

MOTION NO. M2018-100
Land Exchange Agreement between Sound Transit and WSDOT

MEETING:	DATE:	TYPE OF ACTION:	STAFF CONTACT:
Capital Committee	08/17/2018	Cancelled	Ron Lewis, DECM Acting Executive Director
Board	08/23/2018	Final Action	Dan Abernathy, Executive Project Director, Federal Way Link Extension Mike Bulzomi, Sr. Real Property Agent Federal Way Link Extension

PROPOSED ACTION

Authorizes the chief executive officer to execute a Land Exchange Agreement between Sound Transit and the Washington State Department of Transportation for the Federal Way Link Extension and SR 509 Completion project.

KEY FEATURES SUMMARY

- In January 2017, the Sound Transit Board selected the route, profile, station, and associated infrastructure to be built for the Federal Way Link Extension (FWLE). The project area will include the construction of light rail facilities within, or in proximity to, the right-of-way of Interstate 5, State Route 99, State Route 516, and/or the proposed State Route 509 extension.
- Sound Transit anticipates purchasing, and Washington State Department of Transportation (WSDOT) anticipates selling, certain WSDOT property (WSDOT surplus property) in fee for construction of at-grade guideway or other facilities as part of the FWLE, subject to all necessary approvals.
- The WSDOT surplus property is the subject of a Temporary Construction Airspace Lease (TCAL) currently being negotiated by the parties. It is the parties' intent that WSDOT will convey the WSDOT Surplus Property to Sound Transit in fee upon termination of the TCAL.
- Sound Transit intends to acquire specific parcels of property that are necessary for construction of the FWLE. Once construction is completed Sound Transit intends to surplus property that is not needed for revenue operations. WSDOT and Sound Transit have identified certain portions of that property that will be needed for the construction and operation of the WSDOT SR509 Completion project.
- Sound Transit and WSDOT have mutually agreed upon a Land Exchange agreement outlining certain parcels required for the construction and operation of the FWLE as well as the WSDOT SR509 Completion project. The Land Exchange Agreement provides the framework for the identification, appraisal, timing, and terms for the exchange of properties needed for each agency's respective project.
- The parties will pay fair market value for each parcel of property conveyed, the cumulative value of the conveyances to be tracked by credits entered into a ledger. Upon conveyance of all of the subject property, if the value of WSDOT's credits exceeds the value of Sound Transit's credits, WSDOT will make a monetary payment to Sound Transit; if the value of Sound Transit's credits exceeds the value of WSDOT's credits, Sound Transit will have the option of making a monetary payment to WSDOT or have the sum entered as a debit under the parties' Land Bank Agreement. The Land Exchange Agreement is subject to all necessary approvals including authority to surplus property and FTA concurrence.

BACKGROUND

The Federal Way Link Extension is a 7.8-mile light rail extension from South 200th Street in the City of SeaTac to the Federal Way Transit Center with service to the cities of SeaTac, Kent, Des Moines, and Federal Way. The extension will follow the south edge of the future SR 509 and continue south along the west side of I-5 and will include three stations at Kent/Des Moines Road, South 272nd Street and Federal Way Transit Center Station. Construction of the project is expected to begin in 2019 with stations expected to open in 2024.

On July 23, 2015, the Sound Transit Board identified the Preferred Alternative for the Federal Way Link Extension and authorized the chief executive officer to move the project into the preliminary engineering and final environmental impact statement phase of project development. The Final Environmental Impact Statement (FEIS) was published in November 2016. On January 26, 2017, the Sound Transit Board selected the route, profile, station, and associated infrastructure to be built for the Federal Way Link Extension. In early March 2017, Sound Transit received the signed Federal Way Link Extension Record of Decision from FTA and Federal Highway Administration (FHWA). WSDOT completed environmental review for the SR 509 Completion project under SEPA and NEPA with the publication of a Final Environmental Impact Statement on January 22, 2003 and FHWA's issuance of a Record of Decision on March 20, 2003.

In 2000, Sound Transit and WSDOT entered into a Land Bank Agreement (Motion No. M2000-49). In 2003, the Board amended the Land Bank Agreement with WSDOT. The Land Bank Agreement established a framework for WSDOT to convey certain WSDOT property interests to Sound Transit or make portions of WSDOT property available to Sound Transit for non-highway purposes in consideration of the payment of cash or Sound Transit's funding of highway purpose improvements. The proposed Land Exchange Agreement is not intended to, and does not, supplant or amend, the Land Bank Agreement.

PROJECT STATUS

Project Identification	Alternatives Identification	Conceptual Engineering/ Draft EIS	Preliminary Engineering/ Final EIS	Final Design	Construction
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Projected Completion Date: 4Q 2024

Project scope, schedule, and budget summary located on page 85 of the May 2018 Link Light Rail Program Progress Report.

FISCAL INFORMATION

Although there is no direct fiscal action, there will be appraisals of WSDOT and Sound Transit properties to reconcile to an agreed upon value. It is anticipated that land bank credits would be used to balance any variance to achieve an equitable agreement.

SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION

Not applicable to this action.

PUBLIC INVOLVEMENT

Not applicable to this action.

TIME CONSTRAINTS

A delay in this action would hinder WSDOT coordination efforts for the Federal Way Link Extension design activities with consequent project schedule delay.

ENVIRONMENTAL REVIEW

KH 8/2/18

LEGAL REVIEW

PM 8/10/18

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A motion of the Board of the Central Puget Sound Regional Transit Authority authorizing the chief executive officer to execute a Land Exchange Agreement between Sound Transit and the Washington State Department of Transportation for the Federal Way Link Extension and SR 509 Completion project.

BACKGROUND:

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Sound Transit and WSDOT have mutually agreed upon a Land Exchange agreement outlining certain parcels required for the construction and operation of the FWLE as well as the WSDOT SR509 Completion project. The Land Exchange Agreement provides the framework for the identification, appraisal, timing, and terms for the exchange of properties needed for each agency's respective project.

MOTION:

It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the chief executive officer to execute a Land Exchange Agreement between Sound Transit and the Washington State Department of Transportation for the Federal Way Link Extension and SR 509 Completion project.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 23, 2018.



John Marchione
Board Vice Chair

ATTEST:



Kathryn Flores
Board Administrator