I-90 Work Plan and Status Report

March 4, 2013
Agenda

1. Work Plan Revisions
2. Status Report
3. Public Testimony
4. Council Discussion and Action
Work Plan Revisions - Process

- Discussed proposed Work Plan at Feb. 25 meeting
- Directed staff to work with Councilmembers on proposed revisions
- Councilmembers Grady, Cero and Senn provided suggested changes
How were proposed revisions addressed?

1) Added many proposed revisions to Work Plan

2) If proposal seemed more likely subject to discussion/debate, not included in Work Plan
   - Set out on Proposed Additions and Deletions, Exhibit 2 in your packet
Work Plan Revisions – Overview

1. Regional focus
   • Added more reference to regional impacts

2. Steering Committee
   • Added more description of role vs. full Council
   • Regular updates required

3. Litigation
   • Added new section regarding litigation

4. Federal Outreach
   • Clarified that outreach will be conducted
Proposed Additions/Deletions

PROPOSAL #1

Delete the following from Section 2:

*Fully participate in the EA process as a “cooperating agency.”* This will allow Mercer Island early access to information and additional opportunities to advocate our position to WSDOT. Mercer Island has been granted cooperating agency status by WSDOT.
Proposed Additions/Deletions

PROPOSAL #2

Delete the following from Section 2:

Identify and, based on community input, prioritize appropriate alternatives and mitigation that will be necessary should the State proceed with tolling. Identify all tolling alternatives that are under discussion (e.g., Double Gantry, Segmented Tolling, East Channel vs. Floating Bridge, One Free Way Off vs. Reduced Rate in Each Direction, Monthly Toll Maximums, Discounts, Exemptions, and Selecting Desired Free Way Off) and ensure that WSDOT fully evaluates the impacts of such alternatives. As part of a multi-prong approach and in order to ensure that Islanders are left with options other than unacceptably high tolls in the event tolling is imposed, the City will engage with our citizens and WSDOT to determine the best possible reduced or waived toll scenarios.

Delete the following from Section 7:

Provide information on all tolling alternatives that are under discussion (e.g., Double Gantry, Segmented Tolling, East Channel vs. Floating Bridge, One Free Way Off vs. Reduced Rate in Each Direction, Monthly Toll Maximums, Discounts, Exemptions, Selecting Desired Free Way Off) so that Islanders are aware of the options and can provide input.
PROPOSAL #2A

Add the following to Section 2.b.:

Mercer Island is opposed to tolling I-90 and the City’s primary focus under this Work Plan is to completely prevent tolling. In order to be prepared if tolling proves unstoppable, the City will explore other alternatives and mitigation to lessen the significant impacts to Mercer Island.
PROPOSAL #3

Add the following language:

Legal Action. The City recognizes a high probability in having to resort to litigation and will begin initial steps to litigate ASAP.

Federal: Litigate tolling a Federal Interstate to pay for a state Facility and continue tolling for non-specific "transportation projects."

State: The City will make preparations to litigate a potential WSDOT decision to conduct an EA instead of an EIS.

State: The City will make preparations to litigate a potentially inadequate EIS.

Virginia: The City will file an amicus brief with the Portsmouth lawsuit.
## Status Report

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<tr>
<th>Action/Update Item</th>
<th>Status</th>
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| WSDOT EA Process                   | • Met with WSDOT staff on March 1  
• WSDOT preparing MI survey – draft questions to be reviewed by City  
• WSDOT in process of reviewing EA comments – Next steps determined at end of March  
• EAG meeting delayed to mid-April (date TBD) |
| State Legislature Outreach         | • Testimony at recent House and Senate hearings on mitigation bills  
• Informal discussion w Senator Litzow and Rep. Clibborn on March 2  
• Lobbyist retained (Strategies 360) |
### Status Report

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<tr>
<th>Action/Update Item</th>
<th>Status</th>
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<tbody>
<tr>
<td>Federal Approval of tolling</td>
<td>• Legal review and initial FHWA contact underway by K&amp;L Gates, D.C. office</td>
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<td></td>
<td>• Public records request filed with WSDOT</td>
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<td>Coalition Building</td>
<td>• Initial discussions with other cities</td>
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<td>Public Information</td>
<td>• Third email update</td>
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<td>• Update webpage</td>
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<td>• Public engagement plan – Community Discussions to be planned</td>
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<td>Government Affairs/Communications</td>
<td>• Firm retained to provide advice (Strategies 360)</td>
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Public Testimony
Discussion and Action

1. Adopt Work Plan dated March 4?