will work cooperatively with regulatory and permitting agencies to address environmental issues at the grant program level. For example, RCO will work with the Department of Natural Resources as a propriety steward of state-owned aquatic lands to ensure applications are consistent with that agency's management directives and its *Aquatic Lands Habitat Conservation Plan*, if adopted. RCO also will work with Washington State Parks and Recreation Commission to coordinate needs for funding boating pump out facilities. RCO's grant sponsors must

⁴¹ The United States Fish and Wildlife Service defines transient moorage as ten days or less for the Boating Infrastructure Grant program.

⁴² Responsive Management, Washington Boater Needs Assessment: Data Summary (2007), 33.

ensure funded projects meet regulatory and permit requirements. This objective is in response to a recommendation to consider environmental issues when administering boating programs.⁴³

Action 4B – Apply the Recreation and Conservation Funding Board’s policy on sustainability in all its boating grant programs.

In 2014, the Recreation and Conservation Funding Board adopted an evaluation criterion to address sustainability and applied it to the following grant programs in which boating activities are eligible for funding:

- Land and Water Conservation Fund
- Nonhighway and Off-Road Vehicles Activities
- Recreational Trails Program
- Washington Wildlife and Recreation Program categories:
 - Local Parks
 - State Lands Development
 - State Parks
 - Trails
 - Water Access

The Recreation and Conservation Funding Board will consider adding an evaluation criterion on sustainability to the Boating Facilities Program and Boating Infrastructure Grants program. The evaluation criteria for the Aquatic Lands Enhancement Account grant program already addresses sustainability. Specific efforts toward sustainability include improving water quality by upgrading restrooms, providing education signage about oil spill prevention from recreational boats, rewarding participation in the Clean Marina program, and implementing best management practices as described in the state’s *Aquatic Habitat Guidelines*.

Action 4C – Support actions related to invasive species prevention and control in the Invasive Species Council’s Strategic Plan.

The Washington State Invasive Species Council provides coordination for combating harmful invasive species throughout the state and preventing the introduction of others that may be potentially harmful. The council will adopt a new strategic plan in 2015. RCO will work with the council to incorporate specific strategies that prevent the spread of invasive species at boating facilities in RCO’s grant programs. RCO also will recommend policy changes to the Recreation and Conservation Funding Board in response to the new strategic plan, as appropriate. This objective is in response to a recommendation to consider environmental issues when administering boating programs.⁴⁴

Strategy 5 - Provide Accurate and Timely Information to Boaters.

Action 5A – Maintain and improve the Washington Water Cruiser.

In 2013, RCO launched the Washington Water Cruiser to provide the recreational boating community with a resource to locate boating facilities and services. This application, available on a Web site and through a mobile application, was in direct response to a recommendation to create a digital map of

⁴³ Responsive Management, *Washington Boater Needs Assessment: Data Summary* (2007), 41.

⁴⁴ Responsive Management, *Washington Boater Needs Assessment: Data Summary* (2007).

public boating facilities statewide.⁴⁵ RCO will seek partners and sponsors to assist with storage costs, maintenance of the application and updating the data during the next 3 years.

Action 5B – Maintain the boat.wa.gov Web site.

In 2009, RCO launched the boat.wa.gov Web site to provide the recreational boating community with a centralized place to find boating related information such as boat registration, boating laws and education, fishing licenses, moorage and launch sites, weather, and tide information. RCO created the Web site in response to recommendations to increase communications with recreational boaters through a cross-agency Web portal.⁴⁶ RCO will continue to maintain this Web site for the next 5 years and regularly update information in coordination with other state agencies.

Action 5C – Participate in the Washington Boaters Alliance.

RCO will participate actively in the Washington Boaters Alliance as a non-voting member. The mission of the Washington Boating Alliance, an all-inclusive alliance of boating-related organizations, is to develop, advance, and implement consensus positions and proposals to enhance the recreational boating experience in Washington. RCO participates in the alliance to share information with the recreational boating community and learn about emerging issues and concerns from recreational boaters.

Action 5D – Participate in education and training seminars.

RCO will participate actively in educational and training seminars for the recreational boating community hosted by other organizations such as the Washington State Parks and Recreation Commission, Washington Boater Alliance, and the Northwest Marine Trade Association. The focus of this effort is to foster communication between RCO and boaters and to receive feedback from a broad audience. This goal is in response to a recommendation to participate in regular conferences about recreational boating services.⁴⁷

Strategy 6 – Work Cooperatively with other State Agencies to Improve Boating Programs and Services.

Action 6A – Coordinate and participate in the Agency Boating Committee.

RCO will coordinate regular meetings of the Agency Boating Committee. In 2008, the state agencies created this committee in response to recommendations for better coordination.⁴⁸ The committee is comprised of staff members from Department of Fish and Wildlife, Department of Licensing, Department of Natural Resources, State Parks and Recreation Commission, and RCO. Agencies use this forum to coordinate boating programs, grant opportunities, and services targeted to the recreational boating community.

Action 6B – Work with other State Agencies to Address Control and Tenure Requirements

⁴⁵ Ross & Associates Environmental Consulting, Improving Coordination of State Services to Recreational Boaters, (2008).

⁴⁶ Responsive Management, Washington Boater Needs Assessment: Data Summary (2007), 39, and Ross & Associates, 2008.

⁴⁷ Ross & Associates Environmental Consulting, Improving Coordination of State Services to Recreational Boaters, (2008).

⁴⁸ Responsive Management, Washington Boater Needs Assessment: Data Summary (2007), 36, and Ross & Associates Environmental Consulting, Improving Coordination of State Services to Recreational Boaters, (2008).

RCO will engage with other state agencies who own or management state lands to develop guidelines on control and tenure requirements for boating projects that occur on state lands. The board will consider whether control and tenure requirements need to be revised to meet grant program objectives, funding requirements, and other state proprietary needs.

Action 6C – Participate in Other State Agency Boating Committees

RCO will participate in other state boating committees as requested such as the Boating Program Advisory Council coordinated by the Washington State Parks and Recreation Commission.

V. Recommendations for the Future

Recommendations for the Future

The ideas that follow would further assist and guide the Recreation and Conservation Funding Board in making funding decisions based on current needs and trends in recreational boating. The board will consider implementing these recommendations as time and funding allow.

Update the Boater Needs Assessment

To understand the boating population and the types of facilities they need, the Recreation and Conservation Funding Board should prepare a boater needs assessment periodically, perhaps once every 5 years in conjunction with the SCORP survey. The needs assessment would assist the Recreation and Conservation Funding Board with identifying funding priorities for its grant programs. The Recreation and Conservation Funding Board produced an initial assessment in 2007 in response to a legislative mandate, Revised Code of Washington 79A.60.680.⁴⁹ A new assessment in 2017 would provide an update on boater needs in advance of or in conjunction with the next State Comprehensive Outdoor Recreation Plan. Specific data needs could include a needs assessment for boating groups by the length of the vessel, by specific water bodies, by fishing and other activities while boating, and the location of facilities in urban and rural locations. Data collected could also distinguish how many boaters participate in both motorized and non-motorized boating.

Inventory Boating Facilities

To further enhance the information in a boater needs assessment as well as in the Washington Water Cruiser, RCO should conduct an inventory of all public recreational boating facilities, motorized and non-motorized by 2017. A more robust inventory is responsive to a recommendation for RCO to create a statewide map of public boating facilities.⁵⁰ Such an inventory may be accomplished in partnership with other state agencies, private organizations, and boaters. The inventory would include all public motorized and non-motorized boat launches, access sites, transient moorages, buoys, and supporting facilities such as restrooms, pump outs, parking lots, camping and fishing facilities, and laundry services. Either this inventory can be generated through crowd sourcing in the Washington Water Cruiser Application (Strategy #1A) or as a separate inventory that is integrated into the application later.

Explore Non-motorized Boating

Paddle sport popularity is increasing, but there is sparse data available to understand this type of recreation. Non-motorized boaters do not need to obtain a Boater Safety Card nor are their vessels

⁴⁹ Responsive Management, Washington Boater Needs Assessment: Data Summary (2007).

⁵⁰ Ross & Associates Environmental Consulting, Improving Coordination of State Services to Recreational Boaters, (2008).

registered through the Department of Licensing. Therefore, it is difficult to estimate the number of non-motorized boats available. RCO will work with other state agencies, boating organizations, and recreation and maritime industries to collect information and data on non-motorized boating. In addition, RCO will incorporate additional non-motorized data collection in the boater needs assessment and the next State Comprehensive Outdoor Recreation Plan.

Update the Boating Plan with SCORP

The State Comprehensive Outdoor Recreation Plan (SCORP) is the source of much of the data in this plan. RCO updates SCORP every 5 years to meet certain federal grant program requirements. The next SCORP is due in 2019. To streamline RCO's planning efforts and better utilize the SCORP framework, the next Boating Grant Programs Plan will be produced in conjunction with the next SCORP in 2019.

Support Water Trails

Water trails are important trail systems that allow boaters to explore, find shelter, and rest. The State Trails Plan includes a recommendation to develop more water trails and encourage them in a designated statewide trail system. The Recreation and Conservation Funding Board should work to connect the links between this Boating plan and the State Trails Plan and work with other state agencies and local organizations to incorporate water trails into a state trails system.

Address Climate Change

The Recreation and Conservation Funding Board should assess how to address climate change within its boating grant programs. For example, rising sea levels may affect projects proposed along the coast or Puget Sound. The Recreation and Conservation Funding Board should develop mechanisms to engage project sponsors and boaters in this discussion to ensure facilities constructed with grant funds can withstand changes over time due to climate change.

Develop Boating Grant Program Measures

The Recreation and Conservation Funding Board should develop specific program measures for its boating programs to track progress toward meeting the most important needs identified by boaters and service providers. Data collected with each grant project should have the ability to be cumulative to communicate the types of boating facilities funded across grant programs.

Appendix A – State Agency Boating Programs

The following state agencies administer their respective boating programs as assigned by the Governor or State Legislature.

Recreation and Conservation Office

Boating Activities Program
Boats.wa.gov Web Site
Washington Water Cruise
Washington State Invasive Species Council

Washington State Parks

State Parks, Boat Ramps, Marine Parks and Mooring Buoys
Mandatory Boater Education Law
Washington State Boater Education Card
Life Jacket Loaner Program
Marine Law Enforcement Education Program
Clean Vessel Program

Washington Department of Fish and Wildlife

Water Access Sites, Boat Ramps, and State Wildlife Areas
Fishing and Shellfishing Regulations
Hydraulic Code Permits
Invasive Species Enforcement and Education

Washington Department of Natural Resources

Port Management Areas on State Aquatic Lands
Derelict Vessel Removal Program

Washington State Department of Licensing

Vessel Registration and Renewal

Local Law Enforcement

Boating Accidents Reports

Appendix B – Recreation and Conservation Funding Board Resolution

PLACEHOLDER - Insert final resolution adopted by the Recreation and Conservation Funding Board.

Appendix C – Definitions Used for Recreation and Conservation Funding Board Grant Programs

Boating – Unless otherwise noted, boating includes non-motorized and motorized recreational boating.

Non-motorized boats – Non-motorized boats includes all forms of paddle craft, sail only craft, and rowboats.

Motorized boats – Motorized boating includes gas, diesel, and electric powered boats, sailboats, and personal watercraft.

**Recreation and Conservation Funding Board
Resolution #2015-03
Boating Grant Programs Plan 2016**

WHEREAS, the Recreation and Conservation Funding Board (RCFB) funds boating facilities projects through multiple grant programs; and

WHEREAS, the RCFB has been entrusted with public funds to help pay for water access projects serving citizens who wish to enjoy the use of boats of all types; and

WHEREAS, it is in the best interests of the state that the RCFB administer grant programs and funds on a foundation of good data based on sound research, systematic analysis, and public involvement; and

WHEREAS, the Boating Grant Programs Plan has been developed according to these principles; and

WHEREAS, approving the plan supports the board's strategic plan to make strategic investments through policy development, grant funding, technical assistance, coordination, and advocacy;

NOW, THEREFORE, BE IT RESOLVED, that the board approves the Boating Grant Programs Plan for immediate use; and

BE IT FURTHER RESOLVED, that the director will review the plan after a five-year period and recommend to the board whether to revise or re-approve the plan.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Recreation and Conservation Funding Board Briefing Memo

APPROVED BY RCO DIRECTOR KALEEN COTTINGHAM

Meeting Date: April 9, 2015

Title: Conversion Request: City of Bellevue, Mercer Slough Phase 1 (RCO Project 73-026A) and Mercer Slough (RCO Project 78-513A)

Prepared By: Myra Barker, Compliance Specialist

Summary

The City of Bellevue and State Parks are asking the board to approve a conversion of 1.06 acres at Mercer Slough Nature Park. The conversion is due to the Sound Transit East Link light rail project, which will impact a portion of the western edge of the park.

The board was briefed on the proposed conversion in April 2014. The board was asked to approve the conversion request in October 2014. The board tabled the decision at that time pending additional information.

Board Action Requested

This item will be a:

- Request for Decision
- Request for Direction
- Briefing

Resolution: 2015-04

Purpose of Resolution: Approve or deny the conversion.

Summary of the October Meeting

The Recreation and Conservation Funding Board (board) tabled the conversion decision, Resolution 2014-32, at the October 2014 meeting. They requested additional information specifically regarding:

- the board's authority on a conversion and its ability to require reversionary rights on the proposed conversion areas;
- the characteristics and use of the proposed conversion areas;
- the legal challenges to the East Link light rail project that is creating the conversion; and
- the impact of the light rail on park use, the park's hydrology, vegetation, wetlands, and wildlife.

The City of Bellevue and Sound Transit provided the requested information on the conversion areas, alternatives considered, legal challenges, and impacts of the East Link light rail project on the park. The information may be found in Attachment A: Supplemental Information for the Conversion Request for Mercer Slough Nature Park.

The Role of the Board in Conversions

Because needs and values often change over time, federal law and board policy allow conversions of grant-funded property under carefully scrutinized conditions. If a Land and Water Conservation Fund (LWCF) or state-funded project is converted, the project sponsor must replace the converted interests in real property, structures, or facilities. The replacement must have at least equal market value and have reasonably equivalent recreation utility and location.

Under current policy¹, the board's role is to consider:

- if practical alternatives to the proposed conversion, including avoidance, have been evaluated on a sound basis,
- if the proposed replacement property is of equivalent value and utility, and
- if the public has had an opportunity to comment on the proposed conversion and replacement.

The board either approves a conversion or denies the request if the conditions above are not met to the board's satisfaction. The board does not have the ability to accept other types of mitigation, levy additional penalties or conditions, or dictate the future use of the property being converted.

Because one of the projects involved here was partially funded by the federal LWCF, the role of the board is to decide whether to recommend approval of the conversion to the National Park Service (NPS). To do so, the board:

- evaluates the list of practical alternatives that were considered for the conversion and replacement, including avoidance, and
- considers if the replacement property has reasonably equivalent recreation utility and location.

The NPS has the legal responsibility to make the final decision of whether or not to approve the conversion related to the LWCF project.

At the October meeting, the board discussed placing reversionary rights on the conversion areas.

Question: Does the board have the authority to require reversionary rights on the converted property?

Answer: Under current policy, adding a reversionary right would be an additional condition of approving the conversion and is beyond the authority of the board.

When a conversion is approved for an acquisition project, the Recreation and Conservation Office (RCO) deed of right is released on the converted property and is added to the replacement property. The converted property is no longer subject to Recreation and Conservation Funding Board policy.

Mercer Slough Nature Park and the Proposed Conversion Areas

Mercer Slough Nature Park is the largest of Lake Washington's remaining freshwater wetlands and serves as a regional park for the greater Puget Sound. It is also one of the City of Bellevue's largest parks, with over 320 acres of wildlife habitat, agriculture, and freshwater wetland ecosystems. The park offers about seven miles of trails, including a canoe trail and opportunities for environmental education and wildlife viewing. The public may access the park from five points on the eastern side of the park and from nine points on the western side of the park. The western access points include two watercraft launches.

¹ Manual 7, Long-Term Obligations

The East Link light rail system will impact board-funded sites in two separate locations: 1) on the western edge of the park adjacent to Bellevue Way SE, and 2) on the park's Periphery Trail, a wide sidewalk located within the street right-of-way. This will create a conversion of a total of 1.06 acres (Attachment B).

The North Conversion Area, funded with LWCF, is adjacent to the park's Periphery Trail, a wide sidewalk that separates the park from Bellevue Way SE. The north conversion area is approximately 35 feet in width and approximately 530 feet in length located in the northwest section of the park. The area is sloped and consists of cottonwoods, wetlands, blackberry vines, and an outfall from Wye Creek. The conversion area is visible from the sidewalk and from a kayak or canoe at the water level from the northwest corner of Mercer Slough.

The South Conversion Area, funded with state bonds, is also adjacent to the park's Periphery Trail. The south conversion area is approximately 35 feet in width and located approximately 170 feet south of the Winters House. The area provides pedestrian access into the park and a driveway that provides vehicular access to the blueberry farm. A portion of the Heritage Loop Trail, a compacted natural trail to the Winters House, and an A-frame residence are located within the conversion area. The undeveloped area consists of dense vegetation.

The conversion areas include both permanent acquisition and temporary construction easements. The temporary easements extend beyond the 180-day allowable timeframe,² thereby creating a conversion.

Each temporary construction easement area will be revegetated and landscaped when light rail construction is completed.

In addition to providing six acres of replacement property, the City of Bellevue's mitigation includes constructing a trail on the replacement property to link with the Mercer Slough Environmental Education Center and an interior park trail; construction of a boardwalk trail to replace a natural surfaced trail; and widening the Periphery Loop Trail and installing landscaped strips.

Additional maps, visuals of the conversions areas, and impacts of the light rail system on the conversion areas may be found in Attachment A, pages 3-15 through 3-27.

Responses to the Board's Questions

Responses to the board's questions regarding the alternatives considered and the impacts of Segment B of the East Link light rail on Mercer Slough Nature Park were provided by the City of Bellevue and Sound Transit (see Attachment A).

References to respective page numbers for additional information on each topic are provided as follows.

Question: Were practical alternatives, including alternatives B7 and B7R, a tunnel, and avoidance, evaluated and rejected for sound reasons?

Answer: The City of Bellevue participated in the alternatives analysis for the East Link Extension light rail project which was conducted by Sound Transit in compliance with the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA).

² LWCF and RCFB policy limits temporary non-conforming uses of funded sites to 180 days; exceeding 180 days creates a conversion (Manual 7: Long-term Obligations).

Sound Transit evaluated 8 alternatives for Segment B during the scoping phase, 5 alternatives during the Draft Environmental Impact Statement (EIS) process, and 6 alternatives during the Final EIS process.

Avoidance alternatives considered included:

- Locating the light rail within I-90,
- Locating the light rail west of the park through the Enatai residential neighborhood, and
- Locating the light rail on Bellevue Way SE.

The City of Bellevue concurred with the analysis conducted under Section 4(f) of the National Transportation Act on the use of publicly-owned parks, recreation areas, or wildlife and waterfowl refuges for federal transportation projects. (Attachment E).

A timeline of the alternatives considered in the environmental impact statement process may be found in Attachment A, page 2-4. Details and reasons for rejecting the alternatives B7 and B7R and a tunnel may be found on page 3-1 and for the avoidance alternatives on page 3-4. Information on the selected alternative, B2M, may be found on page 1-6.

Question: What were the legal challenges and outcomes?

Answer: The Final Environmental Impact Statement (EIS) was challenged under the State Environmental Policy Act and was upheld in King County Superior Court. The Final EIS was challenged under the National Environmental Policy Act and was upheld in the Western District of Washington, United States District Court. The Shoreline Substantial Development permit issued by the City of Bellevue and the Shoreline Variance permit issued by the Washington State Department of Ecology have been appealed to the Washington State Shorelines Hearing Board.

A timeline of the East Link light rail project scoping and environmental review, including the legal challenges to the project, may be found in Attachment A, page 2-3. Information on the legal challenges may be found in Attachment A, pages 3-5 to 3-6.

Question: What are the interim and long-term changes in use of the park?

Answer: Information on the pre-construction, construction, and post-construction closures and changes to access to the park and park facilities may be found in Attachment A, pages 3-7.

Question: What are the impacts of the light rail project to public access to the park and its facilities?

Answer: There are currently 14 access points to the park. Twelve access points are for pedestrian, bicycle, or vehicle parking and 2 access points are for watercraft access only.

A description and map of park access currently, during construction, and following construction may be found in Attachment A, pages 3-8 through 3-10.

Question: What are the hydrologic impacts of the light rail project?

Answer: An explanation of the trench design, and groundwater and stormwater flow into the slough may be found in Attachment A, page 3-11.

Question: What are the vegetation and wetlands impacts of the light rail project?

Answer: There are 148 trees that will be removed in the conversion areas and 543 trees will be removed in other areas of the park. Forty-three trees will be planted in the conversion areas and 2,830 trees will be planted in other areas of the park.

Details on the trees that will be removed and added may be found in Attachment A, pages 3-11 through 3-12.

The total amount of wetlands and wetland buffers in the conversion areas that are impacted is 0.91 acres. A total of 4.29 acres of wetlands and wetland buffers will be impacted in other areas of the park.

Details on the impacts to wetlands, wetland buffers, and streams and mitigation may be found on pages 3-12 through 3-13

Question: What are the impacts to wildlife of the light rail project?

Answer: Information on the impacts to wildlife may be found in Attachment A, pages 3-13 through 3-14.

Question: What are the visual impacts of the light rail project?

Answer: Visual impacts to the conversion areas may be found in Attachment A, pages 3-19, 3-20, and 3-25 through 3-27. Visual impacts to other parts of the park may be found on pages 3-28 through 3-30.

Additional photos of the interior of the park may be found on pages 3-32 through 3-33.

Background on Funded Projects

The projects in question are Mercer Slough Phase 1 (RCO Project 73-026A) and Mercer Slough (RCO Project 78-513A).

Project Name:	Mercer Slough Phase 1	Project #:	73-026A
Grant Program:	Referendum 28 (bond funds) Land and Water Conservation Fund	Board funded date:	May 23, 1971
LWCF Amount	\$ 410,874.66	Original Purpose: This project acquired about 60 acres to preserve a natural peat bog ecosystem.	
Referendum 28 Amount	\$ 205,437.33		
Project Sponsor Match	\$205,437.33		
Total Amount:	\$ 821,749.32		

The City of Bellevue used the Mercer Slough Phase 1 grant in 1975 to acquire approximately 60 acres for a nature park. This park is now called Mercer Slough Nature Park.

Project Name:	Mercer Slough	Project #	78-513A
Grant Program:	Referendum 28 (bond funds)	Board funded date:	May 23, 1971
Referendum 28 Amount	\$ 206,000	Original Purpose: This project acquired about 24 acres.	
Project Sponsor Match	\$206,000		
Total Amount:	\$ 412,000		

State Parks used the Mercer Slough grant in 1981 to acquire approximately 24 acres to expand the Mercer Slough Nature Park.

The City of Bellevue and State Parks formed a partnership in the 1970's to maintain an ecological resource in an urban area. Mercer Slough Nature Park was created and the agencies established an inter-local agreement for the operation and maintenance of the park.

The City of Bellevue is the lead agency for the conversion approval process for these two projects. At the city's request, the Washington State Parks and Recreation Commission has approved the transfer of all of State Parks' interests in Mercer Slough to the City of Bellevue. Final property transfer negotiations are underway.

Since the original grants to acquire property, RCO has made the following investment at the park:

- Mercer Slough Habitat, #91-225D, WWRP-UW, which constructed a trail bridge and trail and enhanced habitat by creating a pond and adding landscaping.

The Conversion

The conversion at Mercer Slough Nature Park is caused by the expansion of Sound Transit Light Rail system from downtown Seattle to Redmond. A segment of the 18-mile East Link project will impact two areas on the western boundary of the park, creating a conversion (Attachment B).

The light rail system will enter the park at its southwestern edge, near I-90, on an elevated structure to a station located at the existing South Bellevue Park and Ride. From the station, the rail proceeds north along western edge of the park, descending from elevated piers to a retained cut profile below the grade of Bellevue Way SE. The retained cut includes a lidded trench section in front of the Winters House. The Winters House is listed in the National Register of Historic Places for its Spanish Eclectic style and its link with early agricultural activities in the area.

The light rail system will impact the board-funded sites in two separate locations on Bellevue Way SE, creating a conversion of 1.06 acres (Attachment B). The conversion areas include both permanent acquisition and temporary construction easements. The temporary easements extend beyond the 180-day allowable timeframe,³ thereby creating a conversion.

The remainder of the light rail system within the park area, approximately 2,410 linear feet, lies outside of RCO project boundaries.

Light rail construction is expected to begin in 2015 and be completed in 2019. The East Link light rail is anticipated to open in 2023.

³ LWCF and RCFB policy limits temporary non-conforming uses of funded sites to 180 days; exceeding 180 days creates a conversion. (Manual #7: Long-term Obligations)

Details of Proposed Replacement Property

Location

The proposed replacement property includes 6 acres located at 1865 118th Avenue SE, Bellevue. It is bordered by the city street to the east and Mercer Slough Nature Park to the north, south, and west.

The property consists of two parcels totaling 6.16 acres, however, the city is reserving 0.16 acres on the property's eastern edge adjacent to the city street as future right-of-way. (Attachments C).

Property Characteristics

The proposed replacement property is rectangular-shaped and contains significant wetlands on the westernmost parcel that borders Mercer Slough. It is unimproved and covered with vegetation. The city will preserve it as open space and wetland habitat that will provide a connection between previously separated parts of the park.

Planned Development

The city plans to construct a trail on the proposed replacement property that will link to the Mercer Slough Environmental Education Center Trail and to the Bellefields Loop Trail (Attachment D). The trail will provide opportunities for hiking, wildlife watching, and environmental education activities. Trail construction is expected to begin sometime this year. In addition, the city plans to construct a boardwalk trail to replace a natural surfaced trail and to widen the Periphery Loop Trail and install landscaped strips where sidewalk width allows.

Analysis

As described previously, when reviewing conversion requests, the board considers the following factors, in addition to the scope of the original grant and the proposed substitution of land or facilities.⁴

- All practical alternatives to the conversion have been evaluated and rejected on a sound basis.
- The fair market value of the converted property has been established and the proposed replacement property is of at least equal fair market value.
- Justification exists to show that the replacement property has at least reasonably equivalent utility and location.
- The public has opportunities for participation in the process.

Evaluation of Practical Alternatives

Sound Transit began formal planning for the East Link project in 2006 to expand light rail service from Seattle to Bellevue and Redmond. The East Link Extension was evaluated through the National Environmental Policy Act (NEPA) and the Washington State Environmental Policy Act (SEPA) review process. The City of Bellevue and Sound Transit executed a Memorandum of Understanding in 2011 which helped facilitate a formal collaborative design process.

As stated earlier, Sound Transit evaluated 8 alternatives for Segment B during the scoping phase, 5 alternatives during the Draft Environmental Impact Statement (EIS) process, and 6 alternatives during the

⁴ Manual #7: *Long-term Obligations*

Final EIS process. Three alternatives that would avoid Mercer Slough Nature Park were considered and rejected in the analysis.

The proposed replacement property was selected by the City of Bellevue based on the following factors:

- The property is an inholding within the overall park boundaries and provides a connection to two parts of the park that have been bisected.
- It provides for additional access to the park from its eastern edge.
- The replacement property is consistent with state and local plans.

Evaluation of Fair Market Value

The conversion areas and replacement property have been appraised for fee title interests with market value dates that meet board policy.

	Conversion Property	Replacement Property	Difference
Market Value	\$495,000	\$633,120	+\$138,120
Acres	1.06 Acres	6 Acres	+4.94 Acres

Evaluation of Reasonably Equivalent Location

The replacement property is located within the overall park boundary in the northeastern part of Mercer Slough Nature Park.

Evaluation of Reasonably Equivalent Utility

The replacement property has similar characteristics as much of the slough, the nature park, and of the conversion areas. It is undeveloped open space consisting of wetlands, wetland buffers, and natural vegetation. The replacement parcel will provide similar utility with wetland habitat that attracts migratory birds and other wildlife and opportunities for hiking, wildlife watching and environmental education with the planned trail development. The city plans to construct a trail on the replacement property in 2015.

LWCF policy allows for wetland areas to be considered as reasonably equivalent utility if wetlands are identified in the Statewide Comprehensive Outdoor Recreation Plan (SCORP). The state’s adopted plan identifies wetlands as important for wildlife and recreation.

Evaluation of Public Participation

Sound Transit is the lead agency for public participation in the East Link project National Environmental Policy Act (NEPA) environmental review process. The transit agency held numerous open houses, hearings, and workshops to gather public comment. The City of Bellevue also participated in the public outreach efforts.

The City of Bellevue published public notice on the conversion and proposed replacement property as required by board policy. A notice was published in the Bellevue Reporter newspaper. In addition, the city sent a notice via email to subscribers to the Bellevue Parks and Community Services Board on August 20, 2014, and posted the notice on the city’s webpage for the Parks and Community Services Board. A notice was placed at the park’s trailhead kiosks and at the Mercer Slough Environmental Education Center Visitor’s Center. The Parks and Community Services Board held a public meeting on September 9, 2014.

Other Basic Requirements Met

➤ Same Project Sponsor

The replacement property will be administered by the same project sponsor (City of Bellevue).

➤ Satisfy Needs in Adopted Plan

The replacement property satisfies the needs as described in the City of Bellevue Parks and Recreation Comprehensive Plan by acquiring available land adjacent to existing community parks, specifically citing Mercer Slough Nature Park, and helping to expand those parks' capacity for passive recreation, wetland stewardship, preservation of wildlife habitat, and education.

➤ Eligible in the Funding Program

The replacement property meets eligibility requirements and was acquired under a state and federal waiver of retroactivity for the purpose of satisfying the conversion.

Next Steps

If the board chooses to recommend approval of the conversion, RCO staff will prepare the required federal documentation and transmit that recommendation to the National Park Service. Pending NPS approval, staff will execute all necessary amendments to the project agreement, as directed.

In addition, if the board chooses to approve the state-funded conversion, staff will execute all necessary amendments to the project agreement, as directed.

Attachments

- A. Supplemental Information for the Conversion Request for Mercer Slough Nature Park
- B. Sound Transit East Link Route Map along West Edge of Mercer Slough Nature Park; Detail Map of Conversion Areas
- C. Map of Proposed Replacement Property
- D. Visual of Planned Trail on Proposed Replacement Property
- E. City of Bellevue Concurrence with Sound Transit 4(f) Evaluation (23 CFR 774.111, Section 4(f))
- F. Resolution 2015-04

Supplemental Information

Conversion Request Mercer Slough Nature Park

**Sound Transit's East Link
Extension Project**

Prepared by City of Bellevue and Sound Transit

February 2015

Contents

Section	Page
1 Introduction	1-1
1.1 East Link Extension Project Description.....	1-2
1.2 Description of Mercer Slough Nature Park.....	1-4
1.3 Selected Project (Alternative B2M)	1-6
2 Alternatives Considered	2-1
3 Question and Answers	3-1
1. Q: Why were Alternatives B7 and B7R Rejected?.....	3-1
2. Q: Why was a Tunnel Alternative Determined Not to Be Reasonable?	3-3
3. Q: Why were Parkland Avoidance Alternatives Determined Not to Be Reasonable or Prudent?	3-4
4. Q: Isn't Alternative B7 also an alignment for an envisioned extension to Issaquah?	3-5
5. Q: What did public comments say about Segment B alternatives?	3-5
6. Q: What were the legal challenges to the environmental process and the outcomes?	3-5
7. Q: What is the timeline for construction in/adjacent to Mercer Slough Nature Park and what are the long-term changes to the recreational uses in the park?	3-6
8. Q: How will access to the Park be affected by the project?	3-8
9. Q: How will the hydrology of Mercer Slough be affected by the trench?	3-11
10. Q: How are significant trees, wetlands, streams, and buffers impacted?.....	3-11
11. Q: How will wildlife in Mercer Slough Nature Park be affected by the East Link Extension?	3-13
12. Q: What are the effects to the South Conversion (State Bond) property?	3-15
13. Q: What are the effects to the North Conversion (LWCF) property?	3-21
14. Q: What will be the visual impacts from the project to the park during operation? During construction? How will these be mitigated?	3-28
4 Additional Background Material.....	4-1
4.1 Who is Sound Transit and what is the East Link Extension?.....	4-1
4.2 What is Light Rail?.....	4-2
4.3 East Link Extension Selected Project	4-4

SECTION 1

Introduction

At the April and October 2014 Recreation and Conservation Funding Board (RCFB) meetings, staff from the Recreation and Conservation Office (RCO) presented proposals for partial conversions of a State Bond parcel and a Land and Water Conservation Fund (LWCF) parcel comprising 1.06 acres in the Mercer Slough Nature Park in the City of Bellevue. The conversion is related to the Sound Transit East Link Extension light rail project, which will be located on the western edge of the park.

This supplemental information has been prepared to provide additional information to the RCFB regarding Sound Transit's evaluation of alternatives, the public involvement process, impacts and mitigation associated with parkland conversion, and to address questions regarding the proposed conversion.

This supplemental information is organized as follows:

Section 1, Introduction, describes Sound Transit's East Link Extension and describes Mercer Slough Nature Park.

Section 2, Alternative Considered, presents the alternatives development, analysis and public involvement processes that occurred during environmental review under the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA). It also discusses the key milestones of the East Link Extension.

Section 3, Questions and Answers, provides responses to questions raised at the prior RCFB briefings and discusses the 1.06 acres of South (State Bond) and North (LWCF) Conversion properties proposed for conversion to the light rail project.

Section 4, Additional Background Material, provides additional information on Sound Transit, light rail, the East Link Extension project and detailed drawings of the project along Mercer Slough Nature Park.

1.1 East Link Extension Project Description

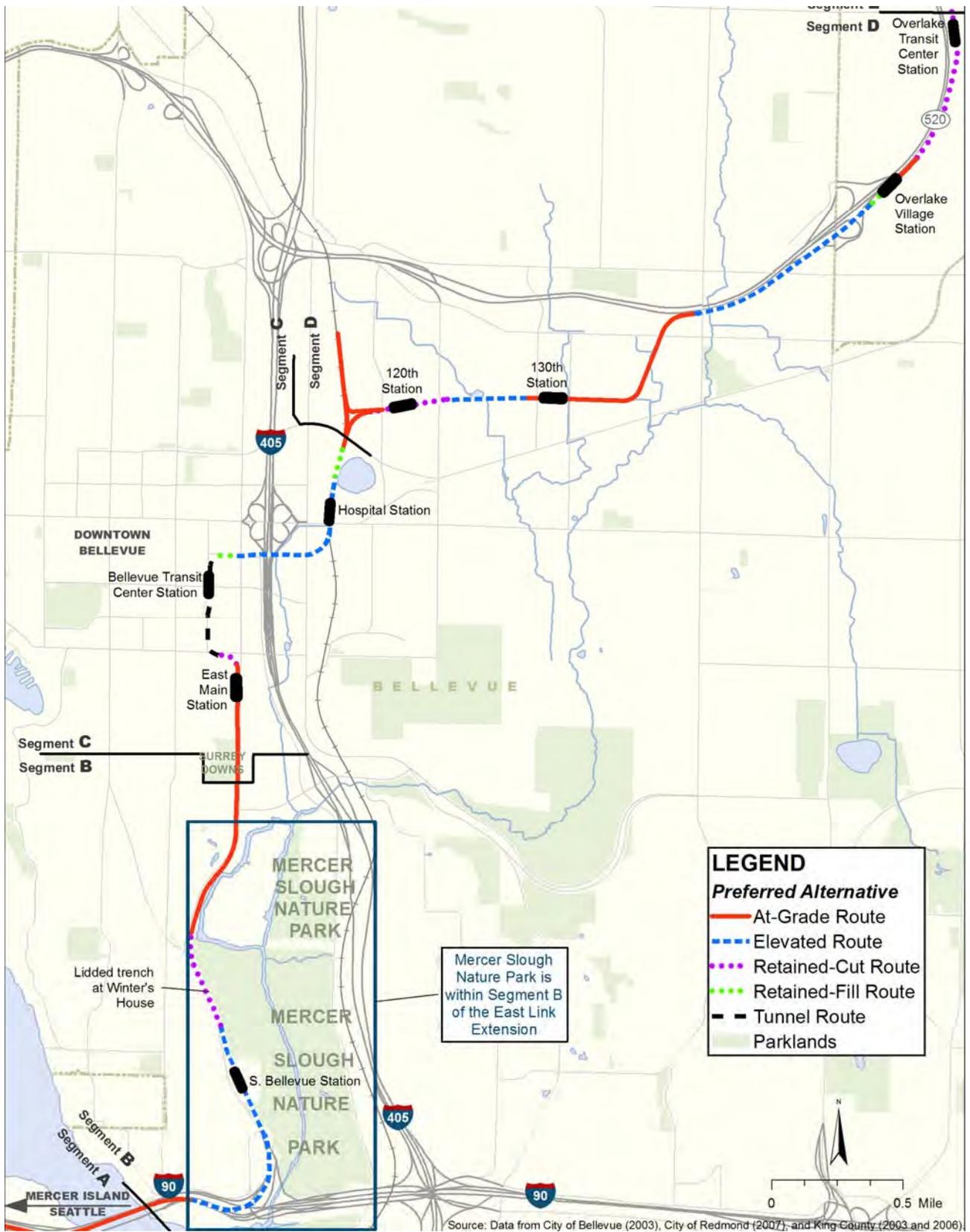
The purpose of the East Link Extension project is to expand the Sound Transit LINK light rail system from Seattle to Mercer Island, Bellevue, and Redmond via Interstate 90 (I-90) and to provide a reliable and efficient alternative for moving people throughout the region. This extension will be 14 miles long and provide service 20 hours per day in the Seattle-Bellevue-Redmond corridor. The selected alternative has a daily projected ridership in the corridor of about 50,000 boardings by 2030.



East Link Extension Corridor Map



East Link Extension Project Schedule



East Link Extension Selected Project at Mercer Slough Nature Park

1.2 Description of Mercer Slough Nature Park

Mercer Slough Nature Park is a 320-acre park primarily consisting of peat bog wetlands connected to Lake Washington. The City of Bellevue and Washington State Parks formed a partnership in the 1970s to preserve the ecological resource that is Mercer Slough. The park objectives are stated in the *Mercer Slough Open Space Master Plan Environmental Impact Statement* (City of Bellevue, 1990) as follows:

- Maintain and enhance the extensive wetland wildlife habitat, thereby increasing species numbers and diversity.
- Provide environmental education and awareness through natural system interpretation.
- Maintain and diversify Bellevue’s agricultural heritage.
- Participate in regional and national efforts to understand wetland ecosystems through research in restoration enhancement techniques.
- Provide passive recreational opportunities in harmony with natural system preservation.
- Maintain and protect important views and open space values.

Consistent with these objectives, the park provides wetland habitat, environmental education and awareness, heritage agriculture, nature observation, open space with pedestrian trails, a water trail for non-motorized boats, benches, and interpretive signs.

The park’s facilities and recreational features include:

- Mercer Slough Blueberry Farm, including retail fruit and vegetable produce sales
- Sweylocken boat launch
- Trails and trailhead facilities
 - Periphery Loop Trail—park circumference trail primarily using sidewalks of adjacent roads
 - Heritage Loop Trail—internal trail on western side of the park
 - Bellefields Loop Trail—internal trail on eastern side of the park
 - I-90 Mountains to Sound Greenway Trail -- regional trail crosses the park on the north side of I-90
 - Mercer Slough Water Trail—water channel accessible by non-motorized boats
- Historic F.W. Winters House, available for event rentals and programmed by the Eastside Heritage Center
- Mercer Slough Environmental Education Center
- Parking for the facilities above

The park is bordered on the west by Bellevue Way SE, a 4-lane arterial that provides access to and from I-90. To the west of Bellevue Way SE, is a steep wooded hillside bordering the single-family, Enatai neighborhood. The South Bellevue Park-and-Ride, owned by WSDOT and operated by King County Metro, has 519 parking spaces and is also located in the southwest corner of the park. Interstate 90 crosses the south part of the park. On the east, the park is bordered by 118th Avenue SE with residential apartments and Interstate 405 east of 118th Ave. To the north the park is bordered by SE 8th Street, Bellefield Office Park and other commercial land uses.



Mercer Slough Nature Park and Surrounding Area

1.3 Selected Project (Alternative B2M)

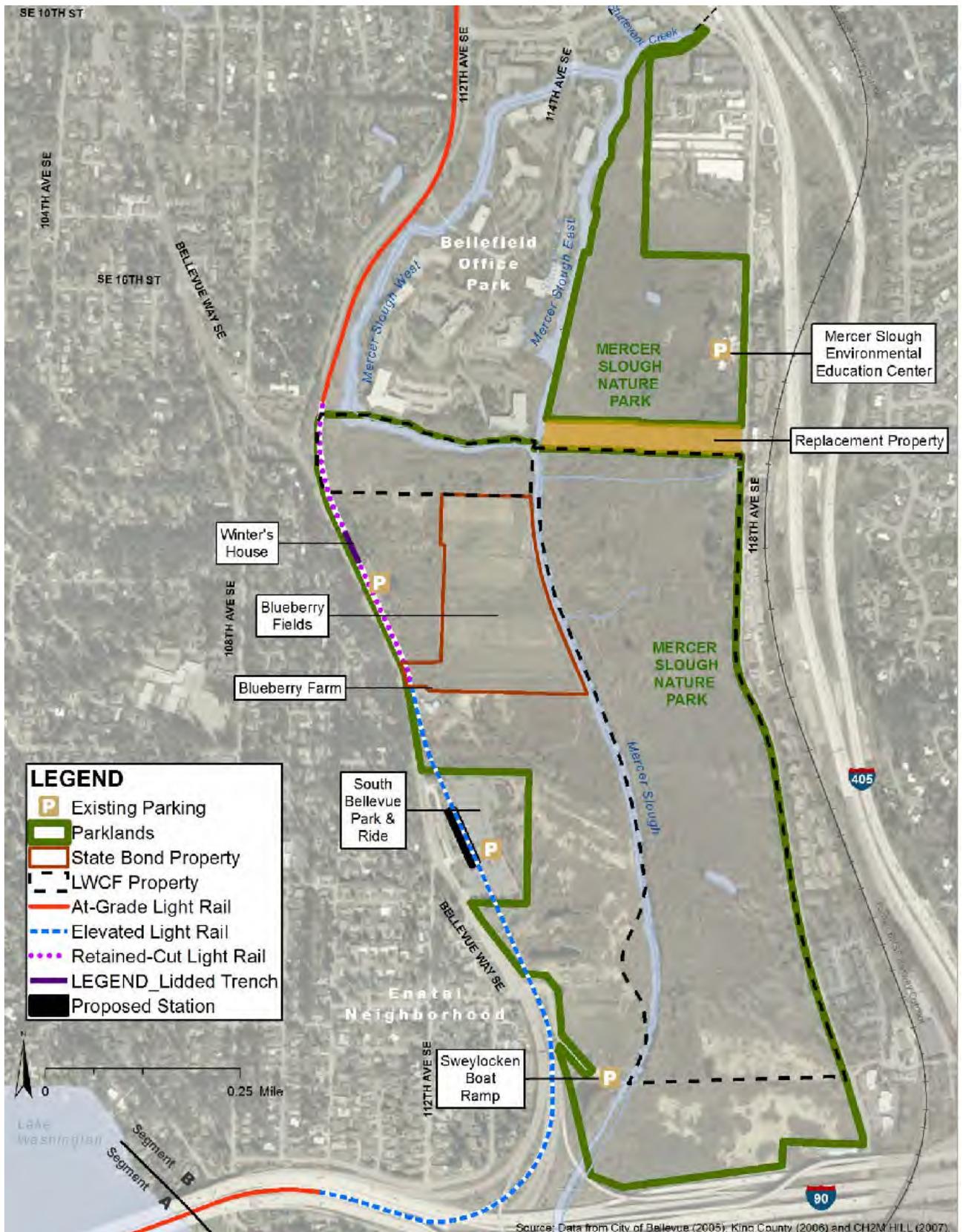
Alternative B2M is the light rail alignment that was selected by the Sound Transit Board in 2011 for the area adjacent to Mercer Slough Nature Park (see figure of B2M in relation to Mercer Slough Nature Park on next page). This decision was unanimously approved by the Bellevue City Council in 2011 and confirmed again in 2013.

Sound Transit's alignment decision was made after consideration of the project goals to meet public transportation needs while also being a responsible steward of the environment and being considerate of affected agencies and communities when planning a fiscally responsible project. These goals are described in more detail in Section 2. This was informed by years of public and agency comment and environmental review including pre-scoping, scoping, Draft Environmental Impact Statement (EIS), Supplemental Draft EIS, Final EIS, and SEPA Addendum, as well as a separate alternatives analysis under Section 4(f) of the Department of Transportation Act. As discussed in detail in Section 2, these review processes required Sound Transit to evaluate all reasonable, prudent and feasible alternatives to the selected alignment under SEPA, NEPA, as well as avoidance alternatives under Section 4(f). The Bellevue City Council's decision to approve the alignment also was informed by Sound Transit's years of environmental review and public comment as well as the City's own extensive public outreach and engagement.

This alternative includes the following features:

- The alignment exits the I-90 center roadway, crosses over westbound I-90, and continues elevated on the east side of Bellevue Way SE to the South Bellevue Station, which is located at the current 519-stall South Bellevue Park & Ride.
- The proposed South Bellevue Station includes a five-level parking structure built on the site of the existing South Bellevue Park & Ride; however, only two stories would be visible above Bellevue Way SE. The parking garage will have approximately 1,500 spaces.
- After leaving the station, the alignment transitions to a retained cut/trench on the east side of Bellevue Way SE within Mercer Slough Nature Park to the intersection of Bellevue Way SE and 112th Avenue SE. In front of the Winters House, the route is in a lidded trench approximately 170 feet long.
- Several existing features of Mercer Slough Nature Park located along Bellevue Way SE north of the park and ride will be modified or relocated as part of the light rail project. These include consolidating the blueberry farm and Winters House access, parking and activities in one area. At this location, a new building will include retail space for the blueberry farm and public restrooms.

Detailed design drawings are provided at the end of Section 4.



Selected Project—Alternative B2M

Reasons supporting the selected alignment compared to other alternatives includes the following:

- Provides a direct route from I-90 to downtown Bellevue.
- High ridership, connects to the existing South Bellevue Transit Center park-and-ride which has convenient bus connections from I-90 and within Bellevue.
- Minimizes impacts to the natural environment, low impacts to wetlands, low impact to wildlife habitat.
- Minimizes construction and operational impacts to Bellevue Way SE, a high volume, four-lane arterial and major access point to I-90.
- Minimizes impacts to the residential community to the west, including lower noise and visual impacts, property acquisition and displacements.
- The trench profile reduces visibility of the light rail from within the park, from Bellevue Way SE and the residences to the west.
- The lidded trench in front of the Winters House preserves the historic visual setting of the house.
- The Periphery Loop Trail along Bellevue Way SE will be widened and improved with streetscape planting beds and street trees consistent with City of Bellevue's Pedestrian and Bicycle Master Plan.
- The East Link EIS analysis concluded that the selected alignment was one of the alternatives having the least overall impact on parklands and Section 4(f) resources (including but not limited to Mercer Slough Nature Park). The U.S. Department of the Interior concurred with this conclusion (letter August 19, 2011).
- This alternative is affordable within the project budget.

Alternatives Considered

The alternatives analysis process for the East Link Extension project took place over almost eight years, from 2006 through 2013. The chronology for this process is presented on the next page, followed by a review of the alternatives considered in Segment B, where Mercer Slough Nature Park is affected.

All alternatives were evaluated to determine whether they satisfied the following Sound Transit project planning goals described in the Environmental Impact Statement (EIS):

- **Transportation Goal:** Improve transit mobility in the East Link Extension corridor.
- **Environmental Goal:** Preserve environmental quality.
- **Land Use Goal:** Support regional and local land use goals and objectives.
- **Implementation Goal:** Minimize risk.
- **Financial Goal:** Provide a financially feasible solution.

The first step in the alternatives development process involved exploring all previously suggested transit routes within the East Link Extension corridor from 24 previous studies completed between 1970 and 2006. This occurred during the pre-scoping phase. From these studies, 7 conceptual route alternatives or variations of the alternatives adjacent to Mercer Slough Nature Park (Segment B) were studied, and several of these were removed from further consideration during the pre-scoping process.

The EIS scoping process (2007) presented 8 specific alternatives for consideration in Segment B, which consisted of traveling up Bellevue Way SE, 118th Avenue SE or BNSF corridors with different profiles (elevated, at-grade and retained cut) and alignments in respect to the roadway. During the scoping process, a tunnel alternative was suggested but, after a preliminary evaluation of that alternative, it was not carried forward. The Draft EIS (2008) studied five alternatives in the project area including four alternatives along Bellevue Way SE and one along the BNSF corridor east of Mercer Slough Nature Park (Alternative B7). Alternative B7 included an elevated structure across Mercer Slough Nature Park, before turning north as part of the BNSF corridor. Based on extensive public comment regarding Segment B alternatives and coordination with the City of Bellevue, the Supplemental Draft EIS (2010) identified a new alternative along Bellevue Way SE (Alternative B2M) and modified Alternative B7.

The Final EIS (2011) studied 6 alternatives (2 with design options) for Segment B, including the five alternatives from the Draft EIS and Alternative B2M from the Supplemental Draft EIS. Alternative B7R, proposed and studied by the City of Bellevue, was also addressed and compared to Alternative B7 in the Final EIS. After selection of the project by the Sound Transit Board, and approval by the City of Bellevue in 2011, an additional alternative was studied in an EIS SEPA Addendum and the final alignment decision was made in 2013. While the SEPA Addendum considered other alignments and modifications along Bellevue Way SE, the approved project by Sound Transit and City of Bellevue remained the B2M Alternative along Mercer Slough Nature Park. At each step along the way, the impacts of the various project alternatives on North Conversion (LWCF) and South Conversion (State Bonds) properties were evaluated and described in each environmental document.

Through years of study, Sound Transit has conducted an extensive evaluation of reasonable and practicable alternatives under NEPA, SEPA, as well studied avoidance alternatives to meet requirements of Section 4(f) of the Department of Transportation Act. Sound Transit's alternatives analysis was reviewed and approved by multiple federal, state, and local agencies with expertise in transportation, park and other environmental issues. In two separate legal proceedings, the adequacy of Sound Transit's EIS was challenged and upheld by a Hearing Examiner, a King County Superior Court judge, and a federal district court judge.

The public has had extensive opportunities for participation in the 8-year long process. Sound Transit's alternatives analysis and EIS provided numerous opportunities for public comment and other forms of participation.



2006 Pre-Scoping

Reviewed 24 previous studies to develop conceptual routes.



2007 Scoping

Project Scoping provided a 30-day comment period for the public to comment on the scope of the EIS and alternatives.

- 4 open house meetings
- Agency meetings

Conceptual Development of Alternatives in 6 community workshops



2008-2009 Draft EIS

Draft EIS published in 2008 provided information on the environmental impacts of the alternatives, with a 75-day comment period.

- 5 open house meetings
- 765 comments received
- **March 16, 2009 – DOI (NPS) DEIS and Section 4(f)/6(f) comment letter provided feedback on potential Section 4(f) 'use' of parklands**



2009-2010 Supplemental Draft EIS

Supplemental Draft EIS published in 2010 provided information on new and modified alternatives in Segments B and C, with a 60-day comment period.

- 1 public meeting
- 822 comments received, including:
 - **February 19, 2010 – Letters from NPS/RCO discouraging cross Mercer Slough alignment concept**
 - **April 12, 2010 – Consultation with RCO and NPS on impacts to Mercer Slough Nature Park**



2010-2011 Final EIS

Final EIS published in November 2011 provided responses to all Draft and Supplemental Draft public, agency, and tribe comments.

- **August 19, 2011 – DOI (NPS) FEIS and Section 4(f)/6(f) comment and concurrence letter**



2011 Project Approval

Project Selection

- July 2011 – Sound Transit Board selected B2M
- November 2011 – City of Bellevue adopted resolution approving B2M and signed MOU with Sound Transit
- November 2011 – FTA and FHWA issued Record of Decision



2011-2012 SEPA Appeals NEPA Appeals

Appeals

- Final EIS challenged under SEPA. Hearing Examiner upheld the adequacy of the Final EIS. The Superior Court dismissed the appeal.
- Final EIS challenged under NEPA to Federal District Court. The court upheld the adequacy of the Final EIS and found that:
 - A tunnel alternative in Segment B was not reasonable
 - The B7-R alternative was adequately addressed in the Final EIS
 - No project alignment alternative provided a prudent and feasible alternative that avoids all Section 4(f) resources, including Mercer Slough Nature Park
- Final EIS identified all reasonable measures to cause the least overall harm to park resources



2011-2013 SEPA Addendum & Final Project Approval

Collaborative Design Process between Sound Transit and City of Bellevue to manage project costs and impacts in 2011.

- Several public meetings in April 2013
- April 2013 – Sound Transit Board and Bellevue City Council approved project revisions (no changes to B2M along Mercer Slough Nature Park)
- **November 4, 2013 – Consultation and site visit with RCO, NPS, and Washington State Parks at Winters House**



2011-2016 Final Design

Final Design on stations and alignment includes community involvement.

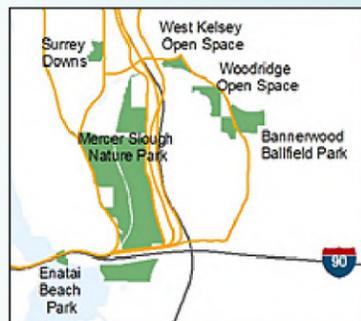
- Several design workshops
- **2 conversion briefings and requests to RCFB:

 - April 16, 2014
 - October 30, 2014**
- **May 28, 2014 – Washington State Parks Commission approved transfer of Mercer Slough property interests to Bellevue Parks**

NOTE: Green text indicates coordination with park agencies (DOI, NPS, and RCO).

East Link Extension Alternatives Development, Key Milestones, and Schedule

2006 Pre-Scoping



Segment B Alternatives Developed (1970 – 2006)

- 7 conceptual routes in Segment B
- 37 conceptual routes project-wide

2007 Scoping



Segment B Alternatives for Public Scoping

- 8 alternatives in Segment B
- 24 alternatives project-wide
- Tunnel screened from consideration

2008-2009 Draft EIS



Segment B Alternatives Evaluated in Draft EIS

- 5 alternatives in Segment B
- 19 alternatives project-wide

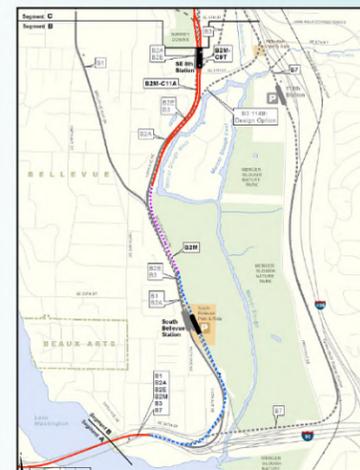
2009-2010 Supplemental Draft EIS



New Alternative B2M Evaluated in SDEIS

- 1 new (with 2 design options) and 2 modified alternatives in Segment B
- 5 new and 4 modified alternatives project-wide

2010-2011 Final EIS



Final EIS Alternatives

- 6 alternatives in Segment B (2 with design options)
- 24 alternatives project-wide
- Considered Mercer Slough Park avoidance alternatives



- Considered Alternative B7-R (City of Bellevue)

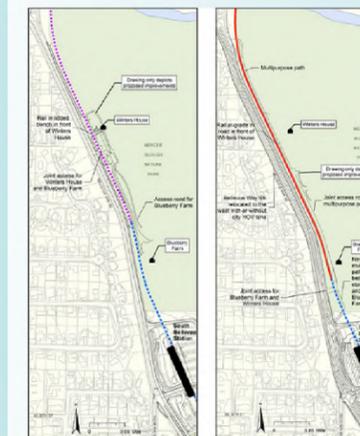
2011 Project Approval



Selected Alternative B2M

- Sound Transit Board and Bellevue City Council approve B2M along Mercer Slough Nature Park

2011-2013 SEPA Addendum & Final Project Approval



Selected Alternative and Shift Bellevue Way West

- Evaluated changes to Segment B:
 - Light rail on east side of road and shift Bellevue Way west
 - 112th Road over Rail
- Resulted in minor changes to B2M by Mercer Slough Nature Park

NOTE: Red text indicates responses to RCO Board inquiries.

East Link Extension Alternatives Development for Segment B

Question and Answers

1. Q: Why were Alternatives B7 and B7R Rejected?

A: Both Alternative B7 and B7R were analyzed in the East Link Extension Final EIS. The following will provide a brief overview of these alternatives and reasons why they were not selected. Alternative B7 is discussed first, followed by B7R which was reviewed in comparison to Alternative B7.

Alternative B7

Alternative B7 would be elevated as it crosses over the westbound lanes of I-90 and continues parallel on the north side of I-90 and the I-90 Mountains to Sound Trail through Mercer Slough Nature Park. The light rail is elevated until it turns north within the BNSF corridor. It follows the rail corridor at-grade until transitioning back to an elevated profile over 118th Avenue SE to a new 118th Station and 1,030 stall park and ride north of the park.

Reasons why B7 was not selected compared to other alternatives include:

- Low ridership because it does not connect to the South Bellevue Park-and-Ride and the new station is less convenient for bus connections.
- Longer and less direct route to downtown Bellevue from I-90 than those routes along Bellevue Way SE.
- Crosses over the Mercer Slough waterway and would have impacts on Sturtevant Creek north of the park.
- Higher wetland impacts than other Segment B alternatives.
- Higher wildlife habitat impacts than other Segment B alternatives.
- Highly visible to park users from the I-90 Mountains to Sound Trail (see visual simulation to the right).
- High risk soils: Soils along Mercer Slough consist of very soft peats and clays to a depth of 60 to 100 feet. Support for an elevated structure at the center of the slough crossing would have to be developed at depths of greater than 120 feet because of the thickness of soft soils. Results of a geotechnical WSDOT monitoring program for I-90 show that soils move toward the center of the slough during annual changes in water levels within Lake Washington. The extent of movement has resulted in large soil loading to existing I-90 bridges, forcing WSDOT to implement special bridge repairs to maintain operation and safety of the bridges.



B7: BNSF Alternative



Simulation of B7 Crossing Mercer Slough next to I-90 and the I-90 Mountains to Sound Trail

- Highest residential noise impacts.
- It was the highest cost alternative and was above the project budget.
- The East Link EIS analysis concluded that Alternative B7 was not one of those having the least overall impact on parklands and Section 4f resources (including but not limited to Mercer Slough Nature Park). The U.S. Department of the Interior concurred with this conclusion (letter August 19, 2011).

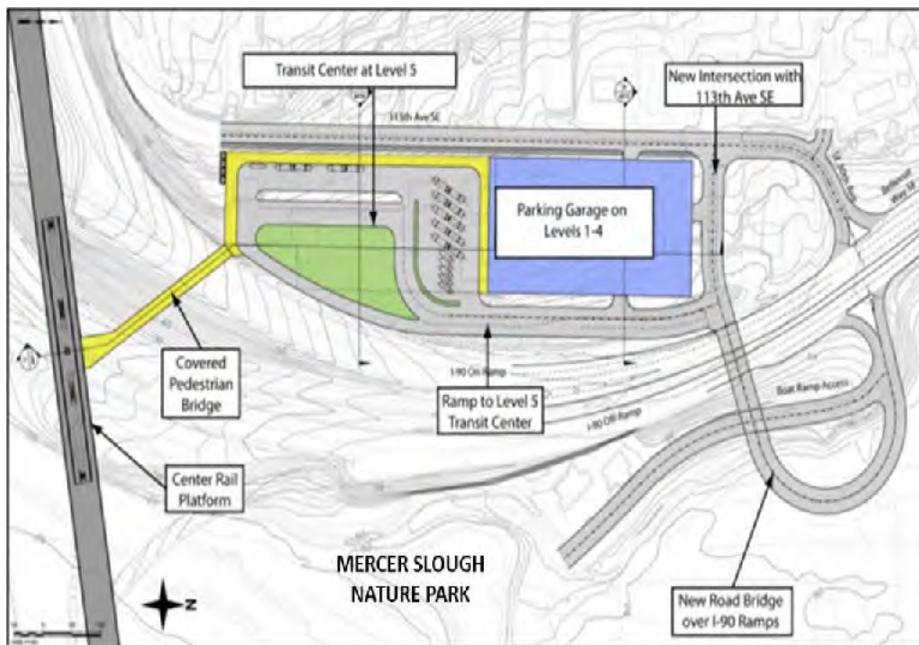
Alternative B7R

Alternative B7R was proposed by the City of Bellevue during development of the Final EIS and was included in the Final EIS for comparison purposes. The purpose of this alternative was to follow the same alignment as Alternative B7 across Mercer Slough and along the BNSF corridor, but with a station closer to the South Bellevue Park-and-Ride, which would increase ridership similar to the selected project. Although this design did increase the ridership compared to Alternative B7, it has the same disadvantages as Alternative B7 described above. In addition, the following impacts were found to be greater based on information in the City's B7R Analysis Report:

- Greater cost than B7.
- Greater park impacts than B7 from the proposed park-and-ride garage access (See figure on next page).
- Higher noise impacts to residences than B7.
- More residential displacements than B7.
- Greater wetland and wetland buffer impacts than B7 from the proposed park-and-ride garage access and potentially impact an existing wetland mitigation site.
- Visual and community impacts would be greater because the Alternative B7R garage and transit center for the station would be located within the Enatai neighborhood. This alternative would substantially change the character of the neighborhood because it would add intense activity, change views, and alter traffic patterns. Also, the removal of mature landscaping and placement of the parking garage on the upper bluff of Enatai would be visible from within the park and the upper story of the garage would be visible from the neighborhood. Furthermore, it would change the overall visual character of the neighborhood and surroundings.



B7R Proposal by City of Bellevue



Alternative B7R Parking and Station Access

2. Q: Why was a Tunnel Alternative Determined Not to Be Reasonable?

A: A Tunnel Alternative in South Bellevue was included in Sound Transit's alternatives analysis, but was not selected for detailed study in the EIS. A Tunnel Alternative was rejected from consideration during the EIS scoping process as not being a reasonable alternative for the following reasons:

- It did not meet Sound Transit's established tunnel criteria, which limit the use of tunnels to locations with steep slopes, physical barriers, inadequate rights-of-way, high building density, or high train frequencies. These factors are not present in South Bellevue because existing corridors are available (Bellevue Way SE /112th/BNSF right-of-way), slopes are largely flat, physical barriers can generally be avoided or crossed with an elevated alignment, and the density of adjacent development is low.
- A tunnel in Segment B would have high cost and high construction risk, which is inconsistent with several of the project goals, including to minimize risk and provide a financially feasible solution.
- The NEPA appeal contesting the EIS adequacy contended that a tunnel should have been considered in Segment B. The court agreed with Sound Transit's reasons for not evaluating a tunnel alternative in the EIS, finding that a tunnel was not a reasonable alternative in Segment B and did not warrant further study (see Question 6 below).

3. Q: Why were Parkland Avoidance Alternatives Determined Not to Be Reasonable or Prudent?

A: Under Section 4(f) of the Department of Transportation Act, a U.S. Department of Transportation Agency *may not approve the use of publicly-owned land within a public park* unless no other prudent and feasible alternatives are available. The Federal Transit Administration (FTA) is the lead federal agency for the East Link Extension and is under the Department of Transportation. The FTA's alternatives analysis under Section 4(f) was included as Appendix D to the EIS.

All of the alternatives selected for detailed study in the EIS would have some effect on Mercer Slough Nature Park. A number of avoidance alternatives that would not have affected the park were considered in the Section 4(f) analysis as included in the Final EIS and were determined not prudent or feasible, for numerous reasons that can be summarized as follows:

1. One avoidance alternative would be to keep the light rail alignment within the I-90 right-of-way through the park and connect to the B7 alignment east of the park. This alternative was not advanced because:
 - There is nowhere to locate the light rail within the highway without taking I-90 travel lanes and there are no lanes available in this section of I-90, whereas the I-90 crossing of Lake Washington to the west was specifically designed to accommodate light rail in the future.
 - The right-of-way to the north and south of the I-90 travel lanes is too narrow for a light rail guideway to parallel the highway without impacting the park. In addition, locating the light rail on the south side of the park (as opposed to the north side for B7) would require the guideway to cross the highway twice, substantially increasing project costs and construction impacts to the highway.
2. A second avoidance alternative would be to locate the light rail to the west of the park through the Enatai single family neighborhood. This alternative was not advanced because:
 - There would be substantial impacts to the community and residents, including roughly 70-100 residential displacements, visual, and noise impacts.
 - Such a route would bifurcate and cause severe disruption to the single-family residential neighborhood
3. The third avoidance approach evaluated in the EIS would follow Bellevue Way SE without locating the project within the park. There were two basic options to this approach. The first would be to widen Bellevue Way SE to the west away from the park and the second would completely elevate the guideway over Bellevue Way SE. These options would have the following impacts:
 - The widen Bellevue Way SE option displaces 13 residences.
 - Both options would have substantial visual impacts along Bellevue Way SE because of a more visually imposing and higher station, numerous support columns over the road for the elevated option and the need to remove much of the wooded greenbelt and add tall retaining walls on the west side of the road for the widen Bellevue Way SE option.
 - Greater construction impacts to Bellevue Way SE.

- Restricts widening Bellevue Way SE in the future.
- Higher costs than the Segment B alternatives evaluated in the EIS.
- Potential for high public controversy for impacts to Bellevue Way SE and the Enatai neighborhood to the west.

As federal lead agency, the FTA determined that all practical alternatives to avoid Mercer Slough Nature Park were evaluated and none were prudent and feasible. The U.S. Department of the Interior (National Park Service) concurred with this determination (letter dated, August 19, 2011) as did City of Bellevue (letter, November 15, 2011). The FTA also determined that the EIS identified all reasonable measures to cause the least overall harm to Section 4(f) protected parkland and historic resources.

4. Q: Isn't Alternative B7 also an alignment for an envisioned extension to Issaquah?

A: It is unlikely that light rail will extend across the Mercer Slough. An extension to Issaquah is included in the 2014 Sound Transit Long-Range Plan, however this project is not funded or programmed. In addition, the specific alignment for such an extension is not determined and the most recent corridor study of this extension removed crossing the Mercer Slough as a viable option. The 2014 Long-Range Plan Kirkland-Bellevue-Issaquah Corridor Study Report identified other routes for getting to Issaquah via light rail and did not include a light rail crossing of Mercer Slough. This question was also raised in the NEPA legal challenge to the Final EIS and the court found that the Issaquah extension is far too speculative and uncertain to merit consideration in the Final EIS (see Question 6 below).

5. Q: What did public comments say about Segment B alternatives?

A: All the alternatives studied in Segment B had public controversy. However, comments for alternatives in Segment B concentrated on the support or opposition for Bellevue Way SE alternatives versus Alternative B7. During comments on the Draft EIS, many letters supported use of the BNSF corridor because it would be a better use of money and that crossing Mercer Slough now as part of East Link would ultimately save money, rather than crossing it in the future to expand the light rail system to Issaquah; and, it would avoid impacts on Bellevue SE and 112th Avenue SE that would constrain the future widening of Bellevue Way SE. However, many other letters were opposed to the B7 alternative due to impacts to adjacent residential properties, poor access to the station location, low ridership, impacts on wetlands and cost of the B7 Alternative. During the Supplemental Draft EIS, opposition to B7 grew, but more comments still supported that alternative than opposed it. However, a greater number of comments supported Alternatives B2M. Several commenters mentioned the City of Bellevue Study for a modified B7 (later referred to as the B7R), which included the station at Bellevue Way SE in the Enatai neighborhood, which was included in the Final EIS in comparison to the B7 (which was summarized earlier in Question 1).

6. Q: What were the legal challenges to the environmental process and the outcomes?

A: Sound Transit issued the East Link Final EIS on July 15, 2011, which identified Alternative B2M as the 'Preferred Alternative' in Segment B. An appeal was filed under the State Environmental Policy Act (SEPA) with Sound Transit (the SEPA lead agency) challenging the adequacy of the Final EIS relative to transportation issues. After a multi-day hearing, Sound Transit's Hearing Examiner upheld the adequacy of

the Final EIS. The Hearing Examiner's decision was then appealed to King County Superior Court, which later dismissed the appeal.

The adequacy of the Final EIS was also appealed under the National Environmental Policy Act (NEPA) to Federal District Court by many of the same parties that made public comments in October 2014 to the RCFB. The court upheld the adequacy of the Final EIS on summary judgment, with the following findings:

- *A tunnel alternative in Segment B was not reasonable and did not need to be selected for detailed study in the EIS.*
- *The B7R alternative was adequately addressed in the Final EIS, it was better than the B7 alternative in some respects and worse in others and was not a clear winner over the B7 alternative.*
- *The Issaquah extension—and where it might connect to the East Link light rail system— is far too speculative and uncertain to merit consideration in the Final EIS.*
- *Wetland mitigation was adequately addressed in the Final EIS*

The Federal District Court also upheld the determination by Sound Transit and the Federal Transit Administration under the Department of Transportation Act Section 4(f) analysis of impacts to parks and historic properties that no project alignment alternative provided a prudent and feasible alternative that avoids all Section 4(f) resources and that the Final EIS identified all reasonable measures to cause the least overall harm to those resources. The court decision noted that the City of Bellevue and the U.S. Department of the Interior (National Park Service) reviewed the analysis and concurred with its conclusions.

A Shoreline Substantial Development Permit was issued for the project by the City of Bellevue and a Shoreline Variance was issued by the Department of Ecology in fall 2014. These permits have been appealed by many of the same parties that spoke at the October 2014 RCFB meeting. This appeal is in process.

7. Q: What is the timeline for construction in/adjacent to Mercer Slough Nature Park and what are the long-term changes to the recreational uses in the park?

A: The following provides an estimated timeline for key milestone in the construction process. It may or may not change as a contractor is brought on board and the project is implemented. ***Please note that the timeline for construction below is tentative and based on current design and construction sequencing plans.***

2014-2016: Pre-construction activities

- Acquisition of proposed replacement property, connecting previously separated north and south sections of the park.
- Utility relocation on Bellevue Way SE with periodic weekend closures.
- Start installation of wetland restoration project in Mercer Slough as mitigation for the project.
- Installation of new trail to connect the Mercer Slough Environmental Education Center with the southern portions of the park across the new 6 acre addition to Mercer Slough Nature Park.

2016 to 2020: Activities during construction

- Winters House closed and Eastside Heritage Center activities temporarily relocated.
- Farm fresh produce retail stand relocated.

- Blueberry Farm u-pick program suspended.
- Northbound curb lane of Bellevue Way SE closed north of the South Bellevue park-and-ride for construction. Three lanes open with center lane running reversible, providing two lanes in peak direction.
- Access to the park from the east on 118th Avenue SE remains open and uninterrupted.
- Sidewalk on Bellevue Way SE is closed.
- Interior park trail systems and the water trail remain open and operational.
- Periodic closures expected for canoe/kayak water trail users, launching from Sweylocken Boat Launch. Launching will be available at nearby Enatai Beach Park.
- Temporary parking area provided for park users (27 spaces) on Bellevue Way SE. Other Bellevue Way SE parking areas closed. All parking areas on 118th Avenue open and uninterrupted.

2021 to 2022: Post-construction activities

- Northbound Bellevue Way SE lane re-opens
- Reconstructed sidewalk and Periphery Loop Trail with new planter strips and street trees on east side of Bellevue Way SE is reopened.
- Eastside Heritage Center moves back to Winters House and programming resumes.
- Relocated Blueberry Farm retail building and new Heritage Loop Trail segment opened for public use.
- Consolidated access to Winters House and Blueberry Farm open with parking, restroom and trailhead access restored and open.
- Resume Blueberry Farm U-pick program.
- Temporary parking area on Bellevue Way SE decommissioned and landscaping restored.

2023: Light Rail Service Begins

- South Bellevue Station opens with direct access for station users to enter the park.
- Expanded parking garage at the station will be available for park users.

8. Q: How will access to the Park be affected by the project?

A: Public access to the park, as a whole, will remain throughout construction with certain short-term and long-term temporary closures of certain facilities along Bellevue Way SE. The figures below depict how access will change during construction and at completion of the project.

As part of mitigation, public facilities and activities will be primarily relocated from the current farm location (where light rail will be visible) north to the area near the Winters House where light rail is obscured by the lidded trench. The following maps depict current park access, access during construction, and future access (after construction).

Current Access

The public can access Mercer Slough Nature Park via twelve pedestrian, bicycle or vehicle parking access points in addition to the two locations with boat access.

Public Access Points

Current

- ★ (1) Boat Launch
- ◆ (1) Parking
Pedestrian and Bike
- ◆ (5) Parking
Pedestrian and Bike
- ◆ (6) Pedestrian and Bike
- ★ (2) Watercraft



Access during Construction

During construction, all access points on the east and south sides of the park will remain uninterrupted. Along Bellevue Way SE, Sweylocken Boat Launch will be periodically closed on a short-term basis. When closed, park users launching watercraft will be redirected to nearby Enatai Beach Park to access the Mercer Slough Water Trail. Pedestrian and vehicular access to the Blueberry Farm and Winters House will be closed north of the park and ride. And, while one section of the Heritage Loop Trail on the west side of the park is within the construction area, there is a long-term detour available (as shown on Construction Access map) that will keep the loop trail open and intact during construction. A temporary public parking area will be constructed by Sound Transit south of the park and ride with direct pedestrian connection to the trail systems to the north and south.

Public Access Points During Construction

-  Boat Launch
-  (1) Parking
Pedestrian and Bike
(periodic closure)
-  (3) Parking
Pedestrian and Bike
-  (4) Pedestrian and Bike
-  (1) Watercraft
(periodic closure)
-  (1) Watercraft



Access after Construction

After the major civic construction for the light rail project is completed, facilities closed during construction will be re-opened to the public. A new consolidated access point north of the South Bellevue Station (park-and-ride) will provide public access to Winters House, a newly constructed Blueberry Farm building and the trail system. Trail segments that were within the construction area will be replaced with newly constructed boardwalk trail farther east in the park with further separation from Bellevue Way SE. Another new trail segment will be constructed through the replacement property creating an internal connection between the Mercer Slough Environmental Education Center and the trail loops to the south. Finally, when light rail service begins, the park will be directly accessible from the station by light rail riders making Mercer Slough Nature Park one of a few, if not the only major park in the state with accessibility by car, boat, bicycle, foot and by light rail train.

Public Access Points

Future

- 
 (1) Boat Launch
 Pedestrian and Bike
- 
 (4) Parking
 Pedestrian and Bike
- 
 (6) Pedestrian and Bike
- 
 (2) Watercraft



9. Q: How will the hydrology of Mercer Slough be affected by the trench?

The hydrology of Mercer Slough is primarily driven by water entering from the north via Kelsey and Sturtevant Creeks and draining to the south into Lake Washington. Further, the water level of Lake Washington is actively controlled by the Army Corps of Engineers and is not subject to seasonal fluctuation. The East Link project does not impact these primary drivers.

The trench will be sealed with water stop in the wall and a continuous drainage mat will be installed around the outside of the wall perimeter to convey groundwater under the trench section. The mat will move water more rapidly away from the structure. This design will accommodate groundwater flow coming from the west into the slough. The drainage mat will begin along the west wall of the trench and wrap around the bottom slab, then come up on the east wall where it will connect to the underdrain system and discharge at an elevation above the wetland limits. A large detention/wet vault will also be constructed below the Winters House parking lot and will have a similar underdrain system that discharges into the wetland. This new vault will capture, treat and control release of stormwater runoff collected from Bellevue Way SE, providing water quality treatment which will be an improvement from today's existing condition. A total of four underdrain pipes will discharge into the wetland on the east side of the Winters House parking lot. The two underdrains that collect groundwater around the detention vault will discharge into flow dispersion trenches above the wetland, allowing the groundwater to spread out as it flows into the wetland.

The stormwater runoff within the guideway trench will run along the surface and against the east edge of the slab towards the low point. The runoff outlets the trench via scuppers along the wall face and into a drainage system that gravity flows out to the wetland and discharges at elevation 20.5 (above the FEMA floodplain elevation of 20.0). A scupper is an opening in the wall (or barrier) that allow the surface runoff to flow through across the surface and out to the opening. The new detention vault within the Winters House parking lot also discharges into the wetland near the track outfall at the same elevation. The five existing stormwater outfalls that cross Bellevue Way SE and discharge into the wetlands from the Enatai neighborhood will be maintained. These outfalls will continue to feed the wetland between the South Bellevue Station and the intersection with 112th Avenue SE. In addition, the two existing culverts that discharge into Wye Creek (located east of the intersection with Bellevue Way SE and 112th Avenue SE) will be maintained, and the guideway will bridge over the creek. Further north, along 112th Avenue SE, along the west banks of West Mercer Slough, the track underdrains will discharge into ditches that flow down into Mercer Slough and will provide water to sustain the wetland habitat. Ground water will not be interrupted by the ground improvements made under the track along 112th Avenue SE.

10. Q: How are significant trees, wetlands, streams, and buffers impacted?

The total number of significant trees removed within the South (State Bond) and North (LWCF) Conversion parcels, conversion parcels is 148, and 43 trees are proposed to be added to these parcels. The City of Bellevue defines a "significant" tree as a tree with an eight-inch or greater diameter. For areas within the Mercer Slough Nature Park that are impacted by the Project, the total number of significant trees removed is 691, and 2,873 are proposed to be added. More than four times the number of trees are added compared to what is removed in the park. Tree removal and replanting has been coordinated with the City of Bellevue as part of the Design and Mitigation permit process. As part of this process, a portion of the conversion areas were identified to be preserved and not impacted.

Significant Tree Summary¹

	Trees to be removed	Trees Added
South (State Bond) Conversion	32	1
North (LWCF) Conversion	116	42
Other areas of Park	543	2,830
Total for Mercer Slough Nature Park	691	2,873

¹ Information in this table is based on design efforts as of 1/23/2015

Wetlands are nature's sponges, water filters, wildlife habitats, and erosion controls. Wetland buffers reduce potential impacts of development on adjacent wetlands. Currently, the wetland buffer area in the Mercer Slough Nature Park includes invasive species such as ivy and Himalayan blackberry. The project is anticipated to impact a small sliver of wetland and wetland buffer in the South (State Bond) and North (LWCF) Conversion parcels. The majority of those impacts will be temporary and will be restored to the same or better condition after the project is complete.

About 0.10 acre of wetland and 0.81 acres of wetland buffer would be impacted. Included in these totals are permanent and temporary impacts. In addition, a portion of both conversion areas will be preserved and not affected. The table below compares how the Park is impacted as a whole and as compared to the conversion areas.

Permanent and Temporary Wetland and Buffer Impact Summary Table¹

	Wetland buffer impacts² (acres)	Wetland impacts³ (acres)
South (State Bond) Conversion	0.24	0.01
North (LWCF) Conversion	0.57	0.09
Subtotal conversion areas	0.81	0.10
Other areas of the Park	3.76	0.53
Mercer Slough Nature Park	4.57	0.63

¹ Information in this table is based on design efforts as of 1/23/2015

² Buffer impacts include both permanent and temporary impacts

³ Wetland impacts include temporary, permanent, and vegetation conversion impacts

Permanent impacts are areas that are converted for transportation use by the project. Permanent wetland impacts for both conversion areas are approximately 0.04 acre and will be mitigated at a 6:1 ratio through enhancement of wetlands within Mercer Slough Nature Park. Impacts to buffer areas will be mitigated through the enhancement of the remaining buffers by replacing existing invasive species³ with native vegetation or creation of new buffer along the project and in the Park. One wetland mitigation area totaling about 6.4 acres will be located in the Park to mitigate wetland impacts from the overall Project, including the impacts within the conversion areas and the Park in general. This mitigation site is located within the Mercer Slough Park by the Sweylocken boat launch, which will restore native ecology, plant, and wildlife habitat.

Temporary impacts produce short-term loss of wetland functions during construction and would not result in a permanent loss of wetland after the project is completed. Temporary impacts would be restored to existing or better conditions.

The Project is anticipated to impact stream and stream buffer in the LWCF parcel. Wye Creek, which flows through this parcel in a culvert, will be impacted during construction activities. Wye Creek will be restored in approximately the same location and a small section will be daylighted just west of the north conversion

parcel, which will serve as the mitigation for stream impacts. The mitigation for stream buffer impacts is combined with the mitigation for wetland buffer impacts, which is east of the South Bellevue Station area.

11. Q: How will wildlife in Mercer Slough Nature Park be affected by the East Link Extension?

A: Due to the large amount of existing similar available habitat in the Mercer Slough Nature Park, impacts on wildlife would not be substantial.

Operation

- The minor changes in noise levels from East Link Extension operations will not likely adversely affect wildlife because wildlife using habitats next to Bellevue Way SE and the active use areas of the park are accustomed to some level of existing human and vehicular activity. Noise from the light rail will be below background noise levels in most of the park.
- There would be a net increase in trees in the overall park after mitigation. However, removal of mature deciduous trees near the Bellevue Way SE and 112th Avenue SE intersection that may support breeding, foraging, and roosting might displace some wildlife species until replacement trees mature.
- Waterways are an essential aspect of high-value habitat. Wye Creek, which drains into the North Conversion (LWCF) property, will be daylighted from the existing culvert east of Bellevue Way SE/112th Avenue SE intersection by cutting back the culvert. The light rail will be on a bridge structure over the creek.
- Wetlands are considered a high-value habitat for migratory birds and water-dependent species. The project has minimal permanent impacts on wetlands in Mercer Slough.

Construction

- Construction activities could temporarily displace wildlife near the construction area.
- Washington Department of Fish and Wildlife (WDFW) priority species that may use Mercer Slough and forested stands for foraging include the bald eagle (*Haliaeetus leucocephalus*) (no nests found to date), pileated woodpecker (*Dryocopus pileatus*), green heron (*Butorides virescens*), and willow flycatcher (*Empidonax traillii*) (very rare and no sightings), which are all relatively sensitive to human disturbance and habitat alteration.

Mitigation

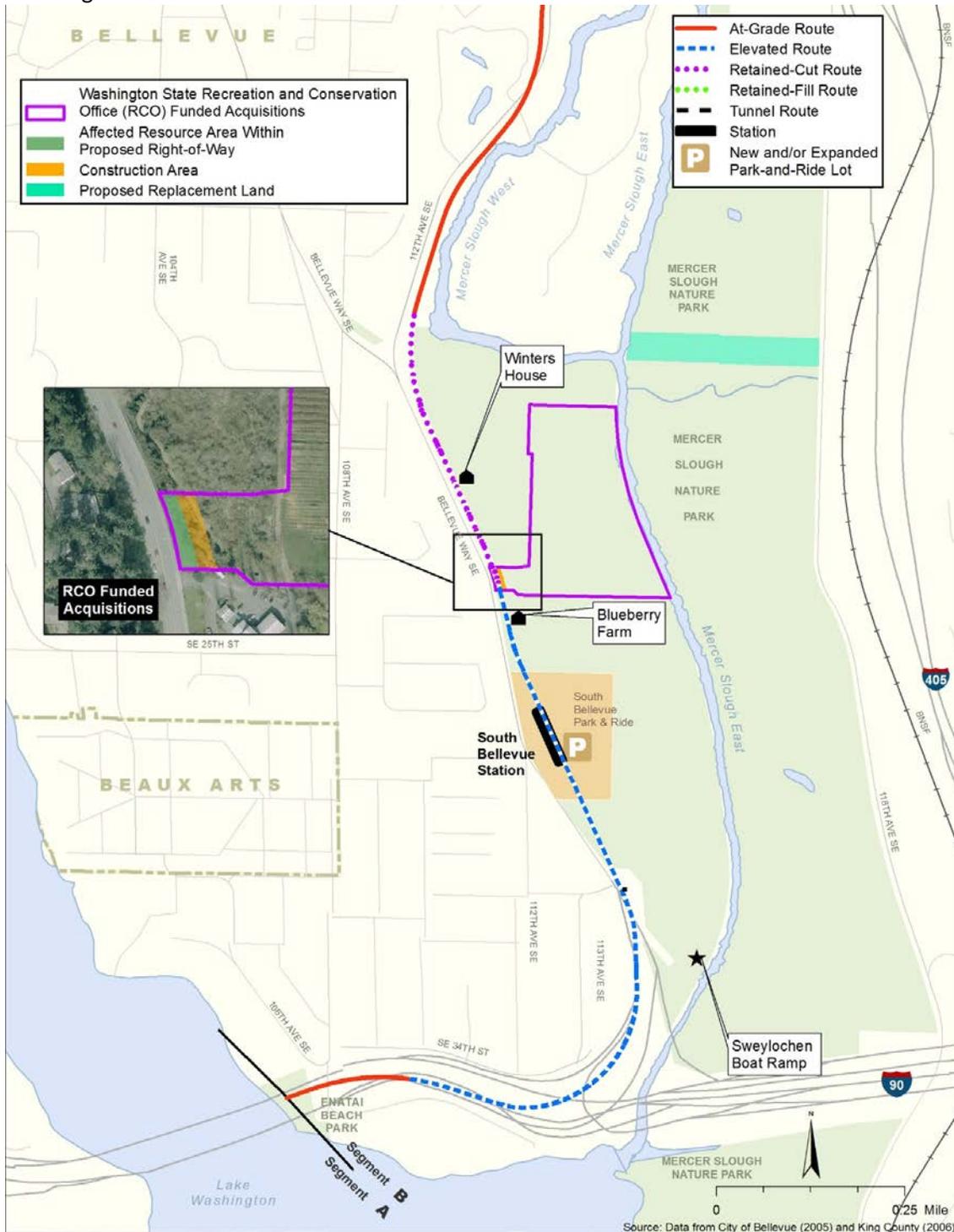
- Temporary impacts on wetlands will be restored to similar or better conditions after construction. Project-wide mitigation will occur within Mercer Slough with a total of about 6.4 acres of wetland mitigation. Construction of the wetland mitigation site would be completed early in the project and provide improved habitat and refuge opportunities for western toad and other wildlife.
- Areas disturbed in the construction staging areas would be revegetated with native vegetation within one year following construction.
- To comply with Migratory Bird Treaty Act regulations, schedule restrictions will be established for clearing activities. To the extent possible, contractors will schedule clearing activities outside the bird nesting period. In the event that this is not feasible, Sound Transit will work with qualified staff at the U.S. Department of Agriculture to conduct preconstruction surveys to determine the presence of nesting migratory birds in the construction corridor. If old nests are present, they will be removed to prevent future use of those nests. If an active nest is found during construction, buffer zones may be established until the birds fledge. If removing an active nest or other action is recommended, Sound Transit will

consult with the U.S. Fish and Wildlife Service (USFWS) to perform such activities in accordance with USFWS procedures and appropriate permit conditions. Sound Transit may use contracted staff, permitted by USFWS, to perform additional compliance or management activities.

12. Q: What are the effects to the South Conversion (State Bond) property?

Where is the affected South Conversion (State Bond) property within Mercer Slough Nature Park?

A small portion of the State Bond property is proposed to be converted (South Conversion) and is located along Bellevue Way SE. The conversion would be 0.28 acres of the total 24 acre State Bond property as seen in the figure below.



Location of South Conversion (State Bond) Property

What are the characteristics of the affected South Conversion (State Bond) property?

The affected South Conversion (State Bond) property contains a residential building and dense vegetation of both native and non-native plants. This area serves mostly as a wetland buffer but a small area of wetland is present at the north edge. This proposed conversion area includes part of the Heritage Loop Trail, a compacted earth trail that extends off the property towards the historic Winters House to the north, and extends south off the property to the I-90 Mountains to Sound Greenway Trail. Views of Bellevue Way SE can be seen from this trail depending on foliage. The South Conversion (State Bond) property is adjacent to Bellevue Way SE, including the Periphery Loop Trail that is a wide sidewalk within Bellevue Way SE right-of-way, and the Blueberry farm retail buildings and parking.

Existing features of the State Bond property are shown below.



Aerial of South Conversion (State Bond) Lands and Existing Features

What are the impacts on the South Conversion (State Bond) property from the project?

The following project-related impacts would occur in the South Conversion area:

- Removal of the residential building.
- Construction of the light rail guideway (transitioning from elevated to retained fill to trench).
- Construction of a park maintenance road between the blueberry farm parking lot and the Winters House parking lot.
- Removal of 32 trees.
- Disturbance of 0.24 acre of wetland buffer and 0.01 acre of wetlands.

Project-related effects to the State Bond property are shown on figure below.



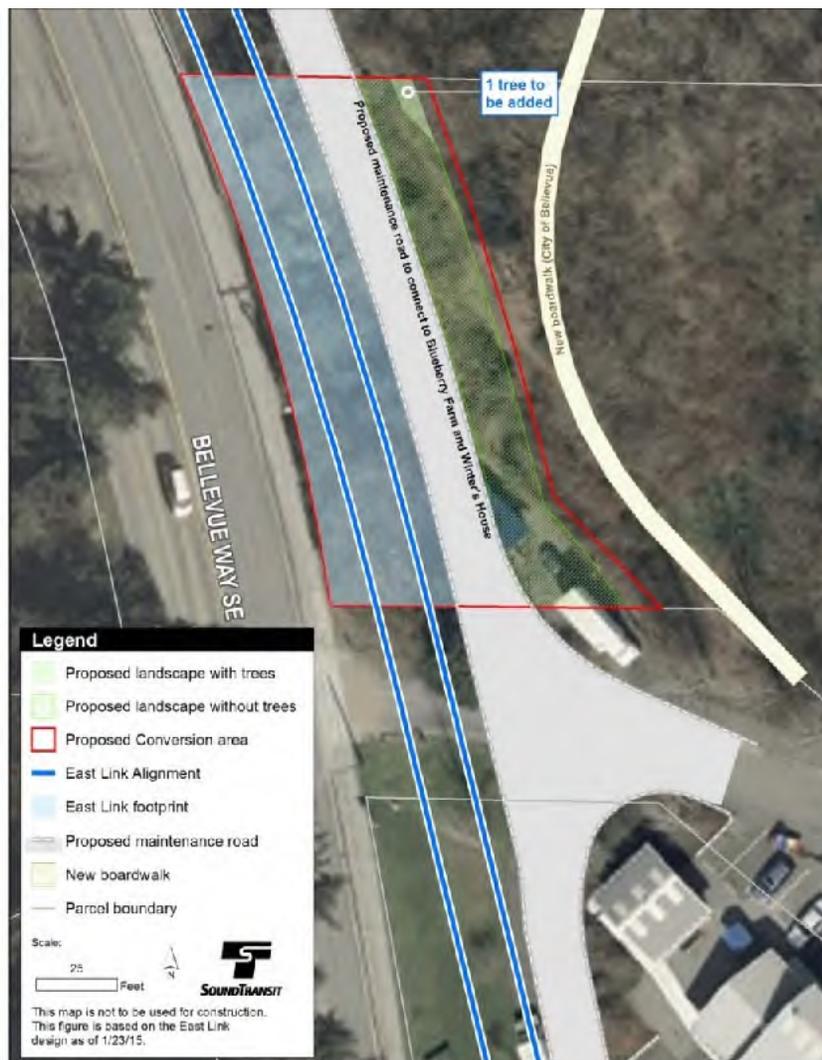
Project-related Effects to South Conversion (State Bond) Lands

What will be the condition of the South Conversion (State Bond) property after construction?

The following would occur in the South conversion (State Bond property) area:

- Light rail guideway on retained fill.
- New maintenance road to connect blueberry farm fields and maintenance facilities.
- Re-vegetation and landscaping of temporary construction area.
- Over half of the South Conversion area will be returned to park use.
- Planting of one tree in the conversion area, with a total of 2,873 new trees to be planted in Mercer Slough Park as a whole.
- Relocated Heritage Loop Trail to the east, physically separated from Bellevue Way SE and light rail guideway.

The post-construction condition of the South Conversion (State Bond) property is shown below. Visual simulations of the before and after condition of the South Conversion (State Bond) property are also shown on the subsequent pages.



Post-construction Condition of South Conversion (State Bond) Lands



Viewpoint 1 Existing Condition of South Conversion (State Bond) Property: Looking northeast on Bellevue Way SE toward blueberry farm entrance.



Viewpoint 1 with East Link Extension Simulation: Entrance to existing Blueberry farm is relocated northward; elevated light rail guideway descending to retained fill and then below grade with noise walls along guideway.

Please note: These pictures were taken during winter, when trees had shed their leaves and foliage was much reduced compared to other seasons.





Viewpoint 2 Existing Condition of South Conversion (State Bond) Property: Looking west from trail that leads north to blueberry farm field. Blueberry Farm retail building is on left, State Bond property, residential house, with blue roof and well house visible on the right.



Viewpoint 2 with East Link Extension Simulation: Looking west, light rail guideway transitioning to retained fill and then below grade into trench. The residential house would be removed, the trail going north would be redirected onto boardwalk (see foreground) and maintain connectivity to blueberry farm field. Maintenance road would parallel light rail guideway from Winters House to existing Blueberry Farm field and facilities.

Please note: These pictures were taken during winter, when trees had shed their leaves and foliage was much reduced compared to other seasons.



13. Q: What are the effects to the North Conversion (LWCF) property?

Where is the affected North Conversion (LWCF) property within Mercer Slough Nature Park?

The LWCF grant secured several parcels equaling 145 acres for the Mercer Slough Nature Park. The north and western edge of the LWCF property contains the Mercer Slough waterway that is used as a water trail for canoe and kayak users. Of the total 145 acres, the North Conversion (LWCF) would affect 0.77 acres of a deep, 60-acre parcel which extends from Bellevue Way SE to the center of the park, south and west of Mercer Slough Water Trail (see figure below). The remainder of the LWCF grant funded lands are on the east side of the Mercer Slough and extend south. The access for this water trail is from the south end of the Mercer Slough Nature Park at Sweylochen Boat Ramp. A map showing of the Location of North Conversion (LWCF) Property is shown below.



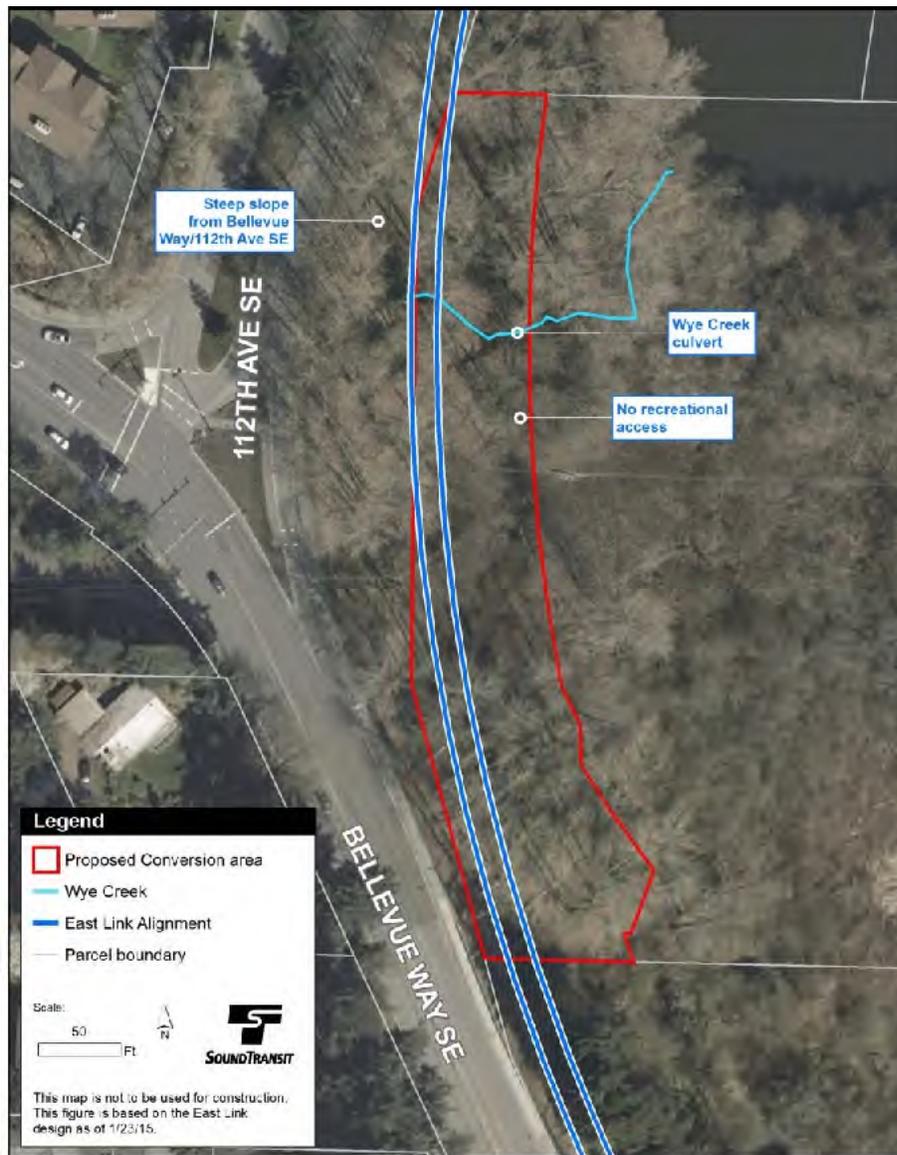
Location of North Conversion (LWCF) Property

What are the characteristics of the affected North Conversion (LWCF) property?

Most of the affected North Conversion (LWCF) property is a natural area with no trails or recreational access. It contains wetlands and bog-type soils with periods of standing water, a stand of cottonwoods, some blackberry vines, and culvert containing Wye Creek.

The property is separated from Bellevue Way SE and the Periphery Loop Trail (a wide sidewalk within the Bellevue Way SE right-of-way) by a steep slope and cottonwood trees. Mercer Slough and the water trail is to the northeast. The conversion area does not include any existing outdoor recreational facilities.

The North Conversion (LWCF) property and its features are shown below.



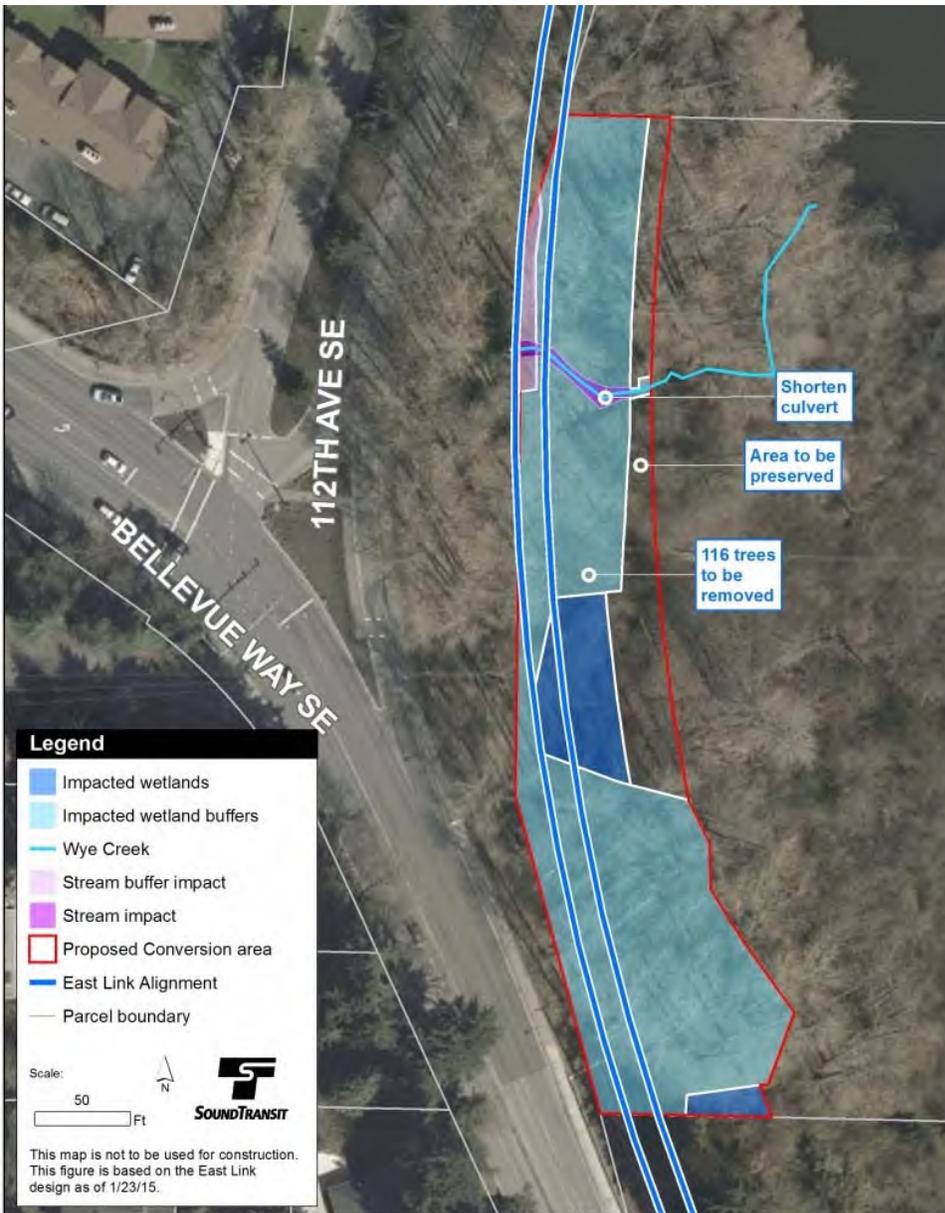
North Conversion (LWCF) Property and Related Features

What are the impacts on the North Conversion (LWCF) property from the project?

The following project-related impacts and mitigation would occur in the North Conversion (LWCF) area:

- Construction of the light rail guideway
- Disturbance of 0.57 acres of wetland buffer and 0.09 acre of wetlands
- Removal of 116 trees
- Daylighting of Wye Creek culvert and construction of a bridge over the creek for the light rail.

Project related effects to the North Conversion (LWCF) property are shown below.



Impacts to North Conversion (LWCF) Property

What will be the condition of the North Conversion (LWCF) property after construction?

The following project-related mitigation would occur in the LWCF conversion area:

- Re-vegetation and landscaping of temporary construction area resulting in over half of the conversion area being returned to park use.
- Planting of 42 trees in the conversion area, with a total of 2,873 new trees to be planted in Mercer Slough Park.
- The light rail guideway would bridge over the Wye creek

The post construction conditions of the North Conversion (LWCF) property is shown below. Visual simulations of the before and after condition of the North Conversion (LWCF) property are also shown on subsequent pages.



Post-construction Condition of North Conversion (LWCF) Property



Viewpoint 3 Existing Condition of North Conversion (LWCF) Property: Looking northeast on Bellevue Way SE at stand of trees with North Conversion (LWCF) property beyond.



Viewpoint 3 with East Link Extension Simulation: Removal of trees along Bellevue Way SE and within North Conversion (LWCF) property. Periphery Loop Trail enlarged and fence along top of light rail guideway, which is below roadway grade.

Please note: These pictures were taken during winter, when trees had shed their leaves and foliage was much reduced compared to other seasons.





Viewpoint 4 Existing Condition of North Conversion (LWCF) Property: Looking southwest toward North Conversion (LWCF) property opposite shore of Mercer Slough (112th Avenue SE to right).



Viewpoint 4 with East Link Extension Simulation: Light rail guideway rising to be level with roadway grade along 112th Avenue SE, trees removed at Bellevue Way SE and 112th Avenue SE.

Please note: These pictures were taken during winter, when trees had shed their leaves and foliage was much reduced compared to other seasons.





Viewpoint 5 Existing Condition of North Conversion (LWCF) Property: Looking northeast toward North Conversion (LWCF) property behind foreground trees from Bellevue Way SE intersection with 112th Avenue SE.



Viewpoint 5 with East Link Extension Simulation: Removal of trees at Bellevue Way SE intersection with 112th Avenue SE.



14. Q: What will be the visual impacts from the project to the park during operation? During construction? How will these be mitigated?

Operation

The elevated guideway, station and parking structure in the south west side of the park would be visible in that area of the Mercer Slough Nature Park (*as would have been all Segment B Alternatives and more so for B7 and B7R alternatives that cross Mercer Slough in this area*). These features would be more visible, but visually consistent with, the existing transportation-oriented character of the existing Park & Ride lot and nearby I-90 structures and ramps. The parking garage will be relatively low with a portion of the garage below the grade of Bellevue Way SE.

The trench section of the guideway at the Winters House, overhead power system, and noise and retaining walls would not be visible from most parts of the Mercer Slough Nature Park because of the project's generally low profile and because most trails in the park are lower than Bellevue Way SE and surrounded by dense vegetation. Given the presence of trees and large shrubs throughout the park, removing vegetation along the construction footprint would not be noticed in most areas within the park. *The pages that follow provide photos from within the park as indicated by the key map.* The light rail will be visible until it descends into a trench north of the Blueberry Farm. It would not be visible where it passes through the lidded trench in front of the Winters House, preserving views of the house from within the park and along Bellevue Way SE (see artist renderings of the consolidated Blueberry Farm retail building and parking at the Winters House on the next page).

Changes in views from the southern end of the water trail would be consistent with surrounding freeway ramps and structures. The visual change associated with tree removal at the "Y" intersection of Bellevue Way SE and 112th Avenue SE would be most noticed from the portion of the water trail passing through Mercer Slough West adjacent to the Bellefield Office Park. However, the Bellefield Office Park buildings and parking lot and the adjacent transportation arterial currently affect the area's visual quality in this area. See attached photographs below depict views from within the park.

Construction

Activities related to building the project would have temporary impacts on the visual environment and would include storing construction equipment and materials, clearing vegetation and grading, lights associated with construction after dark, and making general visual changes to the viewed landscape during the project construction period.

Avoidance measures include:

- Minimizing clearing for construction and operation.
- Planting appropriate vegetation within and adjoining the project right-of-way to replace existing street trees and other visually important vegetation that are removed for the project and/or to provide screening for sensitive visual environments and/or sensitive viewers.



Artist rendering of the combined Winters House and Blueberry Farm retail facility and parking.



Artist rendering of the lidded trench in front of the combined Winters House and Blueberry Farm retail facility and parking.



Artist rendering of a bird's eye view of the combined Winters House and Blueberry Farm retail facility and parking.

What features of the project would be visible from within the Park?

A: The following provide a series of photos from within Mercer Slough Nature Park which depicts that persons walking in the park do not have many views beyond the pedestrian or water trails. The map below shows where within the park photos were taken and then photos follow.



Locations of Photos within Mercer Slough Nature Park

The following photos (Photos 1 -10) show the existing conditions in Mercer Slough Nature Park. The East Link Project alternatives that travel along Bellevue Way SE would not be visible from these vantage points.



Photo 1



Photo 2



Photo 3. At ground level at water trail.



Photo 4. Sitting on dock to simulate view from canoe trail.



Photo 5. Sitting on dock to simulate view from canoe trail.



Photo 6. Sitting on dock to simulate view from canoe trail.



Photo 7



Photo 8



Photo 9



Photo 10. Standing on bench looking toward Bellefield Office Park

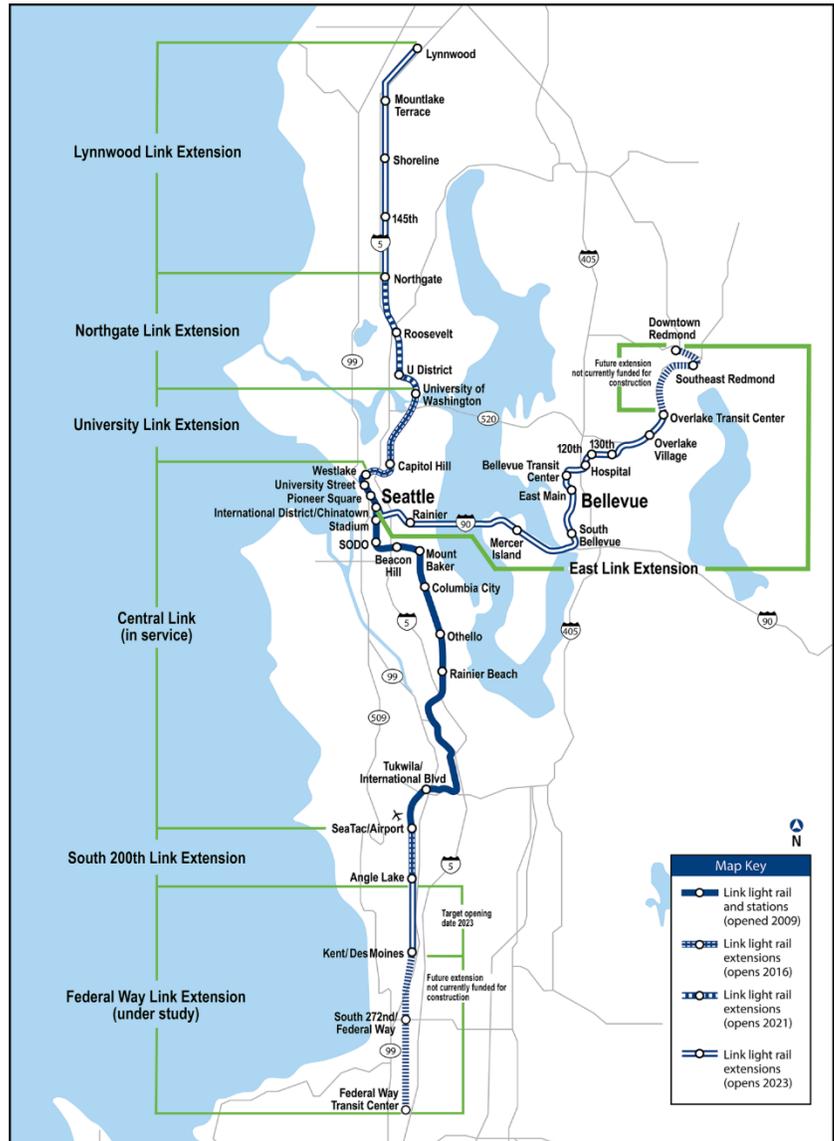
Additional Background Information

4.1 Who is Sound Transit and what is the East Link Extension?

Sound Transit, the Central Puget Sound Regional Transit Authority, is responsible for providing high-capacity transit services within Snohomish, King, and Pierce Counties. Sound Transit operates express bus, commuter rail, and light rail service in the region and constructs capital projects in support and expansion of those services.

Sound Transit is providing light rail service throughout the region with the goal of linking urban centers in Pierce, King, and Snohomish Counties. The map on the right illustrates the currently adopted program for the regional light rail system.

The emphasis in this briefing report focuses on the East Link Extension as highlighted. It will provide reliable connection between Seattle, Mercer Island, Bellevue and Redmond. Sound Transit is the regional transit authority and it is the Sound Transit Board's authority to choose the project alignment.

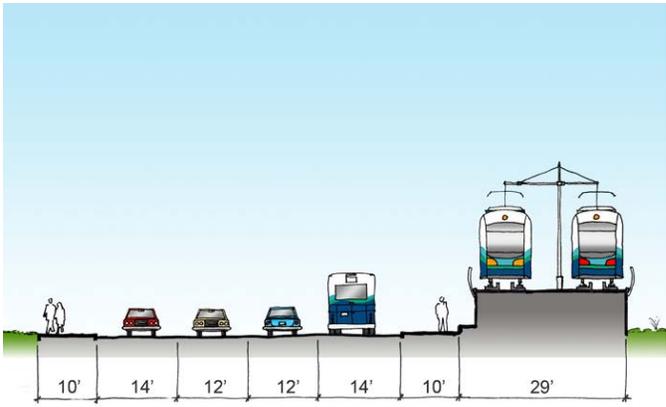
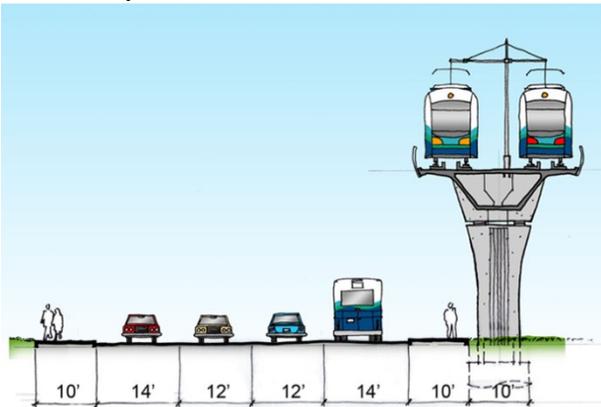


LINK System Map

4.2 What is Light Rail?

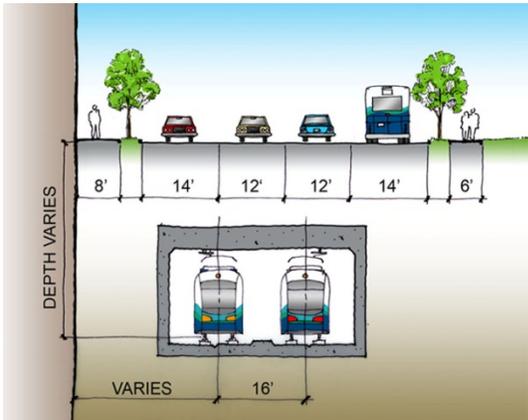
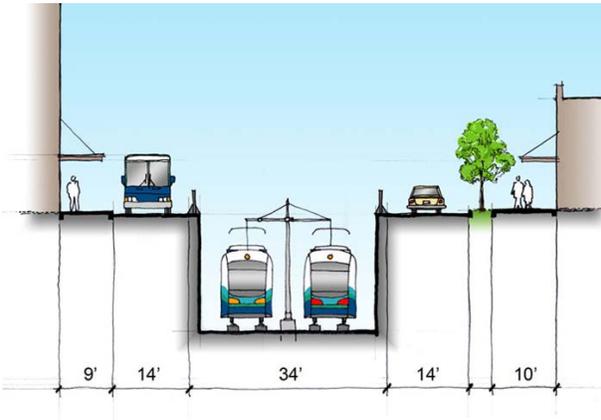
Light rail is a conventional term for urban electric rail systems that have the flexibility to operate along an exclusive right-of-way at ground level, on elevated structures, in tunnels, or on streets. Sound Transit LINK light rail consists of electrically powered trains running on steel rails. The cross sections below show examples of different light rail profiles. The profile chosen in any given area depends on the terrain, the intensity of development, or particular environmental conditions. In order to provide reliable, on-time service, the Sound Transit light rail operates in an exclusive right-of-way. The alignment along Mercer Slough Park includes an elevated and retained cut profiles. In front of Winters House, the alignment is in a lidded trench.

Profile Examples:



Elevated

At-Grade



Retained Cut

Tunnel

Images of the Sound Transit Light Rail System:



Typical At-grade Light Rail Station



Light Rail Catenary System



Tunnel for One Light Rail Track



Elevated Light Rail Station



Retained Fill Light Rail Guideway



Elevated Light Rail Guideway

4.3 East Link Extension Selected Project

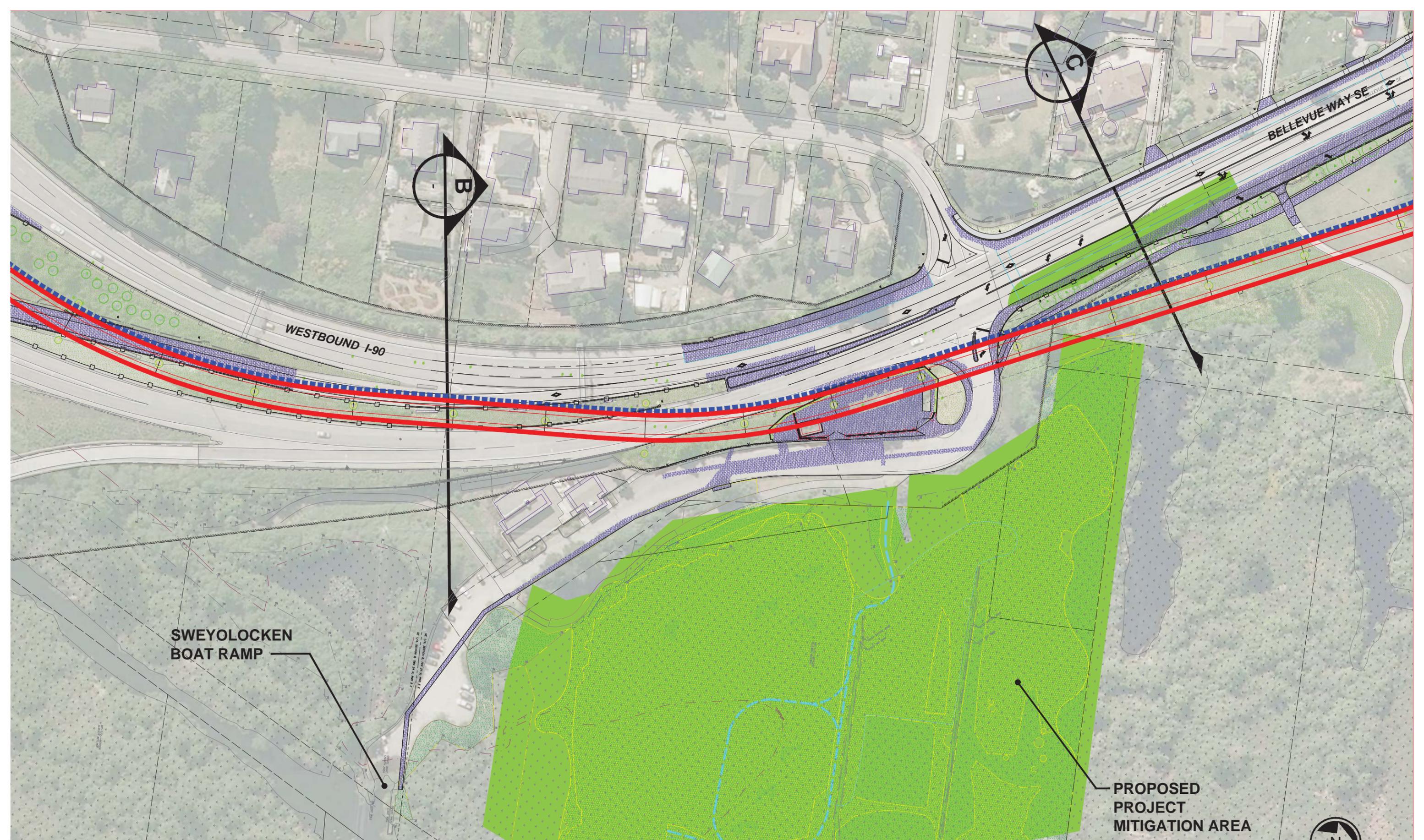
The following drawings and cross-sections illustrate the location and design of East Link project as it travels along the Mercer Slough Nature Park. The design reflects 90 percent design, as of November 2014.

In general, the selected alternative includes the following features:

- The alignment exits the I-90 center roadway, crosses over westbound I-90, and continues elevated on the east side of Bellevue Way SE to the South Bellevue Station, which is located at the current 512-stall South Bellevue Park & Ride.
- The proposed South Bellevue Station includes a five-level parking structure built on the site of the existing South Bellevue Park & Ride; however, only two stories would be visible above Bellevue Way SE. The parking garage will have approximately 1,500 spaces.
- After leaving the station, the alignment transitions to a retained cut/trench on the east side of Bellevue Way within Mercer Slough Nature Park to the intersection of Bellevue Way SE and 112th Avenue SE. In front of the Winters House, the route is in a lidded trench approximately 170 feet long.

Several existing features of Mercer Slough Nature Park will be modified or relocated as part of the light rail project. These key changes are noted on the drawings.

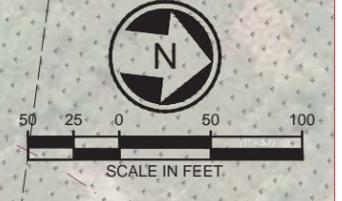
In addition to the drawings, cross-sections are included for the corridor next to the Park. Cross-sections B through H correspond to the call outs on the drawings. Specifically, cross-sections E and H show the relationship of the proposed conversion areas to the East Link Extension project.

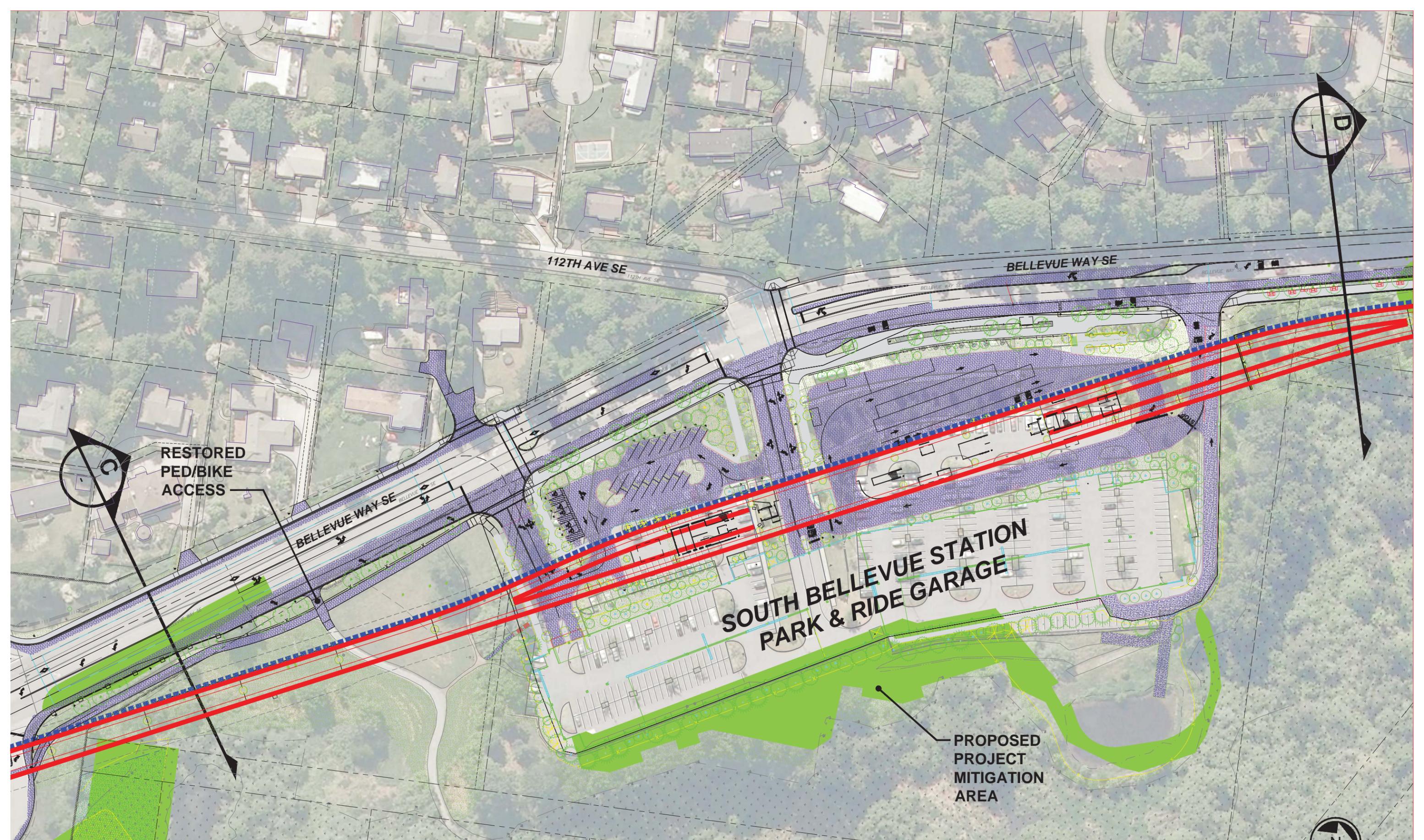


LEGEND

- RETAINED FILL
- TRENCH
- ELEVATED
- SOUND WALL
- PROPOSED PLANTING
- PROPOSED PAVED AREAS
- PROPOSED CONVERSION AREAS
- WETLAND AREA
- PROPOSED TREES

PROPOSED PROJECT MITIGATION AREA





RESTORED
PED/BIKE
ACCESS

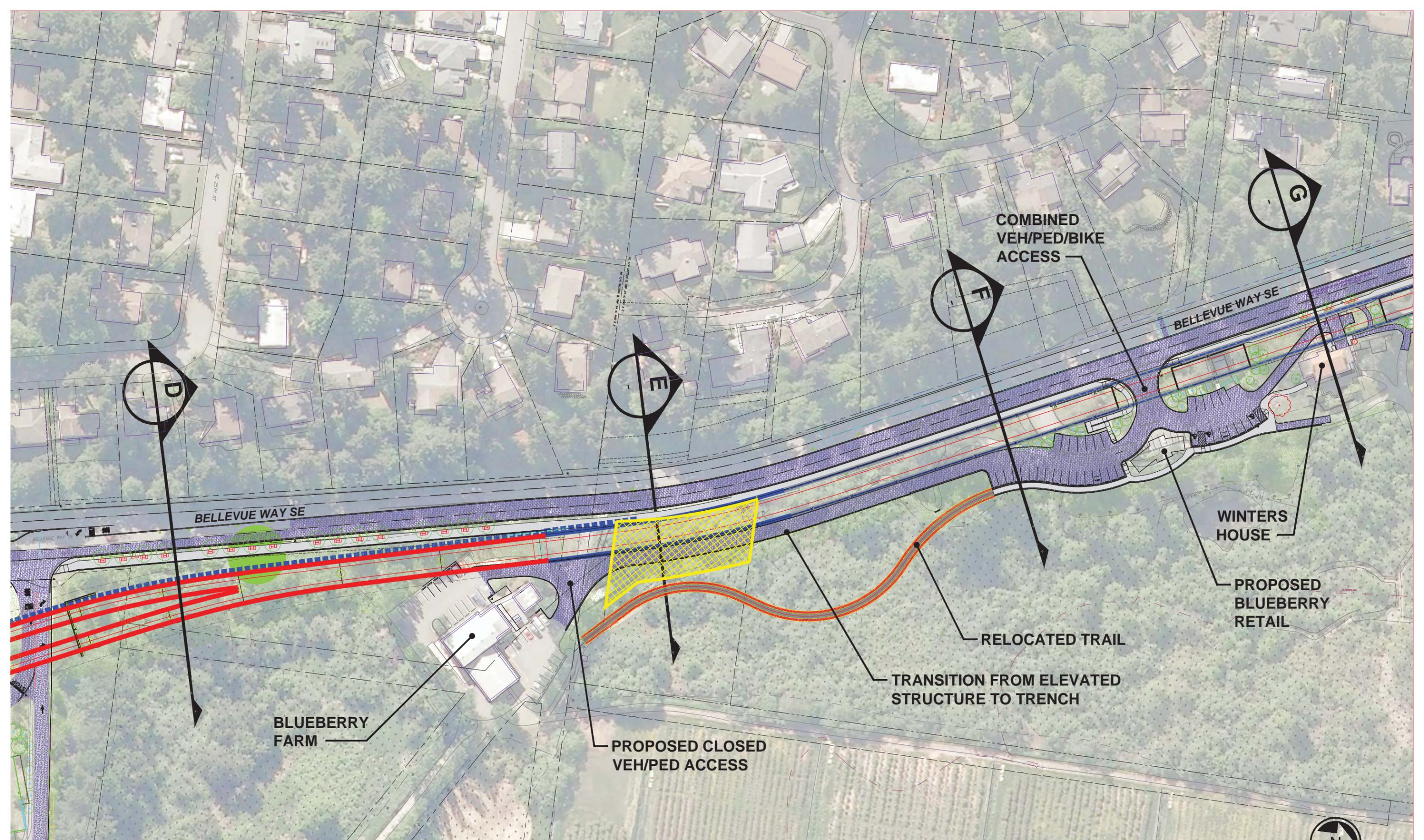
**SOUTH BELLEVUE STATION
PARK & RIDE GARAGE**

PROPOSED
PROJECT
MITIGATION
AREA

LEGEND

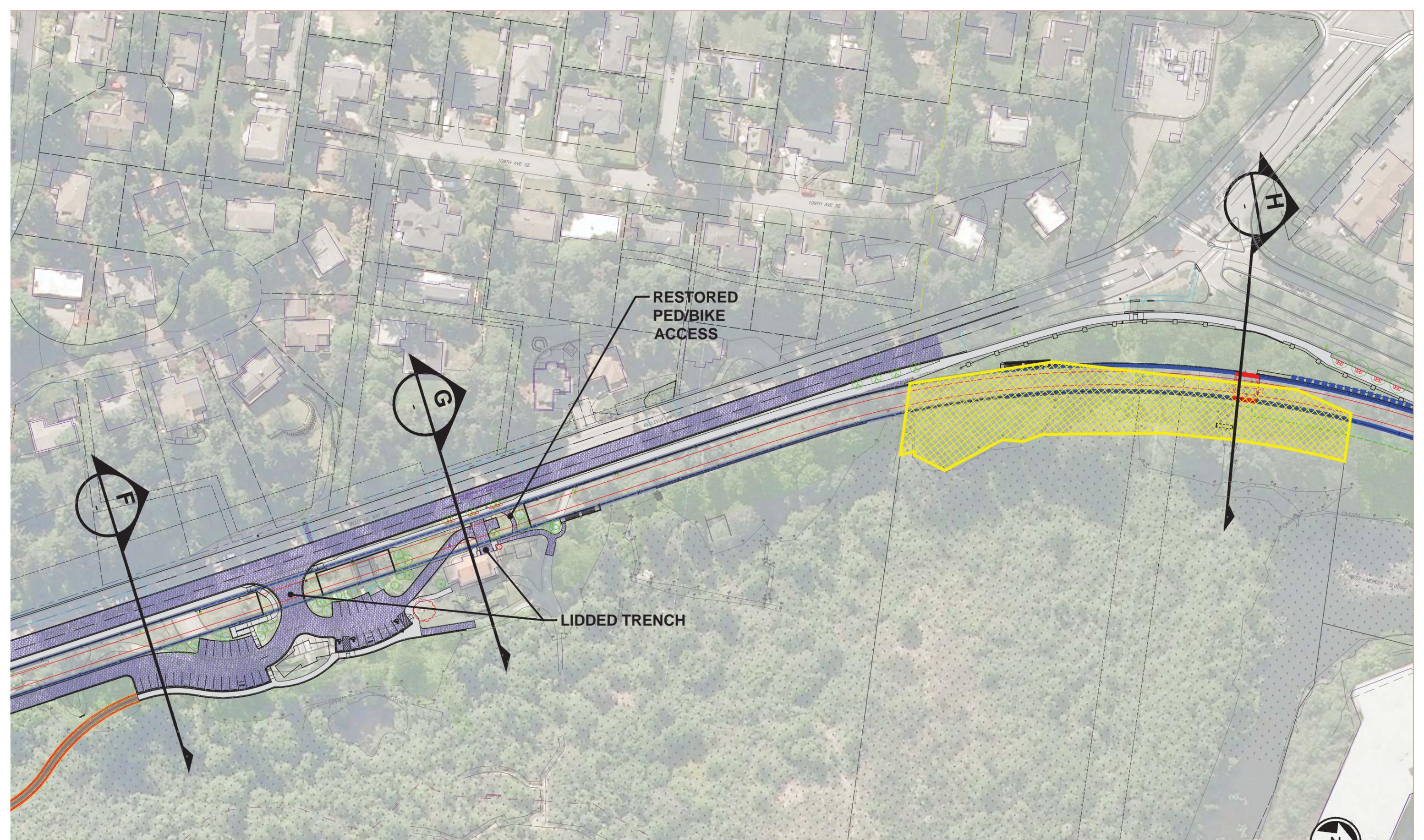
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| | RETAINED FILL | | TRENCH | | PROPOSED PLANTING | | PROPOSED CONVERSION AREAS | | PROPOSED TREES |
| | ELEVATED | | SOUND WALL | | PROPOSED PAVED AREAS | | WETLAND AREA | | |





LEGEND			
	RETAINED FILL		TRENCH
	ELEVATED		SOUND WALL
	PROPOSED PLANTING		PROPOSED CONVERSION AREAS
	PROPOSED PAVED AREAS		WETLAND AREA
	PROPOSED TREES		

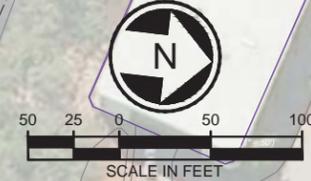




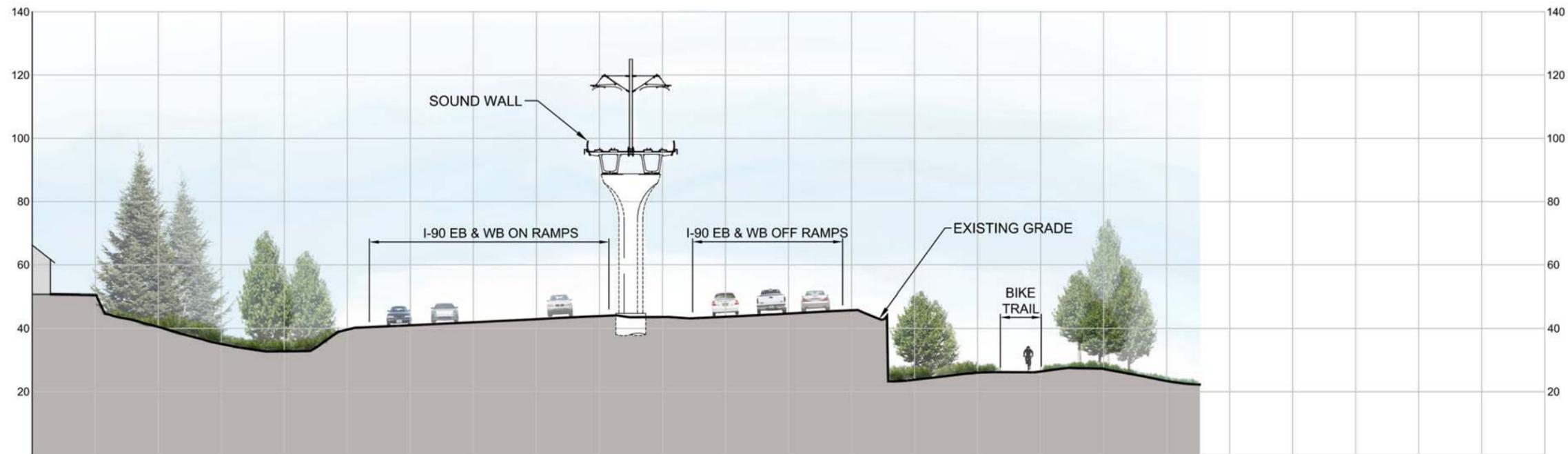
RESTORED
PED/BIKE
ACCESS

LIDDED TRENCH

LEGEND		PROPOSED PLANTING	PROPOSED CONVERSION AREAS	PROPOSED TREES
	RETAINED FILL			
	ELEVATED			
	TRENCH			
	SOUND WALL			



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SECTION B

BELLEVUE WAY @ SWEYOLOCKEN-BOAT LAUNCH

SCALE: H 1"=40' V 1"=40'

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DRAWN BY:	
CHECKED BY:	
APPROVED BY:	

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FINAL DESIGN PARTNERS.

LINE IS 1" AT FULL SCALE



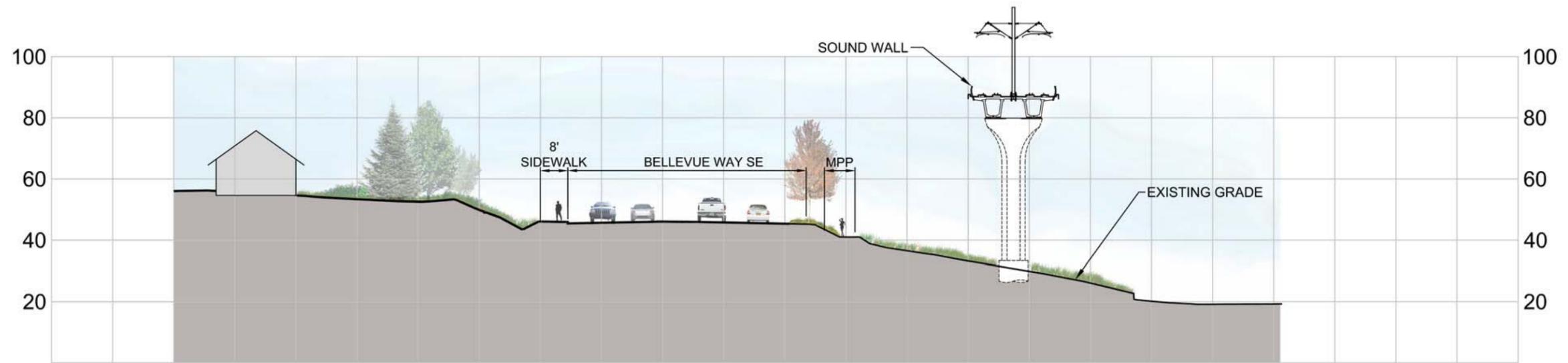
SOUNDTRANSIT

SCALE:	1" = 20'
FILENAME:	
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DATE:	10/04/2013

EAST LINK EXTENSION	
CONTRACT E320	
SOUTH BELLEVUE	
CIVIL	

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SECTION C

ELEVATED GUIDEWAY SOUTH OF STATION

SCALE: H 1"=40' V 1"=40'

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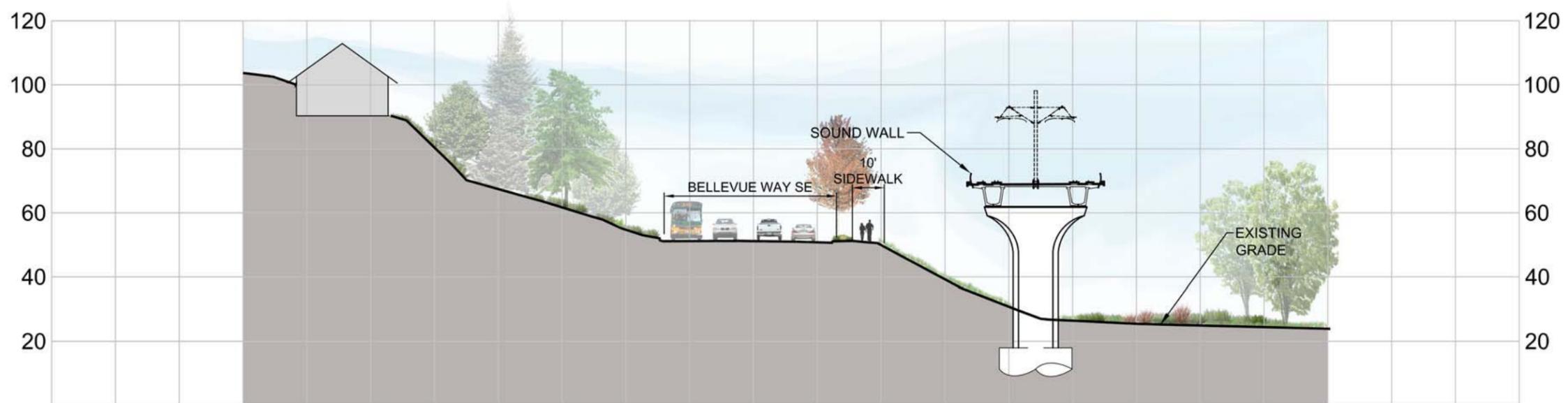
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EAST LINK EXTENSION CONTRACT E320 SOUTH BELLEVUE CIVIL	
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SECTION D BELLEVUE WAY SE

SCALE: H 1"=40' V 1"=40'

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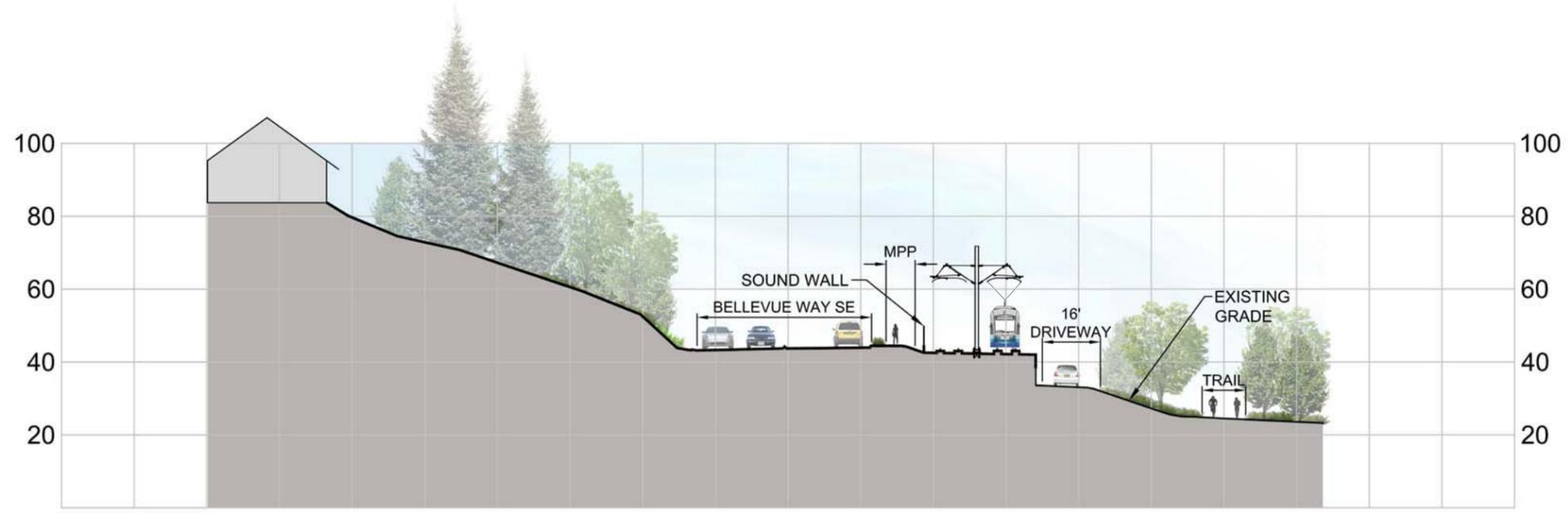
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SECTION E

BLUEBERRY FARM ACCESS

SCALE: H 1"=40' V 1"=40'

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FINAL DESIGN PARTNERS.

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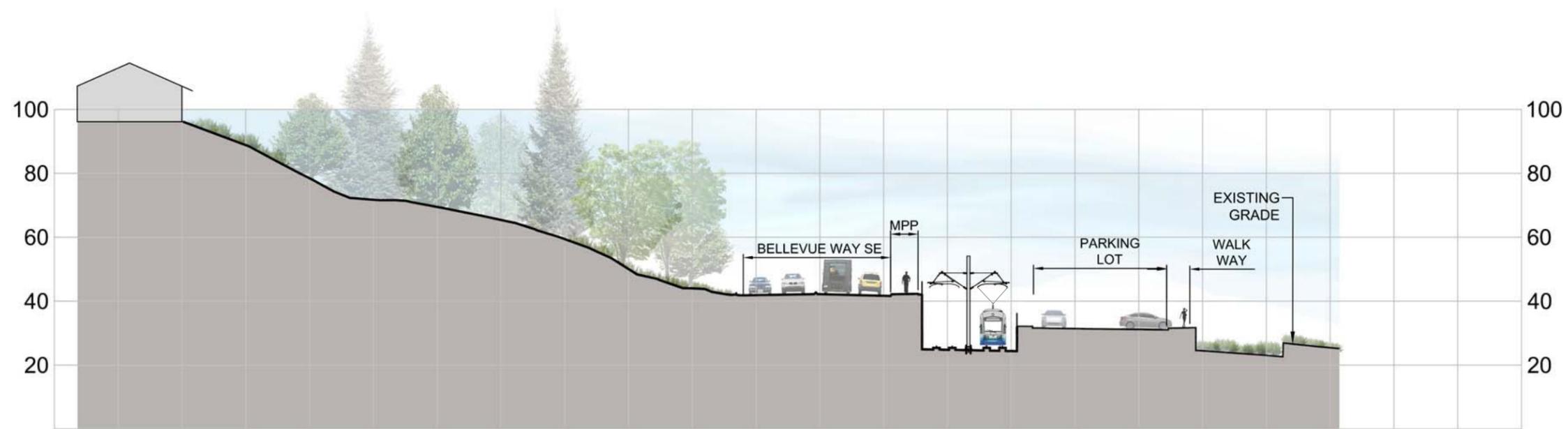


SOUNDTRANSIT

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SOUTH BELLEVUE	
CIVIL	

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SECTION F

TRENCH SOUTH OF WINTERS HOUSE

SCALE: H 1"=40' V 1"=40'

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SOUNDTRANSIT

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SECTION G

LIDDED STRUCTURE @ WINTERS HOUSE

SCALE: H 1"=40' V 1"=40'

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LINE IS 1" AT FULL SCALE



SCALE:	1" = 20'
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CONTRACT No.:	RTA/LR XXXX-XX
DATE:	10/04/2013

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SECTION H BELLEVUE WAY SE AND 112TH AVE SE WYE

SCALE: H 1"=40' V 1"=40'

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LINE IS 1" AT FULL SCALE



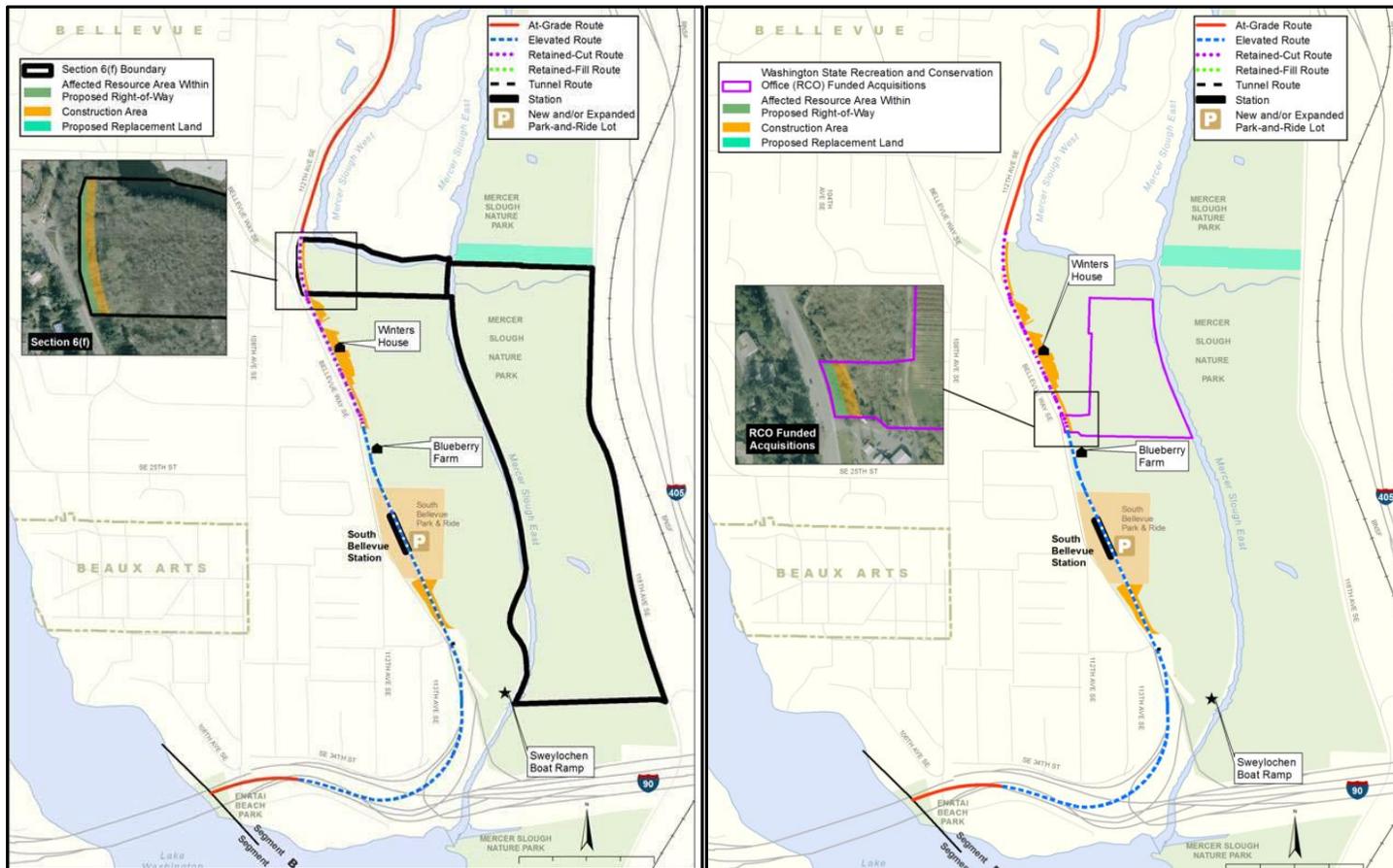
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DATE:	11/06/2014

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LOCATION ID:	
SHEET No.:	REV:

Sound Transit East Link Route Map along West Edge of Mercer Slough Nature Park; Detail Location Map of Conversion Areas

North Conversion Area

South Conversion Area



Map of Proposed Replacement Property



Proposed Replacement Property

Visual of Planned Trail on Proposed Replacement Property



**Mercer Slough
Environmental Education
Center Trail**

Planned Trail

Bellefields Loop Trail



Via Facsimile and Regular Mail

November 15, 2011

Mr. Richard F. Krochalis, Regional Administrator
Federal Transit Administration
Jackson Federal Building
915 Second Avenue, Ste 3142
Seattle, WA 98174

Dear Mr. Krochalis:

The City of Bellevue appreciates the opportunity to clarify and update comments that the City has previously submitted regarding the Section 4(f) analysis included in the Draft EIS and Final EIS for the East Link Project. Since sending our letter of August 29, 2011 on this subject, the City has taken the opportunity to continue coordination with Sound Transit on these issues. This letter is intended to address the City's past comments submitted to FTA on 4(f) and historic resource impacts, and not other comment letters submitted by the City.

With incorporation of design modifications and park and historic resource impact mitigation commitments as described below, Sound Transit has shown that it is conducting "all possible planning... to minimize harm and mitigate for adverse impacts and effects" within the meaning of Section 4(f) [23 CFR 774.17]. The City now believes that the requirements of Section 4(f) have been met by the East Link Project with respect to the Mercer Slough Nature Park, Surrey Downs Park and the Winters' House. Further, these parks mitigation measures reduce the remaining harm to the recreational and other parks uses of the protected resources making the preferred alternative (B2M-C9T) a viable least-harm alternative compared to all other project alternatives.

Mercer Slough Nature Park

The City and Sound Transit have cooperatively identified context-sensitive modifications to the existing B2M project within Mercer Slough Park between the South Bellevue Park and Ride and Winters House. The concept that the parties will continue to refine as project design proceeds is attached to this letter. The City also understands that the current roadway design south of the park and ride preserves a left-hand turn from Bellevue Way to the Sweylocken Boat Launch. When combined with other parks 4(f) mitigation measures published in the FEIS for permanent and temporary impacts to the parks resources, incorporation of these design modifications resolves prior comments the City has submitted regarding vehicular access to the park as well as visual, noise, and proximity impacts to the 4(f) protected activities, features and attributes of Mercer Slough Nature Park.

Surrey Downs Park

Further coordination with Sound Transit has resulted in a commitment to provide compensation and/or replacement land for the property shown in the FEIS as removed from the park on a temporary and permanent basis as a result of the Preferred Alternative that meets the basic standard proposed by Section 4(f) regulation of land of "comparable value and function" [23 CFR 774.17]. This, combined with the other parks 4(f) mitigation measures published in the FEIS for permanent and temporary impacts to the parks resources, resolves prior comments the City has submitted in respect to this protected resource. Should alignments be modified in the future in a way that significantly changes the impact to the activities, features and attributes of this park, the City will fully participate in any addition review and comment opportunities necessary to meet Section 4(f) requirements.

These steps, conducted under 4(f)'s *all possible planning* requirement allow the City to change its opinion of the Least Overall Harm Analysis included in the FEIS. They show that East Link design does "put a 'thumb on the scale' in favor of protecting Section 4(f) properties." Specifically the inclusion of these design modifications and mitigation measures displays that:

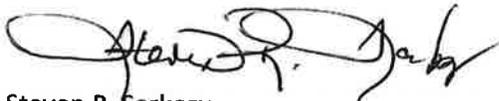
- the adverse parks-related impacts caused by the Preferred Alternative can be mitigated and do not result in remaining harm to the protected resource (Least Harm Factors I and II);
- the relative significance of the protected resources is respected by the design (Factor III);
- the views expressed by the City of Bellevue, as an Official with Jurisdiction have been recognized and addressed (Factor IV)

Further, through additional discussions with Sound Transit and further consideration of when the 4(f) process occurs with respect to environmental review and project design, the City better understands the methodology that led Sound Transit and FTA to identify multiple "least harm" alternatives. The unique nature of this linear facility with a variety of segment options impacting different 4(f) resources was a challenge. The approach used by FTA allows for a reasonable comparison of alternatives to ensure that the intent of 4(f) is satisfied.

Finally, we have reviewed the final draft of the Memorandum of Agreement prepared under the Section 106 requirements for the historic Winters House. The City recognizes that the State Historic Preservation Officer is the designated Official with Jurisdiction to evaluate the historic impact protections under Section 4(f). However, within our role as the Official with Jurisdiction over possible recreational impacts under Section 4(f), the city finds that the MOA contains mitigation sufficient to meet concerns previously addressed by the City, and we look forward to continued work with Sound Transit and the State Historic Preservation Officer during and following construction to ensure that historic and recreational features and attributes of this resource are restored.

As stated in the August 29th letter, the City is appreciative of the commitment shown to date by Sound Transit toward resolving the City's concerns about the 4(f) analysis. The City supports Sound Transit's overall goals for the project and looks forward to continued collaboration. Please accept this letter as a revision to the City's prior comment letters.

Sincerely,



Steven R. Sarkozy
City Manager

Attached: Mercer Slough Nature Park Modified Design

Cc: Patrick Foran, Director, Parks and Community Services Department
Bernard Van de Kamp, East Link Project Manager
Joni Earl, Sound Transit



**DRAFT CONCEPTUAL
SOUND TRANSIT EAST CORRIDOR PROJECT - PE (PHASE 3)**
SEGMENT B - MERCER PARK MITIGATION SUPPORT
AUGUST 22, 2011

SCALE: 1" = 100'



CH2M HILL
EAST LINK TEAM

**Recreation and Conservation Funding Board
Resolution 2015-04
Approving Conversion for Mercer Slough Nature Park
(RCO Projects #73-026 and 78-513)**

WHEREAS, the City of Bellevue and Washington State Parks and Recreation Commission used state bond funds and a grant from the Land and Water Conservation Fund (LWCF) to acquire land to expand the Mercer Slough Nature Park; and

WHEREAS, the Washington State Parks and Recreation Commission is in the process of transferring their grant interests to the City of Bellevue,

WHEREAS, the construction of Sound Transit’s East Link Light Rail project will convert of a portion of the property; and

WHEREAS, as a result of this conversion, a portion of the property no longer satisfies the conditions of the RCO grant; and

WHEREAS, the city is asking for Recreation and Conservation Funding Board (board) approval to replace the converted property with property purchased under a waiver of retroactivity; and

WHEREAS, the proposed replacement property is in close proximity to the conversion sites, has an appraised value that is greater than the conversion site, and has greater acreage than the conversion sites; and

WHEREAS, the site will provide opportunities that closely match those displaced by the conversion, will consolidate public ownership in the park’s overall boundary, and meets needs that have been identified in the city’s comprehensive plan as acquiring land adjacent to existing community parks, expanding wetland preservation of wildlife habitat, thereby supporting the board’s goals to provide funding for projects that result in public outdoor recreation purposes; and

WHEREAS, the sponsor sought public comment on the conversion and discussed it during an open public meeting, thereby supporting the board’s strategy to regularly seek public feedback in policy and funding decisions;

NOW, THEREFORE BE IT RESOLVED, Recreation and Conservation Funding Board approves the conversion request and the proposed replacement site for RCO Projects #73-026 and 78-513 as presented to the board in April 2015 and set forth in the board memo prepared for that meeting; and

AND BE IT FURTHER RESOLVED, that the board hereby authorizes the RCO director to give interim approval for the property acquired with LWCF funds and forward the conversion to the National Park Service (NPS) for final approval.

Resolution moved by: _____

Resolution seconded by: _____

Adopted/Defeated/Deferred (underline one)

Date: _____

Late Arriving Correspondence

Item 10 - Conversion Request: Mercer Slough Phase 1 (RCO Project 73-026A) and
Mercer Slough (RCO Project 78-513A)

- April 6, 2015 – Email and attachments from Alfred Cecil
- April 6, 2015 – Email and attachments from Joe Rosmann
- April 3, 2015 – Letter from Mark Van Hollebeke
- April 2, 2015 – Email and attachment from Sound Transit
- April 2, 2015 – Email and attachments from Joe Rosmann

From: Alfred Cecil [<mailto:awcecil@yahoo.com>]

Sent: Monday, April 06, 2015 6:52 PM

To: Barker, Myra (RCO)

Cc: Joseph Rosmann; William Popp; Geoffrey J. Bidwell; Erin. H. Powell; Don Davidson

Subject: Map showing alternatives for Eastlink.

Ms Barker: Please forward the attached map to the board with Mr. Rossmann's package.

Thanks, Alfred Cecil

From: Joseph Rosmann [<mailto:rosmannj@icloud.com>]

Sent: Monday, April 06, 2015 1:36 PM

To: Barker, Myra (RCO)

Subject: Map Showing Major Environmental Impacts On Mercer Slough Nature Park

Dear Ms. Barker -

I would much appreciate your providing the attached map, and directly related materials, to the Members of the Recreation and Conservation Funding Board.

This map, prepared from rigorous examination of Sound Transit's 90% engineering drawings and specifications, sets out how extensive both the temporary and the permanent impacts will be along the entire west side of the Mercer Slough Nature Park.

The map likewise identifies the likely location of a second Mercer Slough Nature Park crossing along I-90, to connect a future rail line extension eastward to Issaquah.

I have also attached documents, and a declaration by BBB's legal counsel, provided ten days ago to the Shorelines Hearings Board, showing how Sound Transit has been planning for implementation of a "Wye" connection between the Eastlink rail line, and this future eastward to Issaquah extension, located at the south end of the Eastlink facility. Sound Transit instructed its final design contractor, HJH, to complete substantial work in 2014, to redesign the Eastlink plan in order to accommodate this future requirement.

The map shows how the combination of the Eastlink facility, and the east to Issaquah facility, will dramatically impact the Mercer Slough Nature Park, twice.

The documents now provided to us by Sound Transit speak for themselves regarding Sound Transit's plans for the future of our presently pristine nature park preserve.

These documents will be referenced during public comment on Thursday.

Thank you for your assistance in providing these materials to the Members of the Board. Please include a copy of this email message as part of the transmittal to them.

With Kind Regards,

Joe Rosmann

Joseph Rosmann

921-109th Avenue S.E.

Bellevue, WA 98004-6821

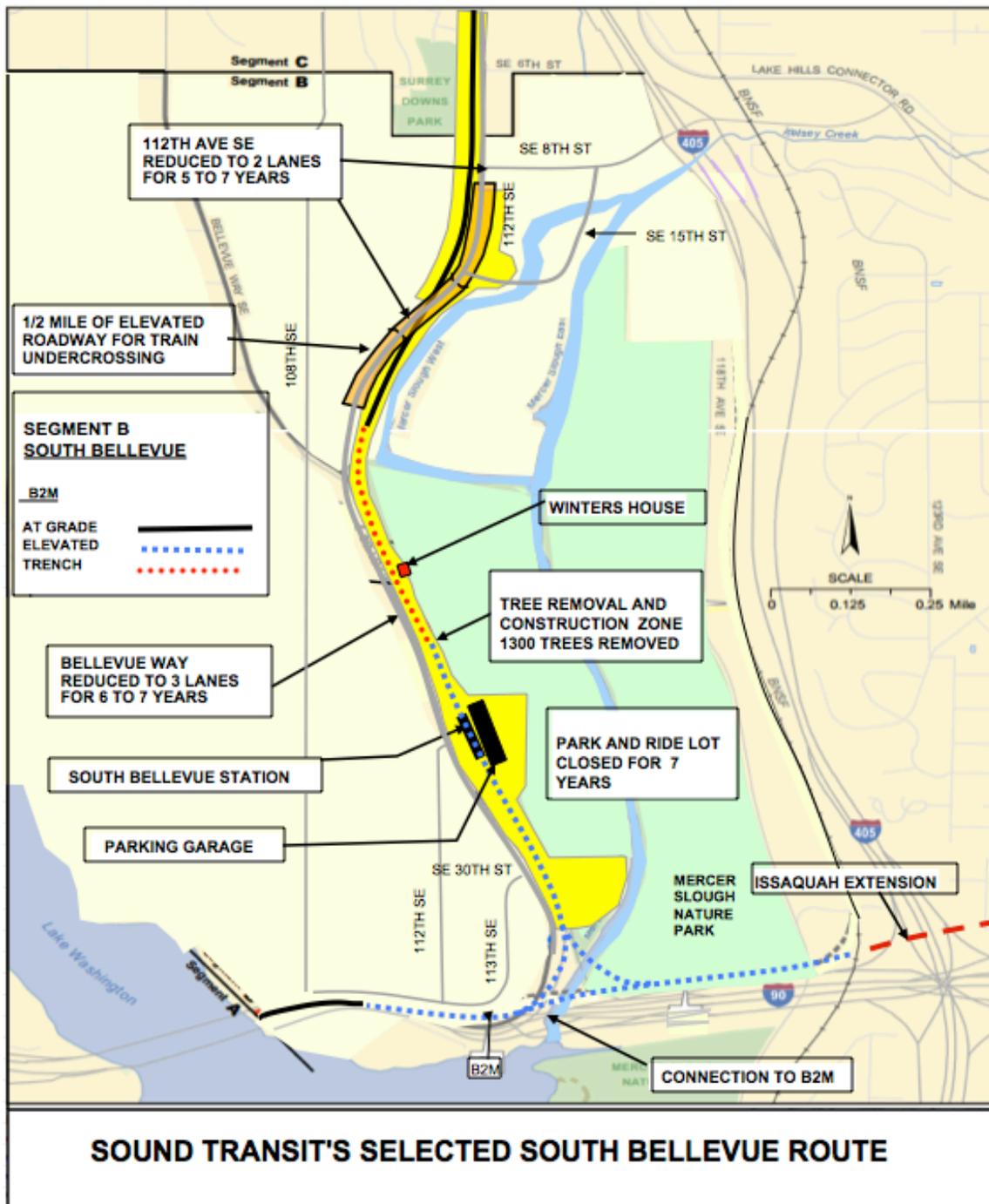
email: rosmannj@icloud.com

mobile: 425.417.0797

Map Showing Major Environmental Impacts On Mercer Slough Nature Park

This map shows how the delicate environment of the Mercer Slough Nature Park, and our enjoyment of the Park, will be forever compromised. 10 feet high concrete walls, and tall steel fences, will block all views of, and all access to the Park, along Bellevue Way and 112th Avenue, other than in front of the Winters House. Train noise, reflected eastward by the tall walls, running every 5 to 6 minutes – 21+ hours a day – will harm animals living in the Park, and severely diminish visitors' enjoyment of today's serene Park quiet.

All trees and vegetation will be removed in the yellow sections. The yellow area will then be excavated down to the glacial till soil substrate 30' or more below grade. This excavated channel, nearly as wide as a football field, will be filled with hundreds of thousands of cubic yards of rock and gravel. The Winters House will be endangered by soil subsidence. Ugly train-yard-like cables and posts will extend over the top of the concrete walls. The Mercer Slough Nature Reserve, which has long existed as the most iconic view of our City built in a Park, will be forever lost for all future generations.



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SHORELINES HEARINGS BOARD
STATE OF WASHINGTON

DR. DONALD DAVIDSON, GEOFFREY
BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER
DEVELOPMENT COMPANY, a
Washington company,

Petitioners,

vs.

THE CITY OF BELLEVUE, through its
DEVELOPMENT SERVICES
DEPARTMENT, Decision Maker; and
SOUND TRANSIT and ELLIE ZIEGLER
FOR SOUND TRANSIT, Applicant,
DEPARTMENT OF ECOLOGY,

Respondents.

SHB No. 14-025

DECLARATION OF JOSEPH
ROSMANN IN SUPPORT OF
PETITIONERS' MOTION FOR
RECONSIDERATION

Declarant JOSEPH ROSMANN certifies and states as follows:

1. I am a member of Building a Better Bellevue, one of the Petitioners in this appeal, and have served as its Chair since its formation in June, 2010. Building a Better Bellevue is a nonprofit association comprised of Bellevue homeowners, residents, businesses and neighborhood groups concerned with protecting Bellevue's neighborhoods, parks, and historic resources. I am over the age of 18, have personal knowledge of the facts contained in this declaration, and am competent to testify.

DECLARATION OF ROSMANN IN SUPPORT OF
RECONSIDERATION AND CLARIFICATION - 1

1 2. Since 2005, I have been involved in discussions and considerations regarding
2 development of the East Link Light Rail System. My involvement has included:

3 a. Organizing and serving as a moderator of numerous meetings
4 for Sound Transit staff to present its proposals for East Link to Bellevue citizens and for the
5 public to interact with Sound Transit staff on the East Link project;

6 b. Reading and considering all environmental documents
7 submitted for the East Link project;

8 c. Reading and considering a majority of supplemental official
9 documents developed and submitted by Sound Transit for the East Link project;

10 d. Attending a majority of the presentations by Sound Transit
11 staff to the Bellevue City Council;

12 e. Participating in many of the public outreach meetings where
13 Sound Transit staff presented their plans to the citizens of Bellevue; and

14 f. Participating in numerous meetings directly with Sound Transit
15 staff to hear presentations on Sound Transit's plans for the development of the East Link
16 project.

17 3. As chair of Building a Better Bellevue I was directly involved in all aspects of
18 prosecuting a National Environmental Policy Act appeal of the Record of Decision made by
19 the United States Department of Transportation for the East Link project ("the NEPA
20 appeal"). The NEPA appeal was filed in the United States District Court for Western District
21 of Washington in 2013.

22 4. I participated fully in the document discovery and document review process
23
24
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26

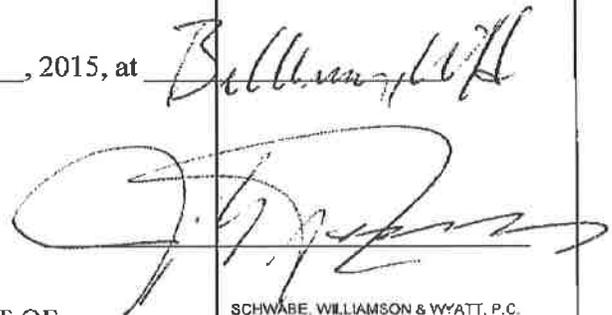
1 during the NEPA appeal. The document discovery and production requests in the matter
 2 included requests to Sound Transit to produce "all documents, email messages, and other
 3 communications and presentations that addressed any and all aspects of Sound Transit's
 4 planning for building the East Link rail line across the south end of the Mercer Slough
 5 Nature Park, along the I-90 roadway, including documents that addressed future plans to
 6 extend a related rail line east to Issaquah and beyond as part of a future Sound Transit plan to
 7 extend its light rail system beyond the City of Bellevue." The scope of document discovery
 8 was ordered by the Court.
 9

10 5. As part of the NEPA appeal, I personally examined all documents and
 11 materials produced by Sound Transit in response to the NEPA case document production
 12 orders.
 13

14 6. I have reviewed carefully the following documents marked as ST002497,
 15 ST002498, ST002499, ST002500, ST002501, ST002502. To the best of my judgment and
 16 memory, I have never before seen these ST002497 – ST002502 marked documents. They
 17 were not included in any of the materials provided to the Federal Court and to Building a
 18 Better Bellevue.
 19

20 7. I also do not believe these documents were ever made available to the public.
 21 I certify under penalty of perjury under the laws of the State of Washington that the
 22 foregoing statements are true and correct.

23 Dated this 30th day of March, 2015, at Bellevue, WA



24
 25
 26
 DECLARATION OF ROSMANN IN SUPPORT OF
 RECONSIDERATION AND CLARIFICATION - 3

PDX\126888\201017\CSMMA15608991.1

SCHWABE, WILLIAMSON & WYATT, P.C.
 Attorneys at Law
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 Telephone: 206.622.1711

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CERTIFICATE OF SERVICE

The undersigned declares under penalty of perjury, under the laws of the State of Washington, that the following is true and correct:

That on the 30th day of March, 2015, I arranged for service of the foregoing
DECLARATION OF JOSEPH ROSMANN IN SUPPORT OF PETITIONERS' MOTION
FOR RECONSIDERATION to the parties to this action as follows:

Original + seven copies via E-mail and U.S. Postal Service, ordinary first class mail:

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1111 Israel Rd. SW, Suite 301
Tumwater, WA 98501
Telephone: (360) 664-9160
Facsimile: (360) 586-2253
eluh@eluh.wa.gov

Copies via Email per Eservice Agreement to:

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Sound Transit / Legal Department
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Seattle WA 98104-2826
Telephone: (206) 398-5441
Facsimile: (206) 398-5222
stephen.sheehy@soundtransit.org
Attorneys for Respondent Sound Transit

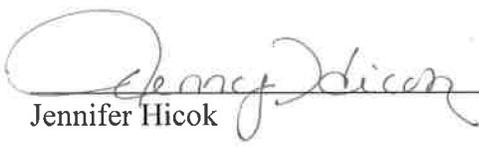
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Attorneys for Department of Ecology


Jennifer Hicok

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SHORELINES HEARINGS BOARD
STATE OF WASHINGTON

DR. DONALD DAVIDSON, GEOFFREY
BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER
DEVELOPMENT COMPANY, a
Washington company,

Petitioners,

vs.

THE CITY OF BELLEVUE, through its
DEVELOPMENT SERVICES
DEPARTMENT, Decision Maker; and
SOUND TRANSIT and ELLIE ZIEGLER
FOR SOUND TRANSIT, Applicant,
DEPARTMENT OF ECOLOGY,

Respondents.

SHB No. 14-025

DECLARATION OF ALISON MOSS
IN SUPPORT OF PETITIONERS'
MOTION FOR RECONSIDERATION

Declarant ALISON MOSS certifies and states as follows:

1. I am one of the counsel of record for Petitioners. I am over the age of 18, have personal knowledge of the facts contained in this declaration, and am competent to testify.

2. Attached hereto as Exhibit A is a true and correct copy of the November 8, 2013 E320 Future Wye Technical Memorandum from HJH to DeWitt Jensen provided by Sound Transit to Petitioners on March 9, 2015 in response to Request for Production

DECLARATION OF ALISON MOSS - 1

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
U.S. Bank Centre
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 (“RFP”) 17 in Petitioners’ First Interrogatories and Requests for Production to Sound
2 Transit.

3 3. Attached hereto as **Exhibit B** are true and correct copies of the following four
4 documents which Sound Transit produced on March 9, 2015 in response to RFP 17:

- 5 (a) April 20, 2011 Appendix 1A East Link Alignment Description;
6 (b) October 25, 2010 Sound Transit Eastside HCT Corridor – Definition
7 of Deliverables for Segment B (I-90 and Bellevue Way SE
8 Interchange to Winters House) Final PE Submittal from CH2MHill to
9 Sound Transit;
10 (c) November 10, 2009 Meeting Summary – Segment B Weekly
11 Coordination Meeting from– CH2MHill; and
12 (d) September 29, 2009 Meeting Summary – Segment B Weekly
13 Coordination Meeting from– CH2MHill to Sound Transit and the City
14 of Bellevue.

15 4. Attached hereto as **Exhibit C** is a true and correct copy of Sound Transit’s
16 response to RFP 17, objecting to providing the documents contained in Exhibits A and B

17 *I declare under penalty of perjury under the laws of the State of Washington that the*
18 *foregoing statements are true and correct.*

19 Signed this 30th day of March, 2015, at Seattle, Washington.

20 
21 _____
22 Alison Moss

23
24
25
26
DECLARATION OF ALISON MOSS - 2

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
U.S. Bank Centre
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 **CERTIFICATE OF SERVICE**

2 The undersigned declares under penalty of perjury, under the laws of the State of
3 Washington, that the following is true and correct:

4 That on the 30th day of March, 2015, I arranged for service of the foregoing
5 DECLARATION OF ALISON MOSS IN SUPPORT OF PETITIONERS' MOTION FOR
6 RECONSIDERATION to the parties to this action as follows:

7 **Original + seven copies via E-mail and U.S. Postal Service, ordinary first class
8 mail:**

9 Shoreline Hearings Board
10 1111 Israel Rd. SW, Suite 301
11 Tumwater, WA 98501 (for delivery not mailing)
12 Telephone: (360) 664-9160
13 Facsimile: (360) 586-2253
14 eluhho@eluhho.wa.gov

15 **Copies via Email per Eservice Agreement to:**

16 Stephen G. Sheehy
17 Sound Transit / Legal Department
18 401 South Jackson Street
19 Seattle WA 98104-2826
20 Telephone: (206) 398-5441
21 Facsimile: (206) 398-5222
22 stephen.sheehy@soundtransit.org
23 *Attorneys for Respondent Sound
24 Transit*

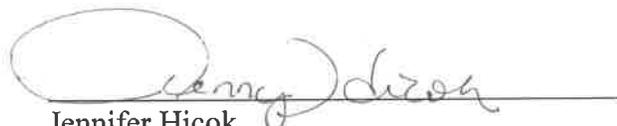
Patrick J. Schneider
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*Attorneys for Respondents Sound Transit
and Ellie Ziegler for Sound Transit*

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kays1@atg.wa.gov
teresat@atg.wa.gov
Attorneys for Department of Ecology


Jennifer Hicok

CERTIFICATE OF SERVICE - 2

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
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1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone 206-622-1711

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EXHIBIT A



MEMORANDUM

Sound Transit East Link | South Bellevue to OTC

E320 Future Wye Technical Memorandum

Date: November 8th, 2013

To: DeWitt Jensen

From: Jerry Dorn, Kent Ferguson, Bryan Williams

CC: Jim Schettler

Re: Concept for future Issaquah Wye Connection

Summary

The Preliminary Engineering documents included provisions for a future wye connection near I-90 that could serve a line extension to Issaquah that would have required significant design and construction in the East Link package. The H-J-H scope was modified to instead provide a feasible concept for the future Issaquah wye connection while minimizing design and construction work to the current East Link Project.

Scope of Work

- Develop concept for future wye connection in sufficient detail to show concept is feasible and will not preclude a future connection.
- Develop conceptual track layout and column locations.
- Prepare Technical Memorandum to identify a feasible concept, the assumptions for layout, and the identification of future construction work required.
- Deliverables will include E320 Future Wye Technical Memorandum.

Basis for Concept

- East Link connection will be isolated from the future Issaquah line through use of rail and structure expansion joints.
- Details will include a feasible concept for future wye connection to current structure without significant interruptions to service.
- Replacement of plinths to remove track superelevation and addition of special track work is acceptable future work, therefore main line service will be out for extended periods of time. It is assumed that for the majority of the outages, single track operations will be possible.
- Construction of new straddle bents and demolition of current columns or bents is an acceptable level of future impacts.
- Perform preliminary design of wye only in sufficient detail for proof of concept.



- The structural analysis global model will be developed based on the no wye connection option only, it is assumed that the future design will create the future global model based on future layout details. A concept for modeling is discussed in the memorandum.
- 120' spans or less assumed for wye.
- Design and layout is not optimized, a single feasible concept is provided.
- Relocation of existing ramps, existing facilities and existing utilities is feasible. Relocation these items will only be investigated to determine feasibility.
- Current final design and details will only include the option without the wye.
- Plan sheets are not required, engineering sketches only will be prepared.

Concept Description

Track

The current track alignment where the future wye would be connected consists of a 806.09' and 821.94' radius curves on a vertical tangent profile. The design concept for the future connection is the turnouts would be placed within the body of the horizontal curve on the radial or divergent side of the turnouts. The proposed #10 turnout radius is 806.09', matching the minimum radius of the mainline curves. At the time the turnouts are installed the track superelevation of 3" would need to be removed.

The future wye would consist of a three leg wye with double track on each leg so a full range of two direction movement can be accomplished to the west and east. To make the wye connection in the future, each leg of the wye would have a speed consistent with the turnouts. The superelevation would need to be removed to make the switch which will reduce operating speed through the connection to 20 miles per hour. The alignment of the Issaquah Extension as it crosses the slough was not determined, it was assumed to run parallel to the existing I90 highway.

Structure

Additional deck width and tub girders will be needed where the wye connects. This can be accomplished by framing tubs parallel to the current tubs and connecting at the slab level and diaphragms. The future slab and diaphragm connection will drill and dowel into the current contract structure. If slab continuity is required in the future due to special trackwork, a link slab will be used. To support the additional superstructure, additional cap crossbeam and columns will be required. The added columns will be placed outside the current structure and the new cap beam will be built around the current cap beam. The future cap beam would be post tensioned to pick up the load from the current pier cap. This makes the future wye extension integral with the current design. The current columns can either be used in the future layout or removed in the future after the connected column and cap are constructed and post tensioned. Exact details will be determined in the future.

Seismic

The future wye connection and the continuous rail for the Issaquah Extension will create add extra stiffness in the seismic and temperature load distribution that will affect the current adjacent East Link aerial guideway. In order to minimize the stiffness effects, the future Issaquah Extension would contain an expansion joint on the wye legs so the wye connection to East Link is isolated from the future Issaquah Extension. The columns and cap beam that are added with the future wye connection would be designed to resist their share of the seismic and temperature loads so the current lateral design of East Link would not be affected.



Global Modeling

The current design has a global model of the structure that includes the rail, superstructure, columns and foundations. The model is used to determine vertical and lateral loads on the structure and to evaluate rail structure interaction. A similar model would be created in the future that would include the current structures and future Issaquah Extension structures and rail. The stiffness of the future structures and rail expansion joints would be used to limit the forces to the current structure. The results of the future model would be compared to the current model results to determine if the future structure causes overload of the current structure. The future structure would be modified if necessary to limit loads on current structure.

Future Design and Detail Work

Some of the future design and details that will need to be advanced to final design when the Issaquah Extension is advanced are summarized in the following bullets:

- Issaquah Extension alignment and profile
- Structure concept and span layout over the slough
- Environmental impacts and mitigation
- Wye layout optimization
- Turnout details
- Superstructure framing plan
- Column locations
- Cap beam details for extension of cap beam around current cap beam
- Slab and Diaphragm connection to current structure
- Geotechnical investigations
- Seismic analysis of global seismic resisting system including current and future structure
- Column and foundation design based on future seismic models
- Continuous rail analysis and rail expansion joint locations
- Roadway ramp clearances and sight distances
- Utility conflicts
- Systems layout; routing of conduits will typically be on the deck
- OCS pole locations; poles will be added on the future structure and cantilevered over to the current structure as required.
- Drainage

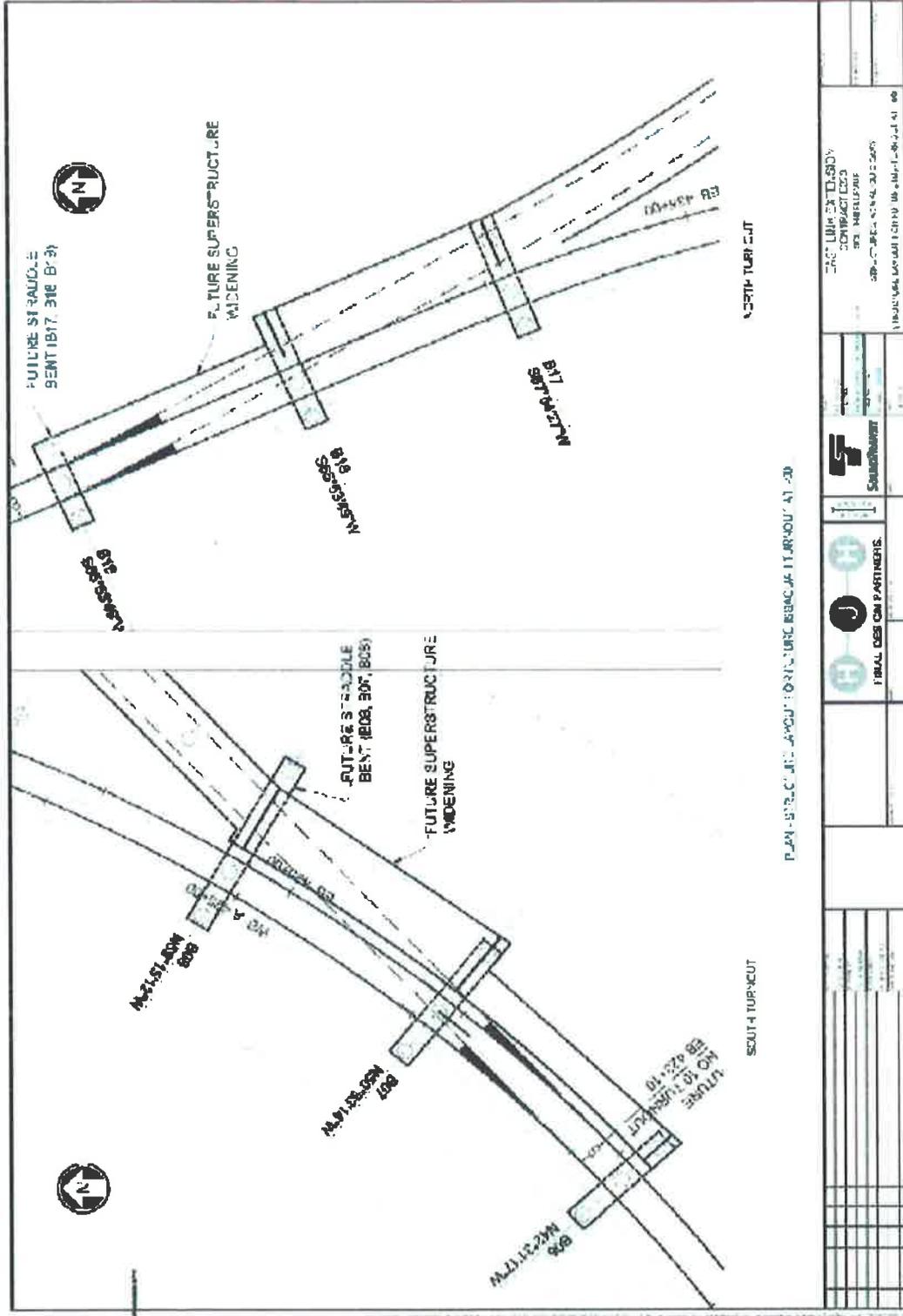
Future Construction Work and Interruption to Service

The elimination of track superelevation and the addition of switches in the track will require modification of current plinths. This work could be staged so the majority of the work would be completed while operation continues on the adjacent track. There will be periods of time when a switch is added and rail connections made that will require shut down on both tracks, but it would be possible to complete this work during non-revenue service.

For the structure, drilled shafts and columns could be constructed outside the current structure while operation continues. There will be interruptions to service when heavy lifting occurs such as setting tub girders, when there are closure pours between structures such as diaphragms and decks, and when there is a change in the load path such as demolition of an existing column.

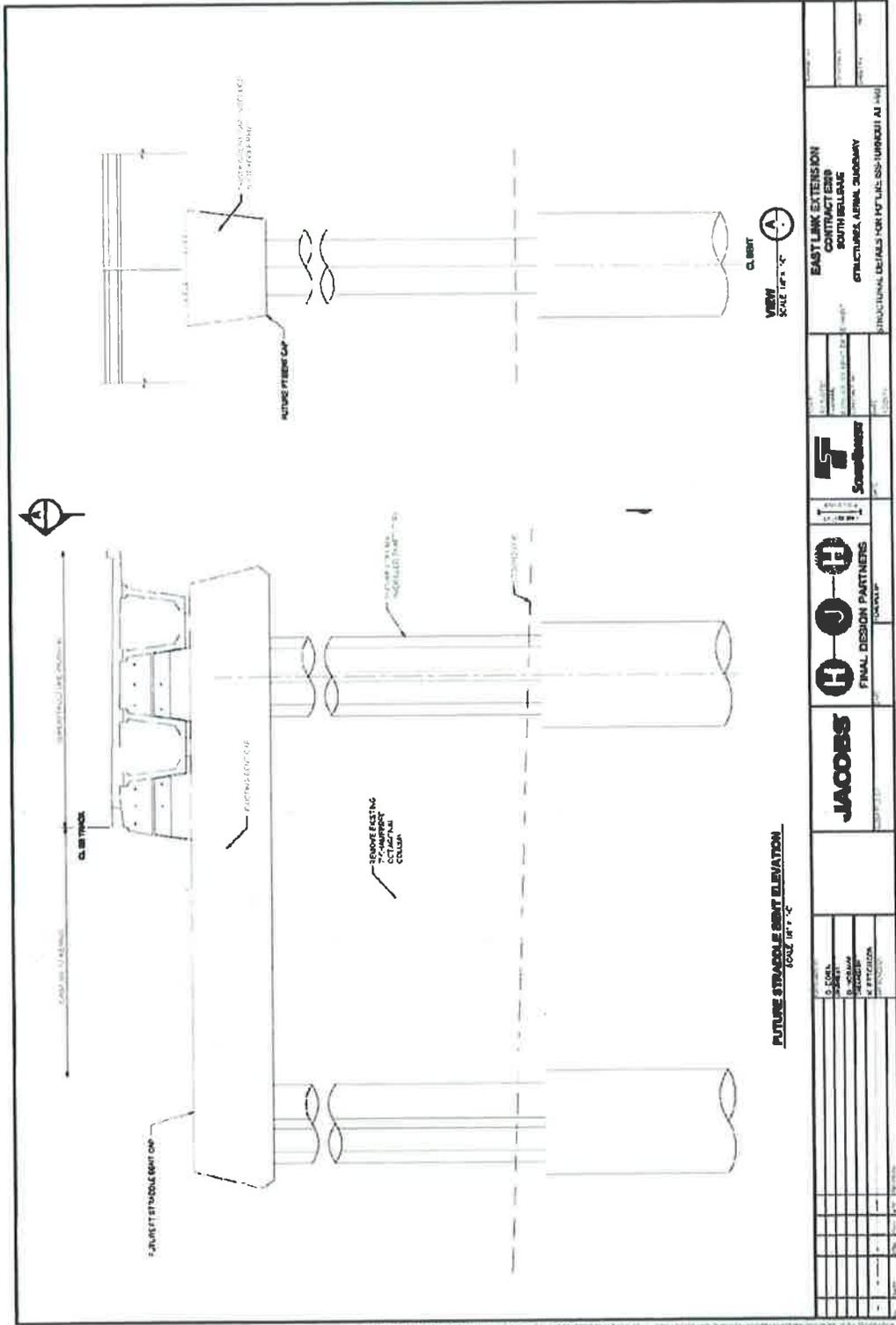


E320 Future Wye Technical Memorandum



<p>PROJECT: E320 FUTURE WYE</p>		<p>DATE: 10/20/2011</p>		<p>SCALE: AS SHOWN</p>		<p>DESIGNER: [Name]</p>		<p>CHECKER: [Name]</p>	
<p>PROJECT LOCATION: [Location]</p>		<p>PROJECT NUMBER: [Number]</p>		<p>PROJECT PHASE: [Phase]</p>		<p>PROJECT STATUS: [Status]</p>		<p>PROJECT OWNER: [Owner]</p>	
<p>PROJECT DESCRIPTION: [Description]</p>		<p>PROJECT OBJECTIVES: [Objectives]</p>		<p>PROJECT SCOPE: [Scope]</p>		<p>PROJECT BOUNDARIES: [Boundaries]</p>		<p>PROJECT RISKS: [Risks]</p>	
<p>PROJECT CONTACTS: [Contacts]</p>		<p>PROJECT REFERENCES: [References]</p>		<p>PROJECT ASSUMPTIONS: [Assumptions]</p>		<p>PROJECT CONSTRAINTS: [Constraints]</p>		<p>PROJECT NOTES: [Notes]</p>	

E320 Future Wye Technical Memorandum



NO.	DATE	DESCRIPTION

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 FINAL DESIGN PARTNERS
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 CONSULTANTS
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 San Francisco, CA 94104
 TEL: 415.774.4000
 WWW.STCONSULTANTS.COM

EAST LINK EXTENSION
 CONTRACTOR
 SOUTH BELLEVUE
 STRUCTURAL AERIAL SUBWAY
 STRUCTURAL DETAILS FOR FUTURE SS-TURQUOISE AT 440'

EXHIBIT B

Appendix 1A

East Link Alignment Description

The East Link Light Rail Preliminary Engineering alignment is divided into four segments that traverse Cities of Seattle, Mercer Island, Bellevue and Redmond. The four segments including two alignment options for Downtown Bellevue include:

- Segment A (Downtown Seattle to South Bellevue)
- Segment B (I-90 and Bellevue Way SE Interchange to Winters House)
- Segment C (Winters House to BNSF) - Tunnel Alignment
- Segment C (Winters House to BNSF) - At-Grade Alignment
- Segment D (BNSF to Overlake Transit Center)

The total guideway length for the four segments of the project is 14.3 miles with the Segment C at-grade alignment (14.0 miles with the Segment C tunnel alignment). The project encompasses light rail track in a combination of at-grade, retained cut or fill, tunnel, and aerial guideway; ten stations, including alternates and add-on features; reconstructed or new civil elements including roadway, traffic, drainage and utility items; and system facilities. The highlights of the design elements are noted in the segment summaries below with more complete design development overviews addressed in the individual discipline chapters of the design report.

Segment A (Downtown Seattle to South Bellevue)

Track: Segment A is comprised of approximately 36,500 feet (6.9 miles) of track and begins at the connection of the existing Link Light Rail system immediately south of the International District Station (IDS) in Seattle and essentially runs in the I-90 high occupancy vehicle (HOV) Express lanes the full length of the segment across Lake Washington, through Mercer Island and onto the East Channel Bridge. At IDS, existing central link tracks are modified to accommodate East link tie-ins with a provision of a pocket track for the LRT vehicles to turn back. East Link track exits IDS, along existing busway ramps on plinth blocks and transitions to an embedded track as it enters the WSDOT D-2 roadway connecting to I-90, to facilitate shared bus rail operation. Along D2, special girder rails are installed by removing portion of existing slab to allow for the vertical dimension of the rails and plates. To reduce the impact of additional loading on existing structures along D2, the roadway is re-paved with light weight, with the surface even with the top of the rail. Along D2, to ensure safe operation, the trains will be operating in street-running mode and the speeds are constrained by number of existing curves and limited sight distance. As the trains exit the shared operation and approaches Rainier Station, tracks are transitioned from embedded to direct fixation on plinths, which will be the track attachment method for rest of the alignment. The plinths are cast in place on top of the existing roadway pavement. A double crossover is provided immediately east of the Rainier Station, before entering the Mt. Baker Tunnel. The Mt Baker tunnel is retrofitted with center fire wall separating the EB and WB tracks. All the retrofits in the tunnel, like the wall and emergency ventilation fans are supported by structural steel frames to avoid any additional loading on the tunnel.

After covering 3,500 ft Mt. Baker Tunnel, alignment enters 5,750 ft long I-90 Homer Hadley (HH) Floating Bridge. At the junction of fixed and transition span structure, LRV track requires

special rail joint beam structures, currently under separate procurement, to accommodate the horizontal and vertical movements that occur between the land-based approaches and the floating bridge. The track attachment system on the HH Floating Bridge is still being researched to determine the most feasible attachment design that addresses WSDOT concerns regarding preserving structural integrity of the bridge deck while meeting Sound Transit requirements for durability and maintenance. Direct fixation track on plinths will be continued on Mercer Island through the existing Mercer Island Tunnel and across the East Channel Bridge. The plinths are cast in place on top of the existing roadway pavement. Similar to Mt. Baker Tunnel, Mercer Island Lid tunnel will be retrofitted with center fire wall and emergency ventilation fans supported on steel frames.

Stations: The Segment A alignment includes two stations:

- The Rainier Station is in the median of I-90 between Rainier Ave S. and 23rd Ave S. It is an at-grade, center platform station at the highway elevation in the current HOV lanes. The west entrance is accessed from Rainier Ave S, approximately 30 feet below the platform level, via a ramp and stair system. Portions of this system under the I-90 overpass exist to access the bus flyer stops on I-90. A new opening in the overpass abutment will allow a direct ramp access to the west end of the platform. The east entrance is accessed from 23rd Ave S at the edge of the I-90 lid approximately 30 feet above the platform level. It is accessed via pedestrian bridge, stairs, escalator and elevators. Bus transit routes are on Rainier Ave S, 23rd Ave S, and I-90.
- The Mercer Island Station is in the median of I-90 between 77th Ave SE and 80th Ave SE overpasses. It is an at-grade, center platform station, raised about 6- 7ft from existing grade for improving vertical access to and from east and west entrances. The west entrance is accessed from the east edge of the 77th Ave SE overpass approximately 30 feet above the platform level. The east entrance is accessed from the west edge of the 80th Ave SE overpass, approximately 30 feet above the platform level. It is accessed via stairs, escalators, and elevators. Bus transit routes are on W Mercer Way and 80th Ave SE.

Civil: Most of the Roadway, site and traffic modifications for Segment A are due to the placing of light rail transit (LRT) within the existing roadway corridor. Majority of the transit way limits and modifications are within WSDOT ROW and will be part of the airspace lease agreement between WSDOT and Sound Transit. Existing D2 roadway is modified to accommodate joint bus/rail operation and carpool usage would be removed to ensure safe LRT operation controlled by security gates. Approximately 1.4-miles of the D2 corridor, comprising of two 12ft lane roadway separated by median, over WSDOT bridges and at-grade section would be configured for shared/joint use. The existing D2 Roadway channelization will remain the same; however, the inside shoulders will be narrowed by 1'each on the elevated structure segment to accommodate a 4' wide barrier and conduit housing. At the location where D2 crosses under I-90, the roadway will be lowered to provide sufficient clearance for future 15-foot widening of WB I-90. Retaining walls are proposed on both sides for roughly 150 feet. Security gates are installed at both ends of shared bus/LRT transit way to prevent the entry of unauthorized vehicles.

Near the I-90 and Rainier Avenue interchange, the ramps connecting the reversible center roadway to I-90 mainline would be closed off with new barriers to accommodate Rainier station and to prevent vehicles from entering the Mt. Baker center roadway tunnel.

On floating bridge, a 10-foot-wide maintenance access road to be used by WSODT will be provided along the north side of the LRT alignment. Entry to this access road is controlled by gates at the existing WSDOT crossing at the east end of floating bridge, near the WSDOT facility at Mercer Island. Existing barriers along the south side of floating bridge will be removed and replaced with cable rails for weight mitigation. Foundations for cantilevered OC S poles will be installed and attached to bridge deck along the south side, between proposed railings.

In Mercer Island, the existing Island Crest Way center roadway off-ramp will be modified to provide an eastbound HOV direct-access off-ramp from the I-90 EB mainline rather than the previously proposed off-ramp to 77th Avenue SE. The westbound HOV on-ramp from Island Crest Way to the reversible center roadway will be closed and an observation/enforcement area per DM 1410.06(7) will be provided. The existing westbound access to the outer roadway HOV lanes will be maintained. The WB on ramp and EB off ramp connecting center roadway to I-90 mainline, between East Mercer Way interchange and East channel Bridge will be closed.

Preparation of documentation for both permanent and temporary airspace lease for the center roadway along the I-90 corridor in the immediate proximity to the East Link project alignment was performed. Currently, the HOV roadway and a WSDOT parcel adjacent to I-90 and Dearborn St are the only zones denoted for construction staging.

Limited storm drainage facilities will be impacted in this segment since the alignment is on existing Sound Transit and WSDOT ROW. Many areas will be used with minimal alteration. Approximately 1000 feet of the existing roadway east of Rainier Ave S is being re-profiled, thus triggering a flow control requirement. A stormwater detention vault is proposed to manage the runoff from this section of roadway. The existing storm drainage conveyance system is redesigned to accommodate the revised roadway profile. The storm drainage conveyance systems impacted by Rainier Station and Mercer Island Station will require further evaluation during final design.

Utility relocation impacts in Segment A are limited to a handful of utility crossings and manhole modifications and connections. In particular, reconstructed off-set manhole lids are proposed for a manhole at approximate EB Sta 1054+20 and at Rainier Station. The Mercer Island Station side sewer is proposed connecting to the King County Wastewater (KCWW) regional sewer system at an existing manhole at the station. The connection has been discussed with KCWW and is expected to be ultimately approved with conditions further discussed in the Design Report. A new fan control building to power new Mt Baker Tunnel fans in the existing HOV tunnel will require two independent sources of power. Currently, a single source from Seattle City Light is available in the vicinity of the fan control building. The project designers and Sound Transit were able to meet with SCL to discuss how a second power source could be brought to the area. Subsequently, SCL was able to develop preliminary cost estimates to do so. The 6-inch side sewer serving the proposed traction power substation (TPSS) is proposed to be connected to an existing sanitary sewer clean-out adjacent to the existing WSDOT I-90 Floating Bridge Maintenance Facility located just west of 60th Ave SE on Mercer Island (MI). There is no existing sanitary sewer pipe in 60th Ave SE; however, there is an existing MI sanitary sewer pipe buried along the shoreline in Lake Washington. The Maintenance Facility sewer is shown to

connect to this sewer mainline. The proposed connection to the WSDOT facility side sewer would eliminate in-water construction impacts, permit requirements and environmental mitigation. Interagency agreements have not been made to address this connection at this time.

Systems: Systems elements for Segment A include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substation (TPSS), communications and stray current /corrosion control systems. FLS features include dry fire protection attached to the south-side railing on the East Channel Bridge section. There are four Traction Power Substations (TPSS) in this segment, they are located: On the north side of the guideway at approximate EB Station 1059 south of Rainier Ave S; on the south side of the guideway at the west edge of Lake Washington and Lakeside Ave E; on the west edge of Mercer Island between Lake Washington and 60th Ave SE below the I-90 Bridge; and on the south side of I-90 just west of Shorewood Dr on Mercer Island. Signal relay houses are located in the IDS and Rainier Station, adjacent to the TPSS off of 60th Ave SE, and at approximate EB Sta 1293+50 west of Shorewood Dr. Side and center OCS poles are utilized for the corridor with exception of special attachments in the Mt Baker and Mercer Island Tunnels.

A corrosion control program was performed to evaluate and design systems elements to minimize stray current impact to transit and adjacent utility structures. The major elements of the work included the design of stray current mitigation for the floating bridge, an evaluation of the floating bridge reinforcing steel electrical continuity, a system wide evaluation of the soil resistivity along the entire ROW, calculation of the maximum allowable stray current for the ROW based on soil resistivity, preliminary calculations of stray current levels on the I-90 HH Floating Bridge, and development of details for providing electrical continuity of reinforced concrete structures and cathodic protection systems. The "East Link Soil Corrosivity and Stray Current Control Report" is appended to the Design Report.

Segment B (I-90 and Bellevue Way SE Interchange to Winters House)

Track and structures: Segment B is comprised of approximately 6,900 feet (1.3 miles) of track that runs between I-90 and along Bellevue Way SE in south Bellevue to the Winters House. Segment B alignment begins in center roadway with at-grade direct fixation track, beyond the East Channel Bridge the alignment transitions from at-grade to a retained fill structure then to an aerial guideway structure. The elevated section curves to the north through the I-90 and Bellevue Way SE interchange to the east side of Bellevue Way SE and continues elevated to the South Bellevue Station. Beyond the station the alignment transitions to a combination of at-grade and retained-cut route along the east side of Bellevue Way SE to just north of the historic Winters House. An acoustic barrier has been incorporated onto the west side guardrail of the elevated guideway structure beginning at the start of the elevated structure and continues on the one side up to the retained cut section north of the South Bellevue Station. All track in this segment is direct fixation on plinths including through the retained cut area at Winters House where a sealed structure was incorporated to address the high water-table. Horizontal geometry of the elevated tracks includes 30mph curves and track spacing varying from 13.5' to 15.75', and widening to accommodate center platform South Bellevue Station. A double crossover is located north of SE 30th Street. The westbound track profile on the I-90 East Channel Bridge was designed to conform to the existing superelevation and, therefore, will have independent superelevation designs. Track alignments for the potential future extension to Issaquah have

been considered and accommodate No. 10 turnouts for both the Issaquah-Bellevue junction and the Issaquah-Seattle junction.

The I-90 crossing superstructure is assumed to be a haunched concrete segmental box using balanced cantilever method of erection. Based on optimizing the layout with the existing ramps north of I-90 this resulted in the current proposed span length of 310 feet. The straddle bents for Issaquah junction (south) are integral with the superstructure and straddle over I-90 on-ramps and support the Issaquah junction spans. The south Issaquah junction is a two-span, trapezoidal superstructure. The north branch of the junction affects two spans and the superstructure is similar to the south branch.

The retained cut sections include areas with cut on one side and fill on the other side, as well as areas with cuts on both sides. Within the Winters House area where there is a full cut section with soldier pile walls on both sides that is deeper than 15', the use of supporting struts at the top of the wall has been incorporated, and trench lid structure approximately 170 feet in length. Due to uplift pressure from groundwater, the base slab is proposed to be 3' thick, and construction joints include waterstops to seal out groundwater.

Stations: Segment B includes one station and parking garage located at a reconfigured existing South Bellevue Park & Ride lot location. It is an elevated center platform station with stair, elevator, and escalator access. It will have both surface and a 5-level parking garage totaling 1,400 available parking spaces. Bus transit access is at a bus platform located under the light rail station platform.

Civil (ROW/Roadway/Drainage & Utilities): This segment of the project has the following roadway improvements: reconstruction of freeway ramp and arterial pavement, curb/gutter and sidewalk, street trees, roadway lighting, and roadway drainage, and trail system paths. Modification of approximately 600' of the WSDOT on-ramp, Bellevue Way to Westbound I-90 HOV (SW-ramp). Modifications to Bellevue Way SE include re-channelization and partial widening in order to add southbound HOV lane from the South Access (South Bellevue Station) Road intersection to the I-90 HOV direct access on-ramp. Northbound Bellevue Way SE curb lane reconstruction (approximately 900') due to new storm drain facilities. Bellevue Way SE intersection improvements at 4 locations: SE 30th including half-signal, South Access road with full-signal, Main Access/112th Avenue SE with full-signal, and North Access. Property/site access modifications to South Bellevue Station and Park & Ride (3 access roads), Blueberry Farm and Winters House access roads and parking lot modifications.

For stormwater facilities, the portion of Segment B that is along I-90 will use a combination of the existing facilities, bioswales, and dispersion to manage the guideway stormwater. The portion of the project within City of Bellevue is within the Mercer Slough Basin which is an exempt receiving body, therefore, no flow control is required. Enhanced treatment is provided for the South Bellevue Park & Ride and portion of Bellevue Way with a stormwater treatment wetland. A new 21" to 30" storm drain is proposed to intercept and convey offsite flow from the Enatai neighborhood to a point south of the retained cut. Guideway stormwater at the Winters House retained cut trench is collected at the low point of the guideway and discharged to the wetland of Mercer Slough.

Utility reconstruction includes the following items: Existing overhead power and telephone facilities along Bellevue Way are shown to be relocated as buried facilities, however, overhead to overhead relocation is still a consideration. Special consideration for construction protection of existing facilities at the Sweyolocken Pump Station, due to close proximity to an existing 27-inch sanitary sewer line and manhole. Installation of approximately 1,000 feet of 8" water line in Bellevue Way northbound lane.

Systems: Systems elements for this segment include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substation (TPSS), communications and stray current /corrosion control systems. FLS features include dry fire protection attached to railing on elevated guideway sections and LRT emergency access at south side of retained cut guideway. The Traction Power Substation (TPSS) in this segment is located on the east side of the guideway south of SE 30th Street. The Signal Relay House is located adjacent to the TPSS site. Side and center OCS poles are utilized for the corridor with exception of special attachments at Winters House lid.

Segment C (Winters House to BNSF) - Tunnel Alignment

Track: This segment is comprised of approximately 13,400 feet (2.5 miles) of track and extends from the Winters House on the east side of Bellevue Way SE, south of 112th Avenue SE, to the former BNSF right-of-way north of NE 8th Street. The portion of the alignment from Winters House to just north of SE 8th Street is within Segment B, however, this portion is included in the Segment C Preliminary Engineering submittal package. At the Winters House the guideway is direct fixation track in a retained cut, with sealed trench section, soldier pile walls and strut supports at the top of the wall. The guideway transitions up to grade near the wye intersection of Bellevue Way SE and 112th Ave SE where it turns and continues along the east side of 112th Ave SE in a combination of at-grade and retained fill on ballasted track. South of the intersection of SE 15th Street a 30' wide bridge structure spans over an existing culvert connecting Mercer Slough with ponds on the west side of 112th Ave SE. Ground improvements employing overexcavation with granular fill and stone columns are used in this section from Winters House to approximately 500' beyond SE 15th Street. The side-running, essentially at-grade route then transitions to ballasted track built on a precast concrete trestle structure and includes a structure-supported (trestle) station just north of SE 8th Street. The side-running 112th Avenue SE alignment crosses two intersections (SE 15th Street and SE 8th Street) at-grade and includes vehicle crossing gates and signals. Track design speeds are 45mph south of SE 15th Street and 35mph north of this point.

North of the SE 8th Station is the beginning of Segment C. The guideway continues with the trestle structure until it crosses at-grade to the west side of 112th Avenue SE at SE 6th Street; the speed of the crossing curves is 20mph. The alignment continues on ballasted track at-grade until SE 1st Street when it turns west onto the south side of Main Street as a retained cut. Two single crossovers are located in advance of the horizontal curve south of SE 1st Street. The retained cut ends at the tunnel portal east of 110th Ave Place SE, where the alignment curves north and crossing Main Street onto 110th Ave NE as a cut-&-cover tunnel route. The track is a direct fixation system beginning from the retained cut through the remainder of the Segment C tunnel alignment. Typical track center spacing in the tunnel is 18'6" to accommodate a 2-hr rated dividing wall throughout the length of the running tunnel; the track centers widening to

accommodate a center platform tunnel station located under 110th Avenue NE at NE 4th Street. The length of tunnel, including the underground station, is approximately 2,230 feet. The maximum depth of tunnel from rail to surface is approximately 55 feet; factors controlling the tunnel depth are station access mezzanine layout, space for utilities above the tunnel and station box, and NE 6th Street portal location. A critical horizontal layout constraint is on the north side of NE 4th Street, between an existing shoring/support wall of the Skyline Tower parking garage on the west and the Bellevue City Hall building on the east side. At this constraint location, there is approximately three feet clear separation on the west side to the proposed composite secant pile tunnel wall and a minimum 5 feet clearance on the east. After the station the cut-&-cover alignment turns east and portals out in the center of NE 6th Street, followed by a transition structure that includes retained cut and retained fill then to elevated guideway over 112th Avenue NE. The design speeds of the curves in the retained cut and tunnel portion of the alignment are 20mph. The guideway is direct fixation and elevated along NE 6th Street where it transitions from the center of NE 6th Street to the north side before crossing over I-405 and 116th Avenue NE. A double crossover is located just east of I-405. The aerial guideway turns north onto the former BNSF railroad right-of-way, crosses over NE 8th Street to the elevated Hospital Station located immediately north of NE 8th Street. Horizontal geometry of the elevated tracks includes 30-35mph curves and typical track spacing of 15.75', with widening to accommodate center platform Hospital Station. The minimum vertical clearance over 116th Avenue NE and NE 8th Street is 16'6", and clearance over existing BNSF trackway is 23'0". Segment C terminates within the former BNSF right-of-way approximately 400' south of NE 12th Street as it transitions from elevated to at-grade with a trestle structure system.

There are several key structures in this segment that are discussed in detail in structural chapter of the Design Report. These include an approach transition slab where the track transitions from the direct fixation to ballasted; cast-in-place concrete trestle with deep drilled shaft foundations in areas of soft, liquefiable, layers of soil; driveway bridge for emergency access that crosses the guideway at Lincoln Plaza south of SE 6th Street; cut-&-cover tunnel box with waterproofing, multiple shoring systems, temporary decking for maintenance of traffic; modification of a portion of the existing parking structure; straddle bents for the elevated guideway one east of 112th Avenue NE and three south of NE 8th Street; and I-405 crossing consisting of 4-span balanced cantilever structure with 290' maximum span length and approximately 70' above I-405.

Stations: Segment C tunnel alignment includes three stations:

- The SE 8th Station is located on the north side of the intersection of 112th Avenue SE and SE 8th Street. It is an at-grade, side platform station with sidewalk access from the north and south, and is constructed on a trestle. Sound walls are incorporated in the station to mitigate train noise impacts to the adjacent property. Bus transit routes run on SE 8th Street and 112th Avenue SE.
- The Bellevue Transit Center Station is in a cut-&-cover tunnel section and has a center platform. The station platform is roughly centered on NE 4th Street, with the station entries positioned outside of the existing right-of-way. The main entry is located on the Bellevue City Hall property and serves bus transfers and the downtown core. The secondary entry is located on the west side of 110th Avenue NE at NE 2nd Place. Because of the cut-&-cover system the station spaces are not constrained within a rectangular box configuration. The station has a lower, center-access platform level and an upper

pedestrian circulation mezzanine area. The mezzanine enclosure is shaped to accommodate station fans and plenum facilities south and north of the mezzanine. Access to the station will be via stair, escalator, and elevator. The existing adjacent Bellevue Transit Center will provide transit access. An alternative north access (City Center Plaza entrance), on the west side of 110th Avenue NE, is proposed as an alternative entrance to the tunnel alignment. This alternate access will impact the existing four-level parking garage and drainage vault of the City Center Plaza.

- The Hospital Station is an elevated, center-platform station located along the former BNSF right-of-way just north of NE 8th Street. The south entrance is accessed from NE 8th Street 34 feet below the platform level and the north entrance is accessed from the north end of the entry plaza 32 feet below the platform level. Access will be via stair, escalator, and elevator. Bus transit routes run on NE 8th Street and 116th Avenue NE. Space is preserved within the BNSF ROW for future trail/utility/freight rail corridor. Sturtevant Creek currently flows within the footprint of the station, so a relocation to the west in its alignment is proposed.

Civil: This segment of the project has the following roadway improvements: construction/reconstruction of pavement, curb/gutter and sidewalk, retaining walls, street trees, roadway lighting, and roadway drainage. Primary areas of work will include the reconstruction of sidewalk on the east side of Bellevue Way SE adjacent to the retained cut alignment; the widening of sidewalk with landscape on the south side on 112th Avenue SE north of the wye intersection; and approximately 900 feet of northbound roadway and sidewalk will be rebuilt and channelized to incorporate two through-lanes and two turn lanes south of SE 15th Street. The intersection of 112th Ave SE and SE 15th will undergo significant modifications including a raised profile to match the light rail grade, new traffic signalization, three new turn pockets, and vehicle gates coordinated with the traffic signals. Continuing north the northbound roadway, sidewalk and median will be reconstructed to SE 8th Street. The 112th Avenue SE and SE 8th Street intersection will be re-channelized and re-built. The intersection of 112th Avenue SE and SE 8th Street will also have a raised profile to match the light rail grade, modified traffic signalization, one new turn pocket, and vehicle gates coordinated with the traffic signals. Approximately 500 feet of SE 8th Street will be reconstructed on pile supported structure in order to match the track alignment, affecting the full width of SE 8th Street, back-of-walk to back-of-walk including adjacent landscaping, and retaining walls at back of walk. North of SE 8th Street on 112th Avenue SE, a single northbound lane, curb & gutter, sidewalk and landscaping will be reconstructed to the limit of Segment C.

The roadway from back-of-sidewalk to back-of-sidewalk on 112th Ave SE between SE 8th Street and SE 6th Street will largely be rebuilt and re-channelized. SE 6th Street will be reconstructed to incorporate the light rail crossing, but will not have vehicle gates as the light rail will cross at the reconstructed signalized intersection. Work is proposed on roadway, sidewalk and landscaping for approximately 150 feet of SE 6th Street, and approximately 500 feet of SE 4th Street will be re-aligned and built new to maintain access to the neighborhood since the existing access at 112th Avenue SE will be impacted by the LRT project. The curb & gutter and sidewalk on the west side of 112th Avenue SE north of SE 4th Street up to Main Street will be demolished and rebuilt. Similarly, the sidewalk and curb & gutter on the south side of Main Street will be rebuilt between 112th Avenue SE and 110th Avenue NE. 110th Ave NE including roadway, curb & gutter and sidewalk will be rebuilt in its entirety from Main St to NE 6th Street over the cut-&

cover tunnel/station. Additional work will occur in the BTC Station entrance and ventilation areas that extend to surface grade. With the exception of a short stretch on the north side of the street, NE 6th Street between 110th Avenue NE and 112th Avenue NE will have full width roadway and sidewalk work. Temporary and permanent modifications to I-405 ramps due to LRT design are proposed that require continuing coordination with WSDOT for final design and approval. Signal modifications are proposed for the intersection of Main Street, NE 2nd Street, NE 4th Street, and NE 6th Street on 110th Avenue NE. Signal modifications will be required at the intersection of 112th Ave NE and NE 6th St. Temporary and permanent modifications to I-405 ramps due to LRT design are proposed that require continuing coordination with WSDOT for final design and approval.

Other roadway and civil design features include: two emergency egress stairways are proposed at trench guideway, one located near Winters House and the second at the intersection of 112th Avenue SE and Bellevue Way. Acoustic barrier is proposed along effectively the full length of 112th Avenue SE on the north/west side of the track to SE 8th Street. Installation of a wall on the west side of 112th Avenue SE north of SE 6th Street. For walls less than 8' a rockery wall is proposed and for walls greater than 8' a tie back wall is assumed. Acoustic barriers intended to minimize noise impacts to the Surrey Down neighborhood are incorporated on the west side of the tracks along 112th Avenue SE beginning from approximately SE 4th Street and continues as it curves around to Main Street into the retained cut section, ending at the south end of the tunnel. Acoustic barriers are again employed at the elevated guideway between I-405 and NE 116th Ave NE, and at the at-grade section in the former BNSF right-of-way.

Stormwater facilities will use a combination of existing system, underdrains and storm drain conveyance systems to convey stormwater flow. Guideway stormwater north of the Winters House retained cut trench is collected at the low point of the guideway and discharged to the wetland of Mercer Slough. Stormwater collection from track underdrain is discharged directly into the Mercer Slough. Two existing culverts at the wye intersection at 112th Ave SE and Bellevue Way SE will be lowered to accommodate the guideway design. The portion north of SE 8th Street is in the Sturtevant Creek Basin. The flow control requirement in this area is limited to the difference between the changed groundcover condition, thus a stormwater detention vault near SE 8th Street will manage the additional runoff generated by the portion of the alignment that drain to this location. The tunnel section has a storm drain to manage groundwater infiltration into the tunnel, incidental stormwater flow at the portals, and supplemental drainage in the event of fire flow. The street-level stormwater design above the tunnel and tunnel station replaces the existing system in as much of the existing location as possible to ensure service connections are maintained. A small amount of impervious surface is added to NE 6th Street west of 112th Avenue NE, and 72-inch detention pipes are proposed to handle the additional runoff as well as replace the existing detention pipe displaced by the project. Two design issues that have not been reviewed by the Washington Department of Fish & Wildlife or the Native American Tribes and could encounter permitting difficulties are: A relocated 36-inch pipe conveying Sturtevant Creek east of I-405 due to a proposed guideway column; and a proposed re-alignment of Sturtevant Creek channel and inlet manhole due to displacement by Hospital Station.

Utility work for the portion of the alignment from Winters House to SE 8th Street is primarily located at street crossings and includes: Relocation/reconstruction of Qwest facilities located at

the SE corner of 112th Avenue SE and SE 15th Street serving the Bellefield Office Park including special apparatus in cabinet and vault structures, as well as associated conduit encased cable/wire/fiber. Due to the soil improvements necessary in this area to support the installation of light rail, the Qwest facilities will be relocated to the NW corner of the intersection behind the sidewalk, but within the existing ROW. Power ductbank will be relocated south of SE 15th St ROW, away from proposed stone columns and reinforced soil/geotextile mats, but will require a utility easement. The City of Bellevue is scheduled to upgrade and relocate the existing sanitary sewer pump station and associated piping in advance of light rail construction. The final design will require close coordination with City of Bellevue to include the pump station and piping work in the final design drawings and for relocation work of other utilities in the vicinity. There are extensive utility relocation of dry and wet utilities proposed on SE 8th St due to conflicts with the proposed rail crossing along 112th Ave SE and the raising of the SE 8th road profile to accommodate the track elevation. Utilities are relocated outside of existing ROW in a proposed utility corridor, and require specialized support due to existing poor soil conditions.

Utility work north of SE 8th Street includes relocation/reconstruction of all utilities within the limits of the cut-&-cover work on 110th Avenue NE. Because of the proposed structural shoring plan and decking, utilities will required advanced utility relocation, support during tunnel construction, and subsequent re-burial. Discussions with utilities experiencing high impact were initiated during the preliminary engineering phase and assumptions and design considerations derived in meetings are reflected in the design drawings. Some key issues are discussed in further detail in the Design Report. Other utility relocations occur at street crossings including SE 6th Street, SE 4th Street, and SE 1st Street. Utilities on NE 6th Street falling within the tunnel and retained cut section are relocated to the north side of the street.

Systems: Systems elements for both the tunnel and at-grade alignment for Segment C include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substations (TPSS), communications and stray current /corrosion control systems. FLS features include 4 vane-axial fans for the underground Bellevue Transit Center Station fan shafts/rooms, 3 vane-axial fans for the station smoke exhaust fan room, and 4 jet fans for smoke exhaust near the south portal. Similar to I-90 tunnels, the Bellevue transit tunnel will require redundant power in the event of an emergency, standby generators are proposed to fulfill this function. The Traction Power Substation (TPSS) in this segment is located on the west side of the LRT tracks and 112th Avenue SE, just south of Main Street for the tunnel option. Signal relay houses are located adjacent to the TPSS on 112th Avenue SE and adjacent to the LRT alignment east of the I-405 crossing of the tunnel alignment. FLS features include dry fire protection attached to railing on elevated guideway sections. Side and center OCS poles are utilized for the corridor with the exception of special attachments at retained cuts and the tunnel section.

Segment C (Winters House to BNSF) - At-Grade Alignment

Track: This segment is comprised of approximately 14,900 feet (2.8 miles) of track and extends from Winters House on the east side of Bellevue Way SE, south of 112th Avenue SE, to the former BNSF right-of-way north of NE 8th Street. The portion of the alignment from the Winters House to SE 6th Street is similar to the tunnel alignment and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading. The noted

difference is at-grade alignment does not include the SE 8th Station, and has a universal crossover north of SE 8th Street. The guideway continues with the trestle structure until it crosses at-grade to the west side of 112th Avenue SE at SE 6th Street; the speed of the crossing curves is 20mph. The alignment continues on the west side of 112th Avenue SE, then transitions from at-grade, ballasted to retained fill ballasted, becoming elevated, direct fixation track, guideway over SE 1st Street. It then turns west with a 300' radius curve (20mph design speed) to the south side of Main Street, transitioning back to retained fill and at-grade as it comes into 108th Station located between 110th Avenue SE and 108th Avenue SE, also using direct fixation track. Beyond 108th Station the alignment again curves to the north and becomes center-running, embedded track on 108th Avenue NE from Main Street to NE 6th Street. The embedded track section will be 115RE rail enveloped in a rubber boot cast in a concrete slab. At NE 6th Street the alignment curves east into the proposed reconstructed Bellevue Transit Center Station. The curves at Main Street and NE 6th Street have tight radii (10mph design speed) due to constraints at these locations. Through the Bellevue Transit Center the alignment is embedded and slightly below existing grade. East of the station the alignment crosses 110th Avenue NE at-grade and transitions to an aerial structure with direct fixation track, where it shifts from the south side of NE 6th Street to the north side of NE 6th Street before crossing over I-405 and 116th Ave NE similar to the tunnel alternative; for additional information refer to Segment C (Winters House to BNSF) - Tunnel Alignment heading. Structural features spanning I-405 are also similar to the tunnel option. Once crossing over 116th Avenue NE the alignment fully matches the tunnel option.

Stations: Segment C At-grade alignment includes three stations:

- 108th Station is an at-grade, side-platform station within a retained cut south of Main Street generally between 110th Avenue SE and 108th Avenue SE. It is bordered by the Surrey Downs neighborhood to the south. The sloped cut creates a large open area that can be structured and landscaped to provide a natural transition between the urban core to the north and the residential neighborhood to the south. Access is via sidewalk with the east access along the Main Street sidewalk at 110th Avenue NE. Access from the Surrey Downs neighborhood is provided for local foot access with no accommodation for drop-off traffic. The west entry is accessed from a pedestrian plaza at the southeast corner of the Main Street and 108th Avenue SE intersection. Bus transit access routes are on Main Street, 108th Avenue NE, and 110th Avenue NE.
- The Bellevue Transit Center Station will reconfigure the existing bus transit station into a combined bus and light rail transit center located on NE 6th Street between 110th Avenue NE and 108th Avenue NE. It will be an at-grade, side-platform station with the light rail alignment running in the center of the NE 6th Street transit-way, while the bus operations will run on either side of the rail alignment. The rail alignment will be placed within a retained cut, while the bus lanes maintain the approximate slope of the existing plaza and sidewalks on either side. The east entry is accessed at the 110th Avenue and NE 6th Street signalized intersection, and the west entry is accessed at the 108th Avenue and NE 6th Street signalized intersection, which maintains the scatter signal pedestrian movements. The transit center was widened to accommodate the new rail alignment, which required modification of the adjacent sidewalks, plazas and facilities.
- For the Hospital Station, see the Segment C (Winters House to BNSF) - Tunnel Alignment, Hospital Station description.

Civil: Roadway and civil design features, drainage and utility work for the portion of the alignment from the Winters House to SE 8th Street is similar to the tunnel alignment and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading.

The C At-grade alternative includes the following roadway improvements: Construction /reconstruction of pavement, curb/gutter and sidewalk, retaining walls, street trees, roadway lighting, and roadway drainage. Approximately 900 feet of full-width roadway curb & gutter and sidewalk on 112th Avenue SE straddling SE 6th Street will be reconstructed, less 250 feet of the southbound and one of the northbound lanes. Beginning south of SE 4th Street on 112th Ave SE, the existing sidewalk will be removed up to Main St to incorporate new turn lanes and adjust grades to tie into the new trackway elevations. Similar to the tunnel alignment option, the south side sidewalk along Main St will be rebuilt, but from 112th Avenue SE to 108th Avenue NE. Full roadway and sidewalks reconstruction on 108th Avenue NE is required to accommodate the center-running track alignment. Improvements will extend out at all cross-streets on 108th Ave NE. Due to physical constraints along 108th Avenue NE, northbound left turn pockets are not provided; so no northbound left-turns movements are allowed at the intersections of NE 2nd Street and NE 4th Street. Driveway access off streets with center running trackway will be right-in and right-out only. New pedestrian signal will be installed at 108th Avenue NE and NE 2nd Place, and traffic signal modifications will be made at 110th Ave and Main Street, 108th Avenue NE at the intersections of Main Street, NE 2nd Street, NE 4th Street, NE 6th Street, 110th Avenue NE and NE 6th Street, and 112th Avenue NE and NE 6th Street. On NE 6th Street, between 108th Avenue NE and 112th Avenue NE the full street reconstruction is required to accommodate the additional width needed for the LRT tracks. Civil roadway improvements east of 112th Avenue NE will be similar to the tunnel alignment and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading.

Other civil improvements include: Installation of a wall on the west side of 112th Avenue SE north of SE 6th Street. For walls less than 8' a rockery wall is proposed and for walls greater than 8' a tie back wall is assumed. Acoustic barriers intended to minimize noise impacts to the Surrey Down neighborhood are incorporated on the west side of the tracks along 112th Avenue SE beginning from approximately SE 4th Street and continues as it curves around to Main Street, ending at 108th Avenue NE.

Stormwater issues for the At-grade alignment, with the exception of the tunnel-specific issues, are identical to those of the Tunnel alignment, and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading. No flow control is required along 108th Ave NE since it falls within the Meydenbauer Bay Basin, which has a regional stormwater facility managed by the City of Bellevue. Existing catch basins are relocated where required and storm filter vaults in line with the curb are proposed for meet enhanced treatment requirements due to pavement replacement associated with the project.

Utility work for the At-grade alignment is similar to the work in the tunnel option up to 110th Place SE and east of 110th Avenue NE on NE 6th Street. The at-grade alternative includes relocation/reconstruction of utilities where the alignment crosses 110th Place SE, 110th Avenue SE, and utilities running parallel under or adjacent to the track alignment on 108th Avenue NE between Main Street and NE 6th Street.

Systems: Systems elements for the at-grade alignment for Segment C include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substations (TPSS), communications and stray current /corrosion control systems. The Traction Power Substation (TPSS) in this segment is located on the west side of the LRT tracks and 112th Avenue SE, under the elevated guideway at the SW corner of 112th Avenue SE and Main Street for the at-grade option. Signal relay houses are located on the east side of the LRT tracks and 112th Ave SE north of SE 8th St, and adjacent to the LRT alignment east of the I-405 crossing of the tunnel alignment. FLS features include dry fire protection attached to railing on elevated guideway sections. Side and center OCS poles are utilized for the corridor with the exception of special attachments at at-grade intersections.

Segment D (BNSF to Overlake Transit Center)

Track: This segment is comprised of 17,300 feet of track and starts from Segment C to the north in the BNSF ROW as at-grade ballasted trackway and turns east after approximately 500', parallel to and north of, a proposed new NE 15th/16th street corridor. Storage tracks, including a light maintenance facility, are proposed within the BNSF ROW north of NE 12th Street, with capacity for four 4-car trains. The storage tracks include double crossovers and are connected to the Seattle leg of the mainline by No. 8 turnouts and to the Redmond leg by No. 10 turnouts. It is anticipated that a potential future extension of LRT to Kirkland would commence from the stub-ended tracks of this storage facility. From 15th/16th corridor, the mainline enters a retained cut trench prior to crossing 120th Ave NE and 124th Ave NE. The guideway has soldier piles on both sides with lids across the top at both 120th and 124th Avenues NE. Struts are spaced 30-foot on center in between lids. East of 124th Ave NE, the existing grade slopes down and the track alignment rises and becomes elevated until matching at-grade at a gated 130th Ave NE crossing. A #10 universal cross-over is provided before the 130th Avenue NE crossing. 130th Station is located between 130th Ave NE and 132nd Ave NE. It continues at-grade on the existing NE 16th St, turns north at 136th PI NE and crosses NE 20th St at-grade, transitioning to another elevated section that runs along the south side of SR-520 over 140th Ave NE, 148th Ave NE, associated 148th Ave NE on and off ramps. The aerial section along SR-520 crosses a wetland area where stone columns encircling the drilled shafts are proposed as a ground improvement measure. A straddle bent structure is located where the aerial guideway crosses SR-520 NB off-ramp to 148th Ave NE. East of 148th Ave NE within the SR-520 cloverleaf exit ramp area loose fill must be cut down for the guideway to pass through and foundations to be drilled into firm subgrade material. The profile touches down just west of 152nd Ave NE where it again becomes at-grade at the Overlake Village Station. MSE walls are proposed on both sides for roughly 200 feet up to the station plaza. The alignment continues on the south side of SR-520 in a combination of at-grade and one-sided retained cut and goes underneath the new NE 36th St. bridge overpass alongside SR-520. Soil nail walls are proposed to retain the one-sided cut before and after the the bridge abutment. A #10 double cross-over is proposed south of the Overlake Transit center station. The segment terminates at Overlake Transit Center Station and NE 40th St. Ballast track is used for all at-grade, retained fill and retained cut sections. Direct fixation track is used at aerial guideway sections.

Stations: There are four stations included in Segment D:

- 120th Station is located between 120th and 124th Avenues NE north of a new NE 15th Street roadway planned by the City of Bellevue, and within a master-planned site called the Spring District. It is a retained-cut, side-platform station and the entrance is approximately 30 feet above the platform level. Access will be via stair, up-escalator and elevators. Bus transit access will be via routes on 120th Ave NE.
- 130th Station is an at-grade, side-platform station located on the proposed NE 16th St alignment between 130th and 132nd Avenues NE. It includes a park-and-ride lot north of the station with approximately 300 parking spaces. Entrances are accessed by walkways from 130th Ave NE on the west and 132nd Ave NE on the east. There is not transit access in the immediate vicinity.
- Overlake Village Station is an at-grade, side-platform station located on the east side of SR520 at 152nd Ave NE. East access is from 152nd Ave NE, the west entrance is for future access from areas toward 148th Ave NE, west of the station. Transit access is via routes on 152nd Ave NE.
- Overlake Transit Center Station is on the east edge of SR-520, south of NE 40th St. It is located at the existing Overlake Transit Center site but is reconfigured to accommodate a bus loop, the new station, a 3-level parking garage, and a connecting pedestrian plaza. It is an at-grade, center-platform station, but the north end of the station is in a retained-cut with the platform approximately 30 feet below NE 40th St. The platform entrance is on the south end of the platform and is accessed from the pedestrian plaza to the east and the SR-520 flyer stop to the west. Access is via ramps and stairs. Bus transit access is via routes on 152nd NE and the transit center platform on site.

Civil: At 120th Ave NE and 124th Ave NE crossings, significant changes to existing profile are proposed: over 1000 feet for 120th Ave NE and over 500 feet for 124th Ave NE in order to accommodate overhead clearance needed for the retained-cut trench LRT alignment crossings. A tiered split grade roadway/track section design is shown along NE 16th St between 132nd Ave NE and 136th PI NE. The design optimizes driveway conforms assuming existing adjacent property elevations must be maintained. At the time of final preliminary engineering submittal, the City of Bellevue (COB) had not finalized their ultimate roadway build-out plans for NE 16th and 136th PI NE between 132nd Ave NE and NE 20th St. Further coordination will be needed between the final designers, Sound Transit and COB before a final design for the proposed roadway improvements in the LRT design can be completed. In this segment new signal controlled crossings/intersections are proposed at NE 16th St and 132nd Ave NE, and NE 16th St and 136th PI NE. Signal modifications are proposed at 136th PI NE and NE 20th St, 156th Ave NE and NE 36th St, and 156th Ave NE and NE 38th St.

Stormwater facilities in Segment D will use a combination of existing systems, underdrains, dispersion, bioswales, surface conveyance, and storm drain conveyance systems to convey stormwater flow. Large flow control facilities distinguish this segment and are designed to keep the stormwater generated in a particular basin within that basin. These major detention vaults are located at:

- 124th Ave NE
- 130th Ave NE Station The NE corner of NE 16th St and 132nd Ave NE
- A vault and stormwater pump along 136th Ave NE
- A vault and stormwater pump north of 136th Ave NE and NE 20th St

- Overlake Village Station
- A rebuilt vault at the Overlake Transit Center
- A stormwater treatment wetland and stormwater pond at Overlake Transit Center

The storage track in the BNSF ROW does not impact the existing drainage. The recommendation is to NOT install underdrain or other drainage facilities. It is recommended that final designers work with the Cities of Bellevue and Redmond to develop regional drainage solutions for flow control and water quality. Regional solutions will impact the need for the large flow control facilities.

Other stormwater issues in this segment include: Coordination with the City of Bellevue to determine where to locate a box culvert to route Goff Creek under the guideway near the 130th Ave Station; and the proposed guideway interferes with an existing 24-inch diameter pipe that conveys an unnamed creek (tributary of Kelsey Creek) along 136th Ave NE. The proposed design has not been reviewed by the Washington Department of Fish & Wildlife or the Native American tribes and could encounter permitting difficulties.

Utility work in Segment D includes:

- Relocation of a 12-inch water line along the east side of the BNSF ROW falls under the proposed light rail storage tracks. Due to constraints within the BNSF ROW and outside of the east side of the BNSF ROW, it is proposed to be relocated to the Children's Hospital property just outside of the west BNSF ROW line. A permanent easement would be required for this relocation. The design team reviewed the constraints with Sound Transit, who concurred with the proposed design.
- A new side sewer serving the 120th Ave Station is proposed to run 1100' parallel and south of the light rail track requiring permanent easement or fee-take to a proposed sewer manhole near the BNSF ROW. It also serves to TPSS site on-route, but has substandard slope for over half its length. There is no existing City of Bellevue sanitary sewer line on 120th Ave NE where the LRT alignment crosses, adjacent to 120th Ave Station. In lieu of the proposed design the final designers could consider pumping and extending the side sewer north on 120th Ave NE 1600 feet across the LRT crossing to an existing sanitary sewer main, staying within the street ROW, or possibly connecting to new, yet unknown, sanitary sewer systems that may be associated with upcoming street widening improvements for 120th Ave NE by the City of Bellevue, or sewer systems proposed by the developer of Spring District.
- Power and communications facility relocations into overhead systems within the existing ROW on 120th Ave NE and 124th Ave NE pursuant to directives by Sound Transit. The intention was to avoid multiple relocations for future 120th and 124th Ave NE roadway widening by City of Bellevue.
- Relocation of utilities on NE 16th St and 136th Pl NE. The proposed designs are based on the tiered, two-lane road design. City of Bellevue is in the process of preparing final build-out designs for these streets and adjacent streets and crossings as part of a master development plan in this area. It was assumed that the light rail project would precede the City roadway reconstruction plan. Horizontal alignment placement of relocated utilities should consider final roadway build-out design and channelization when available during final design and installation depth of the utilities could be coordinated with City design to minimize subsequent relocations of the main utility lines.

- Relocation of the 16-inch and 20-inch Olympic Petroleum Pipelines crossing NE 16th St. near 136th Pl. NE due to the light rail design. The extent of the overall lengths of the pipelines are indeterminate at this time due to refusal of right-of-entry to pothole pipeline depths by the adjacent property owners and lack of final design development by the City of Bellevue in this area.
- Relocation of twin existing PSE transmission lines on 3-pole wood towers in the vicinity of NE 16th St and 136th Pl NE due to the vertical conflict with OCS poles. The advance relocation work will be determined and performed by PSE, but will require coordination with Sound Transit due to potentially long lead times for tall steel poles.
- An existing sanitary sewer located on Microsoft Rd is proposed to be relocated east outside of the road ROW due to a proposed soil-nail wall on the east side of a retained-cut trench section of the track alignment. It was determined that the sewer falls within the limits of the soil nails. Microsoft and City of Redmond, based on the PE review following final submittal, expressed the desire to revise the wall type such that the sewer could remain in its current location. Further coordination between the final designer, Sound Transit, Microsoft, and the City of Redmond will be needed to resolve this issue.

Systems: Systems elements for Segment D include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substation (TPSS), communications and stray current /corrosion control systems. FLS features include dry fire protection attached to railing on elevated guideway sections and along the wall at the retained cut guideway east of 120th Station. The Traction Power Substation (TPSS) in this segment is located west of 120th Ave NE alongside the LRT track and at the Overlake Transit Center (OTC) site. Signal relay houses are located in the BNSF ROW south of NE 12th St, adjacent to the TPSS site west of 120th Ave NE, on the south side of the track between 124th Ave NE and 130th Ave NE, north of NE 20th St, and adjacent to the TPSS site at the OTC. Side and center OCS poles are utilized for the corridor with exception of special attachments at retained cuts and overpasses.

Sound Transit Eastside HCT Corridor - Definition of Deliverables for Segment B (I-90 and Bellevue Way SE Interchange to Winters House) Final PE Submittal

TO: Don Billen/Sound Transit
Tony Raben/Sound Transit

COPIES: Steve Kambol/CH2M HILL
Molly Boone/CH2M HILL

FROM: Andrew Leong/CH2M HILL

DATE: October 25, 2010

General Corridor Status

Primarily as a result of the Downtown Bellevue and 112th Avenue Analysis processes, and ongoing discussions between the City of Bellevue and Sound Transit, and the City of Redmond and Sound Transit, substantial revisions have been made to the preferred alignment corridors in Segments B, C, and D. Sound Transit Board motion M2010-73, which was approved on July 22, 2010, identified the preferred alternatives for Segments B and C as follows:

- Alternative B2M-C9T: 110th tunnel connected to B2M via 112th Avenue Option 2, westside-running to Main Street portal (replacing the B3S-C3T preferred alignment originally approved by the Sound Transit Board);
- Alternative B2M-C11A: 108th at-grade connected to B2M via Option 2, modified: westside-running to at-grade (replacing the B3S-C4A preferred alignment originally approved by the Sound Transit Board); and
- The preferred Hospital Station location is Option A, north of NE 8th Street.

Several significant modifications to the preferred alignment in Segment D have been made, including:

- Modification of the 120th Station from an at-grade to a retained cut configuration as conditioned by the Sound Transit Board;
- Relocation of the alignment corridor and station in the Overlake Village area to a route along SR 520; and
- Significant changes to the configuration of the Overlake Transit Center, including relocating the proposed tail and storage tracks beyond the station to the BNSF corridor in the vicinity of I-405.

Segment B Definition

Pursuant to the activities noted above, the Final PE Submittal for Segment B by the CH2M HILL consists of plans for a shortened alignment (from I-90 and Bellevue Way SE

Interchange to Winters House, with the remainder, now B2M, to be submitted in concert with Segment C) in compliance with Task 03.01.02.03 - Final PE Submittals and Sound Transit directions, and in general accordance with the Sheet List for the contract Scope of Work. The Final PE Submittal is intended to represent a level of work that reflects preliminary design solutions for issues identified during conceptual engineering and quantifies the various components in order to prepare a reliable construction cost estimate. The proposed design development shown on the Plans are based upon the 5/6/10 Alignment Definition as concurred with by Sound Transit. The following is a list of major changes since the Interim PE Submittal:

- Field surveying has been completed and the composite base map is shown in this submittal.
- Geotechnical exploration program has been completed and boring locations are shown in the track plan and profile.
- Track alignment Curve 202 over I-90 WB revised to provide a standard No. 10 turnout for Issaquah Junction.
- Incorporated Issaquah alignment in System and Structural designs.
- Sound Transit transferred the design of I-90 EB HOV off-ramp to Bellevue Way (EN-ramp) to WSDOT; a conceptual channelization design from WSDOT is referenced in the Roadway modification plan.
- Coordinated short straddle bent location at I-90 WB HOV on-ramp from Bellevue Way (SW-ramp) with WSDOT.
- Coordinated column/straddle bent location at Sweyolocken Pump station with King County Wastewater Treatment Division.
- On-going coordination with Bellevue Fire Department; emergency egress stair towers are not required to date.
- Acoustic barrier on neighborhood side of the guideway on all elevated track incorporated.
- Track vertical alignment raised by one foot to 14'-6" clearance in order for vacuum truck to service the pond at the north access road of South Bellevue Station.
- Performed Dynamic Envelope analysis to confirm track cross-sectional dimensions.
- Coordinated with KC Metro Transit, Bellevue and Sound Transit regional express to revise bus, ped and traffic circulation at South Bellevue Station; Autoturn analysis has been performed assuming an 18" mirror clearance for bus operation.
- There is now a slight bend of 5.7 degrees \pm in the footprint geometry of the parking garage at South Bellevue Station.
- Winters House trench is sealed where top of rail is lower than elevation 30' \pm due to high ground water at 29' \pm .
- Winters House driveway lid shifted northward to meet commercial vehicle sight distance design requirement; the lid is not rectangular in shape, but instead, is trapezoidal.

- Winters House parking lot reconfigured to provide the same number of parking stalls as existing.
- Winters House lid supports landscaping design with street trees in front of Winters House.
- Low point drainage outfall in trench is via a gravity system, no pump.
- Ground improvement recommendations incorporated (with notes in Track Plan/Profile, Track Sections and Roadway Modification Plan/Profile).
- Mixed use path is accommodated but is not included in the design.
- SB left turn on South Bellevue Way eliminated at SE 30th Street intersection.
- Northbound curb lane on South Bellevue Way is now shown as pavement reconstruction due to the deep 30" storm pipe north of Blueberry Farm.
- Floating slab at Winters House is proposed for mitigating ground-borne vibration from LRT.
- Deleted stormwater ponds and vaults in wetland and replaced with sustainable filter vaults adjacent to roadways.
- The proposed power and communications facilities shown in the Utility composite drawings are represented as an underground design, but may be reconsidered during final design for overhead relocation. Any design adjustments will consider input from affected utilities, the City of Bellevue, and other pertinent agencies.
- TPSS location has been sited at the southeast corner of SE 30th Street and Bellevue Way SE intersection.

Accordingly, the following is the definition of the subject deliverables.

Plans

Drawing scales as noted on the Sheet List.

Title Sheet

- Based on Sound Transit conventional design documents

Index of Sheets

- Based on Sound Transit convention.

Abbreviations

- Based on Sound Transit CAD standards.

Symbols

- Based on Sound Transit CAD standards.

Key Plan

- Based on Sound Transit convention.

General Notes

- Provided within each design discipline as required to clarify or augment graphic information on drawings. In lieu of detailed graphic depiction, late-developing project elements or elements or details that are beyond the scope of preliminary design may be described in writing on the plans in order to inform Final PE cost estimate and/or be deferred and addressed more fully early in Final Design.
- **Design Drawings** consist of graphics for plan, including composite layers as required, profile, section and details, and notation to call out, label and dimension – all to describe the development of design to the level of completion for Final PE.

Track Design (03.02)

- **Track Typical Sections** – developed from CE documentation; showing layers of typical guideway construction, including track type, curb/wall, graded slopes, OCS poles, signal/communications conduits and ductbank, and station platforms, as applicable.
- **Track Alignment Data** – assembled primarily from InRoads software program computations for track alignment curves, spirals, superelevation, turnouts, and LRT design speeds.
- **Track Plan & Profile** – horizontal and vertical alignment on topographic base, with station outlines, locations of TPSSs, special trackwork, grade crossings, grade separations, retaining walls, and notes for controlling alignment, such as stationing, curve data, vertical clearances and profile grades. Westbound track profile also included to address existing bridge deck superelevation on East Channel Bridge.
- **Track Charts** – showing location and limits of emergency guard rail, restraining rail, pre-curved rail, and high strength rail. Rail anchor at double cross-over is not shown in this submittal.

Roadway Design (03.03)

- **Roadway Typical Sections** – combined with track typical sections, as applicable; define structure components and traffic and pedestrian features (pavement, walkway, parapet, railing, etc) with callouts for materials and dimensions.
- **Roadway Plan and Profile** – defining limits of roadway reconstruction by sawcut line; plan elements, on planimetric topography base with existing contours, to include paving limits, curb layout, sidewalks, curb ramps, striping, crosswalks, traffic signals, and light poles; callouts to be added for materials and dimensions. Preliminary grading design shown. Temporary construction limits are not shown (but see Right-of-Way Plans). Landscaping limit and types are shown. Removals of major items are noted on Roadway Modification Plans.

- **Cross-street Plan and Profile** – defining limits of cross-streets and major driveway reconstruction; plan elements to include pavement limits, curb layout, sidewalks, striping, crosswalks, and lighting; callouts to be added for materials and dimensions. Not all driveway profiles are shown; however, reconstruction limits are shown. Grading limits are shown.
- **Parking Lot Reconfiguration** –Winters House Parking lot and Blueberry Farm Parking restoration are shown on Roadway Modification Plans. Surface lot parking reconfiguration at South Bellevue Station is shown on Roadway Modification Plans.
- **Roadway Detail** – Added doweled curb detail to be used with concrete pavement at the South Bellevue Station.

Traffic Signals:

- **Traffic Signal Plans** – traffic signals are shown on the Roadway Modification Plans and include following features: existing signal poles and mast arms that will remain; proposed signal poles, mast arms, and vehicle and pedestrian heads, loop detectors, rail crossing gates, and traffic controller; proposed signal phasing diagram.
- **Lighting Plans** – lighting facilities shown on the Roadway design drawings and include following features: existing light standards to remain; proposed light standards.
- **Sign relocations & modifications** will be addressed during the Final Design phase. Regulatory signs will be designed in accordance with agency and MUTCD guidelines. A signing detail sheet with typical traffic signs is included.

Right-of-Way:

- **Right-of-Way Plans** – sheets showing impacted properties with property identification; proposed construction staging areas and temporary construction and permanent easements are shown; however, right-of-way monuments will not be included in the submittal. Property ownership per King County database and square footage of impact area are included. However, right-of-way requirements shown do not include wetland, wetland buffer and park impact mitigation.

Expectations and Assumptions

- A. Roadway design standards are based on applicable location jurisdiction’s design criteria.
- B. Traffic signal and street lighting surface features identified in topographic surveys are shown on the base maps. Locations of underground features such as junction boxes and conduit for street lighting and traffic signalization are not shown on the base maps.
- C. Maintenance of Traffic (MOT) Plans will not be provided with the Final PE Submittal.
- D. Plans for truck haul routes are included in the Final PE Submittal.

Structural Design (03.05)

New Aerial Guideway Structures:

- **General Arrangement of Typical Guideway** – for each new aerial structure plan with topographic base, elevation, and typical section describing structure type and guideway configuration will be shown, with callouts for dimensions and location of abutment and piers. Temporary requirements and limits for construction will not be shown.
- **Foundation Schedule** – showing foundation type, pile/shaft tip elevation.
- **Drilled Shaft Types** – showing size of shaft and reinforcement arrangement.
- **Foundation Types** - showing dimensions.
- **Column Schedule** - showing column dimensions, top of column elevation and column height.
- **Column Type** – showing column dimensions.
- **Straddle Bent Details** – showing straddle bent type and dimensions.
- **Miscellaneous Details** – Note details of any specific aesthetic features, approach slabs, OCS support and/or pole foundation, ductbank/conduit attachments, voids and blockouts, etc., as necessary. (One drawing to cover all bridges).
- **Acoustic Barrier Detail** - on elevated guideway is included.

New Retaining Walls:

- **Plan and Elevations** – layout of plan and elevation, with dimensions and sections describing wall construction, fill, and components.

New Covered Guideway Structure (Lid at Winters House):

- **Plan and Elevations** – layout of plan and elevation, with dimensions and sections describing lid structure, support walls and foundations, and bridge to the Winters House parking lot.

Drainage Design (03.06)

- **Storm Drain Plan and Profile** – are provided showing collection and rerouting of drainage discharging from culverts along Bellevue Way.
- **Pond/Vault Plans** – facilities, with pond sizing and stormwater treatment information notes, are shown on Composite Utility Plans.
- **Standard Details** – provided for dispersion as flow control BMP, including delineation of limits for application. These are called out on the Composite Utility Plans.

Expectations and Assumptions

- A. Drainage quantities will be based upon a uniform catch basin spacing and pipe layout referenced to alignment stationing.
- B. Storm drain profiles are included in the PE Submittal. Storm drain plans are shown along the LRT alignment and the South Bellevue Park-and-Ride facility.
- C. The Expectations and Assumptions that govern the Composite Utility Plans also govern the Storm Drain information included in those plans (see 03.07 below).
- D. Storm drain flow control and water quality facilities are designed to meet the compliance requirements of the applicable jurisdiction.

Utilities Design (03.07)

- **Composite Utility Plans** – developed along track alignment and new roadway design areas on base maps showing existing water, sanitary sewer, and storm drain facilities, including size and type if available. The base map also includes overhead and underground power and communications facilities; communication lines will be identified by ownership (ductbank configuration and details will not be shown). Relocations of utilities by Sound Transit contractors and those to be performed by utility companies (NIC) are shown on the drawings. Line size and type are shown for new utility facilities as well as invert elevations for sanitary sewer manholes. Utility services are shown for LRT systems building, South Bellevue Station, Blueberry Farm, and Winters House.

Expectations and Assumptions

- A. Fire lines related to LRT are based on meetings with the City of Bellevue Fire Department, but may need to be modified as they coordinate and collaborate with other fire protection jurisdictions to develop a comprehensive and consistent fire safety system.
- B. Data from potholes taken in Segment B were not available in time to be incorporated into the Final PE Submittal design drawings, but will be incorporated into the electronic version of the Segment B base map that will be available for the Final Design phase. The pothole summary will be included in the PE Design Report.
- C. Utility infrastructure relocations to be installed by others (NIC) were developed in conjunction with the affected utility companies for this submittal, and will be subject to change by the utility companies during the remaining LRT project design process. They are expected to be done in advance by the utility companies or their contractors in preparation for the LRT construction. Proposed designs will need to be coordinated and agreed upon with Sound Transit as part of utility agreements, and the proposed relocations incorporated into the LRT final design drawings.
- D. All utilities shown within WSDOT right-of-way are owned by WSDOT unless noted otherwise. Conflicts with traffic management/information technology systems, including traffic control, signalization, handholes, junction boxes, fiber-optic cables,

electrical and street lighting will be addressed by traffic and street lighting designers during the Final Design phase.

Station Architecture Design (03.08)

Stations:

- **Station Area Plan** – describing context of station to alignment and adjacent area.
- **Site Plan** – key horizontal relationships shown graphically and dimensioned; platform layout key; access points and areas of park-and-ride facilities at some sites; location of bicycle facilities and entry plazas; cross sections called out.
- **Site Sections** – key vertical relationships with surrounding features and park-and-ride facilities (where present) shown graphically.
- **Station Platform Plans and Elevations** – showing graphic horizontal relationships and vertical longitudinal section/elevation related to alignment and site intersecting points; access portions of platform plans are included; plans and sections are provided for the elevated station at South Bellevue Park-and-Ride, including portions of ground plans. Rooms identified on elevated, tunnel, and retained cut stations.
- **Platform Sections** – are shown with key dimensions.
- **Station Upper Entry Plans** – for retained cut stations, showing entry and vertical circulation.
- **Station Architectural Drawings** – incorporate appropriate “X-refs” from Landscape, Civil, and Structural designs.
- **“Sketch-Up” Perspective** – included for the station.

Park-and-Ride Facilities:

- **Ground Plans** – illustrating entrance and general circulation.
- **Garage Typical Floor Plans** – illustrating typical floor general layout and circulation.
- **Sections** – illustrating relationship to surrounding land and station. Key dimensions shown.

Segment Urban Design:

- **Typical Plan Diagrams** – indicating area of treatment shown on civil base drawings.
- **Prototypical Cross Section Diagrams** – referenced to civil base drawings.

Systems (03.09)

- **Signals and Controls (03.09.07)** - Schematic diagram drawings of signal system, noting in particular special trackwork and grade crossing locations where relay houses and power requirements needed; include preliminary details of typical

signal, track switch, and grade crossing equipment; signal conduit requirements shown on ductbank routing drawings, with configuration noted in LRT sections.

- **Overhead Contact System (03.09.08)** - OCS pole locations shown on Track Alignment (Plan) drawings, with OCS types identified, including anticipated accommodation at junction for possible future extension to Issaquah; also typical details for pole and foundation types.
- **Traction Power (03.09.09)** - TPSS locations will be sited on Track Alignment and/or Roadway drawings; include plan of typical TPSS site layout with required elements and dimensions; with line diagram for traction power system and architecture, and preliminary return rail system design.
- **Communications (03.09.10)** - Block diagrams of communications elements for typical at-grade station and typical aerial station; preliminary communications architecture and equipment schedules corresponding to typical block diagrams on separate drawings; systemwide ductbank requirements for communications fiber will be defined.
- **Corrosion Control/Stray Current Protection** - Notes and design details are shown in this submittal.

Expectations and Assumptions

- A. Specific details for OCS attachment to structures are shown in conjunction with structural design drawings.
- B. Pole and foundation types at each location will not be determined at this stage, although details covering typical applications in Segment B are included.
- C. Additional discussion for Systems will be noted in separate Design Report at completion of all segment PE submittals; costing will be captured for potential power source upgrades and specific available power sources and interfaces, which are not detailed unless otherwise noted on plans.

Segment B Weekly Coordination Meeting

ATTENDEES: Sue Comis/ST
Tony Raben/ST
John Walser/ST
Sarah Bohlen/ST
Mike Kattermann/Bellevue
Greg Hill/IBI
Brandon Schans/IBI
Andy Leong/CH2MHILL
Stephen Mak/CH2MHILL

COPIES: File: Paul Cornish/ST
Brian Shinn/CH2MHILL Maria Koengeter/Bellevue

FROM: Stephen Mak/CH2MHILL

REVIEWED BY: Andy Leong/CH2MHILL

DATE: November 10, 2009

VENUE: OPUS, Downtown Conference Room, 2nd Floor

PROJECT NUMBER: 393372

This meeting note summarizes the major discussion points and decisions made. Action Items are listed in bold:

1. VA Alignment (I-90 to South Bellevue Station)
 - a. Stephen presented the VA Alignment (B3Sh) following the recommendation from the Value Analysis workshop where LRT will be elevated over I-90 interchange; proceed east of the Swayolocken Pump Station and get down to natural grade as soon as possible at the South Bellevue Park and Ride.
 - b. The alignment assumes light rail station in a retained cut configuration with vehicle access grade separated over the LRT tracks and station.
 - c. The alignment allows room for Issaquah-Seattle switch, Bellevue-Issaquah switch and double cross-over south of the Station.
 - d. South of the station, when compared with the "optimized" B3Sf elevated alignment, the B3Sh alignment has wetland impacts and traverses ponds, whereas the B3Sf alignment stays out of the wetland. This is based on the GPS wetland delineation data which Hans Ehlert recently collected.
 - e. The profile matches existing natural grade at the south access road, and becomes retained cut at the main access road and the north access road.
 - f. The LRT clearance used under structure is 15'-0" which is the desirable minimum from the Airport and North Link Design Manual (Section 4.2.6.4 - May 2009). Tony noted that seems to be too low for CE design level. He

suggested confirming with Lloyd Mack the desirable minimum to be used for the East Link project.

- g. With the VA alignment, there is also a remote possibility of bridging over LRT to provide access to the Blueberry farm. This option would have less impact but may constrain the circulation of the site.

2. South Bellevue Station Layout (VA Alignment)

- a. Greg presented three conceptual layouts with this alignment. In most of the concepts the garage will have two levels below Bellevue Way roadway grade and 3 levels at and above roadway grade. The layouts can be viewed in Share Point. Here is the link for accessing the graphics.

<http://intranet.soundtransit.org/sites/llr/PE/EL/DrawingSubmittals/Forms/AllItems.aspx?RootFolder=%2Fsites%2Fllr%2FPE%2FEL%2FDrawingSubmittals%2FSeg%20B%20%2D%2020091110%20South%20Bellevue%20Station%20and%20Winter%20House%20graphics>

The team decided not to proceed with the station layout similar to the previous Slough View option where the linear bus circulation is on the east side of the park and ride lot. The team decided to assume the station layout with the garage east of the LRT alignment and bus circulation west of the alignment for comparative cost analysis.

- b. The team recognizes that the VA alignment south of the station is still likely to be elevated, especially over the wetland.
- c. For the stretch from I-90 to the South Bellevue Park and Ride and Station, the cost of the VA alignment may be cost higher than the B3Sf elevated alignment, due to the elongated garage with added levels, retaining walls and fill material at the station, and transit way approach across wetland and wetland mitigation. However, the team thinks that the reverse is true for the transit way north of the station, since the VA alignment is already low. It will require less structural elements for transit way to be below grade of Bellevue Way as it travels north.
- d. **Action item: Sue to confirm demand for parking space.**
- e. The team decided to perform a comparative cost analysis of the South Bellevue Station between the B3Sf and the B3Sh within the limits of where the two alignments differ.
 - **Action item: Stephen to coordinate and prepare comparative cost analysis for the B3Sf and B3Sh alignments including South Bellevue Station.**

3. Winters House

- a. Four options for disposition of Winters House was discussed:

- i. Placing Light Rail in a retained cut with lid - A 9'-12'-9' tangent section for LRT guide way is proposed with OCS attached from the structure or walls. The 9' dimension from track centerline to the face of wall allows for emergency walkway on both sides of the lidded transit way. There is concern whether 5' separation from the back of retaining wall to the face of the Winters House foundation is enough separation to avoid damaging the house during construction. VA's idea to use curves will result in a wider section due to the LRV's dynamic envelope, and will result in a greater width of sidewalk overhang on both the north and south ends of the lidded transit way. There are options to raise the parking lot and provide the same amount of parking or reduced parking and provide mitigated parking off-site. Tony would like to know if utilities are impacted and if any roadway construction is required along Bellevue Way. This will be documented in the cost assumption as part of the cost comparison analysis.
- ii. Shifting Bellevue Way to the west - place the transit way on existing NB lanes and not move the Winter House - This option was developed and costed earlier.
- iii. Moving Winters House next to Blueberry Farm - Greg shared a layout of the meadow south of the Blueberry Farm. With the overlay of the GPS wetland delineation data received, the meadow site is within the wetland boundary. This option may not be cost-effective given the amount of wetland impact. Sue noted that the patio/walk-out basement at the east side of the Winters House would need to be part of the relocation.
- iv. Moving Winters House to the east by (say) 30' - This concept will put the LRT in a retained cut, but without a lid. The new location of the Winters House will be within the buffer and not wetland. Access can be provided from Bellevue Way via a bridge over LRT or from the Blueberry Farm via connecting road. Moving the house to the east will reduce the risk of damaging the house during the move. Parking can be maintained and restored by expanding eastward.

Segment B Weekly Coordination Meeting

ATTENDEES: Sue Comis/ST
Elma Borbe/ST
Paul Cornish/ST
Maria Koengeter/ Bellevue
Bernard VanDeKamp/ Bellevue
Greg Hill/IBI

Brian Shinn/CH2MHILL
Thomas
Mudayankavil/CH2MHILL
Craig Grandstrom/CH2MHILL
(phone)
Stephen Mak/CH2MHILL

COPIES: File:

FROM: Stephen Mak/CH2MHILL
Craig Grandstrom/CH2MHILL
Brian Shinn/CH2MHILL

DATE: September 29, 2009

PROJECT NUMBER: 393372

This meeting summarizes the major discussion points and decisions made. Action Items are listed in bold:

1. Response from City of Bellevue regarding the South Bellevue Station workshop

The followings are notes that Maria handed out in the meeting:

South Bellevue P&R Design Review - DRAFT - For discussion purposes only

28 September 2009

Design Review Responses:

- *System-wide design criteria and features (e.g. tracks for future extensions, layover needs) need to be reviewed from a system-wide perspective to identify optimal locations*
- *Station profile must be consistent with Bellevue City Council and Sound Transit Board direction, i.e. at-grade station in park and ride property*
- *Design criteria need to be clearly identified and discussed to understand the parameters and trade-offs for each*
- *Station design needs to consider City objectives and criteria, including:*
 - o *How station fits in with the surrounding neighborhood and nature areas*
 - o *Low profile to reduce visual and noise impacts*
 - o *Seek cost savings by coming down to at-grade as soon as possible*
- *Traffic mitigation needs to be consistent with future city of Bellevue plans in the corridor*

Next Steps:

- *Discuss design criteria and understand trade-offs, e.g:*
 - o *Issaquah track*
 - o *Bus layover*
 - o *Kiss-and-ride*
 - o *Parking*
 - o *Bldg integration: Garage, station, and layover*
 - o *Farm access*
 - o *Others*
- *Explore new design variations for at-grade in P&R station layouts (initial ideas provided, schedule workshop)*
- *Follow-up discussion of long-term system plan and criteria*

2. Issaquah Track Switch

- Sue explained that the Issaquah extension along I-90 is in the long range plan, so the direction from the ST board is not to preclude extension in the future. There is a future extension memo that documents the possible extension to serve Factoria and Eastgate.
- City of Bellevue expressed that there is a desire to run the light rail line to serve neighborhood like along 148th Ave.
- The team noted that where the alignment has tangent flat grade this may be a potential location to provide turn-out for future extension connection.

3. Bus layover

- The basis for the number of bus layover is per the transit integration plan. There were 7 layover spaces at South Bellevue Station as noted in the draft EIS. Sue reviewed with transit integration team and now it is reduced to 5. Two routes will be serving along Bellevue Way north-south. The other three will be serving east and south like, Issaquah and Renton.
- City of Bellevue suggested a more linear bus layover like the one in Bellevue Transit Center where buses will layover at the bay.
- Maria suggested if some of the bus layover from South Bellevue Station can be layover-ed at the East Main Station. Greg noted that the added cost to build the additional layover facility and time delay in routing buses via Bellevue Way SE. Sue commented that layover for 17 buses is identified for downtown Bellevue.

- Craig Grandstrom commented that moving the south access point further south will reduce the weaving distance on Bellevue Way. **Action Item: Craig to provide the required weaving distance for safe weaving operation.**
4. Passenger Drop Off and Pick Up
 - There is no methodology on the space requirement for passenger drop off. Usually it takes up the left-over spaces. For drop-off, the vehicle will stop for about 5 seconds. However parking space may be needed for passenger pick up.
 5. Parking Garage
 - It is not the initial choice for the City of Bellevue to reduce the number of parking stalls from 1400 stalls. Maria suggested longer and narrow parking garages and push the track tangent to the east of the properties so that passenger vehicle can get clearance under the tracks without building an access ramp.
 - Maria further suggested reducing the clearance underneath the light rail tracks similar to that of a parking garage for passenger vehicles only; and building an at-grade gated crossing of the light rail line at the north access for farm equipment and fire truck to cross.
 - **Action Item: Maria to find out the size of the farm equipment and how frequent farm equipment is utilizing the existing access. Also Maria to find out the existing traffic visiting the blueberry farm.**
 6. Traffic Mitigation
 - City of Bellevue thinks that the at-grade (re-channelization) is promising. **Action Item: Craig to send Synchro file to Mark at the City of Bellevue.**
 - City of Bellevue will look at the feasibility to add future HOV lanes along Bellevue Way. The team recognizes that the tunnel access to Park and Ride option could be more restrictive with respect to adding future HOV lanes on Bellevue Way and will change the character of Bellevue Way.
 7. Station Layout
 - **Action Item: Greg and Stephen to work on refining the station layout and bring work in progress graphics for the next weekly Segment B meeting.**
 8. Design Schedule to meet Interim Submittal in December
 - Due to time constrain, this agenda item was not discussed. Sue and Stephen to follow up on this subject.

EXHIBIT C

SHORELINES HEARINGS BOARD
STATE OF WASHINGTON

DR. DONALD DAVIDSON, GEOFFREY
BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER DEVELOPMENT
COMPANY, a Washington company,

Petitioners,

v.

THE CITY OF BELLEVUE, through its
DEVELOPMENT SERVICES
DEPARTMENT, Decision Maker; and
SOUND TRANSIT and ELLIE ZIEGLER
FOR SOUND TRANSIT, Applicant,
DEPARTMENT OF ECOLOGY,

Respondents.

SHB No. 14-025

**SOUND TRANSIT'S RESPONSES AND
OBJECTIONS TO PETITIONERS'
FIRST INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO SOUND TRANSIT**

TO: SOUND TRANSIT;

AND TO: SOUND TRANSIT / LEGAL DEPARTMENT; ATTN: Stephen G. Sheehy;
Attorney for Sound Transit;

AND TO: FOSTER PEPPER PLLC; ATTN: Patrick J. Schneider and Jeremy Eckert;
Attorneys for Sound Transit

Petitioners Dr. Donald Davidson, Geoffrey Bidwell, Building a Better Bellevue, and
Kemper Development Company (collectively the "Petitioners") request that Sound Transit (the
"Respondent") answer and respond to the following interrogatories and requests for production,
separately and fully under oath, unless there is some objection, in which case please state the

**SOUND TRANSIT'S RESPONSES TO PETITIONERS' FIRST
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF
DOCUMENTS TO SOUND TRANSIT - 1**

**FOSTER PEPPER PLLC
1111 THIRD AVENUE, SUITE 3400
SEATTLE, WASHINGTON 98101-3299
PHONE (206) 447-4400 FAX (206) 447-9700**

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REQUEST FOR PRODUCTION NO. 16: Produce all documents addressing risk for constructing any B segment alternatives, including but not limited to B7 and B7R.

RESPONSE: Sound Transit objects. This question is relevant only to the selection of the alignment, over which the SHB does not have jurisdiction, and therefore is not reasonably calculated to lead to the discovery of admissible evidence. In addition, this documentation is available in the East Link’s environmental review documents, which are available online.

REQUEST FOR PRODUCTION NO. 17: Produce all documents addressing, depicting, or mentioning the wye connection to Issaquah referenced in Exhibit D.

RESPONSE: Sound Transit objects. This question is relevant only to the selection of the alignment, over which the SHB does not have jurisdiction, and therefore is not reasonably calculated to lead to the discovery of admissible evidence. In addition, a significant amount of this information is available in the East Link’s environmental review documents, which are available online. Without waiving this objection, the materials in the compact disc provide requested information.

REQUEST FOR PRODUCTION NO. 19: Produce all documents discussing or relating to the preparation of the applications for the Permit.

RESPONSE: Sound Transit objects. Literal compliance with this RFP would be unduly burdensome and the production of all such documents is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, the application and its supporting documents are provided in the discs.

April 3, 2015

Recreation and Conservation Office
Attn: Rebecca Connolly, Board Liaison
P.O. Box 40917
Olympia, Washington 98504-0917

Dear Board Liaison Connolly and Members of the Board,

I write in support of Sound Transit's proposed conversion of Mercer Slough Nature Park land (RCO Projects 73-026A and 78-513A).

The Mercer Slough is a stunning urban nature park. Gliding along the slough, past a great blue heron in my kayak brings serenity and inspiration.



The fact that—as a condominium-dwelling resident of downtown Bellevue—I can enjoy this experience less than five minutes from my home speaks directly to the type of natural and recreation experience the slough provides. The Mercer Slough is a nature preserve within a city. Office buildings line section of the Slough alongside a historic blueberry farm, adjacent to a large, high-traffic transit center, with skyscrapers

standing proud in the background. Turtles sunning themselves on downed trees and hawks soaring overhead can all be viewed from my kayak, or from the bicycle path crossing adjacent to the I-90 interstate that cuts through the Slough. Nature and city are intermingled here.

It is for this reason that I support Sound transit's proposed land conversion. The Mercer Slough is not intended as an untouched wildlife sanctuary, it is a place for city dwellers to find recreation and access to nature. The proposed conversion would replace 1 poorly-situated acre of land with six-acres of new park that would better connect the park and increase access and recreation.

The six-acre replacement property is contiguous and creates a new connection on a previously separated part of the park. Existing trails to the north and south of the proposed replacement property can be connected now if the replacement land is approved. And this is exactly what the City of Bellevue Parks Department plans to do with the new land—creating a new trail for urban hikers to traverse the easternmost edge of the park uninterrupted.



An essential goal of the Recreation and Conservation Funding Board is to fund projects that result in greater public access to outdoor recreation purposes. That is exactly what this proposed land conversion does.

The question before this board is not about light rail, it is about a proposed land swap that would increase acreage to the Mercer Slough and increase public access to and enjoyment of the park. It is for this reason that I strongly support the proposed conversion and urge you to do the same.

Sincerely,

Mark Van Hollebeke
Downtown Bellevue Resident
Bellevue Parks and Community Services Board Member
10042 Main Street #117
Bellevue, WA 98004

From: Borbe, Elma [<mailto:elma.borbe@soundtransit.org>]

Sent: Thursday, April 02, 2015 8:40 AM

To: Barker, Myra (RCO); Parker, Camron

Cc: Irish, James

Subject: Shoreline Hearings Board letters

Hi,

Please find enclosed two letters from the Shoreline Hearings Board regarding the appeal of the Shoreline Permit and Variance for the East Link Light Rail project. The opinions expressed by the Board in the letters may be of interest to the RCF Board in its consideration of the Mercer Slough Nature Park Conversion request by the City of Bellevue for the East Link project. We highlighted in yellow key statements in both letters that are pertinent to the proposed Conversion Request.

The appeal is still in process and a decision from the Shoreline Hearings Board is expected this summer.

All the best,

Elma Borbe
Environmental Planner



STATE OF WASHINGTON
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Mailing Address: PO Box 40903, Olympia, WA 98504-0903

Physical Address: 1111 Israel Rd. SW, Tumwater, WA 98501

March 20, 2015

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800 Fifth Ave Ste 4141
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Re: **Notice of Board's Forthcoming Opinion on Dispositive Motions**

SHB NO. 14-025

**DR. DONALD DAVIDSON, GEOFFREY BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER DEVELOPMENT v. CITY OF BELLEVUE through
Its DEVELOPMENT SERVICES DEPT.; SOUND TRANSIT and ELLIE
ZIEGLER for SOUND TRANSIT; and DEPARTMENT OF ECOLOGY**

Dear Parties:

The purpose of this letter is to advise the parties of the Board's forthcoming opinion on the dispositive motions on various issues filed by all parties. Due to the compressed schedule for this complicated appeal, the Board does not anticipate being able to issue its forthcoming order on these motions prior to the factual hearing on this matter. **This letter does not constitute the**



Board's final order on the motions, and is not an appealable order pursuant to RCW 90.58.180(3) and 34.05.542.

City and Sound Transit Motions:

The issues as established in the Amended Pre-Hearing Order (Feb. 11, 2015) are the controlling issues for this appeal. WAC 461-08-460.

Several issues in the Amended Pre-Hearing Order raise challenges to the State Environmental Policy Act (SEPA) process upon which the City's approved shoreline substantial development permit (SSDP) was based. The Board has decided that challenges to Sound Transit's 2011 Final Environmental Impact Statement (FEIS) and 2013 East Link SEPA Addendum are past all appeal periods and therefore cannot be raised in this proceeding.

The only SEPA question that can be raised before the Board in this proceeding is whether the City properly relied upon the project's existing environmental documents, or whether the City was required to prepare a new supplemental EIS (SEIS) pursuant to WAC 197-11-600(3)(b). *See also* Bellevue City Code 22.02.037. WAC 197-11-600(3)(b) provides that preparation of a new threshold determination or SEIS in this case would be required if there are:

- (i) Substantial changes to a proposal so that the proposal is likely to have significant adverse environmental impacts (or lack of significant adverse impacts, if a DS is being withdrawn); or
- (ii) New information indicating a proposal's probable significant adverse environmental impacts. (This includes discovery of misrepresentation or lack of material disclosure.) A new threshold determination or SEIS is not required if probable significant adverse environmental impacts are covered by the range of alternatives and impacts analyzed in the existing environmental documents.

WAC 197-11-600(3)(b).

The Board has determined that the Petitioners failed to make the factual showing required under WAC 197-11-600(3)(b) in order to maintain a SEPA claim under Issues 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 15, 18 and 19. Petitioners have failed to demonstrate either that there were substantial changes to the proposal likely to have significant adverse environmental impacts, or that there is new information indicating probable significant adverse environmental impacts that were not covered by the range of alternatives and impacts in the existing environmental documents. The Board has also concluded that Petitioners have not made a showing under Issue 3 that there has been any piecemealing of review in violation of SEPA or the SMA.

The Board's jurisdiction in this case is limited to reviewing the project as proposed for consistency with the Shoreline Management Act (SMA) and City Shoreline Master Program

(SMP), under a de novo standard of review. RCW 90.58.180(1); WAC 461-08-505; WAC 461-08-500(1). The Board must dismiss issues that are raised pursuant to laws beyond the SMA over which the Board has not been granted authority. See *Garrison v. Pierce County*, SHB No. 13-016c (Order on Motions, Nov. 6, 2013) at 12-13. Consequently, the Board is unable to consider noncompliance with other code provisions (e.g., the City's Critical Areas Ordinance) that have not been explicitly incorporated into the City SMP and approved by Ecology. See *GMA Advocates v. Potala Village Kirkland, LLC*, SHB No. 13-002 (Order on Motions, Aug. 8, 2013) at 13. In addition, "[o]nly those developments within the shorelines are subject to regulation by permits under the SMA, and upland development is outside the jurisdiction of this board except insofar as it might have an adverse impact on areas within the shoreline jurisdiction." *Pacificorp v. City of Walla Walla*, SHB No. 13-023 (Order on Motions, Feb. 12, 2014) at 14 (internal quotes omitted).

In sum, issues are being dismissed to the extent they question (a) the alignment for the Project, (b) other project alternatives, (c) the adequacy of existing environmental documents or whether new information or project changes required further environmental review under SEPA, including issues regarding the Issaquah extension, impacts to the Winters house, impacts to downtown Bellevue, and (d) noncompliance with external code provisions or are otherwise outside the Board's jurisdiction. Accordingly, Issues 1, 2, 3, 6, 8, 9, 10, 11, 12, 15 and 18 are dismissed in their entirety. Issue 4 will be narrowed to compliance with the SMA/SMP. Questions concerning whether the project is a reasonable and appropriate use or in the public interest that may have been raised under Issues 1 or 9 may still be brought under Issue 4. Issue 5 is retained only to the extent it addresses compliance with the SMA/SMP. Issues 13, 14 and 19 are similarly retained only to the extent they address compliance with the SMA/SMP, within the limits of the Board's jurisdiction.

Petitioners' Motion:

The Board will grant partial summary judgment in favor of the City and Sound Transit on Issues No. 4 and 16, regarding compliance with LUC 20.25E.080.B.3 and landfill compliance, respectively.

I trust that this information will help you prepare for the upcoming hearing starting on April 27, 2015. If you have questions, please do not hesitate to call the Environmental and Land Use Hearings Office at 360-664-9160.

Sincerely,



Kristle C. Elliott, Presiding
Administrative Appeals Judge

CERTIFICATION

On this day, I forwarded a true and accurate copy of the documents to which this certificate is affixed via United States Postal Service postage prepaid or via delivery through State Consolidated Mail Services to the parties of record herein.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED 3/20/15 at Tumwater, WA





STATE OF WASHINGTON
ENVIRONMENTAL AND LAND USE HEARINGS OFFICE

Mailing Address: PO Box 40903, Olympia, WA 98504-0903

Physical Address: 1111 Israel Rd. SW, Tumwater, WA 98501

March 24, 2015

Via e-mail and regular mail

Keith W. Dearborn
Alison Moss
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Seattle WA 98104-3175

Re: **SHB NO. 14-025**
DR. DONALD DAVIDSON, GEOFFREY BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER DEVELOPMENT v. CITY OF BELLEVUE through
Its DEVELOPMENT SERVICES DEPT.; SOUND TRANSIT and ELLIE
ZIEGLER for SOUND TRANSIT; and DEPARTMENT OF ECOLOGY

LETTER DECISION ON CERTAIN ADDITIONAL NON-DISPOSITIVE
MOTIONS

Dear Parties:

As noted in the correspondence sent to the parties on March 20, 2015, the Board has decided to dismiss and narrow many of the issues in this case. The Board's decision serves to

narrow the scope of discovery and thus effectively determines many of the issues in the City's and Sound Transit's non-dispositive motions.

Pursuant to the Board's decision on dispositive motions, and in the interest of time, this letter issues a decision on the following motions:

- **City of Bellevue's Motion for Protective Order Re: Petitioners' First Interrogatories and Requests for Production of Documents to the City of Bellevue (City Motion), and**
- **Sound Transit's Motion for Protective Order re: Petitioners' First Interrogatories and Requests for Production of Documents to Sound Transit (Sound Transit Motion).**

The Presiding Officer in a case before the Board has the power to issue protective orders as provided in the Administrative Procedure Act (APA). WAC 461-08-410(2). The APA provides that "the presiding officer may decide whether to permit the taking of depositions, the requesting of admissions, and all other procedures authorized by rules 26 through 36 of the superior court civil rules." RCW 34.05.446(3). Discovery requests must be reasonably calculated to lead to the discovery of admissible evidence. CR 26(b)(1); *City of Lakewood v. Koenig*, 160 Wash. App. 883, 891-892, 250 P.3d 113, 118 (2011). In addition, discovery shall be limited when:

- (A) the discovery sought is unreasonably cumulative or duplicative, or is obtainable from some other source that is more convenient, less burdensome, or less expensive;
- (B) the party seeking discovery has had ample opportunity by discovery in the action to obtain the information sought; or
- (C) the discovery is unduly burdensome or expensive, taking into account the needs of the case, the amount in controversy, limitations on the parties resources, and the importance of the issues at stake in the litigation...

CR 26(b)(1).

The Board has dismissed Petitioners' SEPA claims, claims that question the alignment for the East Link project or other project alternatives, and other claims that are outside the Board's jurisdiction to consider. For example, the Board is unable to consider noncompliance with code provisions that have not been explicitly incorporated into the City SMP and approved by Ecology (e.g., the City's Critical Areas Ordinance). See *GMA Advocates v. Potala Village Kirkland, LLC*, SHB No. 13-002 (Order on Motions, Aug. 8, 2013) at 13. In addition, "[o]nly those developments within the shorelines are subject to regulation by permits under the SMA,

and upland development is outside the jurisdiction of this board except insofar as it might have an adverse impact on areas within the shoreline jurisdiction.” *Pacificorp v. City of Walla Walla*, SHB No. 13-023 (Order on Motions, Feb. 12, 2014) at 14 (internal quotes omitted). Finally, the Board decided Issues 4 and 16 in the City and Sound Transit’s favor, which obviates the need for further discovery on directly-related concerns.

The only issues that remain in the case are those that otherwise allege noncompliance of the project (as proposed) with the Shoreline Management Act (SMA) and City Shoreline Master Program (SMP). RCW 90.58.180(1); WAC 461-08-505. These remaining issues will be determined by the Board under a de novo standard of review. WAC 461-08-500(1).

The following matters are thus no longer relevant, and discovery requests pertaining to these matters are not reasonably calculated to lead to discovery of admissible evidence:

- East Link project alignment matters: Adoption or interpretation of either the MOU, the Amendment to the MOU, the resolutions approving/concurring in the East Link project alignment, or any other Sound Transit or Bellevue City Council legislative action that would similarly be outside the revised scope of discovery in this case;
- Noncompliance with other code provisions: Other discovery related to City critical areas regulations which are not before the Board, or clearing, grading or other permits that have not yet been issued and which are outside the Board’s jurisdiction to consider.

In addition, certain of Petitioners’ discovery requests are overly broad and burdensome, e.g. Interrogatory (ROG) no. 27 to the City, and/or seek information that is otherwise protected from disclosure. Pursuant to the Joint Defense Agreement between Sound Transit and the City (Appendix C to City Response), attorney-client and work-product privileged communications subsequent to the effective date of that agreement shall remain privileged and are not subject to disclosure under RFP no. 4 to the City.

Accordingly, the City Motion and Sound Transit Motion are hereby GRANTED as follows:

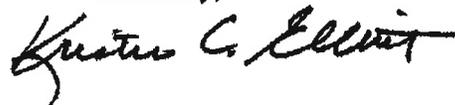
- The City is not required to further answer or produce documents responsive to the following interrogatories and requests for production in Petitioners’ First Interrogatories and Requests for Production of Documents to the City: ROG nos. 2-14, 20-22, 25-27, 29-33, and 36; and nos. 1-3 (to the extent they request documents related to these Interrogatories), and 4-9.

- Sound Transit is not required to further answer or produce documents responsive to similar ROGs and RFPs in Petitioners' First Interrogatories and Requests for Production of Documents to Sound Transit.
- The parties are prohibited from seeking or engaging in discovery directed or related to the information in the foregoing ROGs and RFPs, including through depositions or other means of discovery;
- **Exceptions are as follows:**
 - With regard to ROG no. 35 to the City, it was unclear whether or to what extent this discovery request is relevant. If this request remains relevant following the Board's decision on dispositive motions, then Petitioners must inform the City of the nature of any continued relevance within 5 calendar days of the date of this letter. The City must then make a good faith effort to respond within 14 calendar days. Otherwise, the City has no obligation to respond further.
 - With regard to ROG no. 37 to the City, this request does not appear to be overly burdensome or irrelevant, especially as the City provided an answer to related ROG no. 38. In addition, Sound Transit acknowledged in its Reply (p. 5) that information about changes to the project and new information -- though not relevant to now-dismissed SEPA issues -- may be relevant to the shoreline issues before the Board. The City is therefore ordered to answer ROG no. 37 within 14 calendar days of the date of this letter.

This letter is an attempt to issue an expedited and comprehensive ruling on these motions. To the extent that related discovery matters remain unclear following this decision, the parties shall conduct a discovery conference to discuss and attempt to resolve any areas of ambiguity prior to taking further action. The parties shall, within reason, make themselves available for a discovery conference that is requested by any party.

A letter decision on Petitioners' Motion to Compel will be issued early next week, after the briefing on the motion is complete. Petitioners are directed to file any reply pursuant to the schedule contained in the Amended Pre-Hearing Order.

Sincerely,



Kristie C. Elliott, Presiding
Administrative Appeals Judge

From: Joseph Rosmann [<mailto:rosmannj@icloud.com>]

Sent: Thursday, April 02, 2015 9:11 AM

To: Barker, Myra (RCO)

Subject: Documents for the Recreation and Conservation Funding Board Hearing Next Week

Dear Ms. Barker:

The attached documents have all been made available to the City of Bellevue over the last three weeks. Two of them summarize how the Eastlink rail line will impact the Mercer Slough Nature Park.

The third document makes clear that Sound Transit has been planning, for years, to also extend a second rail line across the south end of the Slough, along the I-90 roadway.

BBB's presentations to the Board next week will provide additional background regarding these developments and matters.

I respectfully request that you provide these materials to the Board members for their review prior to the hearing.

You may also wish to direct the Board Members to BBB's website where still more background on these materials and developments can be accessed. www.betterbellevue.org

Thank you for your assistance.

With Kind Regards,

Joe Rosmann

Chair
Building A Better Bellevue

Joseph Rosmann
921-109th Avenue S.E.
Bellevue, WA 98004-6821
email: rosmannj@icloud.com
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SHORELINES HEARINGS BOARD
STATE OF WASHINGTON

DR. DONALD DAVIDSON, GEOFFREY
BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER
DEVELOPMENT COMPANY, a
Washington company,

Petitioners,

vs.

THE CITY OF BELLEVUE, through its
DEVELOPMENT SERVICES
DEPARTMENT, Decision Maker; and
SOUND TRANSIT and ELLIE ZIEGLER
FOR SOUND TRANSIT, Applicant,
DEPARTMENT OF ECOLOGY,

Respondents.

SHB No. 14-025

DECLARATION OF ALISON MOSS
IN SUPPORT OF PETITIONERS'
MOTION FOR RECONSIDERATION

Declarant ALISON MOSS certifies and states as follows:

1. I am one of the counsel of record for Petitioners. I am over the age of 18, have personal knowledge of the facts contained in this declaration, and am competent to testify.

2. Attached hereto as **Exhibit A** is a true and correct copy of the November 8, 2013 E320 Future Wye Technical Memorandum from HJH to DeWitt Jensen provided by Sound Transit to Petitioners on March 9, 2015 in response to Request for Production

DECLARATION OF ALISON MOSS - 1

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
U.S. Bank Centre
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 (“RFP”) 17 in Petitioners’ First Interrogatories and Requests for Production to Sound
2 Transit.

3 3. Attached hereto as **Exhibit B** are true and correct copies of the following four
4 documents which Sound Transit produced on March 9, 2015 in response to RFP 17:

- 5 (a) April 20, 2011 Appendix 1A East Link Alignment Description;
6 (b) October 25, 2010 Sound Transit Eastside HCT Corridor – Definition
7 of Deliverables for Segment B (I-90 and Bellevue Way SE
8 Interchange to Winters House) Final PE Submittal from CH2MHill to
9 Sound Transit;
10 (c) November 10, 2009 Meeting Summary – Segment B Weekly
11 Coordination Meeting from– CH2MHill; and
12 (d) September 29, 2009 Meeting Summary – Segment B Weekly
13 Coordination Meeting from– CH2MHill to Sound Transit and the City
14 of Bellevue.

15 4. Attached hereto as **Exhibit C** is a true and correct copy of Sound Transit’s
16 response to RFP 17, objecting to providing the documents contained in Exhibits A and B

17 *I declare under penalty of perjury under the laws of the State of Washington that the*
18 *foregoing statements are true and correct.*

19 Signed this 30th day of March, 2015, at Seattle, Washington.

20 
21 _____
22 Alison Moss

23
24
25
26
DECLARATION OF ALISON MOSS - 2

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
U.S. Bank Centre
1420 5th Avenue, Suite 3400
Seattle, WA 98101-4010
Telephone: 206.622.1711

1 **CERTIFICATE OF SERVICE**

2 The undersigned declares under penalty of perjury, under the laws of the State of
3 Washington, that the following is true and correct:

4 That on the 30th day of March, 2015, I arranged for service of the foregoing
5 DECLARATION OF ALISON MOSS IN SUPPORT OF PETITIONERS' MOTION FOR
6 RECONSIDERATION to the parties to this action as follows:

7 **Original + seven copies via E-mail and U.S. Postal Service, ordinary first class
8 mail:**

9 Shoreline Hearings Board
10 1111 Israel Rd. SW, Suite 301
11 Tumwater, WA 98501 (for delivery not mailing)
12 Telephone: (360) 664-9160
13 Facsimile: (360) 586-2253
14 eluhho@eluhho.wa.gov

15 **Copies via Email per Eservice Agreement to:**

16 Stephen G. Sheehy
17 Sound Transit / Legal Department
18 401 South Jackson Street
19 Seattle WA 98104-2826
20 Telephone: (206) 398-5441
21 Facsimile: (206) 398-5222
22 stephen.sheehy@soundtransit.org
23 *Attorneys for Respondent Sound
24 Transit*

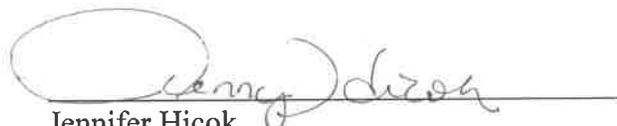
Patrick J. Schneider
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and Ellie Ziegler for Sound Transit*

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Katharine G. Shirey
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teresat@atg.wa.gov
Attorneys for Department of Ecology


Jennifer Hicok

CERTIFICATE OF SERVICE - 2

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Attorneys at Law
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Seattle, WA 98101-4010
Telephone 206-622-1711

EXHIBIT A



MEMORANDUM

Sound Transit East Link | South Bellevue to OTC

E320 Future Wye Technical Memorandum

Date: November 8th, 2013

To: DeWitt Jensen

From: Jerry Dorn, Kent Ferguson, Bryan Williams

CC: Jim Schettler

Re: Concept for future Issaquah Wye Connection

Summary

The Preliminary Engineering documents included provisions for a future wye connection near I-90 that could serve a line extension to Issaquah that would have required significant design and construction in the East Link package. The H-J-H scope was modified to instead provide a feasible concept for the future Issaquah wye connection while minimizing design and construction work to the current East Link Project.

Scope of Work

- Develop concept for future wye connection in sufficient detail to show concept is feasible and will not preclude a future connection.
- Develop conceptual track layout and column locations.
- Prepare Technical Memorandum to identify a feasible concept, the assumptions for layout, and the identification of future construction work required.
- Deliverables will include E320 Future Wye Technical Memorandum.

Basis for Concept

- East Link connection will be isolated from the future Issaquah line through use of rail and structure expansion joints.
- Details will include a feasible concept for future wye connection to current structure without significant interruptions to service.
- Replacement of plinths to remove track superelevation and addition of special track work is acceptable future work, therefore main line service will be out for extended periods of time. It is assumed that for the majority of the outages, single track operations will be possible.
- Construction of new straddle bents and demolition of current columns or bents is an acceptable level of future impacts.
- Perform preliminary design of wye only in sufficient detail for proof of concept.



- The structural analysis global model will be developed based on the no wye connection option only, it is assumed that the future design will create the future global model based on future layout details. A concept for modeling is discussed in the memorandum.
- 120' spans or less assumed for wye.
- Design and layout is not optimized, a single feasible concept is provided.
- Relocation of existing ramps, existing facilities and existing utilities is feasible. Relocation these items will only be investigated to determine feasibility.
- Current final design and details will only include the option without the wye.
- Plan sheets are not required, engineering sketches only will be prepared.

Concept Description

Track

The current track alignment where the future wye would be connected consists of a 806.09' and 821.94' radius curves on a vertical tangent profile. The design concept for the future connection is the turnouts would be placed within the body of the horizontal curve on the radial or divergent side of the turnouts. The proposed #10 turnout radius is 806.09', matching the minimum radius of the mainline curves. At the time the turnouts are installed the track superelevation of 3" would need to be removed.

The future wye would consist of a three leg wye with double track on each leg so a full range of two direction movement can be accomplished to the west and east. To make the wye connection in the future, each leg of the wye would have a speed consistent with the turnouts. The superelevation would need to be removed to make the switch which will reduce operating speed through the connection to 20 miles per hour. The alignment of the Issaquah Extension as it crosses the slough was not determined, it was assumed to run parallel to the existing I90 highway.

Structure

Additional deck width and tub girders will be needed where the wye connects. This can be accomplished by framing tubs parallel to the current tubs and connecting at the slab level and diaphragms. The future slab and diaphragm connection will drill and dowel into the current contract structure. If slab continuity is required in the future due to special trackwork, a link slab will be used. To support the additional superstructure, additional cap crossbeam and columns will be required. The added columns will be placed outside the current structure and the new cap beam will be built around the current cap beam. The future cap beam would be post tensioned to pick up the load from the current pier cap. This makes the future wye extension integral with the current design. The current columns can either be used in the future layout or removed in the future after the connected column and cap are constructed and post tensioned. Exact details will be determined in the future.

Seismic

The future wye connection and the continuous rail for the Issaquah Extension will create add extra stiffness in the seismic and temperature load distribution that will affect the current adjacent East Link aerial guideway. In order to minimize the stiffness effects, the future Issaquah Extension would contain an expansion joint on the wye legs so the wye connection to East Link is isolated from the future Issaquah Extension. The columns and cap beam that are added with the future wye connection would be designed to resist their share of the seismic and temperature loads so the current lateral design of East Link would not be affected.



Global Modeling

The current design has a global model of the structure that includes the rail, superstructure, columns and foundations. The model is used to determine vertical and lateral loads on the structure and to evaluate rail structure interaction. A similar model would be created in the future that would include the current structures and future Issaquah Extension structures and rail. The stiffness of the future structures and rail expansion joints would be used to limit the forces to the current structure. The results of the future model would be compared to the current model results to determine if the future structure causes overload of the current structure. The future structure would be modified if necessary to limit loads on current structure.

Future Design and Detail Work

Some of the future design and details that will need to be advanced to final design when the Issaquah Extension is advanced are summarized in the following bullets:

- Issaquah Extension alignment and profile
- Structure concept and span layout over the slough
- Environmental impacts and mitigation
- Wye layout optimization
- Turnout details
- Superstructure framing plan
- Column locations
- Cap beam details for extension of cap beam around current cap beam
- Slab and Diaphragm connection to current structure
- Geotechnical investigations
- Seismic analysis of global seismic resisting system including current and future structure
- Column and foundation design based on future seismic models
- Continuous rail analysis and rail expansion joint locations
- Roadway ramp clearances and sight distances
- Utility conflicts
- Systems layout; routing of conduits will typically be on the deck
- OCS pole locations; poles will be added on the future structure and cantilevered over to the current structure as required.
- Drainage

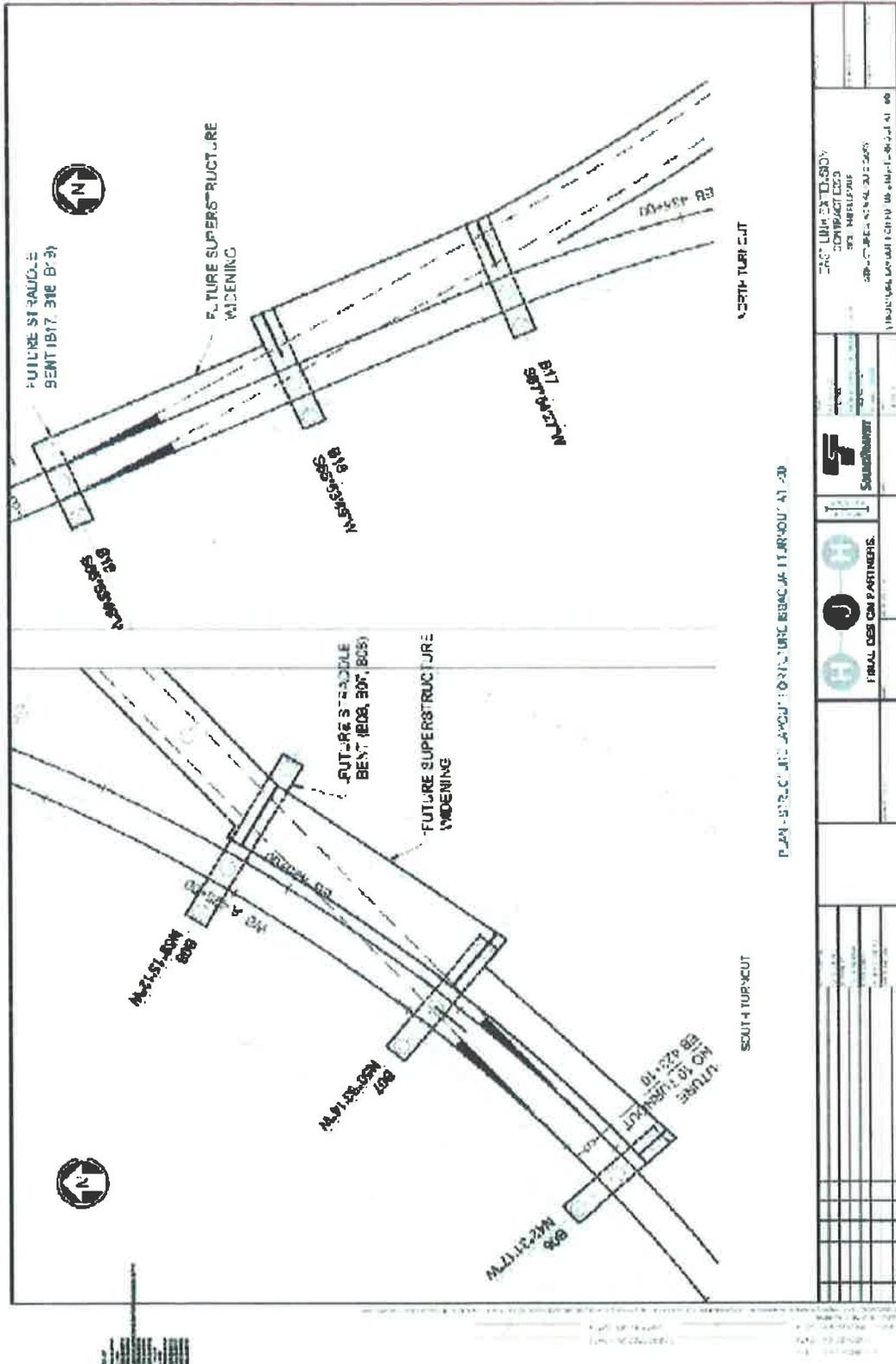
Future Construction Work and Interruption to Service

The elimination of track superelevation and the addition of switches in the track will require modification of current plinths. This work could be staged so the majority of the work would be completed while operation continues on the adjacent track. There will be periods of time when a switch is added and rail connections made that will require shut down on both tracks, but it would be possible to complete this work during non-revenue service.

For the structure, drilled shafts and columns could be constructed outside the current structure while operation continues. There will be interruptions to service when heavy lifting occurs such as setting tub girders, when there are closure pours between structures such as diaphragms and decks, and when there is a change in the load path such as demolition of an existing column.

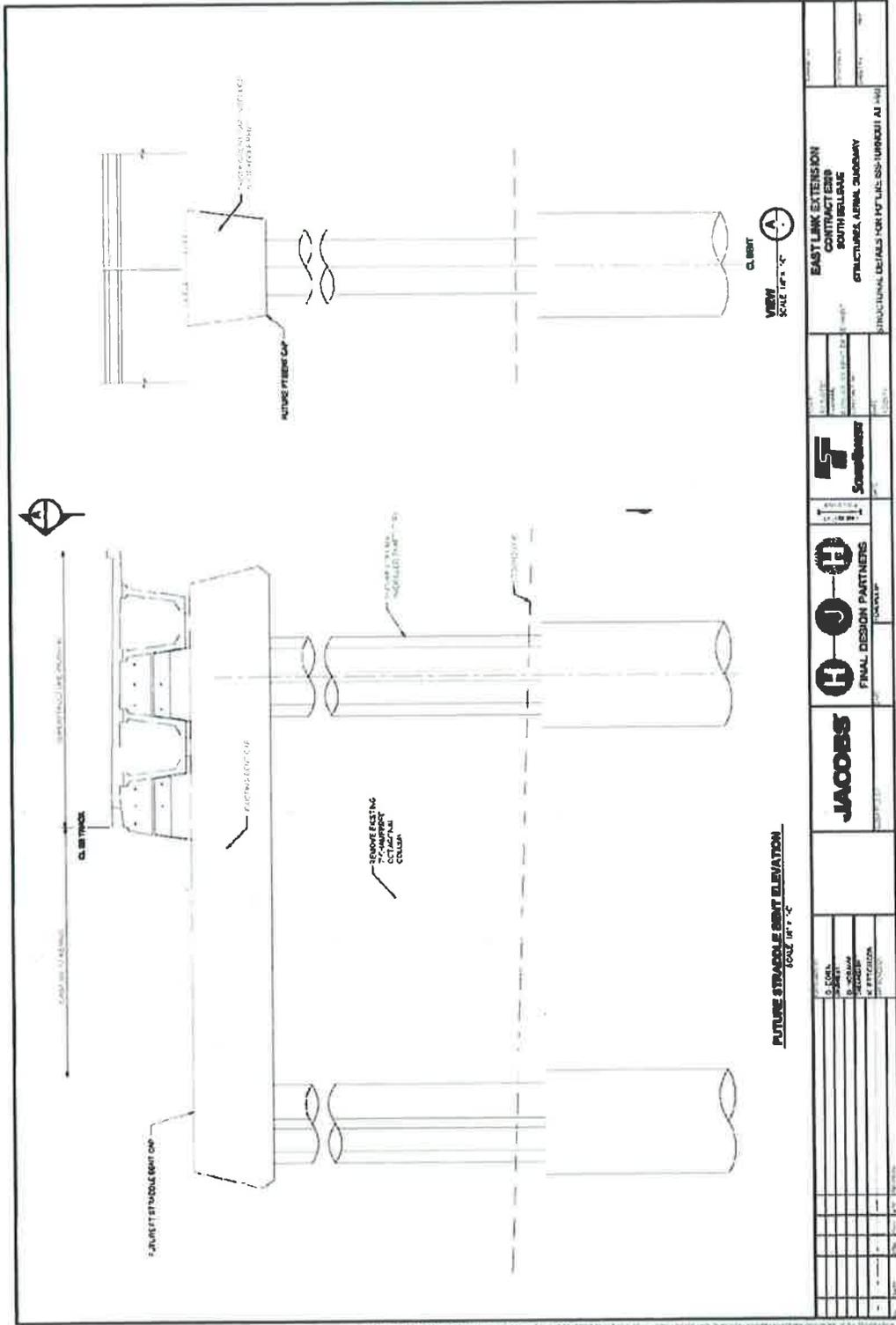


E320 Future Wye Technical Memorandum



ST002437

E320 Future Wye Technical Memorandum



JACOBS FINAL DESIGN PARTNERS		 FINAL DESIGN PARTNERS		 STRUCTURAL ENGINEERS		EAST LINK EXTENSION CONTRACTOR SOUTH BELLEVUE STRUCTURAL AERIAL SUBWAY STRUCTURAL DETAILS FOR FUTURE SS-1000011 AT 100	
DATE: 10/15/13 DRAWN BY: [Name] CHECKED BY: [Name]	PROJECT NO: [Number] SHEET NO: [Number]	SCALE: 1/8" = 1'-0" 1" = 8'-0"	NORTH	SECTION: A-A	VIEW: EAST	SCALE: 1/8" = 1'-0" 1" = 8'-0"	PROJECT: [Name]

EXHIBIT B

Appendix 1A

East Link Alignment Description

The East Link Light Rail Preliminary Engineering alignment is divided into four segments that traverse Cities of Seattle, Mercer Island, Bellevue and Redmond. The four segments including two alignment options for Downtown Bellevue include:

- Segment A (Downtown Seattle to South Bellevue)
- Segment B (I-90 and Bellevue Way SE Interchange to Winters House)
- Segment C (Winters House to BNSF) - Tunnel Alignment
- Segment C (Winters House to BNSF) - At-Grade Alignment
- Segment D (BNSF to Overlake Transit Center)

The total guideway length for the four segments of the project is 14.3 miles with the Segment C at-grade alignment (14.0 miles with the Segment C tunnel alignment). The project encompasses light rail track in a combination of at-grade, retained cut or fill, tunnel, and aerial guideway; ten stations, including alternates and add-on features; reconstructed or new civil elements including roadway, traffic, drainage and utility items; and system facilities. The highlights of the design elements are noted in the segment summaries below with more complete design development overviews addressed in the individual discipline chapters of the design report.

Segment A (Downtown Seattle to South Bellevue)

Track: Segment A is comprised of approximately 36,500 feet (6.9 miles) of track and begins at the connection of the existing Link Light Rail system immediately south of the International District Station (IDS) in Seattle and essentially runs in the I-90 high occupancy vehicle (HOV) Express lanes the full length of the segment across Lake Washington, through Mercer Island and onto the East Channel Bridge. At IDS, existing central link tracks are modified to accommodate East link tie-ins with a provision of a pocket track for the LRT vehicles to turn back. East Link track exits IDS, along existing busway ramps on plinth blocks and transitions to an embedded track as it enters the WSDOT D-2 roadway connecting to I-90, to facilitate shared bus rail operation. Along D2, special girder rails are installed by removing portion of existing slab to allow for the vertical dimension of the rails and plates. To reduce the impact of additional loading on existing structures along D2, the roadway is re-paved with light weight, with the surface even with the top of the rail. Along D2, to ensure safe operation, the trains will be operating in street-running mode and the speeds are constrained by number of existing curves and limited sight distance. As the trains exit the shared operation and approaches Rainier Station, tracks are transitioned from embedded to direct fixation on plinths, which will be the track attachment method for rest of the alignment. The plinths are cast in place on top of the existing roadway pavement. A double crossover is provided immediately east of the Rainier Station, before entering the Mt. Baker Tunnel. The Mt Baker tunnel is retrofitted with center fire wall separating the EB and WB tracks. All the retrofits in the tunnel, like the wall and emergency ventilation fans are supported by structural steel frames to avoid any additional loading on the tunnel.

After covering 3,500 ft Mt. Baker Tunnel, alignment enters 5,750 ft long I-90 Homer Hadley (HH) Floating Bridge. At the junction of fixed and transition span structure, LRV track requires

special rail joint beam structures, currently under separate procurement, to accommodate the horizontal and vertical movements that occur between the land-based approaches and the floating bridge. The track attachment system on the HH Floating Bridge is still being researched to determine the most feasible attachment design that addresses WSDOT concerns regarding preserving structural integrity of the bridge deck while meeting Sound Transit requirements for durability and maintenance. Direct fixation track on plinths will be continued on Mercer Island through the existing Mercer Island Tunnel and across the East Channel Bridge. The plinths are cast in place on top of the existing roadway pavement. Similar to Mt. Baker Tunnel, Mercer Island Lid tunnel will be retrofitted with center fire wall and emergency ventilation fans supported on steel frames.

Stations: The Segment A alignment includes two stations:

- The Rainier Station is in the median of I-90 between Rainier Ave S. and 23rd Ave S. It is an at-grade, center platform station at the highway elevation in the current HOV lanes. The west entrance is accessed from Rainier Ave S, approximately 30 feet below the platform level, via a ramp and stair system. Portions of this system under the I-90 overpass exist to access the bus flyer stops on I-90. A new opening in the overpass abutment will allow a direct ramp access to the west end of the platform. The east entrance is accessed from 23rd Ave S at the edge of the I-90 lid approximately 30 feet above the platform level. It is accessed via pedestrian bridge, stairs, escalator and elevators. Bus transit routes are on Rainier Ave S, 23rd Ave S, and I-90.
- The Mercer Island Station is in the median of I-90 between 77th Ave SE and 80th Ave SE overpasses. It is an at-grade, center platform station, raised about 6- 7ft from existing grade for improving vertical access to and from east and west entrances. The west entrance is accessed from the east edge of the 77th Ave SE overpass approximately 30 feet above the platform level. The east entrance is accessed from the west edge of the 80th Ave SE overpass, approximately 30 feet above the platform level. It is accessed via stairs, escalators, and elevators. Bus transit routes are on W Mercer Way and 80th Ave SE.

Civil: Most of the Roadway, site and traffic modifications for Segment A are due to the placing of light rail transit (LRT) within the existing roadway corridor. Majority of the transit way limits and modifications are within WSDOT ROW and will be part of the airspace lease agreement between WSDOT and Sound Transit. Existing D2 roadway is modified to accommodate joint bus/rail operation and carpool usage would be removed to ensure safe LRT operation controlled by security gates. Approximately 1.4-miles of the D2 corridor, comprising of two 12ft lane roadway separated by median, over WSDOT bridges and at-grade section would be configured for shared/joint use. The existing D2 Roadway channelization will remain the same; however, the inside shoulders will be narrowed by 1' each on the elevated structure segment to accommodate a 4' wide barrier and conduit housing. At the location where D2 crosses under I-90, the roadway will be lowered to provide sufficient clearance for future 15-foot widening of WB I-90. Retaining walls are proposed on both sides for roughly 150 feet. Security gates are installed at both ends of shared bus/LRT transit way to prevent the entry of unauthorized vehicles.

Near the I-90 and Rainier Avenue interchange, the ramps connecting the reversible center roadway to I-90 mainline would be closed off with new barriers to accommodate Rainier station and to prevent vehicles from entering the Mt. Baker center roadway tunnel.

On floating bridge, a 10-foot-wide maintenance access road to be used by WSODT will be provided along the north side of the LRT alignment. Entry to this access road is controlled by gates at the existing WSDOT crossing at the east end of floating bridge, near the WSDOT facility at Mercer Island. Existing barriers along the south side of floating bridge will be removed and replaced with cable rails for weight mitigation. Foundations for cantilevered OC S poles will be installed and attached to bridge deck along the south side, between proposed railings.

In Mercer Island, the existing Island Crest Way center roadway off-ramp will be modified to provide an eastbound HOV direct-access off-ramp from the I-90 EB mainline rather than the previously proposed off-ramp to 77th Avenue SE. The westbound HOV on-ramp from Island Crest Way to the reversible center roadway will be closed and an observation/enforcement area per DM 1410.06(7) will be provided. The existing westbound access to the outer roadway HOV lanes will be maintained. The WB on ramp and EB off ramp connecting center roadway to I-90 mainline, between East Mercer Way interchange and East channel Bridge will be closed.

Preparation of documentation for both permanent and temporary airspace lease for the center roadway along the I-90 corridor in the immediate proximity to the East Link project alignment was performed. Currently, the HOV roadway and a WSDOT parcel adjacent to I-90 and Dearborn St are the only zones denoted for construction staging.

Limited storm drainage facilities will be impacted in this segment since the alignment is on existing Sound Transit and WSDOT ROW. Many areas will be used with minimal alteration. Approximately 1000 feet of the existing roadway east of Rainier Ave S is being re-profiled, thus triggering a flow control requirement. A stormwater detention vault is proposed to manage the runoff from this section of roadway. The existing storm drainage conveyance system is redesigned to accommodate the revised roadway profile. The storm drainage conveyance systems impacted by Rainier Station and Mercer Island Station will require further evaluation during final design.

Utility relocation impacts in Segment A are limited to a handful of utility crossings and manhole modifications and connections. In particular, reconstructed off-set manhole lids are proposed for a manhole at approximate EB Sta 1054+20 and at Rainier Station. The Mercer Island Station side sewer is proposed connecting to the King County Wastewater (KCWW) regional sewer system at an existing manhole at the station. The connection has been discussed with KCWW and is expected to be ultimately approved with conditions further discussed in the Design Report. A new fan control building to power new Mt Baker Tunnel fans in the existing HOV tunnel will require two independent sources of power. Currently, a single source from Seattle City Light is available in the vicinity of the fan control building. The project designers and Sound Transit were able to meet with SCL to discuss how a second power source could be brought to the area. Subsequently, SCL was able to develop preliminary cost estimates to do so. The 6-inch side sewer serving the proposed traction power substation (TPSS) is proposed to be connected to an existing sanitary sewer clean-out adjacent to the existing WSDOT I-90 Floating Bridge Maintenance Facility located just west of 60th Ave SE on Mercer Island (MI). There is no existing sanitary sewer pipe in 60th Ave SE; however, there is an existing MI sanitary sewer pipe buried along the shoreline in Lake Washington. The Maintenance Facility sewer is shown to

connect to this sewer mainline. The proposed connection to the WSDOT facility side sewer would eliminate in-water construction impacts, permit requirements and environmental mitigation. Interagency agreements have not been made to address this connection at this time.

Systems: Systems elements for Segment A include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substation (TPSS), communications and stray current /corrosion control systems. FLS features include dry fire protection attached to the south-side railing on the East Channel Bridge section. There are four Traction Power Substations (TPSS) in this segment, they are located: On the north side of the guideway at approximate EB Station 1059 south of Rainier Ave S; on the south side of the guideway at the west edge of Lake Washington and Lakeside Ave E; on the west edge of Mercer Island between Lake Washington and 60th Ave SE below the I-90 Bridge; and on the south side of I-90 just west of Shorewood Dr on Mercer Island. Signal relay houses are located in the IDS and Rainier Station, adjacent to the TPSS off of 60th Ave SE, and at approximate EB Sta 1293+50 west of Shorewood Dr. Side and center OCS poles are utilized for the corridor with exception of special attachments in the Mt Baker and Mercer Island Tunnels.

A corrosion control program was performed to evaluate and design systems elements to minimize stray current impact to transit and adjacent utility structures. The major elements of the work included the design of stray current mitigation for the floating bridge, an evaluation of the floating bridge reinforcing steel electrical continuity, a system wide evaluation of the soil resistivity along the entire ROW, calculation of the maximum allowable stray current for the ROW based on soil resistivity, preliminary calculations of stray current levels on the I-90 HH Floating Bridge, and development of details for providing electrical continuity of reinforced concrete structures and cathodic protection systems. The "East Link Soil Corrosivity and Stray Current Control Report" is appended to the Design Report.

Segment B (I-90 and Bellevue Way SE Interchange to Winters House)

Track and structures: Segment B is comprised of approximately 6,900 feet (1.3 miles) of track that runs between I-90 and along Bellevue Way SE in south Bellevue to the Winters House. Segment B alignment begins in center roadway with at-grade direct fixation track, beyond the East Channel Bridge the alignment transitions from at-grade to a retained fill structure then to an aerial guideway structure. The elevated section curves to the north through the I-90 and Bellevue Way SE interchange to the east side of Bellevue Way SE and continues elevated to the South Bellevue Station. Beyond the station the alignment transitions to a combination of at-grade and retained-cut route along the east side of Bellevue Way SE to just north of the historic Winters House. An acoustic barrier has been incorporated onto the west side guardrail of the elevated guideway structure beginning at the start of the elevated structure and continues on the one side up to the retained cut section north of the South Bellevue Station. All track in this segment is direct fixation on plinths including through the retained cut area at Winters House where a sealed structure was incorporated to address the high water-table. Horizontal geometry of the elevated tracks includes 30mph curves and track spacing varying from 13.5' to 15.75', and widening to accommodate center platform South Bellevue Station. A double crossover is located north of SE 30th Street. The westbound track profile on the I-90 East Channel Bridge was designed to conform to the existing superelevation and, therefore, will have independent superelevation designs. Track alignments for the potential future extension to Issaquah have

been considered and accommodate No. 10 turnouts for both the Issaquah-Bellevue junction and the Issaquah-Seattle junction.

The I-90 crossing superstructure is assumed to be a haunched concrete segmental box using balanced cantilever method of erection. Based on optimizing the layout with the existing ramps north of I-90 this resulted in the current proposed span length of 310 feet. The straddle bents for Issaquah junction (south) are integral with the superstructure and straddle over I-90 on-ramps and support the Issaquah junction spans. The south Issaquah junction is a two-span, trapezoidal superstructure. The north branch of the junction affects two spans and the superstructure is similar to the south branch.

The retained cut sections include areas with cut on one side and fill on the other side, as well as areas with cuts on both sides. Within the Winters House area where there is a full cut section with soldier pile walls on both sides that is deeper than 15', the use of supporting struts at the top of the wall has been incorporated, and trench lid structure approximately 170 feet in length. Due to uplift pressure from groundwater, the base slab is proposed to be 3' thick, and construction joints include waterstops to seal out groundwater.

Stations: Segment B includes one station and parking garage located at a reconfigured existing South Bellevue Park & Ride lot location. It is an elevated center platform station with stair, elevator, and escalator access. It will have both surface and a 5-level parking garage totaling 1,400 available parking spaces. Bus transit access is at a bus platform located under the light rail station platform.

Civil (ROW/Roadway/Drainage & Utilities): This segment of the project has the following roadway improvements: reconstruction of freeway ramp and arterial pavement, curb/gutter and sidewalk, street trees, roadway lighting, and roadway drainage, and trail system paths. Modification of approximately 600' of the WSDOT on-ramp, Bellevue Way to Westbound I-90 HOV (SW-ramp). Modifications to Bellevue Way SE include re-channelization and partial widening in order to add southbound HOV lane from the South Access (South Bellevue Station) Road intersection to the I-90 HOV direct access on-ramp. Northbound Bellevue Way SE curb lane reconstruction (approximately 900') due to new storm drain facilities. Bellevue Way SE intersection improvements at 4 locations: SE 30th including half-signal, South Access road with full-signal, Main Access/112th Avenue SE with full-signal, and North Access. Property/site access modifications to South Bellevue Station and Park & Ride (3 access roads), Blueberry Farm and Winters House access roads and parking lot modifications.

For stormwater facilities, the portion of Segment B that is along I-90 will use a combination of the existing facilities, bioswales, and dispersion to manage the guideway stormwater. The portion of the project within City of Bellevue is within the Mercer Slough Basin which is an exempt receiving body, therefore, no flow control is required. Enhanced treatment is provided for the South Bellevue Park & Ride and portion of Bellevue Way with a stormwater treatment wetland. A new 21" to 30" storm drain is proposed to intercept and convey offsite flow from the Enatai neighborhood to a point south of the retained cut. Guideway stormwater at the Winters House retained cut trench is collected at the low point of the guideway and discharged to the wetland of Mercer Slough.

Utility reconstruction includes the following items: Existing overhead power and telephone facilities along Bellevue Way are shown to be relocated as buried facilities, however, overhead to overhead relocation is still a consideration. Special consideration for construction protection of existing facilities at the Sweyolocken Pump Station, due to close proximity to an existing 27-inch sanitary sewer line and manhole. Installation of approximately 1,000 feet of 8" water line in Bellevue Way northbound lane.

Systems: Systems elements for this segment include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substation (TPSS), communications and stray current /corrosion control systems. FLS features include dry fire protection attached to railing on elevated guideway sections and LRT emergency access at south side of retained cut guideway. The Traction Power Substation (TPSS) in this segment is located on the east side of the guideway south of SE 30th Street. The Signal Relay House is located adjacent to the TPSS site. Side and center OCS poles are utilized for the corridor with exception of special attachments at Winters House lid.

Segment C (Winters House to BNSF) - Tunnel Alignment

Track: This segment is comprised of approximately 13,400 feet (2.5 miles) of track and extends from the Winters House on the east side of Bellevue Way SE, south of 112th Avenue SE, to the former BNSF right-of-way north of NE 8th Street. The portion of the alignment from Winters House to just north of SE 8th Street is within Segment B, however, this portion is included in the Segment C Preliminary Engineering submittal package. At the Winters House the guideway is direct fixation track in a retained cut, with sealed trench section, soldier pile walls and strut supports at the top of the wall. The guideway transitions up to grade near the wye intersection of Bellevue Way SE and 112th Ave SE where it turns and continues along the east side of 112th Ave SE in a combination of at-grade and retained fill on ballasted track. South of the intersection of SE 15th Street a 30' wide bridge structure spans over an existing culvert connecting Mercer Slough with ponds on the west side of 112th Ave SE. Ground improvements employing overexcavation with granular fill and stone columns are used in this section from Winters House to approximately 500' beyond SE 15th Street. The side-running, essentially at-grade route then transitions to ballasted track built on a precast concrete trestle structure and includes a structure-supported (trestle) station just north of SE 8th Street. The side-running 112th Avenue SE alignment crosses two intersections (SE 15th Street and SE 8th Street) at-grade and includes vehicle crossing gates and signals. Track design speeds are 45mph south of SE 15th Street and 35mph north of this point.

North of the SE 8th Station is the beginning of Segment C. The guideway continues with the trestle structure until it crosses at-grade to the west side of 112th Avenue SE at SE 6th Street; the speed of the crossing curves is 20mph. The alignment continues on ballasted track at-grade until SE 1st Street when it turns west onto the south side of Main Street as a retained cut. Two single crossovers are located in advance of the horizontal curve south of SE 1st Street. The retained cut ends at the tunnel portal east of 110th Ave Place SE, where the alignment curves north and crossing Main Street onto 110th Ave NE as a cut-&-cover tunnel route. The track is a direct fixation system beginning from the retained cut through the remainder of the Segment C tunnel alignment. Typical track center spacing in the tunnel is 18'6" to accommodate a 2-hr rated dividing wall throughout the length of the running tunnel; the track centers widening to

accommodate a center platform tunnel station located under 110th Avenue NE at NE 4th Street. The length of tunnel, including the underground station, is approximately 2,230 feet. The maximum depth of tunnel from rail to surface is approximately 55 feet; factors controlling the tunnel depth are station access mezzanine layout, space for utilities above the tunnel and station box, and NE 6th Street portal location. A critical horizontal layout constraint is on the north side of NE 4th Street, between an existing shoring/support wall of the Skyline Tower parking garage on the west and the Bellevue City Hall building on the east side. At this constraint location, there is approximately three feet clear separation on the west side to the proposed composite secant pile tunnel wall and a minimum 5 feet clearance on the east. After the station the cut-&-cover alignment turns east and portals out in the center of NE 6th Street, followed by a transition structure that includes retained cut and retained fill then to elevated guideway over 112th Avenue NE. The design speeds of the curves in the retained cut and tunnel portion of the alignment are 20mph. The guideway is direct fixation and elevated along NE 6th Street where it transitions from the center of NE 6th Street to the north side before crossing over I-405 and 116th Avenue NE. A double crossover is located just east of I-405. The aerial guideway turns north onto the former BNSF railroad right-of-way, crosses over NE 8th Street to the elevated Hospital Station located immediately north of NE 8th Street. Horizontal geometry of the elevated tracks includes 30-35mph curves and typical track spacing of 15.75', with widening to accommodate center platform Hospital Station. The minimum vertical clearance over 116th Avenue NE and NE 8th Street is 16'6", and clearance over existing BNSF trackway is 23'0". Segment C terminates within the former BNSF right-of-way approximately 400' south of NE 12th Street as it transitions from elevated to at-grade with a trestle structure system.

There are several key structures in this segment that are discussed in detail in structural chapter of the Design Report. These include an approach transition slab where the track transitions from the direct fixation to ballasted; cast-in-place concrete trestle with deep drilled shaft foundations in areas of soft, liquefiable, layers of soil; driveway bridge for emergency access that crosses the guideway at Lincoln Plaza south of SE 6th Street; cut-&-cover tunnel box with waterproofing, multiple shoring systems, temporary decking for maintenance of traffic; modification of a portion of the existing parking structure; straddle bents for the elevated guideway one east of 112th Avenue NE and three south of NE 8th Street; and I-405 crossing consisting of 4-span balanced cantilever structure with 290' maximum span length and approximately 70' above I-405.

Stations: Segment C tunnel alignment includes three stations:

- The SE 8th Station is located on the north side of the intersection of 112th Avenue SE and SE 8th Street. It is an at-grade, side platform station with sidewalk access from the north and south, and is constructed on a trestle. Sound walls are incorporated in the station to mitigate train noise impacts to the adjacent property. Bus transit routes run on SE 8th Street and 112th Avenue SE.
- The Bellevue Transit Center Station is in a cut-&-cover tunnel section and has a center platform. The station platform is roughly centered on NE 4th Street, with the station entries positioned outside of the existing right-of-way. The main entry is located on the Bellevue City Hall property and serves bus transfers and the downtown core. The secondary entry is located on the west side of 110th Avenue NE at NE 2nd Place. Because of the cut-&-cover system the station spaces are not constrained within a rectangular box configuration. The station has a lower, center-access platform level and an upper

pedestrian circulation mezzanine area. The mezzanine enclosure is shaped to accommodate station fans and plenum facilities south and north of the mezzanine. Access to the station will be via stair, escalator, and elevator. The existing adjacent Bellevue Transit Center will provide transit access. An alternative north access (City Center Plaza entrance), on the west side of 110th Avenue NE, is proposed as an alternative entrance to the tunnel alignment. This alternate access will impact the existing four-level parking garage and drainage vault of the City Center Plaza.

- The Hospital Station is an elevated, center-platform station located along the former BNSF right-of-way just north of NE 8th Street. The south entrance is accessed from NE 8th Street 34 feet below the platform level and the north entrance is accessed from the north end of the entry plaza 32 feet below the platform level. Access will be via stair, escalator, and elevator. Bus transit routes run on NE 8th Street and 116th Avenue NE. Space is preserved within the BNSF ROW for future trail/utility/freight rail corridor. Sturtevant Creek currently flows within the footprint of the station, so a relocation to the west in its alignment is proposed.

Civil: This segment of the project has the following roadway improvements: construction/reconstruction of pavement, curb/gutter and sidewalk, retaining walls, street trees, roadway lighting, and roadway drainage. Primary areas of work will include the reconstruction of sidewalk on the east side of Bellevue Way SE adjacent to the retained cut alignment; the widening of sidewalk with landscape on the south side on 112th Avenue SE north of the wye intersection; and approximately 900 feet of northbound roadway and sidewalk will be rebuilt and channelized to incorporate two through-lanes and two turn lanes south of SE 15th Street. The intersection of 112th Ave SE and SE 15th will undergo significant modifications including a raised profile to match the light rail grade, new traffic signalization, three new turn pockets, and vehicle gates coordinated with the traffic signals. Continuing north the northbound roadway, sidewalk and median will be reconstructed to SE 8th Street. The 112th Avenue SE and SE 8th Street intersection will be re-channelized and re-built. The intersection of 112th Avenue SE and SE 8th Street will also have a raised profile to match the light rail grade, modified traffic signalization, one new turn pocket, and vehicle gates coordinated with the traffic signals. Approximately 500 feet of SE 8th Street will be reconstructed on pile supported structure in order to match the track alignment, affecting the full width of SE 8th Street, back-of-walk to back-of-walk including adjacent landscaping, and retaining walls at back of walk. North of SE 8th Street on 112th Avenue SE, a single northbound lane, curb & gutter, sidewalk and landscaping will be reconstructed to the limit of Segment C.

The roadway from back-of-sidewalk to back-of-sidewalk on 112th Ave SE between SE 8th Street and SE 6th Street will largely be rebuilt and re-channelized. SE 6th Street will be reconstructed to incorporate the light rail crossing, but will not have vehicle gates as the light rail will cross at the reconstructed signalized intersection. Work is proposed on roadway, sidewalk and landscaping for approximately 150 feet of SE 6th Street, and approximately 500 feet of SE 4th Street will be re-aligned and built new to maintain access to the neighborhood since the existing access at 112th Avenue SE will be impacted by the LRT project. The curb & gutter and sidewalk on the west side of 112th Avenue SE north of SE 4th Street up to Main Street will be demolished and rebuilt. Similarly, the sidewalk and curb & gutter on the south side of Main Street will be rebuilt between 112th Avenue SE and 110th Avenue NE. 110th Ave NE including roadway, curb & gutter and sidewalk will be rebuilt in its entirety from Main St to NE 6th Street over the cut-&

cover tunnel/station. Additional work will occur in the BTC Station entrance and ventilation areas that extend to surface grade. With the exception of a short stretch on the north side of the street, NE 6th Street between 110th Avenue NE and 112th Avenue NE will have full width roadway and sidewalk work. Temporary and permanent modifications to I-405 ramps due to LRT design are proposed that require continuing coordination with WSDOT for final design and approval. Signal modifications are proposed for the intersection of Main Street, NE 2nd Street, NE 4th Street, and NE 6th Street on 110th Avenue NE. Signal modifications will be required at the intersection of 112th Ave NE and NE 6th St. Temporary and permanent modifications to I-405 ramps due to LRT design are proposed that require continuing coordination with WSDOT for final design and approval.

Other roadway and civil design features include: two emergency egress stairways are proposed at trench guideway, one located near Winters House and the second at the intersection of 112th Avenue SE and Bellevue Way. Acoustic barrier is proposed along effectively the full length of 112th Avenue SE on the north/west side of the track to SE 8th Street. Installation of a wall on the west side of 112th Avenue SE north of SE 6th Street. For walls less than 8' a rockery wall is proposed and for walls greater than 8' a tie back wall is assumed. Acoustic barriers intended to minimize noise impacts to the Surrey Down neighborhood are incorporated on the west side of the tracks along 112th Avenue SE beginning from approximately SE 4th Street and continues as it curves around to Main Street into the retained cut section, ending at the south end of the tunnel. Acoustic barriers are again employed at the elevated guideway between I-405 and NE 116th Ave NE, and at the at-grade section in the former BNSF right-of-way.

Stormwater facilities will use a combination of existing system, underdrains and storm drain conveyance systems to convey stormwater flow. Guideway stormwater north of the Winters House retained cut trench is collected at the low point of the guideway and discharged to the wetland of Mercer Slough. Stormwater collection from track underdrain is discharged directly into the Mercer Slough. Two existing culverts at the wye intersection at 112th Ave SE and Bellevue Way SE will be lowered to accommodate the guideway design. The portion north of SE 8th Street is in the Sturtevant Creek Basin. The flow control requirement in this area is limited to the difference between the changed groundcover condition, thus a stormwater detention vault near SE 8th Street will manage the additional runoff generated by the portion of the alignment that drain to this location. The tunnel section has a storm drain to manage groundwater infiltration into the tunnel, incidental stormwater flow at the portals, and supplemental drainage in the event of fire flow. The street-level stormwater design above the tunnel and tunnel station replaces the existing system in as much of the existing location as possible to ensure service connections are maintained. A small amount of impervious surface is added to NE 6th Street west of 112th Avenue NE, and 72-inch detention pipes are proposed to handle the additional runoff as well as replace the existing detention pipe displaced by the project. Two design issues that have not been reviewed by the Washington Department of Fish & Wildlife or the Native American Tribes and could encounter permitting difficulties are: A relocated 36-inch pipe conveying Sturtevant Creek east of I-405 due to a proposed guideway column; and a proposed re-alignment of Sturtevant Creek channel and inlet manhole due to displacement by Hospital Station.

Utility work for the portion of the alignment from Winters House to SE 8th Street is primarily located at street crossings and includes: Relocation/reconstruction of Qwest facilities located at

the SE corner of 112th Avenue SE and SE 15th Street serving the Bellefield Office Park including special apparatus in cabinet and vault structures, as well as associated conduit encased cable/wire/fiber. Due to the soil improvements necessary in this area to support the installation of light rail, the Qwest facilities will be relocated to the NW corner of the intersection behind the sidewalk, but within the existing ROW. Power ductbank will be relocated south of SE 15th St ROW, away from proposed stone columns and reinforced soil/geotextile mats, but will require a utility easement. The City of Bellevue is scheduled to upgrade and relocate the existing sanitary sewer pump station and associated piping in advance of light rail construction. The final design will require close coordination with City of Bellevue to include the pump station and piping work in the final design drawings and for relocation work of other utilities in the vicinity. There are extensive utility relocation of dry and wet utilities proposed on SE 8th St due to conflicts with the proposed rail crossing along 112th Ave SE and the raising of the SE 8th road profile to accommodate the track elevation. Utilities are relocated outside of existing ROW in a proposed utility corridor, and require specialized support due to existing poor soil conditions.

Utility work north of SE 8th Street includes relocation/reconstruction of all utilities within the limits of the cut-&-cover work on 110th Avenue NE. Because of the proposed structural shoring plan and decking, utilities will required advanced utility relocation, support during tunnel construction, and subsequent re-burial. Discussions with utilities experiencing high impact were initiated during the preliminary engineering phase and assumptions and design considerations derived in meetings are reflected in the design drawings. Some key issues are discussed in further detail in the Design Report. Other utility relocations occur at street crossings including SE 6th Street, SE 4th Street, and SE 1st Street. Utilities on NE 6th Street falling within the tunnel and retained cut section are relocated to the north side of the street.

Systems: Systems elements for both the tunnel and at-grade alignment for Segment C include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substations (TPSS), communications and stray current /corrosion control systems. FLS features include 4 vane-axial fans for the underground Bellevue Transit Center Station fan shafts/rooms, 3 vane-axial fans for the station smoke exhaust fan room, and 4 jet fans for smoke exhaust near the south portal. Similar to I-90 tunnels, the Bellevue transit tunnel will require redundant power in the event of an emergency, standby generators are proposed to fulfill this function. The Traction Power Substation (TPSS) in this segment is located on the west side of the LRT tracks and 112th Avenue SE, just south of Main Street for the tunnel option. Signal relay houses are located adjacent to the TPSS on 112th Avenue SE and adjacent to the LRT alignment east of the I-405 crossing of the tunnel alignment. FLS features include dry fire protection attached to railing on elevated guideway sections. Side and center OCS poles are utilized for the corridor with the exception of special attachments at retained cuts and the tunnel section.

Segment C (Winters House to BNSF) - At-Grade Alignment

Track: This segment is comprised of approximately 14,900 feet (2.8 miles) of track and extends from Winters House on the east side of Bellevue Way SE, south of 112th Avenue SE, to the former BNSF right-of-way north of NE 8th Street. The portion of the alignment from the Winters House to SE 6th Street is similar to the tunnel alignment and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading. The noted

difference is at-grade alignment does not include the SE 8th Station, and has a universal crossover north of SE 8th Street. The guideway continues with the trestle structure until it crosses at-grade to the west side of 112th Avenue SE at SE 6th Street; the speed of the crossing curves is 20mph. The alignment continues on the west side of 112th Avenue SE, then transitions from at-grade, ballasted to retained fill ballasted, becoming elevated, direct fixation track, guideway over SE 1st Street. It then turns west with a 300' radius curve (20mph design speed) to the south side of Main Street, transitioning back to retained fill and at-grade as it comes into 108th Station located between 110th Avenue SE and 108th Avenue SE, also using direct fixation track. Beyond 108th Station the alignment again curves to the north and becomes center-running, embedded track on 108th Avenue NE from Main Street to NE 6th Street. The embedded track section will be 115RE rail enveloped in a rubber boot cast in a concrete slab. At NE 6th Street the alignment curves east into the proposed reconstructed Bellevue Transit Center Station. The curves at Main Street and NE 6th Street have tight radii (10mph design speed) due to constraints at these locations. Through the Bellevue Transit Center the alignment is embedded and slightly below existing grade. East of the station the alignment crosses 110th Avenue NE at-grade and transitions to an aerial structure with direct fixation track, where it shifts from the south side of NE 6th Street to the north side of NE 6th Street before crossing over I-405 and 116th Ave NE similar to the tunnel alternative; for additional information refer to Segment C (Winters House to BNSF) - Tunnel Alignment heading. Structural features spanning I-405 are also similar to the tunnel option. Once crossing over 116th Avenue NE the alignment fully matches the tunnel option.

Stations: Segment C At-grade alignment includes three stations:

- 108th Station is an at-grade, side-platform station within a retained cut south of Main Street generally between 110th Avenue SE and 108th Avenue SE. It is bordered by the Surrey Downs neighborhood to the south. The sloped cut creates a large open area that can be structured and landscaped to provide a natural transition between the urban core to the north and the residential neighborhood to the south. Access is via sidewalk with the east access along the Main Street sidewalk at 110th Avenue NE. Access from the Surrey Downs neighborhood is provided for local foot access with no accommodation for drop-off traffic. The west entry is accessed from a pedestrian plaza at the southeast corner of the Main Street and 108th Avenue SE intersection. Bus transit access routes are on Main Street, 108th Avenue NE, and 110th Avenue NE.
- The Bellevue Transit Center Station will reconfigure the existing bus transit station into a combined bus and light rail transit center located on NE 6th Street between 110th Avenue NE and 108th Avenue NE. It will be an at-grade, side-platform station with the light rail alignment running in the center of the NE 6th Street transit-way, while the bus operations will run on either side of the rail alignment. The rail alignment will be placed within a retained cut, while the bus lanes maintain the approximate slope of the existing plaza and sidewalks on either side. The east entry is accessed at the 110th Avenue and NE 6th Street signalized intersection, and the west entry is accessed at the 108th Avenue and NE 6th Street signalized intersection, which maintains the scatter signal pedestrian movements. The transit center was widened to accommodate the new rail alignment, which required modification of the adjacent sidewalks, plazas and facilities.
- For the Hospital Station, see the Segment C (Winters House to BNSF) - Tunnel Alignment, Hospital Station description.

Civil: Roadway and civil design features, drainage and utility work for the portion of the alignment from the Winters House to SE 8th Street is similar to the tunnel alignment and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading.

The C At-grade alternative includes the following roadway improvements: Construction /reconstruction of pavement, curb/gutter and sidewalk, retaining walls, street trees, roadway lighting, and roadway drainage. Approximately 900 feet of full-width roadway curb & gutter and sidewalk on 112th Avenue SE straddling SE 6th Street will be reconstructed, less 250 feet of the southbound and one of the northbound lanes. Beginning south of SE 4th Street on 112th Ave SE, the existing sidewalk will be removed up to Main St to incorporate new turn lanes and adjust grades to tie into the new trackway elevations. Similar to the tunnel alignment option, the south side sidewalk along Main St will be rebuilt, but from 112th Avenue SE to 108th Avenue NE. Full roadway and sidewalks reconstruction on 108th Avenue NE is required to accommodate the center-running track alignment. Improvements will extend out at all cross-streets on 108th Ave NE. Due to physical constraints along 108th Avenue NE, northbound left turn pockets are not provided; so no northbound left-turns movements are allowed at the intersections of NE 2nd Street and NE 4th Street. Driveway access off streets with center running trackway will be right-in and right-out only. New pedestrian signal will be installed at 108th Avenue NE and NE 2nd Place, and traffic signal modifications will be made at 110th Ave and Main Street, 108th Avenue NE at the intersections of Main Street, NE 2nd Street, NE 4th Street, NE 6th Street, 110th Avenue NE and NE 6th Street, and 112th Avenue NE and NE 6th Street. On NE 6th Street, between 108th Avenue NE and 112th Avenue NE the full street reconstruction is required to accommodate the additional width needed for the LRT tracks. Civil roadway improvements east of 112th Avenue NE will be similar to the tunnel alignment and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading.

Other civil improvements include: Installation of a wall on the west side of 112th Avenue SE north of SE 6th Street. For walls less than 8' a rockery wall is proposed and for walls greater than 8' a tie back wall is assumed. Acoustic barriers intended to minimize noise impacts to the Surrey Down neighborhood are incorporated on the west side of the tracks along 112th Avenue SE beginning from approximately SE 4th Street and continues as it curves around to Main Street, ending at 108th Avenue NE.

Stormwater issues for the At-grade alignment, with the exception of the tunnel-specific issues, are identical to those of the Tunnel alignment, and descriptions for this section can be found under Segment C (Winters House to BNSF) - Tunnel Alignment heading. No flow control is required along 108th Ave NE since it falls within the Meydenbauer Bay Basin, which has a regional stormwater facility managed by the City of Bellevue. Existing catch basins are relocated where required and storm filter vaults in line with the curb are proposed for meet enhanced treatment requirements due to pavement replacement associated with the project.

Utility work for the At-grade alignment is similar to the work in the tunnel option up to 110th Place SE and east of 110th Avenue NE on NE 6th Street. The at-grade alternative includes relocation/reconstruction of utilities where the alignment crosses 110th Place SE, 110th Avenue SE, and utilities running parallel under or adjacent to the track alignment on 108th Avenue NE between Main Street and NE 6th Street.

Systems: Systems elements for the at-grade alignment for Segment C include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substations (TPSS), communications and stray current /corrosion control systems. The Traction Power Substation (TPSS) in this segment is located on the west side of the LRT tracks and 112th Avenue SE, under the elevated guideway at the SW corner of 112th Avenue SE and Main Street for the at-grade option. Signal relay houses are located on the east side of the LRT tracks and 112th Ave SE north of SE 8th St, and adjacent to the LRT alignment east of the I-405 crossing of the tunnel alignment. FLS features include dry fire protection attached to railing on elevated guideway sections. Side and center OCS poles are utilized for the corridor with the exception of special attachments at at-grade intersections.

Segment D (BNSF to Overlake Transit Center)

Track: This segment is comprised of 17,300 feet of track and starts from Segment C to the north in the BNSF ROW as at-grade ballasted trackway and turns east after approximately 500', parallel to and north of, a proposed new NE 15th/16th street corridor. Storage tracks, including a light maintenance facility, are proposed within the BNSF ROW north of NE 12th Street, with capacity for four 4-car trains. The storage tracks include double crossovers and are connected to the Seattle leg of the mainline by No. 8 turnouts and to the Redmond leg by No. 10 turnouts. It is anticipated that a potential future extension of LRT to Kirkland would commence from the stub-ended tracks of this storage facility. From 15th/16th corridor, the mainline enters a retained cut trench prior to crossing 120th Ave NE and 124th Ave NE. The guideway has soldier piles on both sides with lids across the top at both 120th and 124th Avenues NE. Struts are spaced 30-foot on center in between lids. East of 124th Ave NE, the existing grade slopes down and the track alignment rises and becomes elevated until matching at-grade at a gated 130th Ave NE crossing. A #10 universal cross-over is provided before the 130th Avenue NE crossing. 130th Station is located between 130th Ave NE and 132nd Ave NE. It continues at-grade on the existing NE 16th St, turns north at 136th PI NE and crosses NE 20th St at-grade, transitioning to another elevated section that runs along the south side of SR-520 over 140th Ave NE, 148th Ave NE, associated 148th Ave NE on and off ramps. The aerial section along SR-520 crosses a wetland area where stone columns encircling the drilled shafts are proposed as a ground improvement measure. A straddle bent structure is located where the aerial guideway crosses SR-520 NB off-ramp to 148th Ave NE. East of 148th Ave NE within the SR-520 cloverleaf exit ramp area loose fill must be cut down for the guideway to pass through and foundations to be drilled into firm subgrade material. The profile touches down just west of 152nd Ave NE where it again becomes at-grade at the Overlake Village Station. MSE walls are proposed on both sides for roughly 200 feet up to the station plaza. The alignment continues on the south side of SR-520 in a combination of at-grade and one-sided retained cut and goes underneath the new NE 36th St. bridge overpass alongside SR-520. Soil nail walls are proposed to retain the one-sided cut before and after the the bridge abutment. A #10 double cross-over is proposed south of the Overlake Transit center station. The segment terminates at Overlake Transit Center Station and NE 40th St. Ballast track is used for all at-grade, retained fill and retained cut sections. Direct fixation track is used at aerial guideway sections.

Stations: There are four stations included in Segment D:

- 120th Station is located between 120th and 124th Avenues NE north of a new NE 15th Street roadway planned by the City of Bellevue, and within a master-planned site called the Spring District. It is a retained-cut, side-platform station and the entrance is approximately 30 feet above the platform level. Access will be via stair, up-escalator and elevators. Bus transit access will be via routes on 120th Ave NE.
- 130th Station is an at-grade, side-platform station located on the proposed NE 16th St alignment between 130th and 132nd Avenues NE. It includes a park-and-ride lot north of the station with approximately 300 parking spaces. Entrances are accessed by walkways from 130th Ave NE on the west and 132nd Ave NE on the east. There is not transit access in the immediate vicinity.
- Overlake Village Station is an at-grade, side-platform station located on the east side of SR520 at 152nd Ave NE. East access is from 152nd Ave NE, the west entrance is for future access from areas toward 148th Ave NE, west of the station. Transit access is via routes on 152nd Ave NE.
- Overlake Transit Center Station is on the east edge of SR-520, south of NE 40th St. It is located at the existing Overlake Transit Center site but is reconfigured to accommodate a bus loop, the new station, a 3-level parking garage, and a connecting pedestrian plaza. It is an at-grade, center-platform station, but the north end of the station is in a retained-cut with the platform approximately 30 feet below NE 40th St. The platform entrance is on the south end of the platform and is accessed from the pedestrian plaza to the east and the SR-520 flyer stop to the west. Access is via ramps and stairs. Bus transit access is via routes on 152nd NE and the transit center platform on site.

Civil: At 120th Ave NE and 124th Ave NE crossings, significant changes to existing profile are proposed: over 1000 feet for 120th Ave NE and over 500 feet for 124th Ave NE in order to accommodate overhead clearance needed for the retained-cut trench LRT alignment crossings. A tiered split grade roadway/track section design is shown along NE 16th St between 132nd Ave NE and 136th PI NE. The design optimizes driveway conforms assuming existing adjacent property elevations must be maintained. At the time of final preliminary engineering submittal, the City of Bellevue (COB) had not finalized their ultimate roadway build-out plans for NE 16th and 136th PI NE between 132nd Ave NE and NE 20th St. Further coordination will be needed between the final designers, Sound Transit and COB before a final design for the proposed roadway improvements in the LRT design can be completed. In this segment new signal controlled crossings/intersections are proposed at NE 16th St and 132nd Ave NE, and NE 16th St and 136th PI NE. Signal modifications are proposed at 136th PI NE and NE 20th St, 156th Ave NE and NE 36th St, and 156th Ave NE and NE 38th St.

Stormwater facilities in Segment D will use a combination of existing systems, underdrains, dispersion, bioswales, surface conveyance, and storm drain conveyance systems to convey stormwater flow. Large flow control facilities distinguish this segment and are designed to keep the stormwater generated in a particular basin within that basin. These major detention vaults are located at:

- 124th Ave NE
- 130th Ave NE Station The NE corner of NE 16th St and 132nd Ave NE
- A vault and stormwater pump along 136th Ave NE
- A vault and stormwater pump north of 136th Ave NE and NE 20th St

- Overlake Village Station
- A rebuilt vault at the Overlake Transit Center
- A stormwater treatment wetland and stormwater pond at Overlake Transit Center

The storage track in the BNSF ROW does not impact the existing drainage. The recommendation is to NOT install underdrain or other drainage facilities. It is recommended that final designers work with the Cities of Bellevue and Redmond to develop regional drainage solutions for flow control and water quality. Regional solutions will impact the need for the large flow control facilities.

Other stormwater issues in this segment include: Coordination with the City of Bellevue to determine where to locate a box culvert to route Goff Creek under the guideway near the 130th Ave Station; and the proposed guideway interferes with an existing 24-inch diameter pipe that conveys an unnamed creek (tributary of Kelsey Creek) along 136th Ave NE. The proposed design has not been reviewed by the Washington Department of Fish & Wildlife or the Native American tribes and could encounter permitting difficulties.

Utility work in Segment D includes:

- Relocation of a 12-inch water line along the east side of the BNSF ROW falls under the proposed light rail storage tracks. Due to constraints within the BNSF ROW and outside of the east side of the BNSF ROW, it is proposed to be relocated to the Children's Hospital property just outside of the west BNSF ROW line. A permanent easement would be required for this relocation. The design team reviewed the constraints with Sound Transit, who concurred with the proposed design.
- A new side sewer serving the 120th Ave Station is proposed to run 1100' parallel and south of the light rail track requiring permanent easement or fee-take to a proposed sewer manhole near the BNSF ROW. It also serves to TPSS site on-route, but has substandard slope for over half its length. There is no existing City of Bellevue sanitary sewer line on 120th Ave NE where the LRT alignment crosses, adjacent to 120th Ave Station. In lieu of the proposed design the final designers could consider pumping and extending the side sewer north on 120th Ave NE 1600 feet across the LRT crossing to an existing sanitary sewer main, staying within the street ROW, or possibly connecting to new, yet unknown, sanitary sewer systems that may be associated with upcoming street widening improvements for 120th Ave NE by the City of Bellevue, or sewer systems proposed by the developer of Spring District.
- Power and communications facility relocations into overhead systems within the existing ROW on 120th Ave NE and 124th Ave NE pursuant to directives by Sound Transit. The intention was to avoid multiple relocations for future 120th and 124th Ave NE roadway widening by City of Bellevue.
- Relocation of utilities on NE 16th St and 136th Pl NE. The proposed designs are based on the tiered, two-lane road design. City of Bellevue is in the process of preparing final build-out designs for these streets and adjacent streets and crossings as part of a master development plan in this area. It was assumed that the light rail project would precede the City roadway reconstruction plan. Horizontal alignment placement of relocated utilities should consider final roadway build-out design and channelization when available during final design and installation depth of the utilities could be coordinated with City design to minimize subsequent relocations of the main utility lines.

- Relocation of the 16-inch and 20-inch Olympic Petroleum Pipelines crossing NE 16th St. near 136th Pl. NE due to the light rail design. The extent of the overall lengths of the pipelines are indeterminate at this time due to refusal of right-of-entry to pothole pipeline depths by the adjacent property owners and lack of final design development by the City of Bellevue in this area.
- Relocation of twin existing PSE transmission lines on 3-pole wood towers in the vicinity of NE 16th St and 136th Pl NE due to the vertical conflict with OCS poles. The advance relocation work will be determined and performed by PSE, but will require coordination with Sound Transit due to potentially long lead times for tall steel poles.
- An existing sanitary sewer located on Microsoft Rd is proposed to be relocated east outside of the road ROW due to a proposed soil-nail wall on the east side of a retained-cut trench section of the track alignment. It was determined that the sewer falls within the limits of the soil nails. Microsoft and City of Redmond, based on the PE review following final submittal, expressed the desire to revise the wall type such that the sewer could remain in its current location. Further coordination between the final designer, Sound Transit, Microsoft, and the City of Redmond will be needed to resolve this issue.

Systems: Systems elements for Segment D include fire/life safety (FLS) features, LRT signals and controls, overhead contact system (OCS), traction power substation (TPSS), communications and stray current /corrosion control systems. FLS features include dry fire protection attached to railing on elevated guideway sections and along the wall at the retained cut guideway east of 120th Station. The Traction Power Substation (TPSS) in this segment is located west of 120th Ave NE alongside the LRT track and at the Overlake Transit Center (OTC) site. Signal relay houses are located in the BNSF ROW south of NE 12th St, adjacent to the TPSS site west of 120th Ave NE, on the south side of the track between 124th Ave NE and 130th Ave NE, north of NE 20th St, and adjacent to the TPSS site at the OTC. Side and center OCS poles are utilized for the corridor with exception of special attachments at retained cuts and overpasses.

Sound Transit Eastside HCT Corridor - Definition of Deliverables for Segment B (I-90 and Bellevue Way SE Interchange to Winters House) Final PE Submittal

TO: Don Billen/Sound Transit
Tony Raben/Sound Transit

COPIES: Steve Kambol/CH2M HILL
Molly Boone/CH2M HILL

FROM: Andrew Leong/CH2M HILL

DATE: October 25, 2010

General Corridor Status

Primarily as a result of the Downtown Bellevue and 112th Avenue Analysis processes, and ongoing discussions between the City of Bellevue and Sound Transit, and the City of Redmond and Sound Transit, substantial revisions have been made to the preferred alignment corridors in Segments B, C, and D. Sound Transit Board motion M2010-73, which was approved on July 22, 2010, identified the preferred alternatives for Segments B and C as follows:

- Alternative B2M-C9T: 110th tunnel connected to B2M via 112th Avenue Option 2, westside-running to Main Street portal (replacing the B3S-C3T preferred alignment originally approved by the Sound Transit Board);
- Alternative B2M-C11A: 108th at-grade connected to B2M via Option 2, modified: westside-running to at-grade (replacing the B3S-C4A preferred alignment originally approved by the Sound Transit Board); and
- The preferred Hospital Station location is Option A, north of NE 8th Street.

Several significant modifications to the preferred alignment in Segment D have been made, including:

- Modification of the 120th Station from an at-grade to a retained cut configuration as conditioned by the Sound Transit Board;
- Relocation of the alignment corridor and station in the Overlake Village area to a route along SR 520; and
- Significant changes to the configuration of the Overlake Transit Center, including relocating the proposed tail and storage tracks beyond the station to the BNSF corridor in the vicinity of I-405.

Segment B Definition

Pursuant to the activities noted above, the Final PE Submittal for Segment B by the CH2M HILL consists of plans for a shortened alignment (from I-90 and Bellevue Way SE

Interchange to Winters House, with the remainder, now B2M, to be submitted in concert with Segment C) in compliance with Task 03.01.02.03 - Final PE Submittals and Sound Transit directions, and in general accordance with the Sheet List for the contract Scope of Work. The Final PE Submittal is intended to represent a level of work that reflects preliminary design solutions for issues identified during conceptual engineering and quantifies the various components in order to prepare a reliable construction cost estimate. The proposed design development shown on the Plans are based upon the 5/6/10 Alignment Definition as concurred with by Sound Transit. The following is a list of major changes since the Interim PE Submittal:

- Field surveying has been completed and the composite base map is shown in this submittal.
- Geotechnical exploration program has been completed and boring locations are shown in the track plan and profile.
- Track alignment Curve 202 over I-90 WB revised to provide a standard No. 10 turnout for Issaquah Junction.
- Incorporated Issaquah alignment in System and Structural designs.
- Sound Transit transferred the design of I-90 EB HOV off-ramp to Bellevue Way (EN-ramp) to WSDOT; a conceptual channelization design from WSDOT is referenced in the Roadway modification plan.
- Coordinated short straddle bent location at I-90 WB HOV on-ramp from Bellevue Way (SW-ramp) with WSDOT.
- Coordinated column/straddle bent location at Sweyolocken Pump station with King County Wastewater Treatment Division.
- On-going coordination with Bellevue Fire Department; emergency egress stair towers are not required to date.
- Acoustic barrier on neighborhood side of the guideway on all elevated track incorporated.
- Track vertical alignment raised by one foot to 14'-6" clearance in order for vacuum truck to service the pond at the north access road of South Bellevue Station.
- Performed Dynamic Envelope analysis to confirm track cross-sectional dimensions.
- Coordinated with KC Metro Transit, Bellevue and Sound Transit regional express to revise bus, ped and traffic circulation at South Bellevue Station; Autoturn analysis has been performed assuming an 18" mirror clearance for bus operation.
- There is now a slight bend of 5.7 degrees \pm in the footprint geometry of the parking garage at South Bellevue Station.
- Winters House trench is sealed where top of rail is lower than elevation 30' \pm due to high ground water at 29' \pm .
- Winters House driveway lid shifted northward to meet commercial vehicle sight distance design requirement; the lid is not rectangular in shape, but instead, is trapezoidal.

- Winters House parking lot reconfigured to provide the same number of parking stalls as existing.
- Winters House lid supports landscaping design with street trees in front of Winters House.
- Low point drainage outfall in trench is via a gravity system, no pump.
- Ground improvement recommendations incorporated (with notes in Track Plan/Profile, Track Sections and Roadway Modification Plan/Profile).
- Mixed use path is accommodated but is not included in the design.
- SB left turn on South Bellevue Way eliminated at SE 30th Street intersection.
- Northbound curb lane on South Bellevue Way is now shown as pavement reconstruction due to the deep 30" storm pipe north of Blueberry Farm.
- Floating slab at Winters House is proposed for mitigating ground-borne vibration from LRT.
- Deleted stormwater ponds and vaults in wetland and replaced with sustainable filter vaults adjacent to roadways.
- The proposed power and communications facilities shown in the Utility composite drawings are represented as an underground design, but may be reconsidered during final design for overhead relocation. Any design adjustments will consider input from affected utilities, the City of Bellevue, and other pertinent agencies.
- TPSS location has been sited at the southeast corner of SE 30th Street and Bellevue Way SE intersection.

Accordingly, the following is the definition of the subject deliverables.

Plans

Drawing scales as noted on the Sheet List.

Title Sheet

- Based on Sound Transit conventional design documents

Index of Sheets

- Based on Sound Transit convention.

Abbreviations

- Based on Sound Transit CAD standards.

Symbols

- Based on Sound Transit CAD standards.

Key Plan

- Based on Sound Transit convention.

General Notes

- Provided within each design discipline as required to clarify or augment graphic information on drawings. In lieu of detailed graphic depiction, late-developing project elements or elements or details that are beyond the scope of preliminary design may be described in writing on the plans in order to inform Final PE cost estimate and/or be deferred and addressed more fully early in Final Design.
- **Design Drawings** consist of graphics for plan, including composite layers as required, profile, section and details, and notation to call out, label and dimension – all to describe the development of design to the level of completion for Final PE.

Track Design (03.02)

- **Track Typical Sections** – developed from CE documentation; showing layers of typical guideway construction, including track type, curb/wall, graded slopes, OCS poles, signal/communications conduits and ductbank, and station platforms, as applicable.
- **Track Alignment Data** – assembled primarily from InRoads software program computations for track alignment curves, spirals, superelevation, turnouts, and LRT design speeds.
- **Track Plan & Profile** – horizontal and vertical alignment on topographic base, with station outlines, locations of TPSSs, special trackwork, grade crossings, grade separations, retaining walls, and notes for controlling alignment, such as stationing, curve data, vertical clearances and profile grades. Westbound track profile also included to address existing bridge deck superelevation on East Channel Bridge.
- **Track Charts** – showing location and limits of emergency guard rail, restraining rail, pre-curved rail, and high strength rail. Rail anchor at double cross-over is not shown in this submittal.

Roadway Design (03.03)

- **Roadway Typical Sections** – combined with track typical sections, as applicable; define structure components and traffic and pedestrian features (pavement, walkway, parapet, railing, etc) with callouts for materials and dimensions.
- **Roadway Plan and Profile** – defining limits of roadway reconstruction by sawcut line; plan elements, on planimetric topography base with existing contours, to include paving limits, curb layout, sidewalks, curb ramps, striping, crosswalks, traffic signals, and light poles; callouts to be added for materials and dimensions. Preliminary grading design shown. Temporary construction limits are not shown (but see Right-of-Way Plans). Landscaping limit and types are shown. Removals of major items are noted on Roadway Modification Plans.

- **Cross-street Plan and Profile** – defining limits of cross-streets and major driveway reconstruction; plan elements to include pavement limits, curb layout, sidewalks, striping, crosswalks, and lighting; callouts to be added for materials and dimensions. Not all driveway profiles are shown; however, reconstruction limits are shown. Grading limits are shown.
- **Parking Lot Reconfiguration** –Winters House Parking lot and Blueberry Farm Parking restoration are shown on Roadway Modification Plans. Surface lot parking reconfiguration at South Bellevue Station is shown on Roadway Modification Plans.
- **Roadway Detail** – Added doweled curb detail to be used with concrete pavement at the South Bellevue Station.

Traffic Signals:

- **Traffic Signal Plans** – traffic signals are shown on the Roadway Modification Plans and include following features: existing signal poles and mast arms that will remain; proposed signal poles, mast arms, and vehicle and pedestrian heads, loop detectors, rail crossing gates, and traffic controller; proposed signal phasing diagram.
- **Lighting Plans** – lighting facilities shown on the Roadway design drawings and include following features: existing light standards to remain; proposed light standards.
- **Sign relocations & modifications** will be addressed during the Final Design phase. Regulatory signs will be designed in accordance with agency and MUTCD guidelines. A signing detail sheet with typical traffic signs is included.

Right-of-Way:

- **Right-of-Way Plans** – sheets showing impacted properties with property identification; proposed construction staging areas and temporary construction and permanent easements are shown; however, right-of-way monuments will not be included in the submittal. Property ownership per King County database and square footage of impact area are included. However, right-of-way requirements shown do not include wetland, wetland buffer and park impact mitigation.

Expectations and Assumptions

- A. Roadway design standards are based on applicable location jurisdiction’s design criteria.
- B. Traffic signal and street lighting surface features identified in topographic surveys are shown on the base maps. Locations of underground features such as junction boxes and conduit for street lighting and traffic signalization are not shown on the base maps.
- C. Maintenance of Traffic (MOT) Plans will not be provided with the Final PE Submittal.
- D. Plans for truck haul routes are included in the Final PE Submittal.

Structural Design (03.05)

New Aerial Guideway Structures:

- **General Arrangement of Typical Guideway** – for each new aerial structure plan with topographic base, elevation, and typical section describing structure type and guideway configuration will be shown, with callouts for dimensions and location of abutment and piers. Temporary requirements and limits for construction will not be shown.
- **Foundation Schedule** – showing foundation type, pile/shaft tip elevation.
- **Drilled Shaft Types** – showing size of shaft and reinforcement arrangement.
- **Foundation Types** - showing dimensions.
- **Column Schedule** - showing column dimensions, top of column elevation and column height.
- **Column Type** – showing column dimensions.
- **Straddle Bent Details** – showing straddle bent type and dimensions.
- **Miscellaneous Details** – Note details of any specific aesthetic features, approach slabs, OCS support and/or pole foundation, ductbank/conduit attachments, voids and blockouts, etc., as necessary. (One drawing to cover all bridges).
- **Acoustic Barrier Detail** - on elevated guideway is included.

New Retaining Walls:

- **Plan and Elevations** – layout of plan and elevation, with dimensions and sections describing wall construction, fill, and components.

New Covered Guideway Structure (Lid at Winters House):

- **Plan and Elevations** – layout of plan and elevation, with dimensions and sections describing lid structure, support walls and foundations, and bridge to the Winters House parking lot.

Drainage Design (03.06)

- **Storm Drain Plan and Profile** – are provided showing collection and rerouting of drainage discharging from culverts along Bellevue Way.
- **Pond/Vault Plans** – facilities, with pond sizing and stormwater treatment information notes, are shown on Composite Utility Plans.
- **Standard Details** – provided for dispersion as flow control BMP, including delineation of limits for application. These are called out on the Composite Utility Plans.

Expectations and Assumptions

- A. Drainage quantities will be based upon a uniform catch basin spacing and pipe layout referenced to alignment stationing.
- B. Storm drain profiles are included in the PE Submittal. Storm drain plans are shown along the LRT alignment and the South Bellevue Park-and-Ride facility.
- C. The Expectations and Assumptions that govern the Composite Utility Plans also govern the Storm Drain information included in those plans (see 03.07 below).
- D. Storm drain flow control and water quality facilities are designed to meet the compliance requirements of the applicable jurisdiction.

Utilities Design (03.07)

- **Composite Utility Plans** – developed along track alignment and new roadway design areas on base maps showing existing water, sanitary sewer, and storm drain facilities, including size and type if available. The base map also includes overhead and underground power and communications facilities; communication lines will be identified by ownership (ductbank configuration and details will not be shown). Relocations of utilities by Sound Transit contractors and those to be performed by utility companies (NIC) are shown on the drawings. Line size and type are shown for new utility facilities as well as invert elevations for sanitary sewer manholes. Utility services are shown for LRT systems building, South Bellevue Station, Blueberry Farm, and Winters House.

Expectations and Assumptions

- A. Fire lines related to LRT are based on meetings with the City of Bellevue Fire Department, but may need to be modified as they coordinate and collaborate with other fire protection jurisdictions to develop a comprehensive and consistent fire safety system.
- B. Data from potholes taken in Segment B were not available in time to be incorporated into the Final PE Submittal design drawings, but will be incorporated into the electronic version of the Segment B base map that will be available for the Final Design phase. The pothole summary will be included in the PE Design Report.
- C. Utility infrastructure relocations to be installed by others (NIC) were developed in conjunction with the affected utility companies for this submittal, and will be subject to change by the utility companies during the remaining LRT project design process. They are expected to be done in advance by the utility companies or their contractors in preparation for the LRT construction. Proposed designs will need to be coordinated and agreed upon with Sound Transit as part of utility agreements, and the proposed relocations incorporated into the LRT final design drawings.
- D. All utilities shown within WSDOT right-of-way are owned by WSDOT unless noted otherwise. Conflicts with traffic management/information technology systems, including traffic control, signalization, handholes, junction boxes, fiber-optic cables,

electrical and street lighting will be addressed by traffic and street lighting designers during the Final Design phase.

Station Architecture Design (03.08)

Stations:

- **Station Area Plan** – describing context of station to alignment and adjacent area.
- **Site Plan** – key horizontal relationships shown graphically and dimensioned; platform layout key; access points and areas of park-and-ride facilities at some sites; location of bicycle facilities and entry plazas; cross sections called out.
- **Site Sections** – key vertical relationships with surrounding features and park-and-ride facilities (where present) shown graphically.
- **Station Platform Plans and Elevations** – showing graphic horizontal relationships and vertical longitudinal section/elevation related to alignment and site intersecting points; access portions of platform plans are included; plans and sections are provided for the elevated station at South Bellevue Park-and-Ride, including portions of ground plans. Rooms identified on elevated, tunnel, and retained cut stations.
- **Platform Sections** – are shown with key dimensions.
- **Station Upper Entry Plans** – for retained cut stations, showing entry and vertical circulation.
- **Station Architectural Drawings** – incorporate appropriate “X-refs” from Landscape, Civil, and Structural designs.
- **“Sketch-Up” Perspective** – included for the station.

Park-and-Ride Facilities:

- **Ground Plans** – illustrating entrance and general circulation.
- **Garage Typical Floor Plans** – illustrating typical floor general layout and circulation.
- **Sections** – illustrating relationship to surrounding land and station. Key dimensions shown.

Segment Urban Design:

- **Typical Plan Diagrams** – indicating area of treatment shown on civil base drawings.
- **Prototypical Cross Section Diagrams** – referenced to civil base drawings.

Systems (03.09)

- **Signals and Controls (03.09.07)** - Schematic diagram drawings of signal system, noting in particular special trackwork and grade crossing locations where relay houses and power requirements needed; include preliminary details of typical

signal, track switch, and grade crossing equipment; signal conduit requirements shown on ductbank routing drawings, with configuration noted in LRT sections.

- **Overhead Contact System (03.09.08)** - OCS pole locations shown on Track Alignment (Plan) drawings, with OCS types identified, including anticipated accommodation at junction for possible future extension to Issaquah; also typical details for pole and foundation types.
- **Traction Power (03.09.09)** - TPSS locations will be sited on Track Alignment and/or Roadway drawings; include plan of typical TPSS site layout with required elements and dimensions; with line diagram for traction power system and architecture, and preliminary return rail system design.
- **Communications (03.09.10)** - Block diagrams of communications elements for typical at-grade station and typical aerial station; preliminary communications architecture and equipment schedules corresponding to typical block diagrams on separate drawings; systemwide ductbank requirements for communications fiber will be defined.
- **Corrosion Control/Stray Current Protection** - Notes and design details are shown in this submittal.

Expectations and Assumptions

- A. Specific details for OCS attachment to structures are shown in conjunction with structural design drawings.
- B. Pole and foundation types at each location will not be determined at this stage, although details covering typical applications in Segment B are included.
- C. Additional discussion for Systems will be noted in separate Design Report at completion of all segment PE submittals; costing will be captured for potential power source upgrades and specific available power sources and interfaces, which are not detailed unless otherwise noted on plans.

Segment B Weekly Coordination Meeting

ATTENDEES: Sue Comis/ST
Tony Raben/ST
John Walser/ST
Sarah Bohlen/ST
Mike Kattermann/Bellevue

Greg Hill/IBI
Brandon Schans/IBI
Andy Leong/CH2MHILL
Stephen Mak/CH2MHILL

COPIES: File: Paul Cornish/ST
Brian Shinn/CH2MHILL Maria Koengeter/Bellevue

FROM: Stephen Mak/CH2MHILL

REVIEWED BY: Andy Leong/CH2MHILL

DATE: November 10, 2009

VENUE: OPUS, Downtown Conference Room, 2nd Floor

PROJECT NUMBER: 393372

This meeting note summarizes the major discussion points and decisions made. Action Items are listed in bold:

1. VA Alignment (I-90 to South Bellevue Station)
 - a. Stephen presented the VA Alignment (B3Sh) following the recommendation from the Value Analysis workshop where LRT will be elevated over I-90 interchange; proceed east of the Swayolocken Pump Station and get down to natural grade as soon as possible at the South Bellevue Park and Ride.
 - b. The alignment assumes light rail station in a retained cut configuration with vehicle access grade separated over the LRT tracks and station.
 - c. The alignment allows room for Issaquah-Seattle switch, Bellevue-Issaquah switch and double cross-over south of the Station.
 - d. South of the station, when compared with the "optimized" B3Sf elevated alignment, the B3Sh alignment has wetland impacts and traverses ponds, whereas the B3Sf alignment stays out of the wetland. This is based on the GPS wetland delineation data which Hans Ehlert recently collected.
 - e. The profile matches existing natural grade at the south access road, and becomes retained cut at the main access road and the north access road.
 - f. The LRT clearance used under structure is 15'-0" which is the desirable minimum from the Airport and North Link Design Manual (Section 4.2.6.4 - May 2009). Tony noted that seems to be too low for CE design level. He

suggested confirming with Lloyd Mack the desirable minimum to be used for the East Link project.

- g. With the VA alignment, there is also a remote possibility of bridging over LRT to provide access to the Blueberry farm. This option would have less impact but may constrain the circulation of the site.

2. South Bellevue Station Layout (VA Alignment)

- a. Greg presented three conceptual layouts with this alignment. In most of the concepts the garage will have two levels below Bellevue Way roadway grade and 3 levels at and above roadway grade. The layouts can be viewed in Share Point. Here is the link for accessing the graphics.

<http://intranet.soundtransit.org/sites/llr/PE/EL/DrawingSubmittals/Forms/AllItems.aspx?RootFolder=%2Fsites%2Fllr%2FPE%2FEL%2FDrawingSubmittals%2FSeg%20B%20%2D%2020091110%20South%20Bellevue%20Station%20and%20Winter%20House%20graphics>

The team decided not to proceed with the station layout similar to the previous Slough View option where the linear bus circulation is on the east side of the park and ride lot. The team decided to assume the station layout with the garage east of the LRT alignment and bus circulation west of the alignment for comparative cost analysis.

- b. The team recognizes that the VA alignment south of the station is still likely to be elevated, especially over the wetland.
- c. For the stretch from I-90 to the South Bellevue Park and Ride and Station, the cost of the VA alignment may be cost higher than the B3Sf elevated alignment, due to the elongated garage with added levels, retaining walls and fill material at the station, and transit way approach across wetland and wetland mitigation. However, the team thinks that the reverse is true for the transit way north of the station, since the VA alignment is already low. It will require less structural elements for transit way to be below grade of Bellevue Way as it travels north.
- d. **Action item: Sue to confirm demand for parking space.**
- e. The team decided to perform a comparative cost analysis of the South Bellevue Station between the B3Sf and the B3Sh within the limits of where the two alignments differ.
 - **Action item: Stephen to coordinate and prepare comparative cost analysis for the B3Sf and B3Sh alignments including South Bellevue Station.**

3. Winters House

- a. Four options for disposition of Winters House was discussed:

- i. Placing Light Rail in a retained cut with lid - A 9'-12'-9' tangent section for LRT guide way is proposed with OCS attached from the structure or walls. The 9' dimension from track centerline to the face of wall allows for emergency walkway on both sides of the lidded transit way. There is concern whether 5' separation from the back of retaining wall to the face of the Winters House foundation is enough separation to avoid damaging the house during construction. VA's idea to use curves will result in a wider section due to the LRV's dynamic envelope, and will result in a greater width of sidewalk overhang on both the north and south ends of the lidded transit way. There are options to raise the parking lot and provide the same amount of parking or reduced parking and provide mitigated parking off-site. Tony would like to know if utilities are impacted and if any roadway construction is required along Bellevue Way. This will be documented in the cost assumption as part of the cost comparison analysis.
- ii. Shifting Bellevue Way to the west - place the transit way on existing NB lanes and not move the Winter House - This option was developed and costed earlier.
- iii. Moving Winters House next to Blueberry Farm - Greg shared a layout of the meadow south of the Blueberry Farm. With the overlay of the GPS wetland delineation data received, the meadow site is within the wetland boundary. This option may not be cost-effective given the amount of wetland impact. Sue noted that the patio/walk-out basement at the east side of the Winters House would need to be part of the relocation.
- iv. Moving Winters House to the east by (say) 30' - This concept will put the LRT in a retained cut, but without a lid. The new location of the Winters House will be within the buffer and not wetland. Access can be provided from Bellevue Way via a bridge over LRT or from the Blueberry Farm via connecting road. Moving the house to the east will reduce the risk of damaging the house during the move. Parking can be maintained and restored by expanding eastward.

Segment B Weekly Coordination Meeting

ATTENDEES: Sue Comis/ST
Elma Borbe/ST
Paul Cornish/ST
Maria Koengeter/ Bellevue
Bernard VanDeKamp/ Bellevue
Greg Hill/IBI

Brian Shinn/CH2MHILL
Thomas
Mudayankavil/CH2MHILL
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COPIES: File:

FROM: Stephen Mak/CH2MHILL
Craig Grandstrom/CH2MHILL
Brian Shinn/CH2MHILL

DATE: September 29, 2009

PROJECT NUMBER: 393372

This meeting summarizes the major discussion points and decisions made. Action Items are listed in bold:

1. Response from City of Bellevue regarding the South Bellevue Station workshop

The followings are notes that Maria handed out in the meeting:

South Bellevue P&R Design Review - DRAFT - For discussion purposes only

28 September 2009

Design Review Responses:

- *System-wide design criteria and features (e.g. tracks for future extensions, layover needs) need to be reviewed from a system-wide perspective to identify optimal locations*
- *Station profile must be consistent with Bellevue City Council and Sound Transit Board direction, i.e. at-grade station in park and ride property*
- *Design criteria need to be clearly identified and discussed to understand the parameters and trade-offs for each*
- *Station design needs to consider City objectives and criteria, including:*
 - o *How station fits in with the surrounding neighborhood and nature areas*
 - o *Low profile to reduce visual and noise impacts*
 - o *Seek cost savings by coming down to at-grade as soon as possible*
- *Traffic mitigation needs to be consistent with future city of Bellevue plans in the corridor*

Next Steps:

- *Discuss design criteria and understand trade-offs, e.g:*
 - o *Issaquah track*
 - o *Bus layover*
 - o *Kiss-and-ride*
 - o *Parking*
 - o *Bldg integration: Garage, station, and layover*
 - o *Farm access*
 - o *Others*
- *Explore new design variations for at-grade in P&R station layouts (initial ideas provided, schedule workshop)*
- *Follow-up discussion of long-term system plan and criteria*

2. Issaquah Track Switch

- Sue explained that the Issaquah extension along I-90 is in the long range plan, so the direction from the ST board is not to preclude extension in the future. There is a future extension memo that documents the possible extension to serve Factoria and Eastgate.
- City of Bellevue expressed that there is a desire to run the light rail line to serve neighborhood like along 148th Ave.
- The team noted that where the alignment has tangent flat grade this may be a potential location to provide turn-out for future extension connection.

3. Bus layover

- The basis for the number of bus layover is per the transit integration plan. There were 7 layover spaces at South Bellevue Station as noted in the draft EIS. Sue reviewed with transit integration team and now it is reduced to 5. Two routes will be serving along Bellevue Way north-south. The other three will be serving east and south like, Issaquah and Renton.
- City of Bellevue suggested a more linear bus layover like the one in Bellevue Transit Center where buses will layover at the bay.
- Maria suggested if some of the bus layover from South Bellevue Station can be layover-ed at the East Main Station. Greg noted that the added cost to build the additional layover facility and time delay in routing buses via Bellevue Way SE. Sue commented that layover for 17 buses is identified for downtown Bellevue.

- Craig Grandstrom commented that moving the south access point further south will reduce the weaving distance on Bellevue Way. **Action Item: Craig to provide the required weaving distance for safe weaving operation.**
4. Passenger Drop Off and Pick Up
 - There is no methodology on the space requirement for passenger drop off. Usually it takes up the left-over spaces. For drop-off, the vehicle will stop for about 5 seconds. However parking space may be needed for passenger pick up.
 5. Parking Garage
 - It is not the initial choice for the City of Bellevue to reduce the number of parking stalls from 1400 stalls. Maria suggested longer and narrow parking garages and push the track tangent to the east of the properties so that passenger vehicle can get clearance under the tracks without building an access ramp.
 - Maria further suggested reducing the clearance underneath the light rail tracks similar to that of a parking garage for passenger vehicles only; and building an at-grade gated crossing of the light rail line at the north access for farm equipment and fire truck to cross.
 - **Action Item: Maria to find out the size of the farm equipment and how frequent farm equipment is utilizing the existing access. Also Maria to find out the existing traffic visiting the blueberry farm.**
 6. Traffic Mitigation
 - City of Bellevue thinks that the at-grade (re-channelization) is promising. **Action Item: Craig to send Synchro file to Mark at the City of Bellevue.**
 - City of Bellevue will look at the feasibility to add future HOV lanes along Bellevue Way. The team recognizes that the tunnel access to Park and Ride option could be more restrictive with respect to adding future HOV lanes on Bellevue Way and will change the character of Bellevue Way.
 7. Station Layout
 - **Action Item: Greg and Stephen to work on refining the station layout and bring work in progress graphics for the next weekly Segment B meeting.**
 8. Design Schedule to meet Interim Submittal in December
 - Due to time constrain, this agenda item was not discussed. Sue and Stephen to follow up on this subject.

EXHIBIT C

SHORELINES HEARINGS BOARD
STATE OF WASHINGTON

DR. DONALD DAVIDSON, GEOFFREY
BIDWELL, BUILDING A BETTER
BELLEVUE and KEMPER DEVELOPMENT
COMPANY, a Washington company,

Petitioners,

v.

THE CITY OF BELLEVUE, through its
DEVELOPMENT SERVICES
DEPARTMENT, Decision Maker; and
SOUND TRANSIT and ELLIE ZIEGLER
FOR SOUND TRANSIT, Applicant,
DEPARTMENT OF ECOLOGY,

Respondents.

SHB No. 14-025

**SOUND TRANSIT'S RESPONSES AND
OBJECTIONS TO PETITIONERS'
FIRST INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF
DOCUMENTS TO SOUND TRANSIT**

TO: SOUND TRANSIT;

AND TO: SOUND TRANSIT / LEGAL DEPARTMENT; ATTN: Stephen G. Sheehy;
Attorney for Sound Transit;

AND TO: FOSTER PEPPER PLLC; ATTN: Patrick J. Schneider and Jeremy Eckert;
Attorneys for Sound Transit

Petitioners Dr. Donald Davidson, Geoffrey Bidwell, Building a Better Bellevue, and
Kemper Development Company (collectively the "Petitioners") request that Sound Transit (the
"Respondent") answer and respond to the following interrogatories and requests for production,
separately and fully under oath, unless there is some objection, in which case please state the

**SOUND TRANSIT'S RESPONSES TO PETITIONERS' FIRST
INTERROGATORIES AND REQUESTS FOR PRODUCTION OF
DOCUMENTS TO SOUND TRANSIT - 1**

**FOSTER PEPPER PLLC
1111 THIRD AVENUE, SUITE 3400
SEATTLE, WASHINGTON 98101-3299
PHONE (206) 447-4400 FAX (206) 447-9700**

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REQUEST FOR PRODUCTION NO. 16: Produce all documents addressing risk for constructing any B segment alternatives, including but not limited to B7 and B7R.

RESPONSE: Sound Transit objects. This question is relevant only to the selection of the alignment, over which the SHB does not have jurisdiction, and therefore is not reasonably calculated to lead to the discovery of admissible evidence. In addition, this documentation is available in the East Link’s environmental review documents, which are available online.

REQUEST FOR PRODUCTION NO. 17: Produce all documents addressing, depicting, or mentioning the wye connection to Issaquah referenced in Exhibit D.

RESPONSE: Sound Transit objects. This question is relevant only to the selection of the alignment, over which the SHB does not have jurisdiction, and therefore is not reasonably calculated to lead to the discovery of admissible evidence. In addition, a significant amount of this information is available in the East Link’s environmental review documents, which are available online. Without waiving this objection, the materials in the compact disc provide requested information.

REQUEST FOR PRODUCTION NO. 19: Produce all documents discussing or relating to the preparation of the applications for the Permit.

RESPONSE: Sound Transit objects. Literal compliance with this RFP would be unduly burdensome and the production of all such documents is not reasonably calculated to lead to the discovery of admissible evidence. Without waiving this objection, the application and its supporting documents are provided in the discs.

Why Any West Side Mercer Slough Placement Cannot Be Mitigated

Your Honor, I am Joseph Rosmann. I live at 921 109th Avenue SE, 98004.

The fundamental problem with the Rail Line in the Slough is that the combination of the Slough's unique ecological factors, and the available engineering solutions being developed by Sound Transit, yields a mélange of unavoidable environmental impacts that just make the case worse, the more Sound Transit tries to solve the environmental disasters there.

I present here just two such scenarios of how the benefits and detriments of mitigation options lead to greater problems, rather than elimination of environmental impacts.

Scenario 1 Place the Rail Line in a retained cut trench from the Winters House north to the 112th Avenue Cross Over (The design option chosen by the Bellevue City Council on April 23, 2013.)

Positives

- Reduces noise exposure to adjacent neighborhoods
- Requires less fill
- Requires less tall noise walls
- Lowers the catenary super structure,
- Helps reduce noise transmission into the Mercer Slough Nature Park

Negatives

- Blocks uphill high water table flows into the Slough causing flooding, subsidence and undermining of the Bellevue Way and 112th Avenue Roadways, and uphill flood damage to private properties
- If culverts are placed to drain the water and avoid flooding, causes de-watering of Mercer Slough wetlands
- Deeply placed culverts will become blocked due to siltation, requiring periodic excavation, and ongoing ecological impacts
- Costs Sound Transit much more to build
- Requires costly water capture and constant pumping to drain the sealed cut, along with costly water treatment

Scenario 2 Raise the Rail Line to "at grade," equivalent to level of Bellevue Way and 112th, and Install Tall Noise Walls to Block Noise (tall concrete walls and ugly steel mesh and slat fences) - This is the design specification now set out by Sound Transit.)

Positives

- Allows high water table (6" below ground surface) water to drain in a natural flow under the rail line roadbed
- Avoids dewatering of the Slough by placing numerous shallow culverts that can discharge water onto the Slough surface, thereby avoiding dewatering of the wetland
- Avoids flooding and undermining of the adjacent roadways and properties
- Protects against train line noise transmission to the adjacent residential areas
- Costs Sound Transit less to build and maintain

Negatives

Why Any West Side Mercer Slough Placement Cannot Be Mitigated

Requires much more excavation, along with a very large amount of additional rock fill to raise the train bed, forever changing the ecological composition of the Nature Park

Tall noise walls create permanent barrier to all visual, physical and emotional access to the Slough. Tall noise walls reflect vehicle traffic noise from the roadways into the residential neighborhoods.

Tall noise walls reflect noise into the Slough, harming wildlife and reducing human enjoyment of the nature park

Raises the height of the catenary structures, causing more visual blight

Tall noise walls create "toxic air canyon" that holds auto/truck exhaust, compromising use of the sidewalk and bike path (for walking/running/biking) due to toxic air pollutants that remain trapped between the noise walls and the steep adjacent hillsides

Concentrated toxic polluted air wafts into adjacent residential neighborhoods

Based on what we now know, Sound Transit is actually planning to implement both of these scenarios in different sections of the Bellevue Way/112th Avenue route.

It did not have to be this way. This was never Sound Transit's choice. Sound Transit knew already, well before April 23, 2013, that building the rail line in the Slough would be an immense challenge, with massive environmental impacts.

But, it is a route that they were willing to accommodate because doing so allows them to pursue their Transit Oriented Development goals in future years as nearby neighborhood residents find their livability goals compromised.

And, this also explains why Sound Transit has refrained from fully disclosing to you how bad it would be until they had to do so with their 90% engineering results.

There is also one other key fact to consider.

Should Sound Transit subsequently choose to cross the Mercer Slough Nature Park along I-90, as their instruction to their contractors now makes clear, our Mercer Slough Nature Preserve Park will be twice dramatically challenged, both along its west side, and its south side.

There is better way to serve west Bellevue out to Overlake, as well as all points further east, including Factoria, Eastgate, Lakemont Boulevard, Issaquah and beyond, crossing the Mercer Slough only once, with minimal impacts in comparison to what is now forthcoming along Bellevue Way and 112th Avenue.

Commendation to the Council Regarding Your Commitment to Study Sound Transit's 90% Eastlink Engineering Findings, and Report to the Citizens

Good evening Mayor Balducci and Council Members –

I am Joe Rosmann, Chair of Building A Better Bellevue.

I speak to you this evening on behalf of BBB's members, as well as the many other citizens of our city who support protecting and preserving our Mercer Slough Nature Park for all posterity.

We thank the Council for its decision last week directing the City Manager, and our City Staff, to examine the details of Sound Transit's 90% engineering and specifications documents regarding construction of the Eastlink rail system through our Mercer Slough Nature Park.

This analysis is an essential step that will help Bellevue citizens, and yourselves, to understand fully the extent of destruction that will befall our wonderful nature preserve should construction proceed as called for in these plans.

As this analysis proceeds, the members of Building a Better Bellevue believe it will become obvious to our City Staff, and to the Council, that Sound Transit has never informed our city of the full extent of the destructive impact of the agency's construction plans.

The differences between the 60% engineering plans, which have been used by our City Staff to evaluate the now-granted Shoreline Permit and the construction permits now requested by Sound Transit, and Sound Transit's 90% plans, are immense.

During the course of the presentations that others, as well as I, have made before you on this issue over the past three months, you have heard much, but you have still not heard the full story – because, we are still learning new details as we delve still further into Sound Transit's construction documents – comprised of many thousands of pages of complex drawings, and written specifications. It takes specialized knowledge and understanding of construction techniques and engineering documentation to do this analysis, and requires experience in integrating disparate information elements.

Let me quickly now summarize what Building a Better Bellevue believes are the most critical issues for you, recognizing that there are still others. They are as follows:

- A massive elevated rail guideway is being imposed on the entryway to the park from I-90, along with a massive elevated station, not unlike the ones at SeaTac.
- 10' to 14' high concrete walls and steel fences, along much of Bellevue Way and 112th Avenue, standing on the west side of the rail line once it descends to grade, will forever block all visual, physical and emotional access to the park along much of the western side of the Slough.

Commendation to the Council Regarding Your Commitment to Study Sound Transit's 90% Eastlink Engineering Findings, and Report to the Citizens

- 1,300 mature trees will be permanently lost.
- Many hundreds of thousands of cubic yards of Mercer Slough soil and peat will be removed, to create a 10' to 30' deep channel that will be some 50' and more wide, in a number of locations, with extensive use of ground reinforcement techniques in others. This natural ground and peat is to be replaced by that volume, or more, with gravel backfill, in order to raise the rail line bed above the surface of the adjacent Slough land surface, to meet the rail lines design profile.
- Dramatically increased noise, from the trains, will bathe the entire nature park as more than 225 trains per day run along the park for 21+ hours a day, because no eastside noise wall will be built, while equally large increases in roadway traffic noise will be directed into the adjacent neighborhoods as this traffic noise is reflected westward off the high noise walls.
- Many thousands of gallons of polluted water, collected from the bottom of the rail line trench in front of the Winters House, will be pumped/drained out onto the surface of the entire west side of the park, with this effluent eventually reaching the Mercer Slough waterway, populated by 15 species of fish (including four salmon species), and the endangered Western Pond Turtle.
- A permanent toxic air canyon will be created between the high noise walls and the steep embankments rising above Bellevue Way and 112th Avenue, on the west side of these two streets, caused by the collected exhaust of tens of thousands of vehicles traveling 24 hours a day, at diminished speeds, due to lost lane capacity on these two roadways.
- All sense of the amazing and beautiful nature park environs, which now greet travelers exiting from, or entering onto the I-90 roadway, will be forever lost. It is this amazing view that immediately establishes a permanent memory for all travelers to and from Bellevue about the very essence of our Bellevue being a "City In A Park." It will now become a "City In A Concrete Canyon,' and a polluted city, to boot.

No Bellevue citizen ever expected this beautiful natural entry gateway to our City to become the equivalent of an I-5 freeway like in downtown Seattle, with its tall concrete walls.

Seattle's citizens knew better when they were granted the opportunity to vote to preserve their own Washington Park Arboretum, and their adjacent neighborhoods, in the 1970s from the encroachment of the R H Thompson Expressway. Bellevue's citizens have never been given an equal right to render a judgment for our own city. Equity and justice demand comparable treatment for our Mercer Slough Nature Park and our adjacent neighborhoods.

Commendation to the Council Regarding Your Commitment to Study Sound Transit's 90% Eastlink Engineering Findings, and Report to the Citizens

The members of Building a Better Bellevue believe that as our staff, and you, our Council evaluate the reality Sound Transit has planned for us, you will also discover one other very disturbing reality – that it is not really possible to mitigate these impacts. Attempting to improve on mitigation techniques in one domain yields results causing still greater problems in other domains. This may seem illogical, but it is, in fact, very real. This is caused by the unusual geomorphic and hydrologic characteristics of the location.

As you, and our City staff, consider these realities, it will become clear that there are better ways to bring light rail to and from our downtown, that fully protect our nature park jewel and its inhabitants, as well as our adjacent neighborhoods, and those who would walk, run, ride or drive along the rail line route.

These alternatives also cost less to build, and to maintain, saving Sound Transit, and our region's citizens hundreds of millions in tax revenue expenditures.

We will have more to say on this subject at another time.

Thank you for your attention to this very important matter, and for directing our staff to examine all these difficult issues.

Conducting this analysis will be challenging and require extensive time. We know, because it has taken our own experts many hundreds of hours to pour through most of Sound Transit's 90% engineering documents.

BBB is prepared to assist our city in its work, and we would welcome the opportunity to perform our civic duty for you and for our fellow citizens.

Joseph Rosmann
Chair
Building A Better Bellevue

From: kcexec@kingcounty.gov [<mailto:kcexec@kingcounty.gov>]

Sent: Monday, March 16, 2015 2:51 PM

To: RCO MI General Info (RCO)

Cc: 'trinity.parker@soundtransit.org'; Arkills, Chris

Subject: Letter from Executive Constantine

Dear Recreation and Conservation Funding Board:

Attached is an electronic copy (pdf) of a letter from King County Executive Dow Constantine to Chair Harriet Spanel, Director Kaleen Cottingham, and the members of the Board regarding the City of Bellevue's proposal to convert one acre of the Mercer Slough Nature Park. I will send a paper follow copy via U.S. Mail.

James Bush

Communications Specialist

for King County Executive Dow Constantine



King County

Dow Constantine

King County Executive
401 Fifth Avenue, Suite 800
Seattle, WA 98104-1818

206-263-9600 Fax 206-296-0194

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www.kingcounty.gov

March 16, 2015

Harriet Spanel, Chair
Kaleen Cottingham, Director
Recreation and Conservation Office
P.O. Box 40917
Olympia, WA 98504-0917

Dear Chair Spanel, Director Cottingham and members of the Board:

This letter is in support of the City of Bellevue's proposal to convert approximately one acre of Mercer Slough Nature Park (Conversion) for use with the Sound Transit East Link Extension project (East Link). On behalf of the Sound Transit Board, I respectfully request that the Recreation Conservation and Funding Board (RCF Board) approve the Conversion proposal.

The Sound Transit Board and the City of Bellevue have each approved the East Link project, following nearly eight years of environmental review and collaborative work with local, state and federal agencies. I urge that the RCF Board approve the Conversion request for the following reasons:

- All practical alternatives to the conversion have been evaluated and rejected based on sound technical analysis and in compliance with the National Environmental Policy Act (NEPA), State Environmental Policy Act (SEPA) and Section 4(f) of the Department of Transportation Act. Furthermore, the Conversion analysis was upheld in two separate appeal proceedings including approval by a Hearing Examiner, a Superior Court judge and a federal district court judge.
- The proposal provides for replacement park land at a ratio of 6-to-1, and provides an estimated \$138,120 more in market value return to the Mercer Slough Nature Park. Additionally, the replacement parcels contain significant wetland habitat and will provide a connection between previously separated portions of the Park. These replacement parcels are the last missing pieces to make the entire Park contiguous and whole.
- The public has had extensive opportunities for participation in the process.

Harriet Spanel
Kaleen Cottingham
March 16, 2015
Page 2

Thank you for your attention to this topic and I urge your approval of this Conversion request.

Sincerely,

A handwritten signature in black ink that reads "Dow Constantine". The signature is written in a cursive style with a long horizontal flourish at the end.

Dow Constantine
King County Executive
Chairman of the Board, Sound Transit

From: Duncan Greene [mailto:dmg@vnf.com]

Sent: Monday, March 16, 2015 4:19 PM

To: Barker, Myra (RCO); Loosle, Wendy (RCO)

Cc: Weinberg, Perry (perry.weinberg@soundtransit.org); elma.borbe@soundtransit.org; 'CParker@bellevuewa.gov'; Faller, Brian (ATG)

Subject: Conversion Request: City of Bellevue, Mercer Slough Phase 1, #73-026A and Mercer Slough #78-513A

Ms. Barker and Ms. Loosle:

Attached please find a PDF copy of a letter in support of the above-referenced conversion request, which we are submitting on behalf of Sound Transit, with two attachments. A hard copy of the letter will be mailed today with the attachments as well as the enclosures noted in the letter (CDs of the Final EIS and 2013 SEPA Addendum for the East Link Extension Project).

Please let me know if you have any problems with the attached files. Thank you.

Duncan Greene | Partner
Van Ness Feldman LLP

719 Second Avenue, Suite 1150
Seattle, Washington 98104-1728

(206) 623-9372 | dmg@vnf.com | vnf.com

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vnf.com

March 16, 2015

VIA U.S. MAIL AND E-MAIL

Harriet Spanel, Chair
Recreation and Conservation Funding Board
Kaleen Cottingham, Director
Recreation and Conservation Office (RCO)
P.O. Box 40917
Olympia, WA 98504-0917

Re: Conversion Request: City of Bellevue, Mercer Slough Phase 1, #73-026A and
Mercer Slough #78-513A

Dear Chair Spanel, Director Cottingham, and members of the Board:

This firm represents the Central Puget Sound Regional Transit Authority ("Sound Transit"). Sound Transit is a party to the above-referenced proposal by the City of Bellevue (the "City") to convert portions of two parcels within the Mercer Slough Nature Park (the "Conversion") for the purpose of constructing Sound Transit's East Link Extension light rail project (the "Project").

As you may know, Sound Transit's Project has been litigated extensively in administrative and judicial appeals by numerous parties, including several parties who now oppose the Conversion in this proceeding before the Board. Consequently, Sound Transit retained Van Ness Feldman in anticipation of potential litigation regarding the Conversion. Although RCO staff is doing an excellent job in providing you with the factual information you have requested to answer your questions, this letter provides additional information regarding the legal framework surrounding the Board's decision and the application of the Conversion approval criteria to the record before the Board. It also provides copies of key documents regarding the environmental review and prior litigation regarding the Project to ensure that the record before the Board is complete.

For the reasons summarized in this letter and detailed in the Supplemental Information prepared by the City of Bellevue and Sound Transit, Sound Transit respectfully requests that the Board approve the Conversion.

1. Overview of approval criteria for the Conversion

When reviewing conversion requests, the Board considers the following key factors:

- All practical alternatives to the conversion have been evaluated and rejected on a sound basis;
- A new development will serve as a replacement which is of at least equal fair market value and of reasonably equivalent recreation usefulness and location; and
- The public has had opportunities for participation in the process.¹

As explained below, the information provided to the Board demonstrates that each of these criteria has been met.

2. All practical alternatives to the Conversion have been evaluated and rejected on a sound basis.

- a. The EIS and the Section 4(f) analysis provided a “sound basis” for rejecting alternatives to the Conversion.

Through almost eight years of study and public process, Sound Transit and other agencies conducted an extensive evaluation of reasonable and practicable alternatives to the Conversion in its Environmental Impact Statement (EIS) for the Project, including avoidance, under the National Environmental Policy Act (NEPA), the State Environmental Policy Act (SEPA), and Section 4(f) of the Department of Transportation Act. Sound Transit’s alternatives analysis was reviewed and approved by multiple federal, state, and local agencies with expertise in transportation, environmental, and open space issues, and RCO was consulted in 2009-2010 as part of this process.² Sound Transit’s analysis conducted precisely the type of evaluation that is required for conversions of Board-funded acquisitions. The analysis evaluated all reasonable, prudent and feasible alternatives to the Conversion and rejected all of those alternatives, including alternatives that opponents of the Conversion now advocate to the Board.

Sound Transit’s alternatives analysis is summarized in Section 2 of the Supplemental Information provided to the Board. Enclosed with this letter are CDs of the Final EIS and 2013 SEPA Addendum for the Project. In addition, Section 3 of the Supplemental Information addresses specific questions regarding Sound Transit’s alternatives analysis raised by Board members and commenters during the meeting on October 30, 2014. These materials clearly

¹ See WAC 286-40-060. See also Washington State Recreation and Conservation Office, Manual 7, Long-Term Obligations (February 1, 2014), pp. 10-14. As explained in the Briefing Memo prepared by Myra Barker, the Conversion also meets the other basic requirements for conversions, including administration by the same political jurisdiction (the City of Bellevue), satisfaction of needs in an adopted plan (the City of Bellevue Parks and Recreation Comprehensive Plan), and meeting funding eligibility requirements. See Briefing Memo dated October 2014, p. 6.

² RCO staff was contacted in September and October 2009 to identify Section 6(f) resources in the East Link study area, including the Mercer Slough Nature Park, and Project staff met with RCO staff and staff from the National Park Service in April 2010 to discuss these resources. See East Link Project Final EIS, Appendix D Section 4(f)/6(f) Supplemental Evaluation, p. D-75.

show that all practical alternatives were evaluated and rejected on a “sound basis,” as required by the Conversion criteria.

b. The record of appeals upholding the EIS and Sound Transit’s alternatives analysis reinforces the “sound basis” for rejecting alternatives.

In 2011, the Final EIS for the Project was appealed to Sound Transit’s Hearing Examiner under the SEPA by Will Knedlik, who recently presented testimony in opposition to the Conversion at the Board’s October 2014 meeting.³ Similarly, in 2012, the EIS was appealed to federal district court under NEPA by two groups – Building a Better Bellevue and Friends of Enatai – whose members have opposed the Conversion in this Board proceeding. As discussed below, those members now ask the Board to reconsider the same arguments regarding Project alternatives that were rejected in the 2012 NEPA appeal.

The 2012 NEPA appeal specifically affirmed the analysis of alternatives in the EIS. Thus, the “sound basis” for Sound Transit’s alternatives analysis includes not only the extensive documentation contained in the EIS and the Section 4(f) analysis, but also the record showing that these analyses were scrutinized and upheld in federal court. In particular, in the NEPA appeal, Federal District Court Judge John Coughenour issued a detailed order in 2013 (Attachment 1) upholding the alternatives analysis. In his order, Judge Coughenour rejected the very same arguments that opponents of the Conversion raise in this proceeding before the Board, including arguments about the “tunnel” alternative and the B7R alternative. Judge Coughenour also upheld the agencies’ conclusions under Section 4(f) that there were no prudent and feasible alternatives that would avoid all recreational resources, including the Mercer Slough Nature Park, and that the EIS identified all reasonable measures to cause the least overall harm to those resources.

The parties to the 2011 SEPA appeal and the 2012 NEPA appeal have exhausted all of their appeal options, and no further opportunities exist to challenge Sound Transit’s alternatives analysis under NEPA, SEPA, or Section 4(f).⁴

c. The Board should not conduct a new alternatives analysis.

It bears emphasis that it is not the Board’s job to conduct a new, independent analysis of alternatives to the Conversion. Rather, the Board’s role is limited to reviewing Sound Transit’s analysis and determining whether that analysis evaluated and rejected all practical alternatives “on a sound basis.”⁵ This “sound basis” standard applied by the Board is the same as the “arbitrary and capricious” standard applied by courts, which asks whether a decision was made

³ After a multi-day hearing, the Hearing Examiner denied the SEPA appeal and upheld the EIS. Mr. Knedlik appealed the Hearing Examiner’s decision to the King County Superior Court, which dismissed his appeal.

⁴ Under the doctrine of collateral estoppel, parties who raised issues in the 2011 SEPA appeal and the 2012 NEPA appeal would be barred from attempting to re-litigate the same issues in a subsequent proceeding. See, e.g., *Citizens for Safety & Environment v. Washington State Dep’t of Transportation*, 124 Wn. App. 1020, Not Reported in P.3d (2004), 2004 WL 2651499 at * 5 (holding that re-litigation of EIS issues under NEPA was barred because “the EIS traffic impact analysis was challenged, fully litigated, and found adequate by a federal court on the same grounds and utilizing the same standards applicable in state court under SEPA”).

⁵ WAC 286-40-060(2)(a).

“without consideration and in disregard of the facts.”⁶ As the courts have explained, even if individual Board members were to disagree with particular aspects of Sound Transit’s analysis, that would not mean that the analysis is “arbitrary or without a sound basis.”⁷ Because the record before the Board conclusively demonstrates that the analysis was not made “in disregard of the facts,” it cannot be considered to be “arbitrary and capricious” or lacking a “sound basis.” Indeed, as explained above, Judge Coughenour already determined that Sound Transit’s analysis was not arbitrary or capricious. The Board should similarly conclude that the analysis rested on a sound basis.

This deferential approach is particularly appropriate for the Board’s review of the parcel acquired using funding from the Land and Water Conservation Fund (LWCF). Court cases discussing the proposed conversion of LWCF properties have made it clear that state and federal approval of conversions does not require reviewing agencies to conduct an independent analysis of alternatives. For example, in a case involving a challenge to a National Park Service (NPS) decision regarding conversion of a LWCF property, a federal district court explained that the NPS was not required to undertake an independent analysis of alternatives:

While the NPS will only consider the conversion request if the request meets a list of several requirements, including that “[a]ll practical alternatives to the proposed conversion have been evaluated,” 36 C.F.R. § 59.3, the regulations do not require the NPS to undertake an independent evaluation of all practical alternatives to the proposed conversion. Rather, the only NPS mandate is to ensure that the state has done this analysis prior to the submission of a conversion. Thus, plaintiffs seek to measure NPS’s obligations under a standard far more expansive than the limited one that actually applies to the NPS.⁸

The opponents of the Conversion in this proceeding similarly ask the Board to conduct a more in-depth analysis of alternatives than is legally required under the Board’s regulations or would be appropriate given the Board’s expertise and resources. The opponents’ position is a thinly-veiled attempt to use the Conversion process to revisit Project alignment alternatives, like the B7R alternative, that were previously rejected on a sound basis. The Board should reject the opponents’ request for a “do-over” of the eight-year alternatives analysis that was conducted by Sound Transit, approved by multiple agencies with jurisdiction, and upheld after close scrutiny by the courts.

⁶ *Carlson v. City of Bellevue*, 73 Wn. 2d 41, 49, 435 P.2d 957, 959 (1968).

⁷ *Id.* at 49-50 (upholding zoning decision by Bellevue City Council and noting that, even though reasonable minds could differ about the wisdom of the City Council’s decision, that “does not mean that the city council’s decision is arbitrary or without a sound basis. It means, simply, that its decision, because of conflicting local views, was a difficult one to make-not that it was a capricious one.”).

⁸ *Save Our Parks v. Kempthorne*, No. 06 CIV.6859 NRB, 2006 WL 3378703, at *12 (S.D.N.Y. Nov. 15, 2006) (rejecting challenge to alternatives analysis and noting that “[a]n entire chapter of the FEIS evaluates the feasibility of all alternatives suggested by the plaintiffs”). While the Board’s conversion criteria add the concept of a “sound basis” to the regulatory criteria applied by NPS, the addition of that phrase does not substantially change the nature of the Board’s review compared to the role of NPS. As explained above, at most, the “sound basis” language authorizes the Board to review the Conversion under the “arbitrary and capricious” standard.

d. Cost is an appropriate consideration in evaluating alternatives.

In conducting its review of Sound Transit's alternatives analysis, the Board should be aware that cost was one factor that Sound Transit was required to consider and, in fact, did consider in comparing alternatives to the Conversion. While Sound Transit did not reject any alternatives solely on economic grounds, cost was considered among many other factors, and it is appropriate for Sound Transit to consider the relative cost of various alternatives under NEPA and Section 4(f). For example, federal NEPA guidance states that "reasonable alternatives" under NEPA "include those that are practical or feasible from the technical and economic standpoint and using common sense."⁹ Similarly, under federal regulations implementing Section 4(f), agencies are required to consider factors such as "construction, maintenance, or operational costs" in evaluating whether an alternative is "prudent," and must consider "[s]ubstantial differences in costs among the alternatives" in evaluating whether an alternative causes the "least overall harm."¹⁰

Cost considerations are also relevant to the Board's decision in this proceeding. Nothing in the Board's conversion criteria suggests that cost cannot be considered, and any such interpretation of the Board's rules would be untenable, particularly for major, multi-billion dollar undertakings like the Project. Agencies like Sound Transit have a fiduciary obligation to consider costs in comparing alternative alignments, and federal regulations under NEPA and Section 4(f) reflect this common-sense need to consider economic factors. The Board's conversion criteria should similarly be interpreted to allow reasonable consideration of cost in evaluating alternatives.

e. The alleged environmental impacts of the Project are not a basis for denying the Conversion.

Several public comments opposing the Conversion suggest that the Board should deny the Conversion based on the alleged environmental impacts of the Project on the Mercer Slough Nature Park, including areas outside the proposed Conversion area. These issues are irrelevant to the Board's review of the Conversion in this proceeding. None of the Board's conversion criteria suggest that a conversion may be denied simply because a project that necessitates a conversion proposal will have environmental impacts, whether inside the area proposed for conversion or elsewhere. While the relative impacts of various alternatives are relevant to the question of whether Sound Transit evaluated and rejected alternatives on a "sound basis," project impacts are not, by themselves, a basis for denying the Conversion.

As explained below, the public has had numerous opportunities to raise issues related to Project impacts through the almost eight year NEPA and SEPA environmental review process. Bellevue's Conversion request before the Board, however, is not the proper forum for continued debate over issues related to environmental impacts from the Project.

⁹ CEQ, *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations*, 46 Fed. Reg. 18,026 (March 23, 1981) (hereafter referred to as "*Forty Most Asked Questions*"), Question 2a (emphasis added).

¹⁰ 23 C.F.R. §§ 774.17, 774.3 (emphasis added).

Nevertheless, in Section 3 of the Supplemental Information, Sound Transit has provided responses to questions regarding various Project impacts, including visual impacts, hydrologic impacts, impacts to significant trees, wetlands and wetland buffers, wildlife impacts, park access, and construction impacts. As noted above, we have also provided the Board with a complete electronic copy of the Final EIS and 2013 SEPA Addendum, which discuss Project impacts in great detail.

3. A new development will serve as a replacement which is of at least equal fair market value and of reasonably equivalent recreation usefulness and location.

This criterion has clearly been met. As a purely economic matter, it is undisputed that the fair market value of the replacement property exceeds the value of the converted property by \$138,120.¹¹ Further, the record shows that the proposed new development on the replacement property will have greater recreation usefulness and location than the existing development on the properties proposed for conversion.

The following sections provide a brief comparison between the recreation usefulness and location of the parcels proposed for conversion and the new development proposed on the replacement property. A more detailed comparison was provided by the City of Bellevue in its response to public comments on the Conversion (Attachment 2).

a. Parcels proposed for conversion.

Usefulness. The parcels proposed for conversion, which encompass approximately one acre, have limited recreation usefulness. The north parcel is vegetated open space, with wetland buffer and a small area of wetland, and does not contain trails providing access for the public or any other recreational facilities. The south parcel includes vegetation, wetland buffer, a small area of wetland, and a rental house. The only recreational feature on the south parcel is a short trail segment that will be detoured during construction and replaced with a new boardwalk trail segment. No other recreational facilities within the conversion areas will be impacted.

Location. Both parcels are located adjacent to a congested arterial, Bellevue Way SE, and the park's Periphery Trail sidewalk. The south parcel provides access to the park, but this access will be moved and consolidated at the Winters House as part of the Project mitigation. In addition, as discussed below, the replacement property will provide additional access and connectivity where none currently exists.

¹¹ One commenter suggested that the appraisal prepared for the Conversion is deficient because it failed to account for "the value loss to the remainder of the site(s) that will be realized from visual blight, noise, loss of significant trees, wetlands loss and public access resulting from the approval of this conversion." See E-mail from Geoffrey J. Bidwell to Camron Parker dated October 12, 2014. Sound Transit disagrees with this characterization of project impacts, but in any event, any such "loss" would be irrelevant to the question of whether the new development is of at least equal fair market value to the property proposed for conversion. The regulation cited by Mr. Bidwell addressing partial conversions, 36 C.F.R. § 59.3(b)(5), applies to other aspects of the conversion review process by the National Park Service (NPS), and does not apply to NPS' review of appraisals. Appraisal requirements are found in a different subsection of the regulation: 36 C.F.R. § 59.3(b)(2). It is undisputed that the appraisal for the Conversion meets all requirements found in that subsection of the regulation.

b. New development on replacement property.

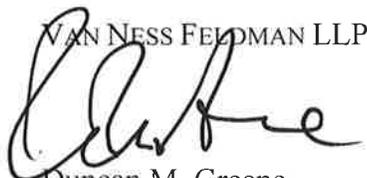
Usefulness. By comparison, the six-acre replacement property is reasonably equivalent to the one-acre conversion parcels, and the proposed replacement property will provide greater recreation usefulness than the conversion parcels. The general characteristics of the replacement property are similar to those of the conversion parcels, including undeveloped open space consisting of wetlands, wetland buffers, and natural vegetation. Moreover, the replacement property consists of a much larger undisturbed natural area than the conversion parcels and will better serve the park's core functions. This is particularly true when the Board considers not only the replacement property but the new development proposed on the property, which includes the construction of a new interior trail to connect the Mercer Slough Environmental Education Center to the rest of the Mercer Slough Nature Park. The City also plans to add a sidewalk, where none exists, along the edge of the replacement property that fronts 118th Avenue SE.

Location. The location of the replacement property is far superior to the conversion parcels. The replacement property serves a key "missing link" that will provide recreational as well as environmental benefits by connecting two publicly-owned sections of the park. The bulk of the replacement property is located further away from Bellevue Way SE and other busy roadways, providing a more immersive recreational experience for trail users.

4. The public has had extensive opportunities for participation in the process.

It is undisputed that the public has had extensive opportunities to participate in the conversion process. As explained in the Supplemental Information, even before the Conversion was formally requested, Sound Transit's alternatives analysis provided numerous opportunities for public comment and other forms of participation, including opportunities for multiple appeals to neutral decision makers. A summary of the opportunities for public involvement in the alternatives and project development process is provided in Section 2 of the Supplemental Information. In addition, the public has had ample opportunity to participate in this Conversion proceeding before the Board, including two meetings in 2014 and the upcoming meeting in April 2015.

Very truly yours,

VAN NESS FELDMAN LLP

Duncan M. Greene

DMG/aka

Enclosures

cc: Perry Weinberg, Sound Transit (w/o encl.)
Elma Borbe, Sound Transit (w/o encl.)
Camron Parker, City of Bellevue (w/o encl.)
Brian Fowler, Assistant Attorney General (w/o encl.)

ATTACHMENT 1

THE HONORABLE JOHN C. COUGHENOUR

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BUILDING A BETTER BELLEVUE;
and FRIENDS OF ENATAI,

Plaintiffs,

v.

U.S. DEPARTMENT OF
TRANSPORTATION, FEDERAL
TRANSIT ADMINISTRATION; R.F.
KROCHALIS, in his official capacity as
the Regional Administrator of the FTA,
Region X; U.S. DEPARTMENT OF
TRANSPORTATION, FEDERAL
HIGHWAY ADMINISTRATION; and
DANIEL M. MATHIS, in his official
capacity as the Division Administrator,
Washington Division, for the Federal
Highway Administration,

Federal Defendants,

and

CENTRAL PUGET SOUND REGIONAL
TRANSIT AUTHORITY ("SOUND
TRANSIT"),

Interested Party.

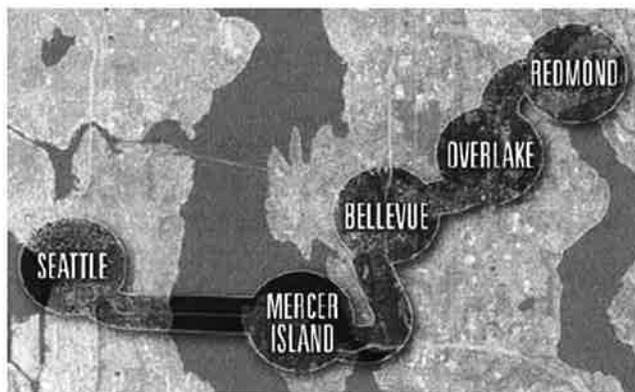
CASE NO. C12-1019-JCC

ORDER GRANTING
DEFENDANTS' MOTIONS FOR
SUMMARY JUDGMENT

1 This matter comes before the Court on the parties' cross-motions for summary judgment
2 (Dkt. Nos. 24, 28–29). Having thoroughly considered the parties' briefing and the relevant
3 record, the Court finds oral argument unnecessary and hereby DENIES Plaintiffs' motion (Dkt.
4 No. 24) and GRANTS Defendants' motions (Dkt. Nos. 28–29) for the reasons explained herein.

5 **I. BACKGROUND**

6 Central Puget Sound Regional Transit Authority ("Sound Transit") plans to construct an
7 extension of its light rail transit system between Seattle and the east side of Lake Washington
8 (the "East Link"). The East Link would cross Lake Washington and Mercer Island along U.S.
9 Interstate 90 from Seattle to south Bellevue ("Segment A"), travel north from I-90 to downtown
10 Bellevue ("Segment B"), continue through downtown Bellevue ("Segment C"), travel north to
11 Overlake ("Segment D"), and finally connect Overlake to Redmond ("Segment E"). (AR
12 004527.) The stated purpose of the East Link project is "to expand the Sound Transit Link light
13 rail system from Seattle to Mercer Island, Bellevue, and Redmond via I-90 in order to provide a
14 reliable and efficient alternative for moving people throughout the region." (AR 004539.)



22
23 In connection with the East Link project, Sound Transit and Defendant Federal Transit
24 Administration prepared a final environmental impact statement. The Federal Transit
25 Administration found that the impact statement satisfied the requirements of the National
26 Environmental Policy Act and that the project satisfied Section 4(f) of the Department of

1 Transportation Act of 1966. (AR 011415, 011419, 011426, 011432–11434.) Defendant Federal
2 Highway Administration then adopted the final environmental impact statement for purposes of
3 that agency’s required approvals. (AR 017137, 017141.)

4 Plaintiff Building a Better Bellevue is an association of Bellevue homeowners, residents,
5 businesses, and neighborhood groups. (Dkt. No. 1 at 3 ¶ 10.) Plaintiff Friends of Enatai is an
6 association of residents of South Bellevue neighborhoods along Bellevue Way and 112th Avenue
7 SE between I-90 and Bellevue’s Main Street, along the Mercer Slough Nature Park. (*Id.* at 4
8 ¶ 13.) In this action, Building a Better Bellevue and Friends of Enatai seek a declaratory
9 judgment that the Federal Transit and Highway Administrations were arbitrary and capricious
10 and failed to comply with federal law when they found that the East Link final environmental
11 impact statement satisfied the requirements of the National Environmental Policy Act and that
12 the project satisfied Section 4(f) of the Department of Transportation Act.

13 **II. DISCUSSION**

14 **A. National Environmental Policy Act**

15 The National Environmental Policy Act “is a purely procedural statute.” *Neighbors of*
16 *Cuddy Mountain v. Alexander* (“*Cuddy Mountain I*”), 303 F.3d 1059, 1070 (9th Cir. 2002). It
17 “does not mandate particular results, but simply provides the necessary process to ensure that
18 federal agencies take a ‘hard look’ at the environmental consequences of their actions.”
19 *Muckleshoot Indian Tribe v. U.S. Forest Serv.*, 177 F.3d 800, 814 (9th Cir. 1999) (per curiam)
20 (quoting *Robertson v. Methow Valley Citizens Council*, 490 U.S. 332, 350 (1989)) (quotation
21 marks omitted). One aspect of that process is the mandated preparation of an environmental
22 impact statement for “major Federal actions significantly affecting the quality of the human
23 environment.” 42 U.S.C. § 4332(2)(C). “The goal of [the Act] is two-fold: (1) to ensure that the
24 agency will have detailed information on significant environmental impacts when it makes
25 decisions; and (2) to guarantee that this information will be available to a larger audience.”
26 *Cuddy Mountain II*, 303 F.3d at 1063.

1 Courts assess the adequacy of an environmental impact statement under “a ‘rule of
2 reason’ that does not materially differ from an ‘arbitrary and capricious’ review.” *Id.* at 1071.
3 The relevant inquiry is whether the impact statement contains a “reasonably thorough discussion
4 of the significant aspects of probable environmental consequences.” *Neighbors of Cuddy*
5 *Mountain v. U.S. Forest Serv.* (“*Cuddy Mountain I*”), 137 F.3d 1372, 1376 (9th Cir. 1998)
6 (quotation marks omitted). If the court is “satisfied that an agency’s exercise of discretion is truly
7 informed, [the court] must defer to that informed discretion.” *Greenpeace Action v. Franklin*, 14
8 F.3d 1324, 1332 (9th Cir. 1992) (quotation marks and indications of alteration omitted).

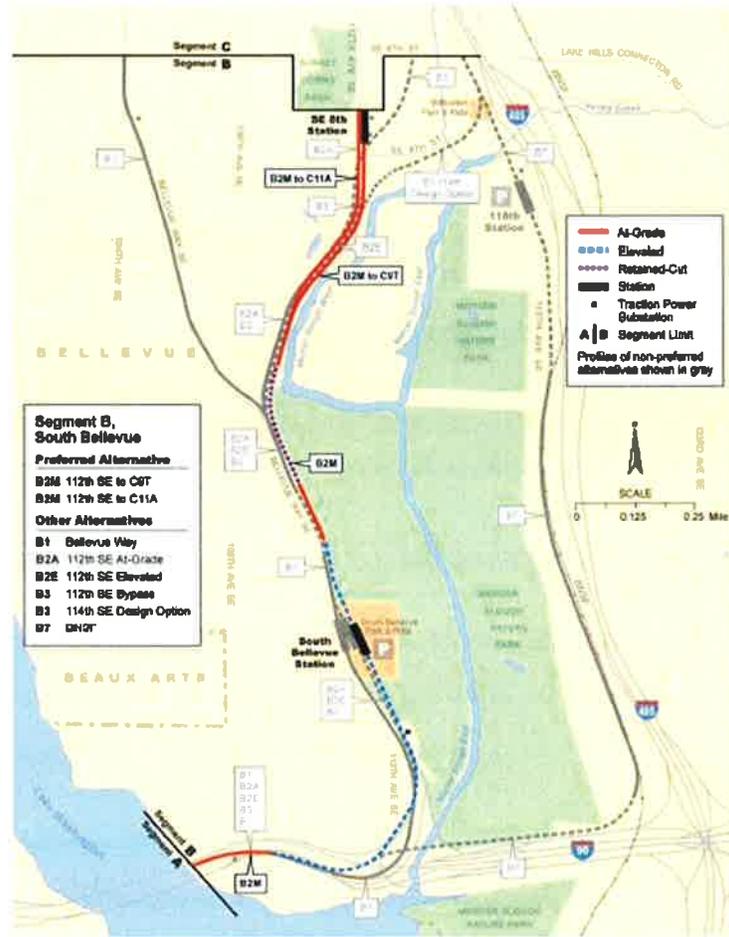
9 **1. Failure To Address Reasonable Alternatives**

10 An environmental impact statement “shall inform decisionmakers and the public of the
11 reasonable alternatives [for a project] which would avoid or minimize adverse impacts or
12 enhance the quality of the human environment.” 40 C.F.R. § 1502.1. It must “[r]igorously
13 explore and objectively evaluate all reasonable alternatives”—*i.e.*, “alternatives that are
14 ‘reasonably related to the purposes of the project’”—and, “for alternatives which were
15 eliminated from detailed study, briefly discuss the reasons for their having been eliminated.” 40
16 C.F.R. § 1502.14(a); *League of Wilderness Defenders-Blue Mountains Biodiversity Project v.*
17 *U.S. Forest Serv.*, 689 F.3d 1060, 1069 (9th Cir. 2012) (quoting *Westlands Water Dist. v. U.S.*
18 *Dep’t of Interior*, 376 F.3d 853, 868 (9th Cir. 2004)). An impact statement’s consideration of
19 alternatives is sufficient “if it considers an appropriate range of alternatives, even if it does not
20 consider every available alternative.” *Headwaters, Inc. v. Bureau of Land Mgmt.*, 914 F.2d 1174,
21 1181 (9th Cir. 1990); *see Vt. Yankee Nuclear Power Corp. v. Natural Res. Def. Council, Inc.*,
22 435 U.S. 519, 551 (1978) (“[T]he ‘detailed statement of alternatives’ cannot be found wanting
23 simply because the agency failed to include every alternative device and thought conceivable by
24 the mind of man.”). The Court reviews “both the choice of alternatives as well as the extent to
25 which the . . . Impact Statement . . . discuss[es] each alternative” under a rule of reason. *City of*
26 *Carmel-By-The-Sea v. U.S. Dep’t of Transp.*, 123 F.3d 1142, 1155 (9th Cir. 1997).

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a. Segment B Tunnel Alternative

The East Link final environmental impact statement discusses six alternatives for Segment B: five following Bellevue Way SE north from I-90, parallel to the western edge of the Mercer Slough Nature Park and to the residential communities of south Bellevue, and one continuing east parallel to I-90 on an elevated structure across Mercer Slough before turning north to run parallel to I-405 (the “B7” alternative). (AR 004652, 004659–4662.) All of the alternatives are above-ground.



1 Plaintiffs contend that a tunnel for Segment B was a seventh reasonable alternative that
2 the environmental impact statement should have considered. Sound Transit’s determination that
3 such a tunnel was not a reasonable alternative was not arbitrary and capricious. Sound Transit
4 considered and screened out a tunnel alternative during the scoping phase¹ of the project because
5 it did not meet Sound Transit’s criteria for tunnel candidates: locations with steep slopes,
6 physical barriers, inadequate rights of way, building density, and high train frequencies. (AR
7 004646, 020705, 020227; see AR 004642 (explaining that the voter-approved funding package
8 provides funds for at-grade or elevated alternatives).) A tunnel alternative would also have been
9 more expensive, risky, and disruptive, undermining several goals of the project.² (AR 004646,
10 020705, 020227; see AR 004636 (discussing project’s goals of providing financially feasible
11 solution and reducing construction risk).) By contrast, Sound Transit is considering a tunnel for
12 Segment C (through downtown Bellevue) because of the density of development and limited
13 availability of rights of way, and because the City of Bellevue executed an agreement with
14 Sound Transit to find additional funding sources to pay for the tunnel. (AR 020227, 004663,
15 004642 (explaining that the non-tunnel alternative for Segment C “is preferred if additional
16 funding and scope reductions cannot be found to afford the tunnel”).)

17 Nor did Sound Transit “fail[] to discuss and explain the reasoning behind eliminating
18 consideration of a tunnel within the [impact statement] itself.” (Dkt. No. 30 at 11.) The impact
19 statement explicitly addresses why a tunnel was considered a reasonable alternative for some
20

21 ¹ “The purpose of the scoping period is to notify those who may be affected by a
22 proposed government action, which is governed by [the Act], that the relevant entity is beginning
23 the [environmental impact statement] process. This notice requirement ensures that interested
24 parties are aware of and able to participate meaningfully in the entire [impact statement] process,
25 from start to finish.” *Coalition for a Sustainable 520 v. U.S. Dep’t of Transp.*, 881 F. Supp. 2d
26 1243, 1248–49 (W.D. Wash. 2012); see 40 C.F.R. § 1501.7.

² Plaintiffs’ substanceless assertion that “[i]t is . . . reasonable to assume that a tunnel
may be economical” (Dkt. No. 24 at 10; Dkt. No. 30 at 9) does not call into question the impact
statement’s operating assumption that tunnels involve substantially greater expense than above-
ground builds.

1 segments (like Segment C) but not others (like Segment B). (AR 004646 (explaining that “[t]he
2 proposed route and station alternatives vary in profile as traveling at-grade . . . , in an elevated
3 configuration, or in a tunnel” and that, “[b]ecause of the conditions along the corridor, the East
4 Link Project is largely elevated or at-grade; however, tunnel alternatives were also considered in
5 Downtown Bellevue (Segment C),” and going on to describe the criteria for using tunnels.)
6 Thus, even if the concept of a tunnel *had* developed into a standalone alternative that was
7 nevertheless subsequently eliminated from detailed study, the environmental impact statement
8 would have satisfied 40 C.F.R. § 1502.14(a)’s requirement of a “brief[] discuss[ion]” of reasons
9 for eliminating it. But since Sound Transit eliminated the tunnel concept long before it became a
10 studied alternative, even that brief discussion was not necessary to comply with the Act.

11 Adding to the reasonableness of Sound Transit’s decision not to include a Segment B
12 tunnel alternative in the final environmental impact statement is the fact that it also did not
13 include this alternative in the *draft* or *supplemental draft* impact statements, and of the hundreds
14 of comments it received on Segment B, none (including Plaintiffs’) suggested that Sound Transit
15 reconsider a Segment B tunnel alternative.³ “[T]he very purpose of a draft [environmental impact
16 statement] and the ensuing comment period is to elicit suggestions and criticisms to enhance the
17 proposed project.” *Carmel-By-The-Sea*, 123 F.3d at 1156; *see Dep’t of Transp. v. Pub. Citizen*,
18 541 U.S. 752, 764 (2004) (“[Parties] challenging an agency’s compliance with [the Act] must
19 structure their participation so that it alerts the agency to the parties’ position and contentions, in
20 order to allow the agency to give the issue meaningful consideration.”) (quotation marks and
21 indications of alteration omitted). Had Plaintiffs objected to Sound Transit’s failure to include a
22 Segment B tunnel alternative in the drafts, Sound Transit *might* have had reason to discuss that
23 alternative in the final impact statement. But no one objected; Sound Transit had already ruled
24 that alternative out; and it was therefore neither arbitrary nor capricious for Sound Transit not to

25
26 ³ One person advanced the distinct and infeasible concept of a tunnel for Segments B–E,
based on his view of “the destruction of what trains do to an area.” (AR 008968.)

1 reintroduce it in the final impact statement.

2 In their reply, Plaintiffs move to supplement the record with a declaration prepared after
3 the commencement of this litigation, purporting to show that Segment B meets Sound Transit's
4 criteria for tunnel eligibility. The Court DENIES Plaintiffs' motion. Judicial review of agency
5 actions is generally limited to the administrative record. *Nat'l Audubon Soc'y v. U.S. Forest*
6 *Serv.*, 46 F.3d 1437, 1447 (9th Cir. 1993). "[C]ertain circumstances may justify expanding
7 review beyond the record . . ." *Id.* (quotation marks omitted). Two such circumstances include
8 (1) when extra-record evidence is necessary to explain technical terms or complex subject matter
9 and (2) when the agency has "swept stubborn problems or serious criticism under the rug."
10 *Animal Def. Council v. Hodel*, 840 F.2d 1432, 1436–37 (9th Cir. 1988) (quotation marks and
11 indications of alteration omitted). Plaintiffs argue the declaration should be admitted because it
12 "addresses technical, complex subject matter that the agency 'swept under the rug.'" (Dkt. No.
13 30 at 6.) Not so. Early on in the scoping process, Sound Transit eliminated a tunnel alternative
14 for Segment B because it determined that Segment B did not meet its (easy-to-understand)
15 criteria for tunneling and would be riskier and more expensive. After that, no one resuscitated the
16 tunnel idea, so there was no further analysis to be done—let alone to be "swept under the rug."
17 Plaintiffs have not established the existence of circumstances creating an exception to the general
18 rule that "[p]arties may not use post-decision information as a new rationalization either for
19 sustaining or attacking the Agency's decision." *Ctr. for Biological Diversity v. U.S. Fish &*
20 *Wildlife Serv.*, 450 F.3d 930, 943 (9th Cir. 2006) (quotation marks omitted).

21 **b. B7R Alternative**

22 While Sound Transit was preparing the supplemental draft environmental impact
23 statement—and more than a year and a half after the draft environmental impact statement was
24 issued—the City of Bellevue requested that Sound Transit consider a variation on the B7
25 alternative, called the "B7 Revised" alternative or "B7R." (AR 004640.) The two alternatives are
26 similar, the chief differences being the location of a new station and parking garage. (AR

1 005232.) The final environmental impact statement does not consider B7R as a standalone
2 alternative; instead, it compares B7 to B7R in detail (AR 004576–4577, 004670, 005231–5236;
3 *see* 011365–11414) and concludes:

4 With mitigation, B7R would result in improved traffic operations along Bellevue
5 Way SE compared with B7 which does not affect or change this roadway. B7R
6 would have greater residential displacements, property acquisition, visual, noise,
7 park, and ecosystem impacts than B7 []. But, B7R would have less business and
8 employee displacements than B7 []. The B7R [] Station parking garage would
9 result in visual impacts and require residential acquisitions, while the 118th
10 Station for B7 requires business displacements. Like B7, the B7R Mercer Slough
11 Nature Park impacts are in areas of wetlands and wetland buffer. B7R would be
12 on a retained fill on the east side of Sturtevant Creek, requiring relocation of the
13 creek. Construction of B7R may result in higher ecosystem impacts along Mercer
14 Slough, the wetland areas surrounding the slough and Sturtevant Creek than B7 [].

11 (AR 004576–4577.) The impact statement also observes that ridership within Segments B and C,
12 and project-wide, would be 12,500 and 50,500, respectively, with B7R, and 10,500 and 49,000,
13 respectively, with B7, and that “the B7R modifications increase the project cost [by]
14 approximately \$10 to \$14 million [over] . . . B7.” (AR 004576–4577.)

15 Plaintiffs argue that the impact statement fails to adequately consider B7R. But the
16 detailed discussion of B7R versus B7 is more than sufficient to satisfy 40 C.F.R. § 1502.14(a)’s
17 requirement of a “brief[] discuss[ion]” of reasons for not considering B7R as a standalone
18 alternative. As the quoted text shows, B7R was not a clear winner over B7; it was better in some
19 respects and worse in others. It was entirely reasonable, then, to compare only B7, and not also
20 B7R, to the other six Segment B alternatives in determining the preferred Segment B alignment.
21 *See Westlands*, 376 F.3d at 871–72 (9th Cir. 2004) (Act does not require agency to consider
22 “every conceivable permutation” of alternatives); *Headwaters*, 914 F.2d at 1181 (agency need
23 not undertake “separate analysis of alternatives which are not significantly distinguishable from
24 alternatives actually considered, or which have substantially similar consequences”); *N. Alaska*
25 *Envtl. Ctr. v. Kempthorne*, 457 F.3d 969, 978 (9th Cir. 2006) (agency need not “discuss
26 alternatives similar to alternatives actually considered”); *see, e.g., Laguna Greenbelt, Inc. v. U.S.*

1 *Dep't of Transp.*, 42 F.3d 517, 524 (9th Cir. 1994); 520, 881 F. Supp. 2d at 1256–57. The
2 alternatives set forth in the impact statement, supplemented with a detailed discussion of B7R,
3 “permit a reasoned choice” and an agency “hard look,” and are sufficient to satisfy the Act.
4 *California v. Block*, 690 F.2d 753, 767 (9th Cir. 1982).

5 **c. Alternatives to Light Rail**

6 Plaintiffs also complain that Sound Transit failed to consider any modes of high-capacity
7 transit other than light rail. But the stated purpose of the project is to “[e]xpend the Sound Transit
8 Link light rail” to the east side. (AR 004625.) Plaintiffs respond that, by confining the purpose to
9 expanding the light rail—as opposed to high-capacity transit generally—Sound Transit
10 “unreasonably avoided consideration of other transit modes, such as bus rapid transit,” that might
11 have had fewer environmental impacts. (Dkt. No. 24 at 13.)

12 This argument is a non-starter. The choice of light rail over bus service was the result of
13 years of analysis and deliberation. (AR 004635–4636 (describing the process leading to
14 “Identification of Light Rail as the Preferred Mode”), 011416–11418.) A 2004 assessment
15 deemed bus rapid transit, light rail transit, and monorail appropriate for the east corridor. (AR
16 004635.) Around the same time, in connection with updating its long-range plan, Sound Transit
17 analyzed potential high-capacity transit projects, implementing an “extensive public outreach
18 process” to consider the alternatives. (*Id.*) In 2005, the board adopted an updated long-range
19 plan, which identified light rail and rail-convertible bus rapid transit for further consideration.
20 (*Id.*) It then directed staff to conduct additional analyses and feasibility and traffic studies, and
21 based on the results, “identified light rail as the preferred [high-capacity transit] transportation
22 mode for the East Corridor” in July 2006:

23 The Sound Transit Board identified light rail because it provides the benefits of
24 operating in an exclusive right-of-way separated from general-purpose and HOV
25 traffic. . . . Light rail in the East Corridor would [also] use the same technology as
26 the Central Link line and build on that investment. It would provide a higher level
of system integration by interlining directly with the Central Link line and
providing a direct ride between the Eastside, Downtown Seattle, and the North

1 Corridor stations Light rail provides the highest level of ridership and the
2 shortest travel times of all technologies evaluated in the corridor.

3 (AR 004635–4636.) In July 2008, Sound Transit adopted “ST2,” known as the mass transit
4 expansion proposal, a package of high-capacity transit investments in the regional transit system
5 that includes the East Link project. (*Id.*) Voters approved ST2 in November 2008. (*Id.*)

6 Sound Transit’s decision to confine the purpose of the East Link project to expanding the
7 light rail system was anything but arbitrary. To the contrary, it was the result of a long, careful,
8 and deliberative process, and the light rail-specific purpose responds precisely to the
9 transportation problems that needed to be solved. *See* 23 C.F.R. § 450.212(a)(1) (allowing
10 agency to use planning processes of state and local transportation authorities to narrow and focus
11 purpose and need statements);⁴ *see, e.g., Carmel-By-The-Sea*, 123 F.3d at 1155–57 (rejecting
12 Plaintiffs’ argument that the agency “preordained . . . the preferred choice” by “unjustifiably
13 narrow[ing] its statement of ‘Purpose and Need,’” observing that the agency’s goal was
14 “legitimate” and reasonable because it directly responded to the identified needs to “significantly
15 alleviate traffic congestion, reduce accidents and achieve other transportation goals”; “[t]hat the
16 Federal Highway Administration and Caltrans viewed Level of Service C as important and as the
17 most plausible project goal given the severe traffic problems along this stretch of Highway 1
18 cannot be said to be unreasonable simply because Level of Service D would have been a
19 ‘tolerable’ alternative”). Because confining the purpose of the East Link to expanding light rail
20 was reasonable, the environmental impact statement was not required to study alternatives—like
21 bus rapid transit—that did not meet that purpose. *See City of Angoon v. Hodel*, 803 F.2d 1016,

22
23 ⁴ Plaintiffs argue that “the local transportation planning process relied upon to limit the
24 purpose of the project to light rail took place prior to the 2007 adoption of 23 C.F.R. § 450.212”
25 and that “[n]othing in the 2007 regulations allows for retroactive application.” (Dkt. No. 30 at
26 19.) That the regulations explicitly approved the use of local planning processes to narrow an
impact statement’s purpose and need statements in 2007 does not mean that, prior to 2007, such
use was impermissible. In any event, the draft impact statement was issued in December 2008,
and the final impact statement was issued and approved in 2011—well after the regulations
authorized use of local planning studies to produce purpose and need statements.

1 1021 (9th Cir. 1986).

2 **2. Failure To Consider Cumulative Impact of Extending Light Rail to**
3 **Issaquah**

4 An environmental impact statement must consider the cumulative impact of the proposed
5 action: “the impact on the environment which results from the incremental impact of the action
6 when added to other past, present, and reasonably foreseeable future actions.” 40 C.F.R.

7 § 1508.7. “[R]easonably foreseeable actions . . . include proposed actions.” *Ctr. for Env'tl. Law &*
8 *Policy v. U.S. Bureau of Reclamation*, 655 F.3d 1000, 1010 (9th Cir. 2011) (quotation marks and
9 indications of alteration omitted). For example, when an agency issues a notice of intent to
10 prepare an impact statement for an action, “[the] action is not too speculative to qualify as a
11 proposed action” *Id.* (quotation marks omitted). On the other hand, when an action “could
12 conceivably” occur but “it is at least as likely that it will never” occur, the “future activity is not
13 reasonably foreseeable,” and its possible cumulative effects need not be considered. *Headwaters*,
14 914 F.2d at 1182. Courts “defer to an agency’s determination of the scope of its cumulative
15 effects review.” *Cuddy Mountain II*, 303 F.3d at 1071.

16 Plaintiffs argue that the environmental impact statement should have discussed the
17 cumulative effect of the East Link project *and* a possible future project extending the light rail to
18 Issaquah. They point out that one possible alignment for such an extension would connect the
19 extension to the East Link around I-90 and Bellevue Way SE and continue east along the
20 southern boundary of the Mercer Slough (as B7 and B7R would do). If such an extension were
21 ultimately constructed, they argue, then the southern boundary of the Mercer Slough would
22 eventually be impacted anyway, and so the East Link environmental impact statement should
23 prefer B7 or B7R over the other Segment B alternatives, since B7 and B7R *also* run along the
24 southern boundary, whereas the other Segment B alternatives run parallel to the *western*
25 boundary, as well as impact the Winters House and Surrey Downs Park (discussed *infra*).

26 An Issaquah extension that runs along the southern boundary of the Mercer Slough is not

1 a reasonably foreseeable proposed action, and so the environmental impact statement
2 appropriately did not consider it. The Issaquah extension is the subject of a preliminary study
3 funded by ST2 that has not yet commenced. (AR 019886.) Voters would have to approve an ST3
4 or ST4 funding package before Sound Transit would even start seriously considering potential
5 alternatives and alignments. Even assuming the Issaquah extension were ultimately planned,
6 approved, permitted, and funded—a big if—it may not cross the Mercer Slough at the southern
7 boundary—and thus may not strengthen the case for B7 or B7R. (AR 020614, 020617–20618.)
8 In other words, such an alignment “could conceivably” be built, but “it is at least as likely that
9 [that alignment] will never” be built, and that Sound Transit will choose an alternative alignment.
10 *Headwaters*, 914 F.2d at 1182. The Issaquah extension—and the particulars about how it might
11 connect to the preexisting light rail system—are far too speculative and uncertain to merit
12 consideration in the East Link impact statement’s cumulative effects analysis.

13 **3. Failure To Adequately Identify Mitigation for Affected Wetlands and**
14 **Wetland Buffers**

15 The Act “requires only that an [impact statement] contain ‘a reasonably complete
16 discussion of possible mitigation measures.’” *Kemphorne*, 457 F.3d at 979 (quoting *Robertson*,
17 490 U.S. at 352). It need not contain a “complete mitigation plan [that is] actually formulated
18 and adopted,” *Robertson*, 490 U.S. at 352, and the mitigation plan may be “conceptual” and
19 remain “flexible to adapt for future problems,” *Carmel-By-The-Sea*, 123 F.3d at 1154; *see, e.g.*,
20 *Laguna Greenbelt*, 42 F.3d at 528 (discussion of impacts and “potential” and possibly
21 unsuccessful mitigation measures satisfies the Act). “[I]t would be inconsistent with [the Act’s]
22 reliance on procedural mechanisms—as opposed to substantive, result-based standards—to
23 demand the presence of a fully developed plan that will mitigate environmental harm before an
24 agency can act.” *Robertson*, 490 U.S. at 353.

25 The East Link environmental impact statement sufficiently discusses possible mitigation
26 measures to ensure that the agency fairly evaluated the project’s environmental consequences.

1 Sound Transit commits in the impact statement to achieving no net loss of wetland function and
2 area on a project-wide basis. (AR 005018, 010624.) Its plan for doing so is to apply interagency
3 wetland mitigation guidance to identify compensatory mitigation sites—a proven wetlands
4 mitigation method—within the same drainage basin as the affected areas and to compensate for
5 lost functions in-kind. (AR 005018.) Although there are no existing approved mitigation banks in
6 the Kelsey Creek subbasin—a subbasin affected by the project—“[d]uring field work, Sound
7 Transit determined there are several opportunities for wetland mitigation within the study area
8 close to potentially impacted areas that are expected to meet required mitigation ratios,” and
9 Plaintiffs have pointed to no evidence showing that Sound Transit’s expectations are
10 unreasonable. (*Id.*; *see also* AR 010626 (discussing four potential approaches to achieving
11 wetlands mitigation goal).) Finally, the Federal Transit Administration has made mitigation
12 achieving zero net wetlands loss a condition of its approval of the project and is requiring that
13 Sound Transit establish a monitoring plan to ensure the effectiveness of its mitigation measures.
14 (AR 011424–11425, 011430, 011478.) The impact statement’s commitment to zero wetlands
15 loss, made credible with a plan to use already-identified opportunities for compensatory
16 mitigation, and by the Federal Transit Administration’s conditioning approval of the project on
17 achieving that commitment, is sufficient to “ensure that environmental consequences have been
18 fairly evaluated.” *Robertson*, 490 U.S. at 352. The Act requires nothing more. *See, e.g.*,
19 *Okanogan Highlands Alliance v. Williams*, 236 F.3d 468, 476 (9th Cir. 2000) (that impact
20 statement’s discussion of “procedures for ensuring compliance with applicable water-quality
21 standards . . . are stated in somewhat general terms” does not render them “deficient” under the
22 Act); *Carmel-By-The-Sea*, 123 F.3d at 1154 (upholding “proposed mitigation plan [that] is
23 intended to be ‘conceptual’ only”); *compare, e.g., Cuddy Mountain I*, 137 F.3d at 1381 (impact
24 statement deficient where it “did not discuss which (or whether) mitigating measures might
25 decrease the increased sedimentation in the three creeks affected by the timber sale,”
26 “suggest[ed] that the [agency] did not even consider mitigating measures for the creeks actually

1 affected by the sale,” and failed to “provide[] an estimate of how effective the mitigation
2 measures would be if adopted, or give[] a reasoned explanation as to why such an estimate is not
3 possible,” and where “it [wa]s also not clear whether any mitigating measures would in fact be
4 adopted”).

5 In reviewing Plaintiffs’ challenges to the environmental impact statement under the
6 National Environmental Policy Act, the Court may not “substitute [its own—or Plaintiffs’—]
7 judgment for that of the agency concerning the wisdom or prudence of [the] proposed action.”
8 *Or. Env’tl. Council v. Kunzman*, 817 F.2d 484, 492 (9th Cir. 1987). The Court’s role is limited to
9 ensuring that the agency took a hard look at a reasonable range of alternatives whose impacts on
10 the environment were discussed in sufficient detail to render the agency’s decision informed. The
11 final environmental impact statement here meets that standard.

12 **B. Department of Transportation Act Section 4(f)**

13 Section 4(f) of the Department of Transportation Act of 1966 provides:

14 [T]he Secretary may approve a transportation program or project . . . requiring the
15 use of publicly owned land of a public park, recreation area, or wildlife and
16 waterfowl refuge of national, State, or local significance, or land of an historic site
of national, State, or local significance . . . only if—

17 (1) there is no prudent and feasible alternative to using that land; and

18 (2) the program or project includes all possible planning to minimize harm
19 to the park, recreation area, wildlife and waterfowl refuge, or historic site
20 resulting from the use.

21 49 U.S.C. § 303(c). Section 4(f) thus requires a two-phase inquiry: First, the agency determines
22 whether there are any feasible and prudent “avoidance alternatives” to the taking of protected
23 property. 23 C.F.R. § 774.3(a)(1). If no avoidance alternative is available, the agency must
24 approve the alternative that “[c]auses the least overall harm in light of the statute’s preservation
25 purpose” by balancing seven factors. 23 C.F.R. § 774.3(c)(1).

26 Here, the Federal Transit Administration issued a record of decision, adopting the final

1 environmental impact statement's preferred alignments for Segments B and C. (AR 011415–
2 11854.) Those selected alignments impact the following Section 4(f) resources: (1) the Mercer
3 Slough, a 320-acre park characterized by wetland systems and upland habitat (AR 005134), (2)
4 the Winters House, a National Registry of Historic Places property located in the Mercer Slough
5 (AR 005117), and (3) Surrey Downs Park, which contains athletic fields, play structures, internal
6 trails, open space, remnant stands of heritage filbert trees, and the King County District
7 Courthouse (AR 005134–5135). The agency determined that “no project alignment alternative
8 provided a prudent and feasible alternative that avoids all [Section 4(f)] resources” and that the
9 environmental impact statement identified all reasonable measures to cause the least overall
10 harm to those resources. (AR 011433; *see* AR 011433–11434, 005354–5358.) The agency did
11 not analyze the B7R alternative in its Section 4(f) evaluation because the proposal was not
12 sufficiently formulated when the environmental impact statement and Section 4(f) analysis were
13 prepared. (AR 005374.) The City of Bellevue and the Department of the Interior reviewed the
14 agency's least-harm analysis and concurred with its conclusions. (AR 011631–11632, 015071–
15 15072.)

16 Plaintiffs claim that the Federal Transit Administration's Section 4(f) analysis was
17 “arbitrary and capricious.” First, Plaintiffs argue that, “[b]y failing to take a hard look at a
18 Segment B tunnel alternative, the Section 4(f) analysis failed to consider a feasible and prudent
19 alternative that would avoid use of Section 4(f) resources.” (Dkt. No. 24 at 22.) But because
20 Sound Transit rejected the tunnel alternative during scoping, it was not a feasible and prudent
21 4(f) alternative that the agency was required to consider. *See* 520, 881 F. Supp. 2d at 1259
22 (“Section 4(f) does not require that the agency ‘circle back’ to reconsider an option that it has
23 already ruled out as imprudent.”) (quoting *Safeguarding the Historic Hanscom Area's*
24 *Irreplaceable Res., Inc. v. Fed. Aviation Admin.*, 651 F.3d 202, 213 (1st Cir. 2011)). In any
25 event, Plaintiffs' assertion that a tunnel-based alternative would *not* use Section 4(f) resources is
26 entirely conclusory. Indeed, in their reply, they assert that “[a] tunnel alignment would eliminate

1 impacts to Section 4(f) resources, including at least the Winters House and Surrey Downs
2 Park”—thus apparently conceding that it would not necessarily avoid the Mercer Slough. (Dkt.
3 No. 30 at 27; *see also* Dkt. No. 24 at 10 (asserting that “[a] tunnel alternative would [only] likely
4 avoid impacts to many Section 4(f) resources”) (emphasis added).)

5 Plaintiffs next argue that B7 and B7R are “avoidance alternatives” to the preferred and
6 adopted Segment B alignment, since B7 and B7R, unlike the adopted alignment, would
7 completely avoid use of the Winters House and Surrey Downs Park. The agency did not see it
8 this way. In its view, since *all* the Segment B alternatives (including B7 and B7R) impacted the
9 Mercer Slough in one way or another, none of the alternatives was an “avoidance alternative”—
10 *i.e.*, an alternative that avoided use of 4(f) properties altogether—and so the agency proceeded to
11 the second phase of the inquiry and approved one of the alternatives that caused the “least overall
12 harm.” The agency’s decision not to treat alternatives that would use the Mercer Slough as
13 avoidance alternatives was neither arbitrary nor capricious. *See* 23 C.F.R. § 774.17 (defining
14 “feasible and prudent avoidance alternative” as an alternative that “avoids using Section 4(f)
15 property,” and describing the § 774.3(a)(1) avoidance alternative analysis as one that “search[es]
16 for feasible and prudent alternatives that *avoid Section 4(f) properties altogether*”) (emphasis
17 added). What *is* arbitrary is *Plaintiffs’* proposed 4(f) analysis—which would count an alternative
18 as an “avoidance alternative” because it avoids some, but not all, Section 4(f) properties, thus
19 immunizing it from a “least overall harm” comparison with the other alternatives. *See, e.g.,*
20 *Druid Hills Civic Ass’n, Inc. v. Fed. Highway Admin.*, 772 F.2d 700, 715 (11th Cir. 1985).

21 Plaintiffs next argue that, even if B7 and B7R are not “avoidance alternatives,” “the
22 [agency]’s conclusion that the preferred . . . alternative would result in less harm to Section 4(f)
23 resources than [the B7 or B7R] alternatives . . . arbitrarily failed to balance in favor of
24 preservation and instead skewed the balance in favor of a possible slight increase in ridership and
25 slight decrease in cost.” (Dkt. No. 24 at 23.) First, as discussed, the agency did not consider the
26 B7R alternative in its Section 4(f) analysis because the proposal was not sufficiently formulated

1 when the final environmental impact statement and Section 4(f) analysis were prepared. As for
2 B7, a review of the agency's analysis belies Plaintiffs' contention that the agency arbitrarily
3 tipped the Section 4(f) factors against that alternative. The agency carefully considered the seven
4 factors: Using the seven criteria, it prepared a matrix examining all possible permutations of
5 Segment B and C options for a total of thirty-five alternatives. (AR 005361, 005385–5390.)
6 From those thirty-five options, it identified eleven that caused the least overall harm, and it chose
7 its preferred alignments for Segments B and C from among those eleven. (AR 005384.)

8 B7 was not among the eleven "least harmful" options. That is because the combinations
9 of B7 with the various Segment C alternatives were generally more expensive and less
10 accessible, and significantly reduced ridership in Segments B and C, thus scoring lower on the
11 factor of "degree to which each alternative meets the purpose and need for the project" and, at
12 best, no better on the factor of "[s]ubstantial differences in costs among the alternatives." 23
13 C.F.R. § 774.3(c)(1)(v) & (vii). (AR 005375, 005378–5381, 005383.) The B7 combinations also
14 scored equally to or lower than other Segment B options on "[t]he ability to mitigate adverse
15 impacts to each Section 4(f) property (including any measures that result in benefits to the
16 property)" and "[t]he relative severity of the remaining harm, after mitigation, to the protected
17 activities, attributes, or features that qualify each Section 4(f) property for protection." *Id.*
18 § 774.3(c)(1)(i) & (ii). That is because, while B7's impact on the Mercer Slough could not be
19 mitigated to create a net benefit, other Segment B alternatives allowed for a plan to add to the
20 Mercer Slough up to three acres of land to replace the land permanently occupied by the project,
21 which is projected to yield a net *benefit* to the park.⁵ (AR 005362–5365, 005367–5368.)
22 Similarly, post-mitigation, some non-B7 alternatives would "have a net benefit to Surrey Downs
23 Park" by "removing the King County District Courthouse and replacing the site with landscaped
24

25 ⁵ As discussed *supra*, the expected net benefit to the Mercer Slough from compensatory
26 mitigation is not, contrary to Plaintiffs' contention, "unfounded," "conclusory," or "speculative."
(Dkt. No. 30 at 5, 30–31.)

1 park grounds”—something the B7 combinations could not offer. (AR 005366, 005368.) And
2 post-mitigation, non-B7 alternatives (unlike B7) are projected to yield a net benefit to the
3 Winters House by providing “more historically appropriate landscaping” and “new interpretive
4 signage.” (AR 005367–5368.)

5 Plaintiffs appear to believe that the only acceptable outcome of the Section 4(f) analysis
6 was the emergence of B7 as the winner, since B7 would permanently impact fewer acres of the
7 Mercer Slough and avoid any impact to the Winters House and Surrey Downs Park. But
8 permanent, un-mitigated impact is not a factor for consideration under 23 C.F.R. § 774.3(c).
9 Without exception, the § 774.3(c) factors direct the agency to consider *post*-mitigation impact,
10 including any resulting net benefits. *Id.* § 774.3(c)(1)(i), (ii) & (vi). And as discussed, post-
11 mitigation, the B7 alternatives fared no better than the non-B7 alternatives, and in some cases
12 fared worse because they were not projected to yield a net benefit. Thus, even if, as Plaintiffs
13 contend, “the balance must always be struck in favor of preservation of the Section 4(f)
14 properties” and “the balance must . . . give paramount importance to preservation” (Dkt. No. 30
15 at 28, 30), there is no indication that the agency failed to strike the balance in favor of
16 preservation here.

17 Finally, for the same reasons the environmental impact statement was not required to
18 consider the cumulative impact of the possible Issaquah extension—with its possible alignment
19 along the southern boundary of the Mercer Slough—the agency was not required to consider that
20 impact in its Section 4(f) evaluation.

21 **III. CONCLUSION**

22 For the foregoing reasons, the Court GRANTS Sound Transit’s and Defendants’ motions
23 for summary judgment (Dkt. Nos. 28–29) and DENIES Plaintiffs’ motion for summary judgment
24 (Dkt. No. 24).

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1 DATED this 7th day of March 2013.
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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE

ATTACHMENT 2

RESPONSES TO PUBLIC COMMENT

Mercer Slough Nature Park Parkland Conversion and Replacement

October 2, 2014

This recent public comment period resulted in comments submitted by seven individuals. One was submitted before the September 19, 2014, public comment deadline, all others were submitted after the deadline. The comments submitted cover several common themes. Those themes are summarized below including sample quotes from the comment letters. A response follows each.

Theme: Recreational impacts to park facilities, visual character change, tree loss and wetland impacts
Sample Comment: The proposed alignment along Bellevue Way/112th Ave represents the potential to significantly affect the outdoor recreation experience of the Mercer Slough when the impacts from vision, sound and the loss of over 800 significant trees are considered.

Existing Outdoor Recreational Experience

Of the two parcels adjacent to Bellevue Way within the RCO grant boundaries, the north parcel does not have outdoor recreational facilities within the conversion area. The south parcel conversion area includes one bark mulch trail segment that will be detoured during construction and permanently replaced with a new boardwalk trail segment, to be located at an increased distance from the light rail structure. Other recreational facilities impacted by the project are outside of the conversion area.

Impacts to recreational facilities and features adjacent to Bellevue Way *outside of the conversion area*, including the historic Winters House, the Sweylocken Boat Launch and the Overlake Blueberry Farm have been considered in the design of the final alignment. Public access to outdoor recreation facilities will be retained during construction. After construction, these recreation facilities and features have been redesigned and relocated to minimize, where possible, the park user's views of the light rail. The Eastside Heritage Center, the programming agency for Winters House stated in a letter dated April 15, 2013, "...for the sake of long-term viability and public benefit of this historic resource, the trench [final alignment] remains our preferred option."

Impacts to the wetlands and wetland buffers in Mercer Slough are being mitigated outside of this conversion process under the authority of the City and other state and federal regulatory agencies. Compensatory mitigation is planned, including a seven acre wetland restoration project within Mercer Slough that will restore native ecology, plant and wildlife habitat.

Visual Character and Tree Loss

Expansion of the right-of-way along Bellevue Way SE to include light rail and its associated infrastructure will have a visual character change from what exists today. The final alignment selected uses a retained cut and recessed profile north of the South Bellevue Park and Ride to minimize the views of light rail from Bellevue Way SE. Tree loss will occur. Approximately 128 significant trees are marked for removal within the conversion area. More will be removed in other parts of the park outside of the conversion area, where conflicts exist. The City of Bellevue will regulate tree loss through its Design and Mitigation permit process. The City will require Sound Transit to avoid, protect and/or prune trees that are within the project limit, but may be able to be preserved. For trees that must be removed, a replacement requirement will be part of the City's permit approval conditions.

Theme: Incompatibility with a planned trail project

Sample Comment: The planned construction of the nature path from 112th Avenue South on the west side of the Mercer Slough parallel with Bellevue Way will be cancelled.

In 2009, the City reached agreement with the Bellefield Office Park to construct a public trail on private property that would terminate at the northwest corner of Mercer Slough Nature Park. The City chose to cancel this trail project before it was constructed to avoid potential future conflict with the East Link alignment. This conversion is not intended to compensate for the unrealized trail.

Theme: Replacement property suitability for conversion

Sample Comment: The property proposed for replacement is not of equivalent usefulness and location as that being converted and is not in a reasonable equivalent location. The proposed replacement property will not meet the same or similar recreation and farm needs for the community as the converted site.

The recreational facilities and features impacted by light rail are being mitigated along the west edge of the park. The proposed replacement property is intended to maintain the overall size, value and recreational utility of the RCO grant boundary. To meet that end, the replacement property is directly adjacent to the impacted park. It exists in a state most similar to the areas of the park being converted. The property connects two publicly-owned sections of the park and is directly adjacent to the existing RCO grant agreement boundary. The appraised value of the 6.00 acres being added to the boundary exceeds the appraised value of the 1.06 acres being removed from the boundary.

Theme: Replacement property acquisition history

Sample Comment: The replacement property currently being proposed for this conversion was to have been purchased and incorporated into the park using funds from a 1988/1989 open space park bond. This park land should already be in Bellevue ownership.

The Moon/Ross property, along with many other privately held properties were identified for purchase in 1988. The City was successful in acquiring most of these properties from willing sellers following passage of the bond. The City has actively negotiated with the Moon/Ross property owners multiple times over several decades to no avail. In 2014, the property owners indicated interest in selling the property and an agreement was finally able to be reached [Council Resolution No. 8744, May 19, 2014]. In a letter dated May 7, 2014, RCO approved use of this property for parkland replacement for a future conversion action.

Theme: Noise impacts of light rail

Sample Comment: Noise from trains traveling every 3-7 minutes for 19 to 20 hours a day will be disruptive to wildlife and people trying to enjoy the peacefulness quiet of Mercer Slough Park.

The 2011 East Link EIS noise analysis found that existing noise levels along the west and south edge of Mercer Slough Nature Park (where the light rail project will be constructed) are already dominated by traffic noise from the Bellevue Way SE and I-90. With a projected light rail noise of 66 dBA along Bellevue Way, the anticipated project noise is within the current 61 to 67 dBA range for this corridor.

Theme: Future implications of conversion

Sample Comment: Using Moon/Ross property sets precedent for using parkland for future commercial development

The ability to convert land acquired or developed with RCO grant funding is given to all grantees, subject to RCO and NPS approval. This action does not set a precedent. The deed restriction for outdoor recreation that will be placed on the Moon/Ross property as part of the conversion process is a disincentive to using Mercer Slough parkland for future commercial development. As a result of this conversion, the area within the park permanently restricted to outdoor recreation use will increase by five additional acres.

Theme: Objection to conversion and preference for other light rail alignments

Sample Comment: 7. Conversion of land at Mercer Slough to facilitate light rail should be rejected

Each route alternative studied in the East Link EIS had varying levels of park impact. The East Link EIS process concluded that the final alignment was one that had least overall impact on parklands (including, but not limited to Mercer Slough). The federal Department of Interior (National Park Service) concurred with this conclusion in a letter dated August 19, 2011. Understanding the park impacts and mitigation plan, the Bellevue City Council and Sound Transit Board selected this alignment in November 2011 following years of public debate and community engagement. The City Council re-confirmed the alignment choice along Bellevue Way following additional public outreach and a public hearing in April 2013.

From: Borbe, Elma [<mailto:elma.borbe@soundtransit.org>]

Sent: Monday, March 16, 2015 4:56 PM

To: Barker, Myra (RCO)

Cc: Parker, Camron; Irish, James

Subject: Sound Transit, Mike Harbour Letter

Hi Myra,

Please consider the attached letter from Sound Transit's Deputy Chief Executive Office in support of the City of Bellevue's proposal to convert a portion of Mercer Slough Nature Park for transportation use, along with their proposed replacement property.

Please let me know if we can provide you with any additional information.

Sincerely,

Elma Borbe
Environmental Planner



March 16, 2015

Harriet Spanel, Chair
Kaleen Cottingham, Director
Recreation and Conservation Office
P.O. Box 40917
Olympia, WA 98504-0917

Dear Chair Spanel, Director Cottingham and members of the Board,

Thank you for considering this letter in support of the City of Bellevue's proposal to convert about one acre of Mercer Slough Nature Park for transportation use (Conversion). The proposed Conversion will allow Sound Transit's East Link Extension project (East Link) to be built along the western edge of the park. On behalf of Sound Transit, I respectfully request that the Recreation Conservation and Funding Board (RCF Board) approve the Conversion.

Sound Transit's mission supports communities, the environment and economy by providing affordable, environmentally-friendly public transit that connects residents to where they live, work and play. The East Link Extension expands the regional light rail system from downtown Seattle to Redmond, connecting Mercer Island and Bellevue along the way. After almost eight years of environmental review, collaborative work with local, state, and federal agencies, and extensive public involvement, the East Link project was approved by the Sound Transit Board and the Bellevue City Council in 2013.

Sound Transit urges that the RCF Board approve the Conversion request for the following reasons:

- All practical alternatives to the Conversion have been evaluated and rejected based on sound technical analysis.
- The proposed replacement land is of at least equal fair market value and of reasonably equivalent recreation usefulness and location.
- The public has had opportunities for participation in the process.

First, all practical alternatives to the Conversion have been evaluated and rejected on a sound basis. Through almost eight years of study and public processes, Sound Transit conducted an extensive evaluation of reasonable and practicable alternatives to the conversion, including avoidance, under the National Environmental Policy Act (NEPA), State Environmental Policy Act (SEPA), and

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King County Councilmember

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King County Councilmember

CHIEF EXECUTIVE OFFICER

Joni Earl

Section 4(f) of the Department of Transportation Act. Sound Transit's alternatives analysis was reviewed and approved by multiple federal, state, and local agencies with expertise in transportation and open space issues, including the Federal Transit Administration, the Federal Highway Administration, and U.S. Department of Interior. In two separate appeal proceedings, Sound Transit's analysis was challenged and upheld by a Hearing Examiner, a Superior Court judge, and a federal district court judge. This rigorous alternative evaluation process to select the adopted East Link project meets state and federal requirements for converting properties.

Second, the proposed replacement properties for the converted lands are more than fair market value and of greater recreation usefulness and location. The one acre of converted land will be replaced with a six acre property. The fair market value of the replacement properties is \$138,120 more than the value of the converted properties. One of the converted properties includes a small residence and is adjacent to the Blueberry farm retail buildings and parking. The other converted property is steeply sloping with vegetation and trees. In addition, the locations of these properties are adjacent to the congested arterial, Bellevue Way SE. In comparison, the replacement properties are natural open space and wetlands that would support the natural habitat park functions better than the existing properties. Additionally, the replacement properties are the last missing pieces to make the entire Mercer Slough Nature Park contiguous and whole.

Third, the public has had extensive opportunities for participation in the process. Sound Transit's alternatives analysis provided numerous opportunities for public comment and other forms of participation, including opportunities for appeals to a Hearing Examiner, to state court, and to federal court. With the Board's consideration of the Conversion Request in two meetings in 2014, the public has had more opportunities to participate in the RCO conversion process.

Thank you for considering the City of Bellevue's Conversion Request and Sound Transit urges you to approve it.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Harbour', written in a cursive style.

Michael Harbour
Deputy Chief Executive Officer

Cc: Brad Miyake, City Manager City of Bellevue



City of
Bellevue

RECEIVED

MAR 18 2015

WA STATE
RECREATION AND CONSERVATION OFFICE

March 10, 2015

Harriet Spanel, Chair
Kaleen Cottingham, Director
Recreation and Conservation Office
P.O. Box 40917
Olympia, WA 98504-0917

Dear Chair Spanel, Director Cottingham and Members of the Board,

Thank you for considering the City of Bellevue's request to convert land, acquired with Recreation and Conservation Office (RCO) grants, in Mercer Slough Nature Park. The Mercer Slough is a treasured resource for the city and region. RCO's long-standing partnership in this effort has been critical to the park's success.

This conversion is necessary to allow for Sound Transit's East Link light rail project to serve the existing South Bellevue Park and Ride, which is a key station between Downtown Bellevue and Downtown Seattle. The park and ride is surrounded on three sides by Mercer Slough Nature Park. Selecting the final alignment for East Link was a long and thoughtful process for the Bellevue City Council and the Sound Transit Board. Many factors, including impacts to the park, were considered in the selection.

After several years of public debate, the Bellevue City Council unanimously selected their final preferred East Link alignment on November 11, 2011, in Resolution 8322. After additional study of design alternatives, the Council again unanimously confirmed its preference for the final alignment on April 22, 2013, in Resolution 8576. Finally, understanding the need to comply with the RCO/LWCF grant conversion requirements, the City Council approved the purchase of the proposed replacement property on May 19, 2014, in Resolution 8744.

As memorialized in the City's Section 4(f) concurrence letter dated November 15, 2011, the City and Sound Transit agreed on the major park mitigation elements that would be necessary for the City to support this final alignment. Since that time, the City and Sound Transit have collaboratively designed the East Link project based on this mitigation plan.

The mitigation package for Mercer Slough includes:

- Adding six-acres to the park through acquisition of the replacement property;
- Conducting 6.4 acres of wetland and wetland buffer restoration within the park;
- Planting more than 2,800 new trees in the park to offset the 691 being removed for the project;
- Constructing 700 linear feet of new ADA-compliant boardwalk trail to replace an existing non-ADA compliant mulch and gravel trail;
- Constructing a new 1,500 square-foot building to house park user restrooms and u-pick blueberry and seasonal farm-fresh produce sales;

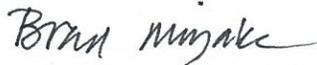
Harriet Spanel, Chair
Kaleen Cottingham, Director
March 10, 2015
Page 2

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- Constructing approximately 4,000 linear feet of new multi-purpose path along Bellevue Way SE (part of the park's Periphery Loop Trail) with new planter beds and street trees to buffer sidewalk users from car and truck traffic;
- Constructing 550 linear feet of new trail across the replacement property, creating a new off-street trail connection between the Mercer Slough Environmental Education Center and the park's interior trail systems;
- Constructing a direct connection to the park from the South Bellevue Station allowing residents throughout King County to use light rail as a way to travel to the park.

The City values its long-standing partnership with the RCO and Washington State Parks at Mercer Slough. The request to convert and replace grant-supported land is not taken lightly. The mitigation plan for Mercer Slough Nature Park has involved many years of negotiation and collaborative design with Sound Transit. Impacts and changes to the park will occur as today's South Bellevue Park and Ride transforms into East Link's South Bellevue Station. In recognition of this, the City believes that the replacement property and the mitigation commitments described above safeguard both the recreational experience and the financial investment that the State has made in Mercer Slough Nature Park.

Sincerely,



Brad Miyake, City Manager

cc: Bellevue City Council
Patrick Foran, Director, Parks & Community Services

From: Shefali Ranganathan [<mailto:Shefali@transportationchoices.org>]

Sent: Monday, February 09, 2015 12:54 PM

To: Barker, Myra (RCO)

Subject: Comment letter on Sound Transit's proposed conversion of Mercer Slough parkland

Dear Myra Barker, Chair Spanel and Members of the Board,

We are writing today in strong support of Sound Transit's proposal to convert and replace Mercer Slough parkland as part of the East Link light rail project. This joint letter is co-signed by Transportation Choices, Fuse, Futurewise and Move Bellevue Forward, organizations that work in Bellevue and support the creation of vibrant communities in the region.

Please feel free to contact me if you have further questions

Thanks
Shefali

Shefali Ranganathan
Director of Programs

Transportation Choices

Transit for all!

Phone: 206.329.2336

www.transportationchoices.org

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[Follow us on Twitter](#)

Feb 09, 2015

Harriet Spanel, Chair
c/o Myra Barker, Compliance Specialist
Recreation and Conservation Office
P.O. Box 40917
Olympia, Washington 98504-0917

Dear Chair Spanel and Members of the Board,

We are writing today in support of Sound Transit's proposed conversion of Mercer Slough Nature Park land and replacement land for the East Link Light Rail project.

Our organizations are dedicated to creating vibrant and sustainable communities in the Puget Sound region. We advocate for common sense solutions to support our region's growing population and job centers and at the same time working to preserve open space, rural lands and protect our natural environment.

We are strong supporters of Sound Transit's East Link light rail project to connect the thriving cities of Mercer Island, Bellevue and Redmond and serve 50,000 daily transit riders by 2030. East Link will foster transit-oriented development bringing new housing, jobs and retail to the eastside.

A win-win for conservation and sustainability

Sound Transit's conversion proposal would replace park land 6 to 1 and better connect the Mercer Slough Nature Park.

Currently, Sound Transit's proposed conversion area is approximately 1 acre, in two separated locations. Both of the areas are adjacent to Bellevue Way SE. One parcel is steep with vegetation and trees. The other is improved with a small A-frame structure, adjacent to the Blueberry Farm retail building.

The replacement property is contiguous, rectangular in shape and contains significant wetlands on the westernmost parcel that borders Mercer Slough. The City of Bellevue will preserve it as open space and wetland habitat that will provide a connection between the previously separated parts of the park. Existing trails to the north and south of the replacement property are currently cut off because this property had long been under private ownership. With approval of the replacement land, the City plans to connect these trails so that recreationists will enjoy exploring the eastern part of the park uninterrupted. The proposed replacement lands are consistent with the City's comprehensive plan to expand wetland preservation and wildlife habitat that results in public outdoor recreation purposes. Similarly, the replacement land supports the Recreation and Conservation Funding Board's goals to provide funding for projects that result in public outdoor recreation purposes.

From our organizations perspective, this plan will actually improve accessibility from within the park and make Mercer Slough Nature Park complete. An approval of this proposed conversion will keep the East Link project moving, eventually connecting even more people to the Mercer Slough Nature Park and beyond.

Light rail to Mercer Island, Bellevue and Redmond has strong support from residents and we are looking forward to the completion of East Link. Your timely approval of this important proposal will ensure that this voter-approved project moves forward.

Thank you for your consideration.

If you have questions about this letter, please feel free to contact Shefali Ranganathan, 206-329-2336 or Shefali@transportationchoices.org



From: BetterBellevue [<mailto:info@betterbellevue.org>]

Sent: Monday, January 26, 2015 11:52 AM

To: Barker, Myra (RCO)

Subject: Better Bellevue Presentation To The Bellevue City Council RE RCFB Postponement Action on Mercer Slough Land Conversion

Dear Ms. Barker -

I provide to you herewith a copy of the letter I provided to the members of the Bellevue City Council on December 1 regarding the proceedings of the October 30 meeting of the RCFB.

I was requested to provide this letter by Members of our City Council because neither the City Manager, or any other City Staff had provided any report to the Council, as of that date, regarding the land conversion matter subsequent to the October 30 meeting of the Board.

This should tell you something about how this situation is being "managed" to contain the "bad outcome" of what City Staff had expected to be a "slam dunk" decision by the Board.

A copy of the transcript of the Board hearing discussion of October 30 was also provided to the Council.

It is a sad day when citizens have to work so very hard to protect this natural jewel within our city. Mr. Bidwell and others expended immense personal effort, at their own costs, over numerous years, to bring about the creation on the Mercer Slough Nature Park in the 1980s.

Citizens have also played a vital role in forging the partnerships that brought about the creation of Mercer Slough Nature Park Environmental Education Center, in partnership with the Pacific Science Center, the Eastside Heritage Center, and other community organizations.

These citizens sure never expected that the same challenges would be raised yet again, in this case, by our own City staff, or another governmental agency, Sound Transit.

Members of our Council, and many Bellevue citizens share the sentiment noted in my letter to the Council of December 1 where I stated:

"Simply put, one part of the Slough would be cannibalized to mitigate the permanent loss of another. Shameful."

The entire effort of thousands of citizens, over the last half dozen years, seeking to avoid the wrongful placement of a massively impactful light rail line within some of the most sensitive parts of the entire Mercer Slough Nature Park, must not go in vain.

We seek nothing but truth, honesty, and openness, something that has been immensely missing, far too often, throughout these years, as this deliberative process has gone forth, always in total frustration.

It should tell you something when Don Davidson, DDS, our former Mayor during some of the most difficult years of these deliberations, and the longest serving member of our City Council,

has now joined with Building A Better Bellevue, and its thousands of supporters, and other important Bellevue civic leaders, to do all in his power to preserve our Mercer Slough Nature Park for all the future.

Dr. Davidson is especially motivated in his dedication to truthfulness, and to the preservation of our environmental jewel, by newly discovered facts such as I have noted in my letter regarding Sound Transit's noted intent, in their ST III documents, to do the very thing that they had steadfastly long denied, the crossing of Mercer Slough Nature Park along I-90, in order to reach Issaquah.

This is just a small part of the reasons why I have noted to you that there is a very serious lack of truthfulness and integrity in this entire business.

Bellevue Citizens have reached the point where we believe there is no other means left to accomplish environmental justice than to seek the support from honest and truthful public servants such as the members of the Recreation and Conservation Funding Board, and the Shorelines Hearing Board.

The legal petition filed by the appellants in the case before the Shorelines Hearings Board speaks for itself on these issues and concerns. And, the testimony before your own board, in October, also spoke to some of these very same issues.

We seek only the truth, and the full and permanent protection of our region's Mercer Slough Nature Park environmental jewel, and of its natural inhabitants including endangered fish, turtles, trees, and the flora and fauna that provide essential nutrients to the hundreds of types of animals, birds, insects and other natural things that call Mercer Slough Nature Park their home.

This is the same objective that we all believe is also the very reason for the work of your own organization - The Recreation and Conservation Office. We are your best friends and supporters, not your contesters.

With Kind Regards,

Joe Rosmann

Chair, Building A Better Bellevue

Joseph Rosmann

921 - 109TH AVENUE SE BELLEVUE, WA 98004-6821

TEL 425-637-7655 FAX 425-637-7209 MOBILE 425-417-0797

EMAIL rosmannj@icloud.com

December 1, 2014

RE: Washington State Recreation and Conservation Funding Board Reservations Regarding Compromise of Mercer Slough Nature Park Experience for All Future Park Users

Dear Mayor Balducci and Members of the Council:

I write to provide you an update on the Washington State Recreation and Conservation Funding Board's (RCFB) October 30, 2014 decision to postpone action on the City of Bellevue's (COB) request to approve a Land Conversion Plan in Mercer Slough Nature Park.

The RCFB oversees investment decisions involving the acquisition of public lands and provides funds to support the management of such resources across our state. Please refer to the enclosed RCFB Fact Sheet as well as the Washington State Recreation and Conservation Office (RCO) website: www.rco.wa.gov. In addition to summarizing the Board's October 30 discussion, enclosed please find a DVD recording of the meeting. I hope you will each take the time to listen to it.

In brief, the RCFB's action is significant in that the Board raised a major question as to why there is not a less-impactful route for East Link, particularly one that minimizes impacts to the Mercer Slough Nature Park. Board members expressed concerns that Sound Transit's present plan will drastically compromise the Slough's delicate environment and destroy the Parks' natural serenity forever.

In the late 1980's, the RCFB provided the overall direction and support necessary to acquire the many small privately owned land parcels that now comprise the entirety of the Mercer Slough Nature Park. As a result, the RCFB also maintains responsibility for assuring the long term preservation of the entirety of the Park because it guided the original purchase of the property.

Recently, City staff requested that the RCFB approve an exchange of six acres of land purchased earlier this year by our City, located within the existing confines of the Park, to compensate for Sound Transit's permanent conversion of a portion of the Slough lands along Bellevue Way and 112th Avenue SE. This exchange was intended by City staff to satisfy Environmental Protection Act requirements for mitigating the use of other federally-protected park lands.

Simply put, one part of the Slough would be cannibalized to mitigate the permanent loss of another. Shameful.

During the October 30 meeting, the RCFB heard a presentation by RCO staff, and a presentation by City of Bellevue Staff and Sound Transit Staff supporting approval of the City's conversion request. Several Bellevue citizens provided oral comments against the conversion, and the RCFB also received written comments from a number of Bellevue citizens opposing the conversion.

The RCFB questioned the City's representative and inquired about the inappropriate use of RCFB-provided State funds by our City to purchase other park land in 2001, without RCFB review. The Board's questions also suggest that they considered the City's current conversion proposal as disingenuous and misleading because it would, in fact, result in a diminishment of the Mercer Slough Nature Park—not mitigation.

The Board expressed further reservations about the appropriateness of placing the light rail facility in a federally-protected park and wetland, specifically questioning whether Sound Transit made a sufficient effort to identify reasonable, feasible and acceptable alternatives to the Bellevue Way/112th Avenue route.

At the end of the meeting, RCFB members likened the plan for use of Mercer Slough land for the East Link light rail facility to what would have occurred if Seattle voters had not turned down the request of Seattle's leaders to construct the R.H. Thompson Expressway through the Seattle Arboretum Park facility in the 1970s. The Board noted that the National Park Service may refuse to grant use of this federally-protected wetland and nature park for East Link based on similar concerns.

Timing is everything. Last week Sound Transit published its ST3 planning documents. These documents confirm what we've known all along: light rail is now proposed to extend from south Bellevue to Issaquah along I-90. This route follows the City's proposed B-7 East Link alternative that Sound Transit told our City repeatedly that it would not use due to environmental considerations. Their plan even includes tunnels along portions of the route to Issaquah.

It's not too late to change course and preserve the integrity of all the Mercer Slough Nature Park for future generations.

The RCFB would clearly welcome such a result.

Sincerely Yours,

Joseph Rosmann

Enclosures: DVD Disc Recording of RCFB Meeting on the afternoon of October 30, 2014, RCFB Fact Sheet

Note: Unfortunately, the RCO technical staff failed to set the audio recording capture level sufficiently high as the meeting took place in the Olympia conference room. As a result the recording is difficult to hear. However, if you utilize a good set of speakers, or high quality earphones, and set the playback volume sufficiently high, you will be able to clearly discern all the discussion that took place at the meeting.