S-1235.2				

SENATE BILL 5768

State of Washington 61st Legislature 2009 Regular Session

By Senators Murray, Jarrett, Swecker, Haugen, and Kohl-Welles Read first time 01/30/09. Referred to Committee on Transportation.

AN ACT Relating to identifying the final design for the state route number 99 Alaskan Way viaduct replacement project as a deep bore tunnel; adding a new section to chapter 47.01 RCW; creating a new section; and declaring an emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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- 6 <u>NEW SECTION.</u> **Sec. 1.** A new section is added to chapter 47.01 RCW 7 to read as follows:
 - (1) The legislature finds that the replacement of the vulnerable state route number 99 Alaskan Way viaduct is a matter of urgency for the safety of Washington's traveling public and the needs of the transportation system in central Puget Sound. The state route number 99 Alaskan Way viaduct is susceptible to damage, closure, or catastrophic failure from earthquakes and tsunamis. Additionally, the viaduct serves as a vital route for freight and passenger vehicles through downtown Seattle.

Since 2001, the department has undertaken an extensive evaluation of multiple options to replace the Alaskan Way viaduct, including an initial evaluation of seventy-six conceptual alternatives and a more detailed analysis of five alternatives in 2004. In addition to a

p. 1 SB 5768

substantial technical review, the department has also undertaken considerable public outreach, which included consultation with a stakeholder advisory committee that met sixteen times over a thirteenmonth period.

Therefore, it is the conclusion of the legislature that time is of the essence, and that Washington state cannot wait for a disaster to make it fully appreciate the urgency of the need to replace this vulnerable structure. The state shall take the necessary steps to expedite the environmental review and design processes to replace the Alaskan Way viaduct with a deep bore tunnel under First Avenue from the vicinity of the sports stadiums in Seattle to Aurora Avenue north of the Battery Street tunnel. The tunnel must include four general purpose lanes in a stacked formation.

(2) The state route number 99 Alaskan Way viaduct replacement project finance plan must include state funding as appropriated in the 2007-2009 omnibus transportation appropriations act not to exceed two billion four hundred million dollars and must also include at least four hundred million dollars in toll revenue. These funds must be used solely to build a replacement tunnel, as described in subsection (1) of this section, and to demolish the existing state route number 99 Alaskan Way viaduct. All costs associated with public utility relocations for state work as described in this subsection and subsection (1) of this section must be borne by the city of Seattle and provided in a manner that meets project construction schedule requirements as determined by the department. State funding is not authorized for central seawall or waterfront promenade improvements.

NEW SECTION. Sec. 2. The department of transportation must prepare a traffic and revenue study for a state route number 99 deep bore tunnel for the purpose of determining the facility's potential to generate toll revenue. The department shall regularly report to the transportation commission regarding the progress of the study for the purpose of guiding the commission's toll setting on the facility. The study must include the following information:

34 (1) An analysis of the potential diversion from state route number 35 99 to other parts of the transportation system resulting from tolls on 36 the facility;

SB 5768 p. 2

- 1 (2) An analysis of potential mitigation measures to offset or 2 reduce diversion from state route number 99;
- 3 (3) A summary of the amount of revenue generated from tolling the deep bore tunnel; and
- 5 (4) An analysis of the impact of tolls on the performance of the 6 facility.
- 7 The department must provide the results of the study to the 8 governor and the legislature by January 2010.
- 9 <u>NEW SECTION.</u> **Sec. 3.** This act is necessary for the immediate 10 preservation of the public peace, health, or safety, or support of the 11 state government and its existing public institutions, and takes effect 12 immediately.

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p. 3 SB 5768