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**Title:** A MOTION approving the executive's plan for phased removal of rail tracks from the Eastside Rail Corridor and authorizing the executive to proceed with such a plan, in compliance with Ordinance 17503.

**Sponsors:** Jane Hague, Larry Phillips, Rod Dembowski, Reagan Dunn

**Indexes:** ERC/BNSF

**Code sections:**

**Attachments:** 1. Motion 14455.pdf, 2. A. Eastside Rail Corridor Rail Removal Plan dated October 29, 2015, as amended, 3. 2015-0439 legislative review form.pdf, 4. A. Eastside Rail Corridor Rail Removal Plan dated October 29, 2015, as amended, 5. 2015-0439 transmittal letter.doc, 6. 2015-0439 letter to Christie True Dated October 2, 2015.pdf, 7. 2015-0439\_SR\_ERCRailRemoval.docx, 8. 2015-0439\_ATT1\_Proposed\_Motion.doc, 9. 2015-0439\_ATT2\_AMD1\_RailRemovalPlanEdits.docx, 10. 2015-0439\_ATT4\_AMD1\_ATT4\_Dated\_10-29-15\_TrackChanges.doc, 11. 2015-0439\_AMD2.doc.docx, 12. 2015-0439\_AMD3.doc.docx, 13. 2015-0439\_AMD4.doc.docx, 14. 2015-0439\_AMD5.doc.docx, 15. A. Eastside Rail Corridor Rail Removal Plan, 16. 2015-0439\_RevisedSR\_ERCRailRemoval.docx

Date	Ver.	Action By	Action	Result
11/9/2015	2	Metropolitan King County Council	Passed	Pass
11/4/2015	1	Committee of the Whole	Recommended Do Pass Substitute Consent	Pass
10/26/2015	1	Metropolitan King County Council	Introduced and Referred	

Clerk 11/05/2015

A MOTION approving the executive's plan for phased removal of rail tracks from the Eastside Rail Corridor and authorizing the executive to proceed with such a plan, in compliance with Ordinance 17503.

WHEREAS, the Woodinville Subdivision, formerly referred to as the Burlington Northern-Santa Fe ("BNSF") rail line corridor, is an approximately forty-two-mile long railroad corridor that extends south from the city of Snohomish in Snohomish county to the cities of Renton and Redmond in King County, passing through unincorporated King County and the cities of Woodinville, Kirkland, Bellevue, Renton and Redmond, and

WHEREAS, in accordance with the federal National Trails Act and its implementing regulations, 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29 ("the Trails Act"), in December 2009 King County entered into an interim trail use agreement with BNSF Railway Company to railbank a portion of the Woodinville Subdivision on the mainline from Woodinville to Renton as well as the Redmond Spur from Woodinville to Redmond, subject to reactivation for the resumption of interstate freight service, and

WHEREAS, the railbanked portions of the Woodinville Subdivision are now known as the Eastside Rail Corridor ("ERC"), and King County remains the designated interim trail user for the ERC outside the city of Redmond, and

WHEREAS, on February 8, 2013, after the Central Puget Sound Regional Transit Authority ("Sound Transit") acquired a high-capacity transportation easement and other property interests in the ERC, and after Puget Sound Energy, the city of Redmond and the city of Kirkland acquired interests in the ERC, King County and the Port of Seattle executed a purchase and sale agreement through which King County acquired from the Port of Seattle all of the port's remaining property interests in the ERC in support of outcomes including: providing a well-integrated trail system that supports the regional transportation network; consolidating the property rights that undergird the regional wastewater system that protects water quality and aids economic development; supporting other uses; and preserving the ERC for reactivation for the resumption of interstate freight service, and

WHEREAS, the ERC is a regional asset that through ongoing public ownership can be managed to support shared objectives of a vibrant, growing community, and

WHEREAS, in October 2013 the ERC Regional Advisory Council established a vision for the ERC as a corridor whose development will: enhance the mobility of our region by creating a critical north-south transportation corridor that will allow for multimodal connections, including high-capacity transit, such as heavy rail, light rail or other forms of fixed guideway transportation, and nonmotorized trail use; help the region integrate the pieces of our larger transportation networks; enable key utility improvements to help meet

the demands of a growing population; and expand the recreation network, creating equitable access for all residents and benefiting generations of Puget Sound residents, and

WHEREAS, King County's property interests include areas of the ERC where significant elements of rail infrastructure, including rails, ties, ballast, and associated equipment and structures necessary for the prior operation of rail-based uses, remains in place, and

WHEREAS, these areas include segments on the mainline from: approximately milepost 5.0 to milepost 10.8, which is the south end of the Wilburton "Gap"; approximately milepost 11.5, which is the north end of the Wilburton "Gap" to milepost 12.4; approximately milepost 13.5 to milepost 14.8, which is the south end of the Cross Kirkland Corridor; approximately milepost 20.3 to 23.8, which is the southern limit of the Woodinville "wye"; and on the Redmond Spur from milepost 0.0 to approximately milepost 3.4, which is the north end of the Redmond Central Connector, and

WHEREAS, the entire rail infrastructure at the Wilburton "Gap" where the ERC formerly crossed over Interstate 405 was removed in 2007 and 2008 with BNSF's consent as part of improvements to that highway by the Washington state Department of Transportation, and

WHEREAS, the rails and ties have been removed from the ERC in the areas of ownership of the city of Kirkland, which is approximately 5.5 miles, and the city of Redmond, which is approximately 3.4 miles, and Sound Transit anticipates removing the rails and ties from the mainline of the ERC in connection with its planned Wilburton Station as well as its Operations and Maintenance Satellite Facility for the East Link light rail project, from approximately milepost 12.4 to 13.5 of the mainline near the Spring District of Bellevue, and

WHEREAS, Eastside Community Rail holds a limited-duration license allowing the use of the railbanked Redmond Spur from milepost 0.0 to 1.0 for head and tail operations in support of ongoing rail freight service on the Woodinville Subdivision northerly of the railbanked portion of the ERC, and the existing rail infrastructure in that segment of the Redmond Spur enables this licensed use, and

WHEREAS, there are no other active rail-based commercial uses in any areas of the ERC, and

WHEREAS, the rail infrastructure acquired by King County, other than that from milepost 0.0 to milepost 1.0 of the Redmond Spur, was obsolete and not significantly maintained or improved for rail-based commercial uses in the several years before King County's acquisition, and

WHEREAS, with rails and ties in place the parks and recreation division of the department of natural resources and parks must undertake maintenance of the ERC from rail-based vehicles, with associated wear on the aging rails, ties and associated rail infrastructure that will necessitate repair and replacement of rails, ties and associated rail infrastructure, and

WHEREAS, performing corridor maintenance from the rails creates operational inefficiencies for maintenance activities and the need to repair and maintain specialized maintenance equipment, and

WHEREAS, the ERC contains numerous drainage structures including aging ditches and culverts, several of which are currently causing or contributing to failures of the rail infrastructure and making it increasingly unsuitable or unsafe for use in rail-based corridor maintenance activities, and

WHEREAS, as soon as mid-2016 and on an ongoing basis King County will need to either forego needed maintenance or to budget additional funds to repair and replace aging rail infrastructure due to wear, use from maintenance activities and railbed degradation from drainage system impacts, and

WHEREAS, removal of rail infrastructure from railbanked corridors is allowed under the Trails Act and its regulations and is anticipated in railbanking implementation policy and processes, and

WHEREAS, removal of rail infrastructure from the ERC can enable the development of other uses that will benefit the public and the multiple-purpose vision for its development, and

WHEREAS, removal of rails and ties from the ERC can improve the efficiency and cost-effectiveness of property maintenance activities by improving access to the property, eliminating the need to maintain and acquire specialized maintenance equipment, and eliminating the need to repair or replace rail infrastructure from which current maintenance activities must be performed, and

WHEREAS, removal of rails and ties from the ERC can improve the efficiency of maintenance and

enhancement of existing utility infrastructure such as the wastewater treatment division's eastside interceptor, for example by decreasing travel times to facility locations and providing increased access in close proximity to facilities that must be maintained on a regular and ongoing basis, and

WHEREAS, removal of the existing rails and ties from the ERC can promote safety of the general public currently informally using the corridor as well as King County property management and maintenance staff, and can enable emergency management vehicles to access more remote portions of the corridor more easily in emergencies, and

WHEREAS, Sound Transit's acquisition of a high-capacity transportation easement and other rights in the ERC provides strong protection for development of high-capacity transportation relative to other uses of the corridor, and

WHEREAS, Ordinance 17503, Section 4, states in part that "before the King County executive may proceed with any rail track removal, the executive must coordinate with Sound Transit and obtain the approval by motion of the King County council," and

WHEREAS, the department of natural resources and parks has coordinated with Sound Transit as directed in Ordinance 17503, and Sound Transit has assessed the viability of using the existing rails and related infrastructure in support of implementing high-capacity transit uses in the ERC. As a result, Sound Transit has provided a statement indicating the existing rails and ties would not be of benefit to the future development of high-capacity transit uses in the ERC, and

WHEREAS, removal of the existing rails and ties from the ERC supports King County Comprehensive Plan principles of creating sustainable neighborhoods, directing development toward existing communities, and providing transportation choices, and supports equitable development of and access to multiple transportation modes and promotes sustainability and resilience in the face of climate change and population growth, and

WHEREAS, the ERC has a rich history of rail transportation use that was a contributor to the growth of the region, which history can be recognized through and woven into future development of the ERC, and

WHEREAS, the implementation of the long-term ERC trail will be determined by the ongoing ERC Trail Master Plan process being conducted by the parks and recreation division, and

WHEREAS, as directed in Ordinance 17503, the department of natural resources and parks has developed and submitted a rail removal plan, Attachment A to this motion, which describes a phased approach for the removal of rails and ties from the ERC, and

WHEREAS, the rail removal plan calls for negotiations for contracting in support of rail removal implementation on the Redmond Spur to be initiated in the second quarter of 2017;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. The executive's rail-removal plan for the Eastside Rail Corridor, substantially in the form of Attachment A to this motion, is approved and the executive may proceed with phased rail removal activities according to the scope and schedule indicated in that plan.

B. The parks and recreation division will solicit requests for proposals to evaluate the viability of excursion services that could utilize the existing rails on the Redmond Spur, with the process to be completed by the first quarter of 2017 or earlier.