



# MEMORANDUM

## Public Works Department

EXHIBIT 23  
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**To:** Erin Martindale, Senior Planner

**From:** Thomas Hansen, Public Works Director *THH*  
Rachel Speer, Assistant Public Works Director *RES*

**Date:** September 4, 2012

**Subject:** Letter to File: SEPA comments from Port of Seattle

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This letter to the file is to response to the comments received by the Port of Seattle regarding SEPA on July 31, 2012.

Real Property/ Existing Easements: The City made initial contact with the Port of Seattle through the SEPA checklist in November 2011. Since then, the City has had an on-going correspondence with the Port, involving the City's Right-of-Way agent in order to negotiate a settlement for temporary and permanent easements. The City has made every attempt to accommodate the Port by drastically reducing the permanent easement needed by revising the bridge design to incorporate a reduce width at the Port's parcel. This revision was sent to the Port on August 15, 2012. A copy of this proposal is attached.

The City acknowledges that we need to acquire property rights, including permanent and temporary easements, from the Port in order to proceed with this project. The other parties that have an easement on Port rail property are King County, Puget Sound Energy (PSE), Sound Transit, StarCom, and the current rail operator. The City is working with these entities to obtain written approvals as required by recorded easements. Please see below for status:

Sound Transit is in support of this project. A copy of their support letter is attached.

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Puget Sound Energy (PSE) is in support of this project. The City has committed to install additional conduit to accommodate PSE's future underground potential. The City has provided PSE with all of the documents they have requested and are waiting for their letter of support.

GNP, the current rail operator, is in support of this project based on prior verbal conversations. The City has committed to ensure operations are not interrupted during construction of the bridge and roadway. If there are additional concerns, these will be responded to during the Utilities and Transportation Commission (UTC) approval process.

King County has been contacted and a request for a letter of support has been requested. The City does not foresee any irresolvable issues pending.

Starcom has been contacted and has been given all documentation requested. The City has asked for a letter of support.

As of August 14, 2012, the City conferred with the Port and came to an agreement that the City will provide a 25 foot clear distance from the centerline of the roadway and the Port agreed that once this is done, the technical issues are resolved and in negotiation.

The temporary construction easement (TCE) will be moved around the existing bridge and wingwall in order to meet the Port's request. The total area for the TCE has been reduced to 2,972 square feet and the permanent easement has been reduced to 994 square feet.

Public Safety/ Proximity/ Transportation: All improvements to the bridge/ road and railroad crossings will be to AREMA standards. A copy of the latest dimensioned plan sheet is attached.

As shown to the Port and Sound Transit, a 25 foot double track is feasible using AREMA standards. Sound Transit has confirmed this design is feasible yet not necessary. This letter is attached.

The Shannon and Wilson soils letter the Port refers to in their comments states that there is minimal chance of settlement or adverse impacts to the Port's structure; however, the City will furnish an inspector to be on-site during the construction of the shafts and monitor the area for settlement. The project will be stopped if adverse impacts of settlement are noted.

Extensive alternatives were explored in the Design Memo in 2007, before the Port owned the railroad. BNSF was consulted during the conception of alternatives, as well as the current rail operator. The City acknowledges that the Port will have

the opportunity to review and approve the railroad crossing plans as required by the UTC crossing permit.

Erosion Control Measures: This project is following the *2009 King County Surface Water Design Manual* for all erosion control measures. The geotechnical letter from Shannon and Wilson does not state there will be damage to rail facilities. As mentioned earlier, a copy of this letter is included.

Stormwater: This project is following the *2009 King County Surface Water Design Manual* for all stormwater design. Sheet flow will flow across the railroad crossing; however, it is negligible from the amount that is currently seen. The railroad currently drains to two existing outfalls to the Sammamish River as shown on drainage plan sheets DU-1 and DU-3. The railroad tracks are at the high point of the project, therefore, will not capture any additional flow. Rainwater will flow away from the tracks in both directions.

Recreation: WSDOT has verified that the City does not have to obtain a 4(f) environmental permit.

Proposed Timing and Schedule: This will not affect the project and has no bearing on SEPA issues. The proposed project schedule is for the project to be advertised in May 2013, construction starting in June-July 2013, with a finish date in mid 2014.