

MOTION NO. M2015-69

Agreement with WSDOT for Incidental Use of Totem Lake

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Executive Committee Operations Committee Board	08/06/2015 08/06/2015 08/27/2015	Recommend to Board Recommend to Board Final Action	Ric Ilgenfritz, PEPD Executive Director David Beal, Director, Planning and Development Andrea Tull, Senior Project Manager

PROPOSED ACTION

Authorizes the chief executive officer to execute an incidental use agreement with the Washington State Department of Transportation for incidental use of the Totem Lake HOV direct access ramp by toll-paying vehicles to access I-405 Express Toll Lanes.

KEY FEATURES SUMMARY

- The incidental use agreement allows the Washington State Department of Transportation (WSDOT) to provide access from the Totem Lake HOV Direct Access Ramp at NE 128th Street to the I-405 Express Toll Lanes scheduled for operation from NE 6th Street in Bellevue to Lynnwood in fall 2015.
- This agreement will formalize conditions set forth in a term sheet signed by Sound Transit and WSDOT that specified the responsibilities of each agency regarding use of the HOV direct access ramp.
- The purpose of the incidental use agreement is to ensure that the toll use will not compromise the safe conduct of the intended purpose of the transit activity, and that continuing control of the project be maintained by Sound Transit.
- Through this agreement, toll-paying vehicles will be allowed to use the direct access ramp to access the inside Express Toll Lanes. However, the primary use of the Totem Lake Direct Access Ramps will continue to be for the provision of transit services to the Totem Lake Freeway Station and for buses and eligible HOVs to access and exit the I-405 Express Toll Lanes.
- WSDOT will pay any financial costs associated with conversion of the HOV direct access ramps to accommodate toll-paying vehicles as well as costs to revert the ramps back to HOV if tolling is terminated under state law.
- The Express Toll Lanes are expected to improve transit speed and reliability by 35 to 65% compared to existing travel times between Bellevue and Lynnwood.
- A monitoring plan is included in the agreement to ensure that the Express Toll Lanes function as intended, providing speed and reliability for buses, carpools and toll-paying vehicles.
- WSDOT will use real-time traffic performance information to adjust toll rates as well as use travel data from transit agencies to continually monitor operations.
- The agreement also provides for regular monitoring of the performance of the ramps to ensure compliance with toll and traffic regulations and to ensure the safe operation for buses and pedestrians. The agreement identifies coordinated corrective action, up to and including termination of tolled vehicle access, if transit service is degraded.

BACKGROUND

The WSDOT Bellevue to Lynnwood Express Toll Lanes project is a component of the I-405 Corridor Project which will add a continuous northbound and southbound lane between Bellevue and Bothell to operate as a dual Express Toll Lane system from downtown Bellevue to Bothell/Woodinville. WSDOT, Sound Transit, the Federal Transit Administration (FTA) and the

Federal Highway Administration (FHWA) were co-lead agencies for the programmatic I-405 Final Environmental Impact Statement issued in June 2002 (I-405 FEIS) which included HOV direct access ramps on I-405 designed by Sound Transit at Totem Lake. FTA and FHWA issued a Record of Decision for the I-405 Corridor Project in October 2002.

Sound Transit received \$25 million from the FTA for the Totem Lake freeway station/HOV direct access project. The Totem Lake HOV direct access ramp project was implemented in 1998 and the ramp and Totem Lake Freeway Station opened in 2007. FTA's funding contribution to the Totem Lake project necessitates FTA's approval of incidental use of the HOV direct access ramp by toll-paying vehicles. In May 2011, WSDOT and FHWA published the project-level I-405 Bellevue to Lynnwood Improvement Project Environmental Assessment, which addressed use of the Totem Lake Direct Access Ramp by toll-paying vehicles.

To facilitate the incidental use request to the FTA, a term sheet was prepared and approved by Sound Transit and WSDOT that specified the responsibilities of each agency regarding use of the HOV direct access ramp. A request was then made to the FTA for incidental use of the HOV direct access ramp by toll-paying vehicles. The FTA Region X regional administrator approved the incidental use request in May 2015 on the condition that the provisions of the term sheet be incorporated into new and existing agreements with WSDOT pertaining to the Totem Lake HOV direct access ramp. FTA's approval was further conditioned on amending the existing agreements to ensure that continuing transit use and control requirements are met for the duration of the useful life of the direct access ramps, or not less than 50 years. The FTA approval did not require Sound Transit to obtain income or revenue from the incidental use.

WSDOT has provided information to Sound Transit about how the Express Toll Lanes will improve transit speed, reliability and safety without degrading operation of the Totem Lake HOV direct access ramp. WSDOT will use real-time traffic performance information to adjust toll rates up or down depending on the volume of speeds downstream of the access ramps. Transit is exempt from tolling on I-405 per RCW 47.56.

FISCAL INFORMATION

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

WSDOT plans to implement Express Toll Lanes on I-405 in fall 2015. A one month delay would detrimentally impact WSDOT's plans.

PRIOR BOARD/COMMITTEE ACTIONS

The executive committee was briefed on WSDOT's request for incidental use at their May 2, 2013 meeting. No action was taken.

ENVIRONMENTAL REVIEW

JI 7/24/2015

LEGAL REVIEW

BN 7/28/15

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute an incidental use agreement with the Washington State Department of Transportation for incidental use of the Totem Lake HOV direct access ramp by toll-paying vehicles to access I-405 Express Toll Lanes.

BACKGROUND:

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The purpose of the incidental use agreement is to ensure that the toll use will not compromise the safe conduct of the intended purpose of the transit activity, that continuing control of the project be maintained by Sound Transit. To facilitate the incidental use request to the FTA, a term sheet was prepared and approved by Sound Transit and WSDOT that specified the responsibilities of each agency regarding use of the HOV direct access ramp. A request was then made to the FTA for incidental use of the HOV direct access ramp by toll-paying vehicles. The FTA Region X regional administrator approved the incidental use request in May 2015 on the condition that the provisions of the term sheet be incorporated into new and existing agreements with WSDOT pertaining to the Totem Lake HOV direct access ramp. FTA's approval was further conditioned on amending the existing agreements to ensure that continuing transit use and control requirements are met for the duration of the useful life of the direct access ramps, or not less than 50 years. The FTA approval did not require Sound Transit to obtain income or revenue from the incidental use.

The incidental use agreement allows WSDOT to provide access from the Totem Lake HOV Direct Access Ramp at NE 128th Street to the I-405 Express Toll Lanes scheduled for operation from NE 6th Street in Bellevue to Lynnwood in fall 2015. This agreement will formalize conditions set forth in a term sheet signed by Sound Transit and WSDOT that specified the responsibilities of each agency regarding use of the HOV direct access ramp.

Through this agreement, toll-paying vehicles will be allowed to use the direct access ramp to access the inside Express Toll Lanes. The primary transit use of the Totem Lake Direct Access Ramps will continue as required by the FTA. WSDOT will pay any financial costs associated with conversion of the HOV direct access ramps to accommodate toll-paying vehicles as well as costs to revert the ramps back to HOV if tolling is terminated under state law.

WSDOT has provided information to Sound Transit about how the Express Toll Lanes will improve transit speed, reliability and safety without degrading operation of the Totem Lake HOV direct access ramp. A monitoring plan is included in the agreement to ensure that the Express Toll Lanes function as intended, providing speed and reliability for buses, carpools and toll-paying vehicles. WSDOT will use real-time traffic performance information to adjust toll rates as well as use travel data from transit agencies to continually monitor operations. Transit is exempt from tolling on I-405 per RCW 47.56.

The agreement also provides for regular monitoring of the performance of the ramps to ensure compliance with toll and traffic regulations and to ensure the safe operation for buses and pedestrians and coordinated corrective action, up to and including termination of tolled vehicle access, if transit service is degraded.

MOTION:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer is authorized to execute an incidental use agreement with the Washington State Department of Transportation for incidental use of the Totem Lake HOV direct access ramp by toll-paying vehicles to access I-405 Express Toll Lanes.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 27, 2015.



Dow Constantine
Board Chair

ATTEST:



Kathryn Flores
Board Administrator