



CITY OF MERCER ISLAND CITY COUNCIL MEETING AGENDA

Monday
February 13, 2017
5:30 PM

Mayor Bruce Bassett

Deputy Mayor Debbie Bertlin

Councilmembers Dan Grausz, Jeff Sanderson,
Wendy Weiker, David Wisenteiner and Benson Wong

This meeting will be held in the City Hall Council Chambers at
9611 SE 36th Street, Mercer Island, WA.

Contact: 206.275.7793 | council@mercergov.org | www.mercergov.org/council

SPECIAL MEETING

CALL TO ORDER & ROLL CALL, 5:30 PM

AGENDA APPROVAL

EXECUTIVE SESSION

Executive Session to discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes

REGULAR BUSINESS, 7:00 PM

AB 5256 I-90 Loss of Mobility Negotiations Status Report

Following a report from staff and questions from the Council, the Mayor will open a comment period for the public to speak regarding I-90 Loss of Mobility Negotiations.

Please note that there will be a sign in sheet for the public comment period. If you wish to speak, please (1) speak audibly into the podium microphone, (2) state your name and address for the record, and (3) limit your comments to three minutes.

OTHER BUSINESS

Councilmember Absences
Planning Schedule
Board Appointments
Councilmember Reports

ADJOURNMENT



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 5256
February 6, 2017
Regular Business**

**I-90 LOSS OF MOBILITY NEGOTIATIONS
STATUS REPORT**

Proposed Council Action:

Provide direction to City staff on next steps.

DEPARTMENT OF

City Manager (Julie Underwood)

COUNCIL LIAISON

n/a

EXHIBITS

1. August 5, 2016 Letter from FHWA to WSDOT and City
2. August 18, 2016 Letter from City to FHWA
3. Comments received via online public comment form (January 19, 2017 to February 9, 2017, 12pm).
4. Comments received via email (December 8, 2016 to February 9, 2017, 12pm)
5. February 2, 2017 Letter from WSDOT Secretary Millar to City

APPROVED BY CITY MANAGER

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

In June 2017, the East Link Project is scheduled to close the I-90 reversible center roadway to begin construction on the light rail line. To replace the loss of the I-90 center roadway, the I-90 mainline between Mercer Island and Seattle will be restriped and narrowed from 3-lanes to 4-lanes in each direction. These new I-90 lanes are referred to as R8A lanes. The traffic analysis for the East Link Project assumed that the R8A lanes would be designated as HOV lanes and that single occupancy vehicles (SOVs) traveling to or from Mercer Island would be allowed to use these lanes.

In August 2016, the Federal Highway Administration (FHWA) informed the City of Mercer Island about the potential restriction of Mercer Island SOVs from the I-90 R8A lanes. This is likely to lead to the restriction of SOVs using the Island Crest Way on-ramp to westbound I-90 because it is proposed to connect to a HOV lane. The potential SOV restriction at the Island Crest Way westbound on-ramp would result in traffic being diverted to other I-90 on-ramps, specifically the West Mercer Way on-ramp. This diversion would increase traffic volumes on Mercer Island local streets and negatively impact traffic operations and safety in and around the Town Center and along West Mercer Way.

BACKGROUND

The City, Washington State Department of Transportation (WSDOT) and Sound Transit have historic agreements dating back to 1976 regarding Mercer Island traffic SOV use of HOV lanes between Mercer Island and Seattle. Additionally, the Final Environmental Impact Statement (FEIS) anticipated the continued access for SOVs in the new R8A lanes. The impacts of the closure and the resulting loss of mobility were anticipated and have been the subject of negotiations with Sound Transit for well over a year.

The City held a listening tour in Fall 2015 to engage the community about priorities for the loss of mobility negotiations with Sound Transit. The following guiding principles/goals were developed based on what the Council and staff heard from the community:

1. Secure **access to new R8A lanes** within the context of historic agreements.
2. **Limit and mitigate traffic impacts** in and around Town Center.
3. **Increase commuter parking** options for Mercer Island residents.
4. **Improve “last mile” connections** to light rail through innovative services and on-Island transit options.
5. **Minimize impact of regional bus operations** – no greater than current levels.
6. Require safe, convenient **pedestrian and bicycle access to light rail**.

To achieve the above goals, the City has followed a three pronged strategy: 1) legislative, 2), regional, and 3) legal. The City has worked closely with the State Delegation to identify possible solutions, including funding or legislation. Likewise, Representative Judy Clibborn has been instrumental in assisting the City with the Department of Transportation. We are also working with members of our Congressional Delegation. On a regional strategy we have taken a collaborative approach to negotiating a safe and effective solution with Sound Transit and WSDOT. And with the third strategy, several months ago we retained outside counsel, Harrigan, Leyh, Farmer & Thomsen, to analyze the City’s potential legal remedies if negotiations with Sound Transit and WSDOT are unsuccessful.

More recently, the following significant work has taken place in the latter half of 2016 and early 2017:

1. The Federal Highway Administration (FHWA) Division Administrator sent a letter dated August 5, 2016 to the Washington State Department of Transportation (WSDOT) and City of Mercer Island regarding Interstate 90 High Occupancy Vehicle Operations on Mercer Island (Exhibit 1). This letter commented on HOV Occupancy Requirements under Federal law, Observations on History, and Possible Solutions. This letter, and other related correspondence, are available online at: www.mercergov.org/I-90_Archive
2. The City replied to the August 5 FHWA letter dated August 18, 2016, outlining the City’s disagreement with several of the statements in the FHWA letter, and also raising concern over additional issues regarding access points to I-90 (Exhibit 2). The City also agreed that all parties must now focus on solutions-oriented discussions.
3. The City retained specialized consulting services to analyze impacts on local streets. The City also retained a consultant firm to study current and future demand for commuter parking.
4. The Mayor and Deputy Mayor and top staff from the City, Sound Transit and the State met in a “Principals” meetings in October 2016 and again on January 23, 2017 to discuss the need for access alternatives from Mercer Island to I-90. Several access alternatives are currently being studied by Sound Transit. The City was able to personally hand over the 2,500 signed petitions and PTA letters to WSDOT Secretary Millar at the January 23 meeting.
5. City Council and staff held 10 public outreach meetings in Fall 2016 and one community listening session on January 19, 2017 to provide accurate, updated information to the public and to listen to public questions and concerns regarding access to I-90 and the loss of mobility negotiations.
6. The Mayor and City Councilmembers have engaged with leadership and top staff at FHWA, WSDOT, and Sound Transit to continue making the City’s case for adequate access to I-90 and adequate parking for Island residents to use light rail and other public transportation. Meetings have also been held with Representative Judy Clibborn, Congressman Adam Smith, and staff from Senator Patty Murray and Senator Maria Cantwell’s offices.

7. City staff and consultants developed information to update and inform the public about the details of the I-90/Light Rail loss of mobility negotiations as soon as they became available. The information is available online on the City's website, including pages containing "[I-90 Agreements and Correspondence](#)" Light Rail "[Mobility Discussion and Outreach](#)" and a comprehensive [FAQ page](#). Outreach and education work has been conducted via social media sites used by Islanders, as well as in the City's weekly E-newsletter, and in articles printed by the local newspaper. The City also maintains an [online comment form](#) to solicit additional input from the public. One hundred and fifteen (115) comments have been received from January 19 to February 9, 2017 (Exhibit 3). In addition, staff has collected 25 email comments (Exhibit 4), including the Maintain Mobility and Transit Options for I-90 petition submitted to the Council in early January (2,672 supporters; <https://www.change.org/p/mi-city-council-maintain-mobility-and-transit-options-for-i-90-commuters>).

With the community's concerns and interests in mind, the City has continued to be actively engaged with key representatives at the local, regional, state and national level to respect historic agreements. The City continues to use lobbyists, outside legal counsel and professional consultants to pursue the City's goals. In fact, since 2015, the City has spent approximately \$550,000 on these services.

STATUS OF NEGOTIATIONS

The City has negotiated in good faith with Sound Transit and WSDOT; however, as indicated by the January 23, 2017 Principals' Meeting and the subsequent February 1, 2017 [letter from Secretary Millar](#), it is clear that they will not honor the historic agreements (Exhibit 5).

One strategy that has not been openly discussed is the legal strategy; these discussions have taken place in Executive Session as allowed by RCW 42.30.110(1)(i). Many members of the public have endorsed this strategy as a way to ensure the agreements are honored. Nevertheless, it is worth noting some of the risks involved, which include:

- There are significant costs involved in litigation, estimates are as high as \$1 million plus.
- There is no guarantee of the outcome; the decision will move to the courts to decide.
- The outcome of a court decision can take months if not years, especially if there are appeals (this can be considered a pro or a con).
- Parties involved may not want to continue to negotiate.

Overall, the City is striving to mediate mutually agreeable outcomes, whether in the context of litigation or not.

The Council will discuss next steps in open session at their regular February 6 meeting, including the potential of litigation.

OUTREACH

The City will continue to provide clear, timely information to the community. The City will also seek to involve citizens to the greatest extent possible. City Council will discuss possible methods for outreach and input including use of additional social media outlets, mailers and/or a citizen advisory committee.

The next community meeting is scheduled for March 8, 6:30-8:30pm at the Mercer Island Community and Events Center. The community has also asked for additional information about safety and emergency response impacts following closure of the center roadway. Access to light rail and commuter parking are additional important topics in which the City would like more community input.

FISCAL IMPACT

The City Council has and will continue to consider all possible steps to achieve a positive outcome for I-90 access and loss of mobility. The City has budgeted \$400,000 in fiscal year 2017 for I-90 and Light Rail negotiations work. According to the Finance Director, there is at least \$600,000 in additional funding available, if the City pursues a legal strategy, with \$300,000 coming from the unallocated 2015 General Fund surplus, which was being reserved for a different purpose, and an estimated \$300,000 coming from the Fire Station 92 construction project balance (after the City receives the \$330,000 settlement check and pays the April 13, 2016 mediation settlement cost and final legal costs).

RECOMMENDATION

City Manager

Provide direction to City Staff on next steps.



CITY MANAGER'S OFFICE
CITY OF MERCER ISLAND, WASHINGTON

9611 SE 36th Street | Mercer Island, WA 98040-3732
(206) 275-7600 | www.mercergov.org

August 18, 2016

Mr. Daniel M. Mathis
Division Administrator
Federal Highway Administration
711 Capitol Way, Suite 501
Olympia, WA 98501

Re: Interstate 90 High Occupancy Vehicle Operations on Mercer Island

Dear Mr. Mathis:

The City of Mercer Island is in receipt of your letter dated August 5, 2016, regarding the above-referenced matter. We also appreciated your willingness to meet with us on August 16th to discuss next steps. After reading your letter, reflecting on our meeting, and taking into account the many months that FHWA, WSDOT, Sound Transit and the City of Mercer Island have spent working together on these issues, we find ourselves highly disappointed in where we are today on these issues. Our expectation was that FHWA was eager to work together to find solutions to this unique and important situation for persons working and living on Mercer Island. Instead, it appears that FHWA is now walking away from its previous positions, and is putting up questionable roadblocks to solutions that could be supported by Mercer Island, Sound Transit and WSDOT.

Despite this disappointment, we remain ready and willing to work with you, Secretary Millar and his team at WSDOT, Mr. Rogoff and his team at Sound Transit and others towards that end. What we will not accept is the closure of the Center Roadway to go forward without WSDOT meeting its obligations under the 2004 Amendment to the 1976 Memorandum Agreement, a task that will only become more difficult as a result of the position FHWA is taking.

Furthermore, as you were informed at the meeting, we strongly disagree with several of the statements in your letter, and need to set the record straight both for our citizens and for others involved in this process.

Federal Law on HOV Occupancy Requirements

FHWA says that SOV traffic is entirely barred from HOV lanes under Federal law, other than in the limited situations covered by statute (e.g., HOT vehicles), including even for purposes of ramp access only. We note that the Island Crest Way access to I-90 Westbound was approved previously in the

Mr. Daniel M. Mathis
Federal Highway Administration
August 18, 2016
Page 2

FHWA's June 22, 2011 letter to WSDOT Secretary Hammond regarding Sound Transit's Interchange Justification Report. While the FHWA expressed safety concerns as to the Island Crest Way ramp, **it still approved SOV traffic using the HOV access ramp and HOV lane to reach the general purpose lane, subject only to the caveat that it be "monitored and closed to single occupant vehicles use if significant collision frequency and severity begins to occur."**¹

Observations on History

Your letter discusses the 2011 FHWA Record of Decision (ROD) for the East Link Light Rail Transit Project and concludes that you did not approve Mercer Island SOV traffic access to the HOV lanes and "makes no mention of Mercer Island SOV traffic using the HOV lanes." That is not accurate. At page 11 of the ROD, which refers to the East Link construction period, it states:

Before light rail is constructed on I-90, the I-90 Two-Way Transit and HOV Project would be completed. The I-90 Two-Way Transit and HOV Project will provide outer-roadway HOV lanes from Bellevue to Rainier Avenue to improve transit function on the I-90 bridge and allow for future use of the reversible center roadway. The reversible center roadway and D2 Roadway would be closed during construction. **As a result, all bus routes, HOVs, and Mercer Island drivers would be rerouted to the outer roadway HOV lanes.**

(Emphasis supplied). If Mercer Island traffic was intended to be treated the same as all other traffic, there would have been no reason to specifically mention them in this sentence. Given the established history of this segment of I-90, it was logical to assume these "Mercer Island drivers" are the same "Mercer Island traffic" referred to in the 1976 Memorandum Agreement, and more recently, in the September 8, 2005 letter agreement.

Your August 5th letter notes the comments made by the FHWA, specifically DEIS comment #18 and FHWA Approval Action #5. It appears that Sound Transit and WSDOT did not do any additional work prior to issuing the FEIS that would have addressed the FHWA's concerns. Instead, the FEIS analysis assumed Mercer Island SOV access to the HOV lanes. The East Link Project FEIS (July 2011) states at page 3-51 that: "[i]n the build condition, all vehicles traveling to and from Mercer Island were assumed for the traffic analysis to be able to use the outer roadway HOV lanes." The FHWA approved the FEIS analysis in the 2011 ROD. Consequently, **the only NEPA analysis that has ever been done for the East Link Light Rail Transit Project and has ever been approved by the FHWA assumed Mercer Island SOV access to the HOV lanes.**

¹ The fact that this access was intended is clear from the 2011 IJR which describes use of the HOV lane for "merge and acceleration purposes." East Link Project-Interchange Justification Report, May 2011, Sections ES.2 (page ES-5) and 3.2.4 (page PP3-6).

Mr. Daniel M. Mathis
Federal Highway Administration
August 18, 2016
Page 3

During our meeting, it was suggested that the result set forth in your August 5th letter (no SOV traffic on any inch of any HOV lane or ramp absent an arrangement such as HOT lanes) was a result that had, in fact, been studied as part of the 2011 Interchange Justification Report and/or 2011 Final Environmental Impact Statement for the East Link Project, both of which the FHWA approved. To be very clear on this point, what the IJR included was a **“traffic analysis [that] assumed Mercer Island single-occupant vehicles (SOVs) would be able to use the HOV lanes in both directions of I-90 between Seattle and Island Crest Way.”**² Similarly, the FEIS states **“all vehicles traveling to and from Mercer Island were assumed for the traffic analysis to be able to use the outer roadway HOV lanes.”**³ Both of these reports demonstrate that the only scenario studied assumed that Mercer Island SOV traffic would be able to use the HOV lanes. There has never been any analysis of the impacts of Mercer Island SOV traffic using the general purpose lanes of I-90.

It was also suggested during the meeting that any consideration of allowing Mercer Island SOV traffic in the R8A outer lanes under a different type of managed lanes (e.g., express lanes) would require further study. In fact, the only scenario that has actually been studied to date is the one that allows Mercer Island SOV traffic in the R8A outer lanes. All the supporting data is already there in the 2011 IJR and FEIS for the East Link Project. Conversely, moving Mercer Island SOV traffic to the R8A general purpose lanes is a scenario that has not been assumed or studied to date, will cause significant adverse impacts, and will not pass legal muster under the existing environmental record for either the I-90 Two-Way Transit and HOV Project or the East Link Light Rail Transit Project.

Additional Issues

Your August 5, 2016 letter observes that there will continue to be 15 access points between Mercer Island surface streets and the future reconfiguration of I-90. To clarify, Mercer Island traffic is, in fact, losing 3 access points, which equates to over 15% of current access points: Westbound entry from 77th Avenue SE to the Center Roadway, the Eastbound exit onto 77th Avenue SE from the Center Roadway, and the Westbound entry from Island Crest Way to the Center Roadway. This was previously acknowledged in the 2011 IJR that was approved by the FHWA.⁴

Furthermore, if SOV access onto Westbound I-90 from Island Crest Way is no longer allowed as your letter would suggest, that would also mean that Mercer Island SOV traffic would be losing yet another significant access point bringing the reduction to more than 20%. The result of this will be gridlock in our Town Center, which will not only impact drivers, but those on buses, and those trying to eventually access the new light rail station. The outcome envisioned by your August 5th letter would result in significant adverse traffic impacts to local streets, ramps, and the Town Center as Westbound

² East Link Project-Interchange Justification Report, May 2011, Sections ES.2 (page ES-5) and 3.2.4 (page PP3-6).

³ East Link Project Final EIS, July 2011, page 3-51.

⁴ East Link Project-Interchange Justification Report, May 2011, Section 3.2 (page PP3-6).

Mr. Daniel M. Mathis
Federal Highway Administration
August 18, 2016
Page 4

commuters are suddenly required to traverse anywhere from 5-7 additional traffic lights and the streets in between. These intersections and local streets are those that must also be used by any buses that Sound Transit and King County Metro may want to consider bringing onto Mercer Island, as well as by any drivers seeking to use the existing or any additional park and ride facilities. In short, Mercer Island will end up with gridlock that not only impacts SOV drivers but also transit use.

Possible Solutions

As stated in your August 5, 2016 letter, we agree that our focus must now be solutions-oriented. These solutions must necessarily produce Mercer Island traffic mobility impacts that are the same or better than those identified in the approved 2011 FEIS. It would be massively disruptive to the region and Mercer Island traffic to have either the I-90 Two-Way Transit and HOV Operations Project or the East Link Light Rail Transit Project slowed down by having to reevaluate the assumptions on which the environmental review for these projects was based. Right now, in the absence of solutions, it appears we have a situation where the environmental review for both projects lacked analysis of the impacts on Mercer Island traffic of the new, reconfigured general purpose lanes on I-90, and, yet, the impacts on Mercer Island mobility are also what the State and Sound Transit will be required to mitigate under the 2004 Amendment.

While we are very troubled by the FHWA's positions on these issues, we are looking for a solution that will avoid significant adverse impacts to the segment of I-90 that spans Mercer Island and to local streets providing access to I-90. It is imperative that we find a solution very soon. We look forward to analyzing, discussing, and collaborating with you and others to reach safe, effective, and legal solutions to ensure continued mobility and access to I-90 for Mercer Island traffic. If there are any questions regarding this letter, please let me know.

Sincerely,



Pam Bissonnette
Interim City Manager

Enclosure: Letter from Lancaster to Mathis, dated May 31, 2016

cc: Mercer Island City Council
Roger Millar, Acting Secretary of Transportation, WSDOT
Peter Rogoff, Chief Executive Officer, Sound Transit



**CITY MANAGER'S OFFICE
CITY OF MERCER ISLAND, WASHINGTON**

9611 SE 36th Street | Mercer Island, WA 98040-3732

(206) 275-7600 | www.mercergov.org

May 31, 2016

Mr. Daniel M. Mathis
Division Administrator
Federal Highway Administration
711 Capitol Way, Suite 501
Olympia, WA 98501

Dear Mr. Mathis:

Roger Miller, Acting Secretary of Transportation for the Washington State Department of Transportation (WSDOT), recently sent you a letter regarding access to the I-90 R-8A HOV lanes for Single Occupancy Vehicle (SOV) traffic going to and from Mercer Island, Washington. The City of Mercer Island supports and echoes WSDOT's request for help and guidance on this matter. Specifically, we are requesting your help in finding a solution to allow access to I-90's future R-8A lanes for Mercer Island SOV traffic.

The City of Mercer Island, its regional partners including Sound Transit, and WSDOT did not know until fairly recently that the plans and agreements established over decades of regional collaboration to develop East Link across I-90 while protecting access for Mercer Island traffic to I-90 could be in conflict with federal law. A solution to this matter is critical to mitigating the loss of mobility that will result from the closure of the I-90 Center Roadway and for the timely development and operation of East Link.

We recognize the need to maintain consistency in the application of national transportation policy. However, the uniqueness of the City of Mercer Island's situation, the region's historical and established agreements and statutes for addressing these challenges and the need to increase transportation options via light rail for the central Puget Sound region warrants the federal government's additional consideration.

A. Geography of Our Region and the Location of Our City

Mercer Island is a bedroom community, located in the middle of Lake Washington with Seattle on the western side of the lake and central Puget Sound's 'Eastside' economic centers (Bellevue, Redmond, Renton, Issaquah, etc.) on the eastern side of the lake. Interstate 90 spans

Lake Washington, connecting these economic and employment centers and passing directly through Mercer Island.

I-90 is Mercer Island's sole lifeline. It is the only thoroughfare on and off the island. There are no other public transportation options on and off the island for residents or for any other persons working or otherwise with a need to be on the island. On Mercer Island, employment, most commercial and retail activities, all federal, state and regional governmental facilities, post-secondary education, sports and cultural venues, non-auto transportation, and almost every other requirement of life involving a physical facility or venue other than one's residence, children's basic education, small retail and limited religious institutions require utilizing I-90.

People living and working on Mercer Island depend entirely on I-90. As noted by Acting Secretary Miller:

Given the isolated nature of living in an island community with only one roadway on and off the island, it is imperative the mobility of Mercer Island residents be given serious consideration.

Other than a few islands served only by ferries, there are no other communities in the Puget Sound region that have this or a comparable distinction. Mercer Island's unique location and, therefore, dependence on access to I-90 is a recognized fact of transportation planning in the state and region.

B. History of Mercer Island Traffic Access on I-90

Mercer Island SOV traffic eligibility to use the Center Roadway on I-90 was established in the 1976 Memorandum of Agreement (MOA) that paved the way for an improved I-90 facility between I-405 and Seattle. The 1976 MOA sought to strike a balance between the needs of the region for an improved highway (the expansion of I-90) against the needs of Mercer Island for mobility comparable to that enjoyed by other cities. Mercer Island SOV traffic access to the Center Roadway was the agreed response in 1976 to this situation. What has happened since then is a further agreement among the principal state, regional and local governmental entities that with the closure of the Center Roadway, Mercer Island traffic access to the R-8A HOV lanes is a logical and necessary replacement for the lost Center Roadway access.

In 2004, the 1976 MOA was amended to lay the way for light rail to be developed across I-90. The 2004 Amendment represented an agreement to go forward with the R-8A HOV lanes as a replacement for the Center Roadway that was expected to be converted to high capacity transit. It was the plan to construct the R-8A HOV lanes that, according to the Washington Supreme Court, enabled WSDOT to meet the statutory requirement in RCW 47.12.120 (determining that the Center Roadway was not "presently needed") in order to transfer the Center Roadway to Sound Transit.¹

¹ *Kemper Freeman v. State of Washington*, 178 Wn.2d 387, 404 (2013)

The 2004 Amendment goes further to require that as a condition for replacing the Center Roadway with the R-8A HOV lanes, any “loss of mobility to and from Mercer Island” be mitigated. Specifically, Section 7 of the Amendment requires that measures “shall be identified and satisfactorily addressed” in order to address any loss of mobility.

Since 2004 the state and region have affirmed several times support of allowing Mercer Island SOV traffic access to the R-8A HOV lanes as one of the mitigation solutions to be implemented in order to meet the requirements of the 2004 Amendment. A September 8, 2005 letter from King County, Sound Transit and the Cities of Seattle, Bellevue and Mercer Island to then WSDOT Secretary Douglas MacDonald states:

In the near term, Mercer Island has suggested that a preferred measure to address mobility access for Mercer Island traffic under the terms of the [2004] Amendment (Provision #7) would be to provide access to the R-8A HOV lanes.... [W]e support Mercer Island’s request to provide access for Mercer Island traffic as follows.... Once removed from the center lanes, Mercer Island traffic, will have access to the R-8A HOV lanes under the same conditions provided in the MOA for Mercer Island traffic access to the transit lanes.

On December 22, 2006, Secretary MacDonald and Tom Fitzsimmons, the Governor’s Chief of Staff, advised the City of Mercer Island as follows:

We have concluded that when the center roadway is converted to high capacity transit, Mercer Island residents should be permitted HOV lane access until the HOV lanes are converted to high occupancy toll (HOT) lanes or another tolling regimen.

On April 23, 2007, King County, Sound Transit and the Cities of Seattle, Bellevue and Mercer Island all received a letter from WSDOT confirming that the I-90 Access Plan had been revised to reflect the commitments made in the December 22, 2006 letter:

To that end, the revised Mercer Island Access Plan restates our intention to allow Mercer Island residents access to the high occupancy vehicle (HOV) lanes in the outer roadway of I-90 when the center roadway is converted to High Capacity Transit and until conversion to high occupancy toll (HOT) lanes or another tolling mechanism.

Furthermore, various enactments by the Washington Legislature specifically require Mercer Island SOV access to the R-8A lanes. The 2007 State Budget included the following requirement:

I-90/Two Way Transit-Transit and HOV Improvements - Stage 1. Expenditure of the funds on construction is contingent upon revising the access plan for Mercer Island traffic such that Mercer Island traffic will have access to the outer roadway high occupancy vehicle (HOV) lanes during the period of operation of such lanes following the removal of Mercer Island traffic from the center roadway and prior to conversion of the outer roadway HOV lanes to high occupancy toll (HOT) lanes.²

For 40 years SOV traffic originating from Mercer Island has had access to the Center Roadway on I-90. The state and the region have and continue to recognized the importance of ensuring Mercer Island traffic can access I-90. Replacing Center Roadway access with R-8A HOV lane access was agreed to as both an essential and common sense means for ensuring that the closure of the Center Roadway, and the resulting loss of mobility, does not cause a substantial disruption to the lives of persons both living and working on Mercer Island.

C. Proceeding with East Link

The City of Mercer Island signed the 2004 Amendment because it believed, and still believes, that East Link will be a great addition to our region. In signing the agreement, the City also felt assured that the state and region could provide Mercer Island the mitigation it needs to make up for losing access to the Center Roadway and withstand years of disruption due to construction by protecting necessary access to I-90.

We recognize that every community with major transportation improvement construction occurring through it faces challenges and inconveniences. Mercer Island's challenges under East Link construction on I-90, however, will likely be unusually difficult primarily because the island is totally dependent on I-90. Its commercial core and key city functions rely on access to I-90, which is and will remain the only route on and off the island.

This is why the 2004 Amendment requires that Mercer Island's loss of mobility first be mitigated³ before the Center Roadway is closed for East Link construction. While discussions are ongoing between Mercer Island, WSDOT and Sound Transit as to the required mitigation, there is nothing now under consideration that would replace Mercer Island SOV traffic access to the R-8A HOV lanes as a key element of the mitigation package. Mercer Island wants East Link to proceed but only once the terms of the 2004 Amendment have been satisfied. From the City's standpoint, this will require Mercer Island SOV traffic access to the R-8A HOV lanes be permitted prior to Center Roadway closure.

² HB 1094/SB 5136, Sec. 305(3).

³ The data in the Sound Transit 2011 Interchange Justification Report (e.g., Tables 3-9, 3-10, 3-11 and 3-12) demonstrate the loss of mobility that Mercer Island SOV traffic will confront with the closure of the Center Roadway. The Level of Service that now exists in the Center Roadway will not be close to being matched in the general purpose lanes of the Outer Roadways.

As you are aware, there have been a series of decisions by your office and by the Federal Transit Administration (FTA) that have enabled East Link to reach its current point in the regulatory review process. In the earlier decisions, we believe that Mercer Island traffic was never at issue. The initial approvals sought by WSDOT and Sound Transit all related to the implementation of the R-8A HOV lanes. These included: (i) the April, 2004 I-90 Two-Way Transit and HOV Operations King County, Washington Final Environmental Impact Statement; (ii) the September, 2004 FHWA I-90 Two-Way Transit and HOV Operations Project Record of Decision; (iii) the 2005 FHWA Access Point Decision Report; (iv) the 2007 FHWA Reevaluation of the 2004 Record of Decision; and (v) the April, 2011 FTA Record of Decision.

What all of these actions had in common was an underlying assumption that the I-90 Center Roadway would remain in operation in its current configuration. While they all recognized the possibility of the eventual closure of the I-90 Center Roadway, that closure would be the subject of future governmental action and was not an issue in these earlier decisions. Consequently, no one was required to confront in these decisions the question of Mercer Island SOV traffic access to the R-8A HOV lanes because that traffic was assumed to still have access to the Center Roadway.

Starting with the June 2011 FHWA approval of Sound Transit's Final Interchange Justification Report, however, the Sound Transit/WSDOT requests and the FHWA and FTA decisions appear to assume a use of the R-8A HOV lanes at odds with the agreements and commitments made between 2004-07. Interestingly, however, those requests acknowledge that Mercer Island SOV access to the R-8A HOV lanes was assumed in the traffic analyses done by Sound Transit and WSDOT. It is not clear to us how the decisions beginning with the 2011 FHWA Approval and continuing thereafter were able to proceed without either an acknowledgement as to access to the R-8A HOV lanes or another plan to address the Mercer Island SOV traffic loss of mobility.

D. Safety Issues

FHWA's June 22, 2011 letter to WSDOT Secretary Hammond regarding Sound Transit's Interchange Justification Report, discusses SOV traffic entering I-90 from Island Crest Way having to cross the westbound R-8A HOV lane as a safety concern. It suggests the possibility of preventing all SOV traffic from using that entry point which would effectively force these vehicles to use the entry at 76th Ave. SE and North Mercer Way.

It is the City's position that closing the Island Crest Way entry point to SOV traffic should not be viewed as a possibility. We believe that doing so would create a congestion nightmare in our Town Center as well as on other City streets as all of the traffic that now uses this entry point would be diverted to other entries – primarily the entry point at 76th Ave. SE and North Mercer Way but also the West Mercer Way entry.

Island Crest Way is the busiest roadway on Mercer Island serving as the main artery for the majority of Islanders accessing I-90 – thousands of vehicles daily. After the Center Roadway closure, there will be only four westbound entry points. Closure of Island Crest Way to SOV

traffic would force all of these vehicles to two of the other entry points requiring travel either through the Town Center (to reach the 76th Ave. SE entry) or residential neighborhoods in order to reach the West Mercer Way entry (the East Mercer Way entry would not be used as it is in the wrong direction for westbound traffic and would also require travel through residential areas). Traffic going through Town Center could not physically be handled by the existing street grid and would greatly interfere with vehicles trying to use transit by parking at the North Mercer Way Park and Ride. Going to the West Mercer Way entry point would primarily be gained by Island Crest Way traffic turning west onto SE 40th St. and having to drive by the West Mercer elementary school. Neither of these are viable options.

To compound the problem, creating this additional congestion on Mercer Island with the resulting loss of mobility would trigger additional mitigation obligations on the part of WSDOT and Sound Transit pursuant to the 2004 Amendment; these might include, for example, constructing additional and very expensive I-90 exit and entry ramps taking traffic either over or under our Town Center. Consequently, the only practical way to address the safety concern identified in FHWA's June 22, 2011 letter is by enabling Mercer Island traffic, including SOV traffic, to use the R-8A HOV lanes.

This safety issue will still be there when East Link becomes operational in 2023. While the commencement of East Link service will address some of the loss of mobility, the analyses done by Sound Transit acknowledges that much like every other community, a significant majority of people will continue traveling by vehicle rather than rail. Combining this with the predictions of population growth means that access to the R-8A lanes will continue to be necessary even after Eastlink becomes operational.

Together with WSDOT and Sound Transit, the City of Mercer Island is eager to work with our federal partners to find a way forward. Our Mayor, Bruce Bassett, is scheduled to be in Washington, DC, on June 22nd for meetings regarding this matter. We would welcome the opportunity to discuss this with you in advance of that trip and during that trip as our goal is to work with your office, WSDOT and Sound Transit to find a mutually acceptable solution. Thank you in advance for your consideration.

Sincerely,



Steve Lancaster
Interim City Manager

cc: Roger Miller, Acting Secretary - WSDOT
Peter Rogoff, Sound Transit Chief Executive Officer
Mercer Island City Council



U.S. Department
of Transportation

**Federal Highway
Administration**

Washington Division

Suite 501 Evergreen Plaza
711 South Capitol Way
Olympia, Washington 98501-1284
(360) 753-9480
(360) 753-9889(FAX)
<http://www.fhwa.dot.gov/wadiv>

August 5, 2016

HDA-WA/WA342

Roger Millar
Acting Secretary of Transportation
Washington State Department of Transportation
Olympia, Washington

Steve Lancaster
Interim City Manager
City of Mercer Island
Mercer Island, Washington

**Interstate 90 High Occupancy Vehicle
Operations on Mercer Island**

Dear Mr. Millar and Mr. Lancaster:

I am writing in response to your May 16, 2016 and May 31, 2016 letters, respectively, regarding Interstate 90 (I-90) High Occupancy Vehicle (HOV) operations on Mercer Island and the access of Mercer Island to those lanes. Mr. Millar's letter notes:

"In order to ensure mobility of its residents when the center roadway closes next year and the new HOV lanes open, Mercer Island would like a commitment that all traffic to and from Mercer Island, including SOVs, can continue to access the new HOV lanes."

The letter further asks whether it is within the authority of USDOT to grant either permanent or temporary single occupant vehicle (SOV) access to the new HOV lanes for Mercer Island traffic. Currently, the only exceptions for SOVs in designated HOV lanes are for motorcycles, public transportation vehicles, high occupancy toll (HOT) vehicles, and low emission and energy-efficient vehicles.

We have consulted with our Headquarters Offices of Chief Counsel, Operations, and Innovative Program Delivery. Based on a review of the relevant statutory provisions in 23 USC Sections 129 and 166, FHWA has determined that USDOT does not possess legal authority to grant either a temporary or permanent waiver to permit SOV access to HOV lanes.

The remainder of this letter discusses Federal law on HOV occupancy requirements, our observations on the history of this issue, and finally some possible solutions moving forward.

Federal Law on HOV Occupancy Requirements

There were no Federal HOV regulations or policy in the 1970s and 80s when the I-90 roadway across Mercer Island was being planned, designed, and constructed. The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and Transportation Equity Act for the 21st Century (TEA-21) of 1998 both contained sections that allowed states to set HOV occupancy requirements at two or more occupants, with the exception of motorcycles (and bicycles, unless it creates a safety hazard).

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), enacted in 2005, required states to establish an HOV occupancy requirement at no fewer than two persons per vehicle with mandatory exceptions for motorcycles (and bicycles, unless it creates a safety hazard) and optional exemptions for public transportation vehicles, low-emission and energy-efficient vehicles, and HOT vehicles (ineligible vehicles willing to pay a toll to use the facility). See 23 USC 129(a)(10)(A), 166(a)(2), and 166(b).

It is important to note that these provisions do not allow an exception to the occupancy requirements in HOV facilities for a narrowly defined group of drivers or residents (e.g., within a specific geographic location) or for a specific access point (e.g., a direct access ramp to HOV lanes). Federal law also does not differentiate between vehicles initially accessing an HOV facility or being allowed to continue in the HOV facility. Even if a vehicle accesses the HOV lane via a direct access ramp and immediately merges into a general purpose lane, that vehicle is using the HOV facility and is subject to 23 USC 129 and 166.

Observations on History

Mr. Lancaster's letter provides an insightful summary of the history of this issue, dating back to the 1976 Memorandum of Agreement (MOA). The FHWA has reviewed this information, along with our own files. The 1976 MOA was between the City of Mercer Island, City of Seattle, City of Bellevue, King County, Metro, and Washington State Highway Commission. The 2004 amendment to the MOA was between the City of Mercer Island, City of Seattle, City of Bellevue, King County, Central Puget Sound Regional Transit Authority, and Washington State Transportation Commission. The FHWA was not a party to either the original or amended MOA. Further, FHWA has no record that it was consulted during the development of the 2006 and 2007 letters mentioned on Page 3 of Mr. Lancaster's letter.

The 2004 FHWA Record of Decision (ROD) for the I-90 Two-Way Transit and HOV Operations Project, in which Alternative R-8A was selected to add HOV lanes on the outer roadway, does not in any way grant approval or imply future approval of allowing Mercer Island SOV traffic to use the HOV lanes on the outer roadway. Rather, the ROD states:

“Alternative R-8A will provide HOV lanes on the outer roadways. It will retain the existing reversible operations on the center roadway, with both lanes operating in the same direction, westbound in the AM and eastbound in the PM. SOVs will only be allowed to use the center roadway between Rainier Avenue in Seattle and Island Crest Way on Mercer Island. The center and outer roadway HOV lanes will likely operate with a 2+ occupants per vehicle restriction.”

The 2011 FHWA Record of Decision (ROD) for the East Link Light Rail Transit Project also does not give approval or imply future approval of allowing Mercer Island SOV traffic to use the HOV lanes on the outer roadway. Furthermore, the ROD makes no mention of Mercer Island SOV traffic using the HOV lanes. The FHWA submitted the following comments to the Draft Environmental Impact Statement (DEIS) in 2009 with respect to Mercer Island SOV traffic in the HOV lanes, specifically DEIS comment #18 and FHWA Approval Action #5:

“18. Page 3-43, second column and Page 3-92, second column

The text states vehicles to and from Mercer Island would be allowed to use the outer roadway HOV lanes as long as the lanes meet performance standards or until such a time as they are managed differently based on the WSDOT and the Mercer Island Access Plan. The paragraph below then states that the HOV lanes already operate unacceptably near Rainier Ave S and would also fail near Island Crest Way. If the HOV lanes already do not meet performance standards, why is there a proposal to allow the SOVs to Mercer Island to use the HOV lanes? In addition, it is likely their movements from the HOV lanes to the ramps on Mercer Island would introduce additional weave, resulting in impacts to safety and operations. Lastly, how would the HOV lanes be enforced through this stretch? FHWA currently does not have enough information to be able to support allowing Mercer Island SOV traffic to use the HOV lanes.

5. Page 3-43, second column and Page 3-92, second column

The text states vehicles to and from Mercer Island would be allowed to use the outer roadway HOV lanes as long as the lanes meet performance standards or until such a time as they are managed differently based on the WSDOT and the Mercer Island Access Plan. (See NEPA comment 18 above)

Since this plan would modify the eligibility of who qualifies to use the HOV lanes, FHWA believes we would have to concur in allowing this usage. With parts of the HOV lanes already not meeting performance standards, the potential safety and operations issues from weaving, and the enforcement issue, we are not sure we can support allowing Mercer Island SOVs using the HOV lanes.”

Also in 2011, FHWA approved the East Link Transit Project Interchange Justification Report (IJR). However, based on meetings and discussions, it is clear that FHWA consideration of Mercer Island SOV traffic in the outer roadway HOV lanes was not part of the IJR. Page ES-5 of the IJR states:

“With the access modifications from the I-90 Two-Way Transit and HOV Operations Project and the East Link Project, the traffic analysis assumed Mercer Island single-occupant vehicles (SOVs) would be able to use the HOV lanes in both directions of I-90 between Seattle and Island Crest Way. This was assumed to demonstrate that it does not affect the results of the analysis and represents a worst-case condition. This assumption does not represent approving SOVs using the outer roadway HOV lanes or the eastbound left-side off-ramp to Island Crest Way. Any changes to the HOV lane eligibility— such as tolling, managed lanes, or Mercer Island SOV use—would need to be addressed in a future analysis, approval, and agreement.”

During project development of the I-90 Two Way Transit and HOV Operations and East Link Light Rail Transit projects, our assumption was that with a major change to the typical section of I-90, the revised typical section and operations would meet current law, hence our concerns noted above in the ROD and IJR.

Between the two RODs, the IJR, and various meetings and informal discussions over the past decade, it should have been abundantly clear to all parties that our formal actions did not constitute official approval of Mercer Island SOV usage of the new outer roadway HOV lanes, nor should they be implied as such. It has always been our understanding that this matter would be addressed at a future date.

In late 2015, I was contacted by Lorena Eng (WSDOT Northwest Region Administrator) informing me that WSDOT, Sound Transit, and the City of Mercer Island would begin developing a Concept of Operations for the HOV lanes that at a minimum considers performance standards, enforcement, and cost

of operations. It was further explained that this effort would serve as a decision-making framework to consider whether or not to pursue Mercer Island SOV access to the new outer roadway HOV lanes. During these discussions, WSDOT formally asked for FHWA input, and in January 2016 I informed Lorena that allowing Mercer Island SOV access to the new outer roadway HOV lanes would violate Federal law.

Possible Solutions

We understand the unique importance of I-90 to Mercer Island as its sole access on and off the island. Keeping this in perspective, it is our understanding that there are 15 access points (entrance and exit ramps) to and from I-90 and Mercer Island surface streets today, and that after the center roadway is closed and the outer roadway HOV lanes are complete, there will continue to be 15 total access points.

While FHWA is restricted by Federal law in allowing SOV access to HOV lanes, we are eager to find a solution that works for all users of the I-90 roadway and upcoming East Link Light Rail line. We are particularly interested in solutions that do not adversely impact the safety or operation of I-90. A few possible solutions that would warrant further investigation and discussion include:

- Designating the new outer roadway mainline lanes for part-time HOV usage, such as during daytime hours or peak periods, and otherwise allowing non-HOV usage during off peak times.
- Designating the new outer roadway lanes as HOT lanes, thereby allowing Mercer Island SOV traffic to use the lanes for the prevailing price.
- Pursuing other project mitigations, such as new or modified access points, traffic operations improvements, and/or demand management strategies.

We regret any confusion that may have arisen regarding FHWA's authority and position on the issues raised in your letters. I look forward to continuing our discussions so that we can reach a fair and legal solution. Please let me know if you have any questions or need additional information.

Sincerely,



DANIEL M. MATHIS, P.E.
Division Administrator

cc via email: Gregory Nadeau, David Kim, Butch Waidelich, Jan Brown, David Howard, Tom Echikson, Jeff Lindley

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
1	1/19/2017	Sue Robboy	Please be aggressive in defending our mobility
2	1/20/2017	Lisa Casterella	What is going to happen to all of the drivers from the Bellevue P and R who will need parking when their P and R closes? Are permits going to be issued on MI for residents to use the parking spaces on MI? How are medical units going to arrive here safely during peak hours? Going the wrong way during rush hours sounds like a disaster waiting to happen? What is going to happen to people who get in accidents due to the narrowed lanes (under 12 ft wide-Fed Standard)? How will the emergency vehicles be able to get to all of the accidents that will occur? I'm very concerned for our many elderly with health problems and kids who might have accidents and need quick access to the hospitals and EMT. This could have long term impact on home values schools employees trying to get to their jobs on and off the Island.
3	1/20/2017	Scott Fallis	My main concern is the loss of the ICW Westbound on-ramp. Also concerned that Buses will not have proper access to entering and exiting the freeway on MI with the closure of so many on/off-ramps. In my opinion the MICC should be seeking an update to the outdated EIC (in court if necessary) prior to center lane closures. Once closed it seems like we lose any leverage we currently have.
4	1/20/2017	Patrick E. Sheehan	1. SOV access must be satisfactorily resolved before I-90 closure -- either WB SOV access via current ICW on-ramp or new WB SOV on-ramp built from ICW or agreement to allow SOV from current ICW ramp until new ramp is opened. 2. Commuter parking must be addressed e.g. expansion/use of either Community Center parking or use of "Kite Hill". No parking garage in TC. 3. Increased (frequency/hours) bus service to feed the P&R. 4. Bus intercept makes sense as long as it is not an increase from current bus traffic on MI e.g. 504 550.
5	1/20/2017	Bart Dawson	WSDOT plans to eliminate the one entrance in Town Center to the westbound HOV lanes. This significant traffic revision will require all HOV traffic from the high density Town Center to travel approximately an additional two miles south to SE 40th Street in order to use the Island Crest westbound HOV on ramp. Forcing additional travel is unacceptable. ... Please rebuild the intersection of SE 30th Street Island Crest Way and the HOV on ramp to accommodate turns from SE 30 Street north to the HOV on ramp. This change will require traffic lights at the modified intersection. The costs of the intersection modifications should be paid by WSDOT and/ or Sound Transit.
6	1/21/2017	Roberta Lewandowski	I'm very concerned about impacts to our city center if all the ICW traffic is diverted to another I-90 entrance. The center is already having too many ped/car collisions. I also think it's unrealistic to keep SOV access to HOV lanes unless they are tolled. There is already congestion on the HOV lanes some times of day and one lane will disappear. Tolling is the best way to manage congestion on the HOV lanes and maybe the general purpose lanes as well.
7	1/21/2017	carol heltzel	I think it important for the city to record listening sessions. Certainly there must be a way. One islander manages to do so at every city meeting without very sophisticated equipment.
8	1/25/2017	Brad myers	Please use all means necessary to keep our access

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
9	1/25/2017	Claire Marks	I would like the Mercer Island City leaders to be lobbying for massively increased bus transit on Mercer Island so that all island residents can access the light rail. The reduction of route 204 to once an hour (happened 2.5 years ago) has rendered it nearly useless. It needs to run every 15 minutes so that people can use to get around effectively. We also need expanded routes that allow most residents a quick easy access to the light rail and people who live off island to easily access on island work places (school teachers for example). I feel that a very vocal minority is skewing public perception of what most islanders want. A large group of us support light rail and public transit and don't want SOV in HOV lanes. What I do want is to be able to park at the park and ride at any time of day and take my kids on the bus/light rail to Seattle or Bellevue. I also want much better on island bus transportation.
10	1/25/2017	Elizabeth Sherpa	I strongly disagree with allowing light rail to take away existing lanes on I-90. I also strongly disagree with the proposed loss of SOV access for Islanders and creating a bus park in our downtown. Current Island government has shown no vision or comprehension of the consequences of these ill planned developments. The strongest legal measures should be taken to block all of them.
11	1/25/2017	Toni Okada	I attended the Listening Session with the new City Manager. A major concern that was expressed was the lack of access for emergency vehicles when the center roadway of I90 is shut down. I think we should ask Sound Transit to pay for a heliport on Mercer Island as part of the mitigation fee. I also am very much in favor of the proposal submitted by David Giuliani "Get Maximum Value from the I-90 Center Roadway". Light rail is old technology. There are much better technologies available now which would not require the center roadway to be used exclusively for rail. By the time the light rail is finished we will be that much further behind the developing technologies. Now is the time to rethink light rail - before it is built.
12	1/25/2017	Jenny Selby	The only two options may be: 1) litigation and 2) extending ICW to a new legal on ramp to the outside lanes of I-90. To do nothing is not an option. MI will be strangled and the lives of every MI citizen endangered due to an inability to access medical care swiftly.
13	1/25/2017	Kathryn Hoffman	I am very concerned about the anticipated loss of access to I-90 for Mercer Islanders both in terms of the loss of express lane access and the loss of single occupancy access at Island Crest. Currently one can encounter eastbound access backups in the downtown district. With the changes being proposed I am concerned there will also be considerable congestion on the north end related to drivers trying to access west bound I-90 including in the residential areas. This would last for several years even if it was mitigated somewhat when the light rail was actually completed. (That mitigation assumes that Islanders will be able to find parking to access the light rail.) The congestion will only be exacerbated by the increased bus traffic proposed. This congestion is likely to be severely detrimental to both the lifestyle and property values of Islanders. Addressing this should be the city's top priority. I believe the city council should take all action necessary to ensure better highway access and avoid these serious losses for Islanders. Thank you for your attention to these concerns.
14	1/25/2017	DEBRA GIBBS	Revoke the SEPA permit. Simple you need to step up and play hardball before being railroaded into some mitigation package that is akin to putting a band aid on a gunshot wound. I want to hear what city officials see as leverage other than that? Are there consequences unknown to the public in going that route. I feel this issue is being handled very opaquely and wonder why the city did not anticipate this problem two years ago?

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
15	1/26/2017	DM	(Please redact email and name should comment be posted for public view.) Out of the box workaround strategy for success: Attain support from new transportation Secretary Elaine Chao (http://www.biography.com/people/elaine-l-chao-214142#profile). Previous Fed Transportation was denied but new opportunity to try again. Wa Light Rail is dependent on Federal funding and not listening to those directly impacted.
16	1/30/2017	Ed Weaver	PROBLEM: The studies model impacts but there is much uncertainty because of questionable assumptions not taking important factors into account not accounting all the impact (such as queuing through diversion routes) general uncertainty with models and distrust with ST & WSDOT. The ST models don't meet the sniff test. SOLUTION: Do EMPIRICAL test of closing ramps and diverting traffic as proposed for 2 weeks and MEASURE & DOCUMENT the impacts: - If the impacts are not so bad then the test will help alleviate the deep fears of MI residents. - If the impacts are bad then the models are flawed and and ST & WSDOT will be compelled to reconsider the options. Of course careful planning will be required to measure ALL the impacts (time street volumes accidents pedestrian impacts access to town center w/o leaving MI access to park & ride LOS at all intersections ramp queues school children risks school bus delays peak AND non-peak impacts etc. etc.). This is not my idea but I reiterate it because it has a chance to either resolve the concerns OR provide objective data to challenge the models and compel aggressive counter-action.
17	1/30/2017	Ed Weaver	Please address: 1) Timing of I-90 center roadway closure and station construction. Some suggest the center roadway could be left open up to 4 years longer than planned while other parts of construction taking place. True or false? 2) What truly are the legal options for MI? What leverage does the SEPA Permit provide: Can it be pulled? Until when? What happens if pulled? Etc.
18	1/31/2017	Jennifer Selby	Why did the City Council sign the shoreline permit for Sound Transit without negotiating any benefits to Mercer Island? Based on the recent City Council meetings I have attended it appears as if The City Council is not getting any agreements in writing from Sound Transit or WSDOT for things like notice of BV park and ride closure deadlines for submitting design feedback agreements on MI Park and Ride license plate studies and so on. Why doesn't the MI City Council get agreements in writing?
19	2/1/2017	Eric Dahlberg	in my opinion the city should be pulling the shoreline permit and beginning legal action to influence the light rail project. we aren't wielding any leverage in current negotiations and time is running out. thus far the city has consistently been played for a fool in negotiations with WSDOT Sound Transit etc. we are not negotiating from a position of strength and every day that ticks by weakens our position even more. the city council has failed to stand up for and successfully advocate for the best interests of citizens but it isn't too late. time to find a backbone and introduce some hardball into the conversation.
20	2/1/2017	Annie Robbins	Very concerned about lack of Island Crest on-ramp and what that will do to traffic. The impact this will have on teachers traveling to the island. Would consider a move back to Seattle if traffic increases significantly.
21	2/1/2017	Patrick Yung	The use of the HOV lane to and from Seattle from Mercer Island is a key aspect of both my wife and my commute and why we chose to live in Mercer Island. Irrespective of the other changes we both feel that keeping this provision is a key right of being a Mercer Island resident that we need to fight to preserve.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
22	2/1/2017	sara seumae	I work in downtown seattle. Although there is a bus that can take me to and from work I'm unable to get my kids off to school and be able to park at the park and ride in the mornings. So I am left to drive. I was delighted to hear about the building of the lightrail but see now that it will have a more negative impact on residents. This is not a fix to our congestion problem it's a band aid that will be removed. At least now I can take the carpool lane to downtown seattle in the morning and be at work on time. I'm concerned about how I can do this with the lightrail.
23	2/1/2017	Leah Gale	I think the city and state are underestimating the negative impact all of this will have on traffic. A big worry is for the teachers that don't live on Mercer Island but need to commute from Seattle or the Eastside.
24	2/1/2017	Meena Millman	Please take a hardline stand! I am particularly concerned about the following: 1. Loss of Single Occupancy Vehicle (SOV) access to I-90 W from Island Crest Way ramp and the elimination of the 77th Street westbound express lane ramp will divert 1100 cars per hour during peak times. 2. Inadequate M.I. Park and Ride capacity. 3. Extensive back-ups at I-90 on and off ramps. 4. Safety Concerns on I-90: a.New skinny lanes just 10.5' wide b.Elimination of vehicle shoulders for breakdowns and collisions c.Limitations on emergency responders and capabilities 5. Increased commute times. 6. Adequate "last mile" connections to light rail.-- problems for teachers! 7.MISD teacher and staff retention. 7.Possible decrease in housing values. 8.Planned bus turnaround (bus staging area for all eastside buses) clogging northend streets. 9.Environmental impacts including air quality safety and noise. AT ANY RATE--MUST INCREASE EMERGENCY SAFETY FOR RESIDENTS. NEED LADDER FIRE TRUCK ACCESS TO HEALTH CARE IN AN EMERGENCY.
25	2/1/2017	Sara Weiss	Both my husband and I are physicians. The proposed changes to I-90 will greatly impact our ability to work in Seattle and could compromise patient care. We are counting on the city of MI to advocate on behalf of our community to preserve our mobility. Thank you.
26	2/1/2017	Graeme Gibson	I have followed the ongoing issue of Light Rail I-90 mobility and access since my family moved to Mercer Island a year ago. From what had been publicly available I have been surprised that the rights and access ways to Mercer Island have not been protected in spite of the past agreements that have been made. While I believe the loss of access to freeway onramps and HOV access by SOV may cause property values to decrease as well as desirability to live on Mercer Island I have larger concerns regarding on and off Island emergency services and accessibility by employees who work on Mercer Island. This includes government workers maintenance and most importantly teachers and administrative staff who work at our numerous schools. This lack of access or even potential tolls will potentially limit quality applicants and current teachers from maintaining their positions. Mercer Island has a history of making smart planning decisions and is effectively being punished by the changes being forced upon us or being agreed to by the city decision makers. As a resident and in defense of our teachers and fellow commuters I expect our city council members and Mayor to use every resource to maintain our access points and agreements that were signed back in 1976. Sincerely Graeme Gibson
27	2/1/2017	Lam Nguyen-Bull	Really concerned about the effects to ICW with loss of SOV access to I90 from ICW. My husband and I each commute to Seattle my children are school-aged and participate in many activities that take us off-Island to the West and to the East. This change seems like it will have the effect of causing congestion all over the Island. Already with the addition of Northwood Elementary night-time traffic around the school is nervewracking because of increased pedestrian traffic in the dark. It's just hard to see people crossing the streets around the school.It's already bad - it will only get worse. Let's make sure people are safe! And that we don't spend additional hours of our lives in traffic.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
28	2/1/2017	Ray Martial	The reason we chose MI as the place to live 6 yrs ago was "MI was U.S #2 best place for live and learn". I want and hope MI continue to hold onto that reputation. Losing the HOV lane will definitely have impact on the value of MI.
29	2/1/2017	Mike Schreck	City Council Please do not take our ingress/egress away from us on I-90. Life time concerned resident Mike Schreck
30	2/1/2017	Alice	As one of the majority of MISD teachers who live off the island proposed tolls and limited access of I-90 could make working here much more difficult. I read the letter sent by MISD and agree wholeheartedly with their proposals. I appreciate you taking them into consideration and taking the time to understand how such proposals to I-90 can adversely impact us.
31	2/1/2017	Alison Stovall	While it is essential that as a region we improve our mass transit options in the future it is important that Mercer Island maintains an appropriate transportation infrastructure that does not diminish the safety or functionality of our community during and after light rail implementation. My concerns include but are not limited to: - Proposed Sound Transit traffic diversion plan that will divert traffic by West Mercer Elementary. MISD teacher and staff retention - see MISD School Board Letter. - Loss of Single Occupancy Vehicle (SOV) access to I-90 W from Island Crest Way ramp and the elimination of the 77th Street westbound express lane ramp will divert 1100 cars per hour during peak times. - Gridlock on Town Center streets and intersections. - Pedestrian cyclist and vehicle safety. - Inadequate M.I. Park and Ride capacity. - Extensive back-ups at I-90 on and off ramps. - Safety Concerns on I-90: New skinny lanes just 10.5' wide elimination of vehicle shoulders for breakdowns and collisions limitations on emergency responders and capabilities - Increased commute times. - Adequate "last mile" connections to light rail. - Possible decrease in housing values. - Planned bus turnaround (bus staging area for all eastside buses) clogging northend streets. - Environmental impacts including air quality safety and noise. Please continue to advocate for our community's best interests.
32	2/1/2017	Nate Larson	I'm excited about the increase in property values and the DECREASE in commute times regional transit access will bring compared to doing nothing. Our community's off-island workers including teachers will soon have ALL DAY access to an HOV lane from EACH direction (which is BETTER for emergency vehicle access not worse) rather than the current system that ONLY favors island residents who commute to Seattle. The plan is not perfect and there are issues Sound Transit and the FHWA need to address but MI staff and Council should acknowledge that many of the sentiments that form the basis of the points in the PTSA statement and recent petition are not informed by current facts or sufficiently complex reasoning. Negotiate and decide based on science not emotion and take pride in doing the best you can even if someone else is convinced they could have done better.
33	2/1/2017	amie fahey	Please look out for Mercer Island residents - one of the reasons we moved here is because of the convenience of living on MI with the express lanes and the island crest way on ramp. How can you possibly be considering letting it go away? Be firm in your negotiations - the island relies on you!!
34	2/1/2017	Claudia Harner-Jay	PLEASE be more proactive about solutions. If we lose mobility why hasn't the city started investigating shuttle buses for residents to get to the bus and ultimately light rail? Much like the Microsoft Connector buses? You are focused on the issue in front of us- limited access to lanes- but how else can we solve these challenges especially for commuters?
35	2/1/2017	Carmen Angiuli	Concerned about the impact of mobility both on and off Island. Ability to attract and keep teachers who live off Island.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
36	2/1/2017	Angela Brown	Members of the city council are not acting in the best interest of island residents. WAKE UP CALL FOLKS!! Why aren't they drawing a hard line against ST and against developers who want to build build build and overpopulate our island? Why are they bowing down to Seattle and Bellevue and big development and not standing up for islanders? The only reason I can see is to generate personal political gain create their personal legacy in the political arena to better their political careers! It isn't 'okay' and it isn't 'right' -- YOU ARE SUPPOSED TO REPRESENT US!! We want to maintain our quality of life. City Council members: STOP the insanity NOT JUST with ST BUT ALSO with developers who are overbuilding and over populating our island!!
37	2/1/2017	Thellea Leveque	Four critical issues: 1) do not divert traffic past a school (Northwood or west mercer) 2) consider traffic mitigation strategies throughout the north half of the island such as widening streets 3) sov access on Hov lane is a MUST! 4) due to increased traffic/congestion on/off island EMS based on mercer island is a MUST!
38	2/1/2017	Eric Radman	The City needs to put a "Full Court Press on WSDOT and get much more aggressive with them. Not just issuing a passive statement about lawsuits but you need to actively look for any way to gain leverage against WSDOT. The City needs to be ready to fight with every option available. I'm not convinced this is happening. What leverage can the City use to get a favorable outcome? Get creative and brainstorm ideas with lawyers city planners and others. What do we have that WSDOT wants? Can we join forces with other cities? This is not a time to be Mr."Niceguy" as this access issue is a huge concern.
39	2/1/2017	Sharon Singh	I have only lived on Mercer Island for 18 months (moved from Kirkland)and only in the last couple of months come up to speed on this project. Please please this is a nightmare situation not only to retain good quality teachers to the island and especially the south end when they have to deal with gridlock traffic but now also the idea of losing the west bound on ramp the traffic around our school will be incredibly dangerous. I see children walking and biking all over. Please Do Not let this go through.
40	2/1/2017	Carlo Malaguzzi	It is evident that we will have a light rail that was approved as part of a more general enthusiasm for public transport and regional goodwill but will have a lot of downsides for islanders; and that our city council has not appreciated in time the importance of the impacts on islanders or put up an aggressive approach to optimize the situation. I-90 traffic will be a growing mess (a downside for all the region but with repercussions on the quality of our city center in terms of gridlock pollution and safety) while islanders won't be able to derive enough benefits because there are no solutions to the parking or last mile access. R8A changes are not only insufficient (lanes size closure of too many ramps) but demonstrate that ST and WSDOT have not coordinated at all this plan since buses won't be able to use the HOV lanes one of the requirements to allow the closure of the central lanes. On top of this previous rights of islanders (SOV preferential access) have been forfeited without even discussing them. All this is very disappointing and at this point there may be little that we could do; but I do believe that we should do all that is still possible (including revoking the EIS permits or what enables the R8A) until either some acceptable mitigation is offered or SOV access is approved or HOT lanes are implemented (with special MI year-round fees).
41	2/2/2017	David schwartz	Please have a fall back position and set up a ground game for it with the initial proposals. That means get committment from WSDOT that if average commute from South MI to downtown is over 90 minutes at 7am on M-Th they will come back to the table. While 90 minutes to Seattle may sounds crazy unrealistic get it in writing. Set a bar. Limit our downside loss. We don't want to become the second Mercer Mess. WSDOT made some promises there too about it being not so bad and only for a short time. Remember the bus tunnel and viaduct project timelines. Thanks.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
42	2/2/2017	Heather Staples	Mercer Island's I-90 access plan is one that is out of scale for the size of our community. We are positioning ourselves to be overwhelmed by transportation needs of the communities around us similar to the neighborhood of Montlake in Seattle. Mercer Island is a small community of 20 000 people which does not have the infrastructure to support bus turnarounds larger park and ride access and the loss of several main access points to the highway. Currently there is no proposed plan for diverting the substantial Island Crest traffic that will not create a severe negative impact on the quality of life for the north end of the island. We deserve equal consideration that Bellevue brokered.
43	2/2/2017	Carmen Angiuli	Concerned about the impact of mobility both on and off Island. Ability to attract and keep teachers who live off Island.
44	2/2/2017	Shannon Gottesman	I was at a community meeting about the new Sewer going in on the North End of the Island (on my street). We think it would be a great time as long as the street is dug up to work with the city on putting in speed bumps or "islands" to slow down the cut-through traffic in our neighborhood. We have seen a huge increase of cut-through already and they speed. Perhaps there is money in the budget or we can get it a part of the light-rail project to add speed bumps etc. when they repave the road after installing the new Sewer line?
45	2/2/2017	Steve Guttman	I would encourage the council to emphasize the loss of the ICW entrance which at least half the island uses to get on the freeway in the morning--as opposed to the losing the ability to drive in the HOV lane. Making an issue of not being able to drive in the HOV lane makes us sound like spoiled children while forcing most driver to go thru side streets to the 76th st on ramp (which will likely back up) will really affect our mobility.
46	2/2/2017	Jill hendrick	I am. So frustrated. They offer no relief and we will have to pay more for more police as more people cut across the island and still cant get into the park and ride. They are going to impact home value as it will be less desirable to live on an island with little businesses where everyone commutes and it becomes a complete nightmare. They should remove our contribution to their tax base and then we can add to the park and ride and hire guards to allow island only people in on work days or something as it's too small as it is and we have no options and are totally hostage by them. Maybe we find a way to start a foot ferry from the south and north ends to seattle bellevue and Renton. Dot is not helping us at all and the light rail is great but we won't even be able to get to it or on as south bellevue fills most busses up before they get to the island.
47	2/2/2017	Gwen Loosmore	I am very concerned about light rail impacts especially the loss of mobility and cut through traffic. I support the city taking additional actions even legal actions to protect our community.
48	2/2/2017	Tom Cary	It will be a disaster if the historic agreement are not respected. I lived here when the lid was originally built. MI residents only agreed to it because of the access agreement. Make them stick to it.
49	2/2/2017	David E. Cummings MD	I sincerely hope there is some way to maintain the Single Occupancy Vehicle (SOV) access to I-90 for Mercer Island residents as has been the case for many years. This feature makes the commutes for myself and my wife to the hospitals where we work in Seattle tolerable (we're both doctors). It would be a major detriment to lose that right. We might move off of the island if that were to happen.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
50	2/2/2017	Limei Fan	If DOT succeeds in their proposal which will severely and negatively impact the life and safety of all who live and work on MI who is going to pay for road improvements and/or traffic revision work (throughout the island) that has to be done to take them up to standards/make them safer? Mercer Island residents can't be expected to support a capital levy that is caused by a lost benefit to them. Can this cost be used as a leverage in the negotiations? I live next to West Mercer Way and even crossing the street in most sections of the road is dangerous due to lack of shoulders on long stretches of the road. We already don't have a solution for how to deal with the existing bicycle traffic walkers runners. How are we expected to accommodate any increased volume of vehicle traffic from the proposed reroutes?
51	2/2/2017	Lori Hughes	I know there are many people concerned about the inconvenience light rail will bring to MI but I am not one of them. I never thought I would write because I don't care that much about the project or more inconvenience but when I heard the lanes were going to be narrower I become alarmed. I really don't think that is a good idea. I have a hard enough time staying in the lanes that are there now and I am not the only one. Trucks especially have a difficult time. Then there are new young drivers and those people who can't stay off their phones while they drive. I think we all need to be as far away from those folks as possible. It doesn't do any good to say they will be fined because when they are driving beside you on the highway there is no one there to stop and fine them. I am also very concerned about driving in a lane that is meant to be for emergencies. When your family needs an ambulance during rush hour it should be able to get to them quickly. Hopefully all this will make traffic better but as time goes on I am not so sure. However removing the dangerous aspects from the plan would make it better. Sincerely Lori Hughes
52	2/2/2017	erik jansen	I am greatly saddened and disappointed by the repeated message we as citizens are getting - which I summarize as "Your MI counsel is doing everything we can. We are being stone walled. There is nothing we can do about it versus the non-caring outsiders. Get ready to be slammed in terms of lost mobility on I-90. Get over it". Seriously that reeks of incompetence defective negotiations poor/no vision and less than effective negotiation decision making/legal maneuvering at the top of our organization. I am saddened and greatly disappointed in our leadership to let this get to that kind of out of uncontrolled (mis?)dealing and over loss of rights with the region and external authorities. I have never known even the most absurd governmental dealings to be that obtuse insensitive and oblivious to a large (20 000 person?) block of potentially disenfranchised voters. The publicly described headbutting going on just does not fit my sense of proper and reasonable process and experience (40 years worth) in bug business and public affairs. It simply does not add up that a major program such as the Puget Sound and NTSB transportation agenda necessarily has to become the insurmountable force pitted against the MI politicians as the immovable object. There simply HAS TO BE A BETTER AND NEGOTIATED WAY through this than what is being laid out as an unstoppable drubbing of our quality of transportation life at the hands of (painted as evil and uncaring) national bureaucrats. Our representatives and relationships (at all levels of this affair - but especially ON ISLAND) OWE the citizenry better - or please get out of the way resign with the remaining integrity and professional respect you might still see as salvageable and let others get the job done right (and soon please). THIS SITUATION OF DEFECTIVE TRANSPORTATION SOLUTIONS AS WE ARE BEING SPOONFED IS ABSURD.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
53	2/2/2017	Sheryl Morelli	I am unable to attend upcoming City Council Meeting on this topic but wanted to express my concerns regarding upcoming changes to I-90 related to Light Rail Impacts. I am deeply concerned about the health safety and quality of life impacts to Mercer Island residents employees and visitors related to purposed changes to support the Light Rail project. The plan to narrow the lanes on I-90 West to as little as 10.5 feet goes against the federal minimum recommendation of 12 feet set by the American Association of State Highway and Transportation Officials. Narrowing the lanes will lead to more traffic accidents injuries and at times even deaths. This is in direct conflict with the Washington State's Department of Transportation Target Zero campaign to reduce traffic fatalities and serious injuries on Washington's roadways to zero by the year 2030. In addition to narrowing the lanes plan to eliminate shoulders will result in near traffic grid lock in the event of even the most minor traffic accident. This will add to already at times unbearable commute times as well as increase likelihood of further traffic accidents. On the island eliminating access to I-90 West from Island Crest Way will force thousands of commuters through downtown Mercer Island and/or onto West/East Mercer Way resulting in traffic congestion in areas frequented by pedestrians many of which will be our children. In addition to the obvious safety risks stop and go traffic throughout the island will increase exposure to car exhaust for our residents and our environment. I urge the Mercer Island City Council to use all legal means possible to oppose the current Light Rail impacts which will be devastating to the health safety and quality of life of all Mercer Island residents employees and visitors as well as our environment. Respectfully Sheryl A. Morelli MD
54	2/2/2017	Michelle Kavesh	Clearly MI must do everything it can to fight the lost SOV access to I-90. I know the city council is doing everything it can but given the negative traffic impact this will cause on MI it's clear we need to take a firm stand against all initiatives that will further negatively impact our traffic like the proposed bus turnaround for light rail. That should be a no-go as well as limiting all off island traffic using side streets to cut through I-90 traffic. Given the likely future gridlock reserving as many spaces as possible for MI residents at the P&R (and making sure those claiming to be MI residents actually provide proof beyond a utility bill).
55	2/2/2017	Stacey Kruus	I find it unconscionable that the state is renegeing on a long-standing agreement to allow MI traffic to use the HOV lanes. Not only do I rely on these lanes for commuting to and from work but the I-90 bridges are the ONLY way for MI residents visitors and businesses to access the island.
56	2/2/2017	Nick Bohlinger	We should NOT have access to the HOV lane taken away. Purchase of my home was built on this benefit. I strongly oppose the loss of this benefit to Island residents.
57	2/2/2017	Stephen Majewski	Time to deploy the lawyers!
58	2/2/2017	Jerry Kavesh	WaDot and Sound Transit position is completely unacceptable. The region will never support the mitigation MI requires and deserves for the major disruption and loss of mobility due to the loss of I90 access via ICW. Take legal and tie up in court. Don't issue any permits. Don't allow the bus intercept.
59	2/2/2017	Julie Katz	I would like to communicate how strongly I oppose the WA Department of Transportation plan to disregard precedent and not allow Mercer Island residents to use the HOV lane to access the Island. Many square miles of our city have been swallowed up by lanes and lanes of freeway that have only grown wider over the years. We have sacrificed broad swaths of forest and land for property to the State. We have no alternate routes home other than I-90. Islanders were allowed to use HOV lanes to get home as a "trade" for these sacrifices. Recalling them will result in more traffic for everyone. What has changed? And what benefit will the change bring to the state?

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
60	2/2/2017	Thi N	Lack of I90 express Lane access will increase traffic around I90 which lead to increase pollution to surrounding environments. Increase traffic around mercer island reduce traffic safety for kids living in the areas.
61	2/2/2017	Jessica Prince	Please please please do everything you can to ensure continued access to the HOV lanes for MI residents. Thank you for doing your job advocating in the best interests of all Islanders; that's what we elected you for. Stay strong negotiate well.
62	2/2/2017	Don Connolly	I don't understand why SOV's would be excluded from the Island Crest west bound entry ramp - virtually all entry ramps to Hwy 520 flow into the HOV lane and SOV's must merge left as soon as it can be done safely.
63	2/3/2017	Elie Hess	I oppose not allowing MI residents to access the island in the HOV lane in single-occupant vehicles.
64	2/3/2017	jerry kavesh	As a short term solution dot the HOV lanes for the area where MI SOV vehicles merge onto I90 from ICW wo SOV lanes can then merge into the mainline traffic. Yes HOV will be slowed slightly in the merge are but this is done on other HOV lanes and no reason this can't be done here. To me this seems like a reasonable short term solution as it allows MI traffic to stay out of the MI core and continue to access I90 via ICW.
65	2/3/2017	Claire Marks	I would like the council to address these questions at the next council meeting: 1) what is the council doing to lobby for massive improvements to on island bus services so that all residents may connect with the light rail? 2) what is the council doing to provide much more parking near the light rail so that all island residents may connect with the light rail? I am very disappointed that increasing on island bus services has not yet become part of the discussion and is not even included in the FAQ. Route 204's once an hour frequency is a disgrace and should be improved to once every 10-15 minutes and more routes introduced.
66	2/3/2017	Michio Ohno	We need to do more to protect the rights and safety of Mercer Island. The proposed plans negatively impact our community drastically. The best plan that I have seen is making the outside lane a HOT lane and making the toll for Mercer Island Traffic a nominal amount.
67	2/3/2017	William Aitken	The time has come to push back on the broken promises concerning mitigation. When the most recent MOA was signed the assumption was that the ICW westbound entrance would remain open to SOVs and that ST was going to mitigate impacts. ST have dragged their feet for a decade and the closure of the ICW entrance is a material change. As things stand ST2 will result in greatly impaired mobility for the majority of MI residents. At a minimum the EIS for ST2 needs to be reopened. MI should move to a stance of formal non-cooperation with ST and where possible revoke any existing permits. In addition they should aggressively pursue relief through the state and federal court systems.
68	2/3/2017	Scott Heydon	I am DEEPLY concerned about the proposed changes to I-90 on Mercer Island and the City's seemingly inability to fight for its residents. While I have many unanswered questions (the city's published FAQ is inadequate and sometimes misleading IMO) my 2 chief concerns are: 1) Loss of SOV access to Seattle. Mercer Island's on off-island access is via I-90 to FORCE residents into a slower commute while providing the region with tremendous access and property on our Island seems like a HUGE mismatch. It also seems like a divergence from our previous agreement. 2) Lack of P&R parking for Island residents. I typically want to commute by bus on my work trips to Seattle. Unfortunately if I do NOT get to the MI P&R by 7:30 there are no available parking spots. I suspect many are filled by off-island residents. We need adequate parking for MI Residents that will be available as needed. Please fight for the residents to get a better deal for the long term. Do not CAVE to outside pressures. We should have a lot of leverage here... it's time to use it.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
69	2/3/2017	Theresa Zwingman	I previously used the Island Crest access to I-90 West every day for work. I'm not sure what study you have done but you are out of your minds if you think the downtown streets can handle the extra vehicles that would now have to access I-90 at the edges of the island. You should go take a look at the 40th and West island crest drive intersection. The road is gouged from the steep angle and cars hitting the road on the turn. I purchased a downtown parking permit because 1) the park and ride is always full and 2) the city council passed no on street parking north of the park and ride years ago. I commute to downtown on the bus everyday for work and don't look forward to Mercer Island becoming a bus hub for transfers. Let's say I'm glad I'm not on the city council for these meetings I already have to listen to complaints from my neighbors and fellow islanders about how poorly this is turning out.
70	2/3/2017	Sarah Fletcher	With regard to the KPG Study in the Conclusion it is stated: "The City of Mercer Island has not received plans to implement the mitigation improvements and these improvements are not expected to be in place when the center roadway is closed." So I ask what can the City do to make sure that the center roadway is not closed until the mitigation improvements are carried out? And this is what it states in "Conclusions The closure of the I-90 center roadway and the potential SOV restriction at the Island Crest Way westbound on-ramp are scheduled to occur in June of 2017. The traffic mitigation improvements proposed in the East Link FEIS assumed the continued use of the Island Crest Way westbound on-ramp for both SOV and HOV traffic. The City of Mercer Island has not received plans to implement the mitigation improvements and these improvements are not expected to be in place when the center roadway is closed. The potential restriction of SOV traffic from the Island Crest Way westbound on-ramp would create significant impacts to the Mercer Island local streets and Town Center that were not identified in the East Link FEIS. This SOV on-ramp restriction would cause the majority of westbound traffic to divert to the on-ramp at 76th Avenue SE increasing traffic volumes and delays on N Mercer Way and Town Center streets. These added traffic volumes would also increase the potential for pedestrian-vehicle conflicts in the Town Center and impact bus operations around the light rail station. The SOV restriction at the Island Crest Way westbound on-ramp is forecast to result in six intersections operating below the adopted LOS standard during either the AM or PM peak hours. I-90 westbound on-ramp/76th Avenue SE  SE 24th Street/76th Avenue SE  N Mercer Way/77th Avenue SE  SE 28th Street/80th Avenue SE  I-90 westbound off-ramp/Island Crest Way  SE 28th Street/Island Crest Way These changes to intersection operations should also be reviewed for consistency with air quality standards. In addition to intersection impacts the SOV restriction at the Island Crest Way on-ramp would reduce the number of westbound SOV on-ramps serving the Town Center and Island Crest Way from 3 to 1 during the morning commute. The 76th Avenue SE on-ramp would not be able to support the expected increase in traffic volumes and would result in extensive queuing
71	2/4/2017	Daniel Syrdal	One of my largest concerns about the light rail project is the tremendous negative impact it could have on property values on Mercer Island. Our easy I-90 access has been a huge factor in many peoples' desire to live on the Island and this could all change with the access impacts from light rail. Has the City considered the tremendous reduction in its property tax revenues that will result from the decrease in property values? Mercer Island schools could also see a substantial revenue decrease. I don't believe this whole subject was included in the EIS which would render it invalid and may well play a part in challenging many of the decisions around this project including whether the Shoreline permit could be revoked.
72	2/4/2017	Elliot Waingold	The Mercer Island City Council needs to play hardball in the negotiations for future vehicle access to I-90. We rely on you as elected officials to do whatever it takes to ensure the most advantageous deal for Mercer Island residents.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
73	2/5/2017	Eric Kinder	I appreciate all the hard work that the City Council has performed to negotiate an equitable solution. But I believe the negotiation avenue has come to a dead end so I would urge you to please move forward with legal action (I presume your Plan B) with due haste. Eric Kinder
74	2/5/2017	Melissa K Neher	I urge the City to pursue injunctive relief immediately to prevent the start of the light rail project. As stakeholders in a unique geographic position we have the right to an environmental impact statement based on the plans to be implemented. We have acted as a City on reliance on agreements which are not being honored. Seek robust legal action.
75	2/5/2017	Melissa K Neher	I urge the City to pursue injunctive relief immediately to prevent the start of the light rail project. As stakeholders in a unique geographic position we have the right to an environmental impact statement based on the plans to be implemented. We have acted as a City on reliance on agreements which are not being honored. Seek robust legal action.
76	2/6/2017	Mariya Frost	Mayor Basset Councilmembers: My name is Mariya Frost and I am the Transportation Director at Washington Policy Center. Thank you very much for allowing me to share our research on the impact of placing light rail across I-90. There are certainly many points of concern about this project but I'd like to touch on the impact that the center roadway closure would have on traffic congestion and our freight industry as we are the most freight dependent state in the nation. This isn't just a Mercer Island issue. I-90 is a federal highway and is the primary east/west corridor from Seattle to the eastern United States for passenger and freight vehicles. Sound Transit's own numbers show that very few people will use light rail as a percentage of the overall population and thus freight does not benefit from light rail or the proposed configuration. Deliberately increasing congestion in light of this data reduces mobility and hurts our economy; and refusing access to the center roadway in conjunction with new HOV lanes because this would demonstrate that creating capacity works only perpetuates the public's skepticism of the entire process. According to WSDOT Sound Transit's plan to place light rail on I-90 will reduce overall vehicle capacity on the bridge by 15% during the morning peak commute and 8% during the afternoon. Freight vehicles would suffer most from resulting increased traffic congestion. Any breakdown in the supply chain has a ripple effect on businesses adding costs to each link within the chain and ultimately increasing the costs of products and services for consumers. According to the Federal Highway Administration national freight demand is expected to grow 89% by 2035. If the center roadway is closed and light rail is placed on I-90 during the morning peak drive the number of freight trucks able to cross into Seattle would drop 24%. Leaving during the afternoon peak drive trucks would see a 19% reduction. Delays cost each truck about \$32.15 an hour. Post construction by 2030 increases in congestion will cost the commercial trucking industry about \$7.5 million annually (or \$13 157 per truck) simply to cross the I-90 bridge during peak commute times compared to \$4.5 million without light rail. The HOV lanes will not help this situation and will artificially restrict roadways in an area where trucks need the ability to change lanes safely. WSDOT and Sound Transit in their insistence on HOV lanes
77	2/6/2017	Brad myers	My input would be to be as aggressive as possible with WS DOT on the I 90 occupancy for Mercer Island issues. All legal issues should be an option and be aggressively pursued
78	2/6/2017	William Shadbolt	I've loss all faith in negotiating a reasonable settlement. Please revoke all permits for light rail immediately and file a lawsuit.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
79	2/6/2017	Thomas Imrich	<p>This MI I-90 access transportation disaster is an entirely MI City Council negligence or naiveté created situation for which the Council was advised (warned) starting over a decade ago along with Ms. Clibborn. So it should be no surprise now that this center lane and blocked I-90 MI access and SOV use disaster is about to happen. The MI Council and those MI voters who foolishly supported the leadership Council members as well as ST2 and ST3 in the previous elections ignoring the many warning signs of this pending transportation and tax disaster as well as bypassing numerous opportunities to fix it should now be held fully accountable. Sadly not only they will now suffer the consequences but we will too those who were summarily ignored by the tone deaf MI council. Long ago (even before the recent Presidential election) the transition teams should have been engaged (e.g. Shirley Yabarra for DOT) to absolutely threaten to cut off Federal transportation funding to the State until this access issue was properly resolved. Some "adverse" statement or claim of "a regulatory citation" by some low level Federal Employee (even at the FHWA Director level) is virtually meaningless in the environment of frequently issued Exemptions Waivers Deviations or Alternate Means of Compliance. The MI Council's statements on this are nothing but an admission that they are entirely out of their negotiation league in either fundamentally mis-understanding the problem misjudging the politics or failing to adequately consider the possible solutions. Besides being largely transportation technically illiterate the MI Council appears to be utterly politically or legally incapable of now solving this mess of an issue as needed for Mercer island's quality of life survival as we know it. It will be tragic and have long term severely adverse consequences for everyone on the Island if this I-90 SOV access issue and open lane issue isn't successfully resolved. For example someone with a critical illness or injury from MI is going to unnecessarily die while being stuck in Seahawk's traffic. Or physicians police assets or emergency services are not going to get to where they need to be in time. Heaven help MI if the Cascadia fault lets loose and we have hundreds of people in failed landslide ravines on MI that need rescue and medical help with no provision for reliable bridge access for emergency services or heavy equipment in a clogged or completely failed I-90 bridge</p>
80	2/6/2017	Brad Williamson	<p>These are just comments; I'm not politically active but want to provide support for the efforts to mitigate the significant quality of life issues that are at play here. It's clear that "playing nice" has gotten us nowhere and while it's commendable to try and be a part of a larger community at some point there's a need to look after your own interests because other communities aren't going to do it for you (and in many cases they may resent you). Overall I realize that getting SOV access to HOV lanes is unlikely to happen. That said key issues are: 1. Substantial mitigation for parking issues - I believe we can talk all we want about keeping it to Island residents but this is a volume game - we are going to need a lot more parking available. 2. Closing the Island Crest entrance to I-90 before it's absolutely necessary simply makes zero sense. If the lanes are HOV then permit a short period of time to merge over - small price to pay for enormous inconvenience avoided. 3. Eliminating the HOV lanes entirely would be preferable to losing our SOV access and may be the "fairest" compromise in terms of spreading the pain around. I am willing to pay whatever is required to make sure we negotiate hard to get the best deal for the Island that we can. Thank you and good luck!! Sorry I could not attend the meeting in person since I am traveling for work.</p>

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
81	2/6/2017	Andrea Fitzwilson	The current lack of cooperation from WSDOT is both callous and irresponsible. We need to seriously and aggressively pursue litigation before it's too late. This is a moment in time that will affect many generations going forward. Requiring WSDOT to uphold decades old agreements that were specifically put in place to prevent this type of major quality of life impact due to the presence of I90 is not about MI entitlement. Since the construction of the new 520 bridge we have watched traffic pattern changes affect I90 and consequently our local arterial and residential roads. We were told time and time again that adding tolls to 520 would not affect the traffic patterns on I90 in any significant way long term. However as a result of construction on 520 and I90 people have re-routed off of the freeways and onto E/N Mercer Way and N/W Mercer Way. People now routinely use those roads as a by-pass during high volume traffic times. These drivers exit on E Mercer Way follow N Mercer Way head past the Park and Ride and either hop back on the freeway or turn right to head toward W Mercer Way and enter the freeway by the Lid Park. There have been times when due to exceptionally slow traffic the West entrance to the freeway is backed up in both north and south directions - blocking driveways of local residents and the four way stop nearby. The roads in question are all narrow roads with limited sidewalks and shoulders. They are routinely used by pedestrians and bicyclists who have to be in the road to maneuver around parked cars - which are already encroaching on the roadway due to the limited shoulder space. These roads are simply not intended for this type and volume of traffic. During rush hour if you attempt to travel between 25-30mph on these roads you will have a line of people stacked up behind you who are trying to go faster. It is now common for these people to simply speed around you regardless of speed limits limited sight distance due to hills/corners and regardless of pedestrians bicyclists etc. After all they are using the road as a replacement for the freeway and they don't want to be slowed down. Our family lives on one of the last two driveways on W Mercer before you reach the Lid Park heading south. I can tell you that 90% of the traffic that drives behind me on my way home during high traffic times continues on to enter the freeway. They are simply using the road as a short-cut. A large
82	2/6/2017	Nancy MacCormack	My son rides a custom Metro Bus from the Park and Ride each day. I am concerned that closing the Island Crest On ramp to I-90 will cause gridlock in front of the Park and Ride as drivers see alternate on ramps and that we will be unable to reach his bus. I am also concerned that the SE 40th St turn onto West Mercer Way is hard to do without crossing into traffic headed south. 40th is so narrow there it is not an arterial.
83	2/6/2017	Lisa Kittilsby	We are the first driveway north of the I-90 on ramps on West Mercer. When traffic is bad on I-90 it is hard to get out of our driveway because of traffic getting off freeway and driving through the quiet 25 mph street that we live on. With the closure of the downtown off ramps we fear that the traffic will be much worse. What is the city going to do to help the residents be able to access and depart their drives on this section of city street?
84	2/6/2017	Tim Kittilsby	I have looked at the maps of the traffic diversions that sound transit is proposing. Don't kid yourself if you think those cars are going to go all the way to 40th they will drive on west mercer north of the freeway. They do so now and they all speed over the 25 mph limit. You need to put up local access only signs. We will never be able to get out of our drive during rush hour

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
85	2/6/2017	Garth O'Brien	Dear Council My family moved to Mercer Island in 2013. We wanted to move to a safe and engaged community with great public schools. We also wanted to reduce our commute. My wife works in Seattle and I work in Kirkland. Mercer Island has exceeded our expectations. Then we started to hear about the transit plan and many rumors. Wild and crazy rumors. My first thought was there was no way our politicians would sit back and be railroaded. Then I started hearing arguments from our local politicians siding with the plan of Sound Transit and the State. Now I am grossly concerned that many "representing" us are more concerned about their future careers or being a "good" regional partner. I am sorry but destroying our mobility is ridiculous. Eliminating one on and one off ramp is flat out insane. Especially since one utilizes Island Crest Way. The State might have studied showing no impact but they can take that study and move onto another community. One filled with ignorant patsies that will swallow that crap. I also have zero confidence you are concerned with the significant increase in off island traffic to park and rides that never meet the demand and fill up before 6am. Mercer Island is the Sound Transit punching bag and sadly our politicians are holding the bag so ST can land a few devastating blows. The island is not full of dummies. You cannot fleece or talk your way out of these crazy and intolerable ideas. Grow a spine. Do what you are elected to do. Work and advocate for us. Fight. Fight until there are no more resources energy or might left. If you do not then your term is over. Some Islanders will rise up and challenge. They will promise to fight. They will promise to be as vocal as possible to obstruct and to bull over ST and the State. Do your job. Protect us.
86	2/6/2017	Amanda Gaberman	Hello for planning purposes what do the studies show in terms of how much longer my work commute will be for the multi-year duration of this project? Also what will the impact be on my house valuation - during the work and also upon the completion of the work? Thank you Amanda Gaberman
87	2/6/2017	Gregory G Daquila	SUBJECT: MAJOR POWER DISRUPTION What happens to the trains when there is no electric power? Monday's power outage was only for 6 hours. The region experienced one week without electric power in 2006. How do disabled (wheelchair) passengers get up to street level when the power is out? Will there be backup generators to operate the elevators and escalators at the stations? Will the trains just stop running? How do the trains get to the next station when PSE goes down? Can they move under their own backup power? Six hours or six days either one is a long time to be incapacitated. Speaking of being incapacitated where are the restrooms going to be? Track level or street level? Regards Greg
88	2/6/2017	Timothy May	Hello First thank you for your efforts on behalf of Mercer Island regarding the Light Rail. I am not aware of what next steps are in the negotiations but I am very concerned about 7+ potential years of disruption to our community. Especially concerning is the thought that construction may cause interruptions / delays to ambulances or individuals in need of urgent care in Bellevue or Seattle. I strongly urge that you slow down the negotiations process (through legal action if necessary) and be very transparent to the community about what we should expect. There are many questions that come to mind for example: How long will commute times be lengthened to Seattle and Bellevue during the different phases of construction? How will off-island teachers police personnel firefighters and other workers make the commute? If we are going to potentially have disruptions to medical care/ambulances have we considered options to placing 24/7 ambulance care on Mercer Island? Yes this would be very expensive but probably not much in the scope of this ambitious project. Further please consider that by the time this project is completed new ride share technologies and other alternatives may make light rail a very expensive and poor option to meet the needs of citizens. Respectively submitted for your consideration. Sincerely Tim May

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
89	2/6/2017	Pam Charney	I have no complaints about the coming light rail. In fact I can't wait!
90	2/6/2017	Sihong Deng	I think the ST/WSDOT/FHWA should honor the previous agreement and allow the island single occupancy vehicle use the HOV lane.
91	2/6/2017	Tim May	The more I read about the light rail project the more it seems to me that Mercer Island residents moved their downtown in exchange for access to express lanes. Now the residents are giving up access to express lanes in exchange for their downtown which will become a high traffic bus turnaround? Should we move the downtown again? Respectfully Submitted Tim
92	2/7/2017	Elizabeth Buckley	Loss of mobility and safety. What do they mean? What do they mean for an island? What do they mean for a region? June 1 2017 7+ years closure of the I-90 Express/HOV lanes. 3 exit/entrance ramps to I-90 closed Loss of SOV status Island Crest Way I-90W Closure of Bellevue Park & Ride any day now. Clearly this is a bad plan and will severely impact mobility and safety for the entire Eastside starting June 1 2017 and beginning with the closure of the Bellevue Park & Ride. This will last for 7 years and perhaps more. Who knows? As our current Mercer City Council and Mayor meet to discuss possible litigation behind closed doors on Monday evening hear that we want a re-org and a new negotiation team. We are discussing a legal team funded by the citizens through fundraising to help you and defend us and the Eastside from these multi-year permanent closures. Attorneys are being vetted by those who know the complex past that got us here. We need to hear from the community now if you want that. We have discussed alternate technologies that in those 7+ years will likely make light rail more obsolete and not destroy and claim two lanes of highway on a bridge through dangerous tunnels while making dangerous narrow lanes lacking shoulders for the rest of the driving public who will be using this corridor these 7+ years. That corridor which also moves fuel trucks heavy construction material and soon more large buses too. That corridor we all use for hospitals and emergency services. Be prepared for significant changes in our lives if we don't speak up NOW. Yes. It was voter supported but not the way it has been handled or executed in many areas of the planning lack of transparency and environmental mobility and safety impacts which are beyond acceptable and for at least 7 years. Why not more electric buses shuttle buses and eventual linking buses that are self driving and connect communities and pick up people by their homes and neighborhoods? Why not a different plan that doesn't allow 7+ years closure of the Express/HOV lanes permanently? The call for action that has been suggested by many and I myself now (Claus mentioned this earlier in a ND post and I would like to repeat so it doesn't get lost in the noise): Re-organize the individuals overseeing these decisions: Wendy Weiker has personally reached out for a meeting and shares and understands our concerns. Jeff Sanderson responded equally
93	2/7/2017	Connie Reek	Stop taking our mobility from us. Buses and bus lanes are much more adorable and can flow with regular car traffic. Why are we spending so much money for trains when we could fix our roads?
94	2/7/2017	Brian Sato	I am concerned with the loss of mobility for island residents due to the construction of the light rail across I-90. Please be strong advocates for us and fight to maintain our access. thank you
95	2/7/2017	Connie Manson	Please fight to NOT close the on ramp to I-90 West from ICW (heading North). Hundreds of cars use this everyday extending from South end to Mid Island to North end. Closing this ramp will cause all these cars to go to downtown exits creating gridlock. The MI transportation office has always held the position that the more thoroughfares the ease of traffic flow. I see zero benefit to closing this tunnel only future gridlock.
96	2/7/2017	Elena Te	I am concerned about safety and congestion.
97	2/7/2017	Claus Jensen	For far too long the City Council has been dominated by the so-called Legacy members i.e Mayor Bassett Deputy Mayor Bertlin and former Deputy Mayor Grausz. In view of the dire straits we the Mercer Island citizens now face due to their secretive and disasterous actions these individuals must recuse themselves from participating in any further negotiations or litigation involving our Loss of Mobility. It would be the decent thing to do.

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
98	2/7/2017	AlanLippert	Reducing the I-90 lane widths to 10.5 ft when the Interstate standard is 12 ft plus removing the shoulder/emergency lanes will result in unsafe driving conditions between Bellevue and Seattle. And what is between Bellevue and Seattle? Mercer Island and 22 000 people whose only way off the island is the now dangerous I-90.
99	2/7/2017	Athene Craig	I moved to MI in 2002. My husband was immobile with Shy-Drager Syndrome. His blood pressure would crash. I had to call 911 and he did NOT need paddles to restart his heart he needed an injection of epinephrine in a vein. MI EMTs can't give shots and we had to do CPR until medics came from Bellevue the first time and Seattle the second time when he DIED. We waited over a half hour doing CPR for medics to come both from Bellevue and Seattle. THIS IS NOT ACCEPTABLE!!! Our access to I90 is critical for this any many other obvious reasons. WE LIVE ON AN ISLAND!!! Please represent our concerns and negotiate a SAFE AND SECURE AND OPEN access to I90. Thank you.
100	2/8/2017	Kelly Panelli	Please also take into consideration those families that have children that attend schools in Seattle. Currently our daughter drives to high school and takes the express lanes. The limited access to I90 would increase her drive time to school by at least 30-45 minutes.
101	2/8/2017	Craig Medin	Without having an answer to I-90 access on ICW it would appear that the city could not legally move forward with any new development in town center. For example MICA has provided all their studies to the city but none of their findings would remain valid if SOV cannot use the ICW entrance. Traffic through downtown core safety of street parking pedestrians emissions etc would all be different from the MICA study. They city has publicly stated concern for all these issues during the light rail conversations so I don't see how the city could legally (or in good conscience) approve any new development work in an area that they have no reasonable idea of traffic control and safety. These unsolved issues that have lingered for an amazingly extended period of time have ripple effects. Think about any planned development of the downtown block with the Chinese restaurant - not only will development of that become much harder with stop and go traffic through downtown the value will drop immensely and the city will lose on taxes from the sale. This is a lose lose lose scenario - the short/medium term financial cost of not stopping some of the extreme parts of the light rail plan are a lot higher then any short term litigation.
102	2/8/2017	Diana Lein	I am particularly concerned about safety both for our children and for the community at large. For our children the diversion of traffic through pedestrian-heavy areas will increase pedestrian/car accidents. This includes school zones on TWO sides of West Mercer Elementary during the rush hour. This can be solved by maintaining Island Crest Way as a main arterial and reengineering the exit ramps onto I-90 to comply with the FHWA ruling in August. Second to the complete and early closure of the express lanes for seven years. Currently I-90 is the only way on and off of the island linking us to medical services such as urgent care emergency rooms and hospitals. There is not a single one of these resources on the island. If an emergency arises and there is not an expedient way off of the island the well being of our population is at risk. Please reconsider the 7 year shutdown of the express lanes to the time NEEDED for construction. Many Thanks Diana Orentas Lein PhD

Light Rail Impacts & I-90 Access Comments

Comments received through online comment form from 1/19/2017 to 2/9/2017 (12pm)

#	Date	Name	Comment
103	2/8/2017	john tiscornia	First thank you for all your efforts thus far. I would like to submit the following comments: 1. Close Island Crest Way for one day to analyze what the impact would be before it is permanently closed. 2. Include people from the community to add to the negotiation team. Someone such as Richard Galanti 3. Solicit volunteer legal help from the community. Lots of attorneys who are willing to donate their time. 4. Review all federal documents that grant dollars for this project and determine if they are in compliance. 5. Get a legal injunction to stop construction so that we can get a chance to figure out the Island Crest Way issue.
104	2/8/2017	Sarah Mangold	Dear Members of the City Council I am very concerned about the recent developments regarding I90 mobility. It appears that ST/WSDOT dealt with us in bad faith regarding mitigation and impacts knowing that they would cease to honor the SOV historic agreement. This loss significantly worsens impact of losing the SOV access off ICW as is proposed and strain on neighborhood streets. Further the City needs to do a better job of stressing how the length of center lane closures impacts ALL area not just MI and garnering support from other communities. Litigation removal of the shore permits etc all should be used as options to get better results for MI.
105	2/8/2017	Michael van Der Velden	I am asking the Mercer Island City Council to stop the light rail construction project until Sound Transit provides plans and funding for more parking and better access to the I90 freeway. The current development plan is insufficient in mitigating the impact to Mercer Island residents and guests. It is the City Councils job to protect our interests as Mercer Island citizens.
106	2/8/2017	Terry and Morrene Jacobson	We need to do everything we can to influence ST to lessen the negative impact ST2 will have on MI. Stand firm on rejecting the bus intercept. Insist on lots of mitigation money to offset the increased congestion wear and tear on infrastructure etc. Ensure that we don't have cut-through traffic and huge back-ups on the island due to loss of ramps. Fight for reserved space in the Park and Ride on buses and eventually trains and for ST to fund additional parking if the current lot is not reserved for us. Most important is safety. Narrower lanes and tiny or no shoulders are unacceptable. The risk of fire in the tunnels is unacceptable. The inability of emergency vehicles to get through to where they're needed is unacceptable. I could go on and on but I'm sure you're aware by now of all the concerns we have. We hope that Representative Smith and Governor Inslee can help prevent the terrible plan that has been foisted upon us.

From: Patrick E. Sheehan
To: council@mercergov.org
Cc:
Subject: ST Light Rail/I-90/Park & Ride
Date: 12/8/2016 8:43:26 AM
Attachments:

Dear Council Members,

Unfortunately I read Nextdoor (it is like trying to look away from a car accident, very difficult) and am appalled at the level of mistrust and lack of respect for the City Council Members voiced by a small number of very vocal community members.

I respect the service each of you provides and the difficulty in making decisions for the good of both our community and our region. Yes, we are a part of the larger community than Mercer Island.

Our views are as follows:

1. ICW must be protected as an entrance for all vehicles. Whether SOVs are allowed to remain in the HOV/HOT lanes is desirable, but a lesser issue.
2. If there are to be HOT lanes, MI traffic should either be exempt or required at most to pay a small token fee with a daily/weekly/monthly maximum.
3. A Mercer Island Resident Only P&R is critical. I understand that the ST P&R cannot and should not be restricted to MI residents only. I support the concept of MI Resident Only P&R at the Community Center, including Kite Hill. I believe traffic mitigations can be developed to minimize any additional impact on the local neighborhood. I would hope that MI residents would respect the adjacent neighborhood and MI Police should be in place to ensure such respect is provided.
4. Obviously the construction of a new MI Resident Only P&R will take several years. In the interim the ST or City should contract for additional use of existing parking for MI Resident Only P&R e.g. churches, the Community Center, schools in the summer etc.
4. Additional Island-wide bus service to the main P&R must be increased to both reduce the need for additional cars on the road and in the P&R lots. We live on the Southend of the Island and are retired. It is very difficult to use the local 204 in non-peak times because of the lack of frequency and early termination of the route each evening.
5. I participated at the multiple ST input sessions for the design of the station over the past couple of years. The sessions I attended were very sparsely attended even though they were well advertised. I think the design is as fine open, bright, visible for the sake of safety and utilitarian, as every other LR station. I provided additional comments to ST an additional drop-off area should be at the East Portal as well as the West Portal, both for the convenience of Southbound Island traffic but also for the additional landscaping similar to the West Portal area to visibly soften the approach to the station.

6. Some level of bus intercept on MI upon the completion of East Link is acceptable, a regional obligation in my opinion. The LT Rail station design should accommodate bus intercept, rather than require modification in the future i.e. bus drop off at the East Portal.

The 6 year construction period of Light Rail across MI will be difficult and messy as was the creation of the current I-90 configuration, which left MI with beautiful parks on the lid and convenient access to I-90. The MI community will adjust to the inconveniences (and grumble along the way, I know I will) . Both ST and the City can lessen the inconveniences by continuing to share information and take steps, including those described above, ensure MI Resident access to I-90 vis ICW, additional bus service and additional P&R facilities for MI Residents.

Thank you for listening and for making thoughtful decisions both for the current MI community and the MI community of the future.

Patrick and Marianna Sheehan

From: Subeer Manhas
 To: bruce.bassett@mercergov.org bruce.bassett@mercergov.org; debbie.bertlin@mercergov.org
 debbie.bertlin@mercergov.org; dan.grausz@mercergov.org dan.grausz@mercergov.org;
 jeff.sanderson@mercergov.org jeff.sanderson@mercergov.org; wendy.weiker@mercergov.org
 wendy.weiker@mercergov.org; david.wisenteiner@mercergov.org david.wisenteiner@mercergov.org;
 benson.wong@mercergov.org benson.wong@mercergov.org
 Cc: council@mercergov.org council@mercergov.org;
 Subject: Mercer Island City Council Negotiations for Mobility, Safety, and Schools
 Date: 12/22/2016 6:27:23 PM
 Attachments: MI.MobilityLetter.12.22.16Final.pdf

Dear Mercer Island City Council:

We are a group of concerned Mercer Island residents who care deeply about the future of our unique community. We recognize Mercer Island is in the midst of negotiations that will dramatically and permanently change our mobility (car/bus/bike/pedestrian), safety, schools, parking and ultimately quality of life for generations of Islanders. We would wholly embrace WSDOT and Sound Transit's regional approach if it were not so clearly detrimental to Mercer Island. To that end and because our community has entrusted you with our current and future well-being, we urge you act now to negotiate the best deal for our city:

1. Mercer Island, Sound Transit, Metro, and the WSDOT must have a unified term sheet with specific terms that Mercer Island residents agree upon
2. Mercer Island must motivate Sound Transit and WSDOT to agree to a term sheet that outlines specific mitigations to prevent irreversible and irrevocable damage to our community, including compensation.
3. Mercer Island must revoke the Shoreline Permit that it had previously issued. The Council's obligation to revoke the permit follows the letters from FHWA as, "New information indicating a proposal's probable significant adverse environmental impacts", under WAC107-11-600(3)(b)(ii) with respect to SOV eligibility contained in the FEIS referenced by the permit application.

By revoking the permit, Sound Transit, Metro and WSDOT will be motivated to negotiate a term sheet. This deal needs to have Mercer Island, Sound Transit, Metro and WSDOT agree to the following:

1. Well-enforced SOV access to R8A managed lanes between I-405 and Seattle, inclusive of all ramps, for all Mercer Island traffic.
2. Keep the Island Crest Way ramps open to all traffic, not just HOV.
3. WSDOT enforces integrity of Managed Lanes by preventing cut-through traffic using technology on I-90 and Sound Transit pays for installation of cut-through prevention technology on arterial roads, ramps, and other roads of Mercer Island.
4. No bus intercept or turnaround on Mercer Island.
5. MI Park and Ride will be given MI permit parking (an allocation) during peak hours and % allocation for future parking issues.
6. To mitigate traffic backup on I-90 and bus access from 2017-2023, two additional direct access ramps for all traffic must be opened prior to closing center roadway.
7. Metro increases local intra-island shuttle options to help teachers, students, commuters, local businesses and others.

8. Sound Transit keeps I-90 center roadway open until it is absolutely necessary to close for construction. We see no reason to build station head houses early on and then keep the roadway closed for another four-plus years.
9. Sound Transit provides funding to address and mitigate the issues created from the ST2 Eastlink expansion:
 - a. Improve pedestrian, bike and vehicle safety
 - b. Access to transit and intra-island multi-modal solutions
 - c. Emergency Services Support Funding
 - d. Infrastructure enhancements commensurate with LR/ST2 Construction
 - e. Impacts to businesses and educational system
 - f. Sound Transit to pay for and provide parking per the 1976 agreement

In her December 13th editorial in *The Mercer Island Reporter*, Deputy Mayor Debbie Bertlin wrote that she, the Council, and city staff will advocate for the community's needs with an approach that has the highest probability of delivering the best outcomes. Deputy Mayor Bertlin adds, "The council and I also remain open to all other options if negotiations do not progress favorably." With all due respect to the Deputy Mayor, Mayor and other Council and staff who have worked on this issue, we believe now is the time to opt for revoking the Shoreline permit; said revocation will be the only way Mercer Island will be able to achieve our stated goals.

The actions we outline will respect the hard work and foresight of past city leaders with respect to mobility for Mercer Island residents through the hard-negotiated 1976 MOA and 2004 Amendment. Consistent with the Mercer Island School District, Vision Mercer Island, and Save Our Suburbs, we believe Mercer Island must negotiate for "loss of mobility" for changes and/or operations of I-90 between Seattle and I-405. This is a time when the citizens of Mercer Island and the city council must stand together to fight for our community before irreversible, ruinous changes are enacted.

Sincerely,

Hilary Benson	Jodi McCarthy
Erika Brown	Greg Moll
Greg Brown	Lori Moll
Dave Dumler	Roger Shanafelt
Jim Lovsted	Sarah Smith
Sonia Manhas	Jane Tiscornia
Subeer Manhas	Tim Tiscornia

Note: 250+ others have also signed via [change.org](https://www.change.org) since this mornings post

From: Alan Smith
To: council@mercergov.org council@mercergov.org
Cc:
Subject: ST2 ET AL
Date: 1/8/2017 3:29:02 PM
Attachments:

Hello

I HAVE to be careful what I WRITE AT MY WORK on the FAA COMPUTERS. Now ST2 as executed by the Einsteins at their offices is potential a traffic disaster. Jeff Bidwell and Renay BENNET and Don ROSEN have given up the fight. No lawyer will take on ST and they run rough shod over the neighborhoods. 265000 cubic yards of marsh to be replace-Bellevue WAY down to three lanes. Getting back at our worthless council is what I WOULD LIKE TO SEE. You on the island should use parking passes for your residence and keep parked cars from Bellevue out of your park and ride. Closing ICW ACCESS to I-90 is stupid. Depress the ST line under the intersection. The traffic engineer hack (He looks like Peter May of the QUEEN band) at Bellevue City hall is working on 3 lanes on Bellevue way. We lose one lane for construction. If this was England they would be dancing on the city councils table but not here the citizens stand for anything and stand for NOTHING. Bidwell thinks the bus commuters at oblivious to what ST will do next month when the Bellevue Park and RIDE is permanently closed. By the way have you noticed the high rise buildings going up in Bellevue. THIS ADDS TO THE TRAFFIC CONGESTION. The weekends when Bellevue Way is closed it is going to be a shambles especially during the winter months. For 5 to 7 years. We need an elected mayor in Bellevue-fat chance of getting one.

Keep up the fight -may the force be with you

Alan w smith

From: Vinay Datar
To: council@mercergov.org council@mercergov.org
Cc:
Subject: MI access to Park and Ride.
Date: 1/14/2017 8:51:01 PM
Attachments:

Here's one thought to preserve MI access to the Park and Ride: Make the entire lot for HOV parking only, but MI residents can park as individuals, just like current HOV lane access.

This may work well.

Thanks

Vinay Datar

From: Morrene Jacobson
To: council@mercergov.org
Cc:
Subject: Mobility
Date: 1/25/2017 1:30:17 PM
Attachments:

Perhaps you all know something that the rest of us don't, but from what we see now it looks like negotiations with ST have not yielded positive results for the future of mobility on MI.

I know you are aware that: the FHWA will not allow SOV access; ST will reserve neither parking spaces, nor seats on trains and buses, for Islanders; intra-island transportation is inadequate. The center lanes will close and the unattractive station will be built long before needed. ST has lots of money for ST2, and MI deserves a big chunk as mitigation.

If the council is unwilling to litigate issues with Sound Transit, or let the citizens decide whether to litigate after releasing all the documents from the "privileged" meetings and negotiations, then the citizens are not open to the council coming to us with a lump sum cash settlement proposal. Any settlement proposal should state what specific mitigation the citizens will receive, when, who pays, and why.

Respectfully,
Morrene and Terry Jacobson

From: Eric Rothenberg
To: debbie.bertlin@mercergov.org debbie.bertlin@mercergov.org
Cc: council@mercergov.org council@mercergov.org
Subject: I-90 Mobility and Traffic Impacts: We need more data...
Date: 1/25/2017 4:22:33 PM
Attachments: MobilityLetterBertlin-Council_Jan2017.pdf

Hi Debbie,

I wrote the attached letter intending to read during public input at the January 17 City Council meeting. However I arrived just after public comment closed, so I decided to use this content as the basis for the comments I made on Thursday, January 19 during the listening session hosted by Julie Underwood at the Community Center. I sent the full text below to Ms. Underwood yesterday, 1/24, and told her I would be sending it to Council as well.

I am sending to you directly based on a comment you made recently about needing data, in context of off-Island use of the MI P&R. A main point here is the City's need for more data with respect to traffic impacts in and around Town Center once the center roadway closes. As with the MI P&R issue, we need the data.

I look forward to your comments.

Regards,
Eric Rothenberg

January 25, 2017

Ms. Debbie Bertlin
Deputy Mayor
City of Mercer Island

CC: Mercer Island City Council

Dear Ms. Bertlin,

Like many other Islanders, I'm very concerned about the ongoing negotiations with Sound Transit regarding mitigations for our substantial loss of mobility within and around Town Center and for the "significant impacts" the center lane closure and ramp closures will have on our ability to get around, off, and back to Mercer Island.

I'm concerned that all of us (Islanders, City Staff, Council) do not fully understand the true impact of not allowing SOV traffic to use the Island Crest Way onramp to I-90 Westbound, as was presumed when Sound Transit published the Eastlink Project Final Environmental Impact Statement (July 2011). The August 2016 letter from the FHWA regarding SOV access to HOV lanes should have prompted an immediate call for an updated Environmental Impact Study to measure and understand the issues these dramatic new traffic patterns would create.

However, in lieu of demanding a new EIS, and then a revised FEIS be completed by Sound Transit, it appears the City is relying on the relatively brief and narrow traffic analysis summary from KPG commissioned by Mercer Island. The KPG study is inadequate and light on data relevant to the critical issues.

First, the KPG memo only covers traffic accessing I-90 ramps and focuses mainly on the AM peak hour of 7:30-8:30, though it does point to the 30 minutes before and after as having "more than 80% of the peak hour volumes." Essentially, the study concludes, there is a two-hour window from 7-9am of "peak" and near-peak volume.

The study points to a roughly 700% increase in traffic volume for the 76th Ave SE on ramp, (from 180 vehicles/hour currently to almost 1200/hour projected) when the Island Crest and 77th Ave SE ramps close. There will be just one ramp to I-90 westbound between Island Crest Way and Town Center, where the majority of traffic accesses the highway. And this is not some minor detour inconvenience for a few weeks or months – this is permanent. Drivers will find alternate routes, likely through two elementary school zones on W. Mercer Way and 40th St...

According to the report: "**The [76th Ave SE] on-ramp would not be able to support this level of traffic and would result in extensive queuing, travel delays, and potential for traffic to divert to other westbound on-ramps such as West Mercer Way.**" You may know that many cyclists traverse the I-90 bridge with the entrance/exit at the same point as the westbound onramp.

Should we expect more car-bicycle issues at West Mercer Way and I-90 as bike commuters try to get to the bridge?

Second, the memo does not take into account the volume of cars that already traverse Town Center on a typical morning. Today it is clear to the untrained eye that there is a steady flow of cars through Town Center in the morning – and we know everyone is not heading to the highway westbound... There is a flow of cars coming through town to go eastbound at the Island Crest Way ramp, as well. And there are people going to meet for coffee, or to the pharmacy, cleaners, hardware store, Island Books, and parents/students/buses are driving to school – all through and around Town Center.

This is only part of the story and there are many additional questions unanswered, including:

- What about residual volume later in the morning, after “peak”? What is the expected traffic/congestion going to be all day, every day? We need data that considers regular, off-peak traffic volumes. What is going to be the everyday impact in Town Center?
- What about weekend volume? This is not insignificant to residents, businesses, and our relatively quiet suburban city.
- What will be the impact to residents and businesses on the north end? On a regular basis, at all hours of the day.
- What about increased noise from these cars? That is not considered in the KPG memo.
- What about air quality with so many more cars? There are six intersections identified in the study that would drop below the adopted Level of Service (LOS). The memo says these changes should be reviewed for consistency with air quality standards. Has this been done?
- And what about pedestrian safety? A recent article in the *Reporter* cited an increase in pedestrian incidents in crosswalks... One conclusion of the study states **“These added traffic volumes would also increase the potential for pedestrian-vehicle conflicts in the Town Center and impact bus operations around the light-rail station.”**

It is critically important for our community to know what it’s going to be like in Town Center during the morning with 1000 more cars per hour trying to get to the one remaining on ramp. (And what happens when there’s a fender-bender? With one access point, everything stops.) We need to know what it’s going to look like on a weekend when we’re trying to get through to Seattle or just get to Homegrown for lunch or to the Farmer’s Market on Sundays. This is not a short-term problem, nor a “temporary” seven-year issue – this is permanent.

The November KPG study is a start but very clearly tells us more data is needed and more analysis required to understand the full picture and the full impact to Mercer Island. A new or updated EIS must be commissioned by Sound Transit in coordination with Mercer Island before the center roadway is closed for good. And this should inform the negotiations with Sound Transit, WSDOT, and others on impact mitigation.

Of course the traffic impacts and back ups aren't the only issues but these will be felt immediately and there will be little to no short-term remedy if not addressed before the center roadway closes. But until we understand the true scope of the problem we're facing, how can we start to consider appropriate remedies and mitigations? In addition, is my understanding that these remedies or mitigations are required based on prior agreements, starting in 1976, should we lose access to the center roadway. We are relying on the City of Mercer Island and all relevant parties to abide by and enforce those agreements on our behalf

Finally, we should all be concerned about what the memo plainly concludes: **"The City of Mercer Island has not received plans to implement the mitigation improvements and these improvements are not expected to be in place when the center roadway is closed."** Many of us are wondering: Why not?

Thank you and regards,

Eric Rothenberg

From: [DDMoriko](#)
To: kirsten.taylor@mercergov.org
Cc:
Subject: Re: Light Rail Impacts - Comment Confirmation
Date: 1/26/2017 9:44:30 AM
Attachments:

More on New Transportation Secretary background to share (looks like she may be an opportunity):
<http://abcnews.go.com/Politics/elaine-chao-trumps-pick-secretary-transportation/story?id=43846421>.
Thanks for your reply.

In a message dated 1/26/2017 9:36:09 A.M. Pacific Standard Time, kirsten.taylor@mercergov.org writes:

Thank you for your comments on light rail, they will be forwarded to the appropriate staff or Council Members.

From: Sarah Fletcher
 To: Ross Freeman Ross.Freeman@mercergov.org; julie.underwood@mercergov.org; Patrick Yamashita patrick.yamashita@mercergov.org
 Cc: council@mercergov.org; Bruce Bassett bruce.bassett@mercergov.org;
 Subject: History of the Light Rail Choice and 77th Ave SE HOV Ramp
 Date: 2/2/2017 10:02:11 AM
 Attachments:

Hello Ross and Julie, here is a bit of history.

If you want to see how deceptive Sound Transit were, here is some history:

<http://www.seattletimes.com/seattle-news...>

Here is a part of the article:

"Sound Transit says a March report **overestimated the cost of a possible bus-only, high-capacity transit system for the Eastside by about \$1 billion** because the authors misunderstood some key information from the state Department of Transportation.

The **mistake accounted for half of a whopping \$2 billion drop in the cost estimate for an Eastside "bus rapid transit" (BRT) system** that Sound Transit released yesterday.

Critics have charged that the March report, on future transit options, was biased to favor light rail over BRT, a bus network that mimics many features of rail.

"A mistake's a mistake," agency spokesman Geoff Patrick said yesterday. "We're owning up to it. ... We're very sensitive that we're anything less than transparent in putting these numbers out."

And as far as the FHWA's plan, the Alternative A-1 was the original plan.

See below:

"As part of I-90 Two-Way Transit and HOV Operations Project, access modifications and improvements to the HOV direct access to and from Bellevue Way SE interchange have been constructed to provide direct access to and from both eastbound and westbound outer roadway HOV lanes throughout the day. Access to the reversible center roadway would continue to vary, depending on time of day. On Mercer Island, this project recently constructed access to the island via an 80th Avenue SE westbound HOV direct-access off-ramp and is currently constructing an eastbound HOV direct-access on-ramp at the same location.

At 77th Avenue SE, **an eastbound HOV direct-access off-ramp would also be built**, but an HOV connection from downtown Mercer Island to westbound I-90 in the **PM** peak period would not be provided. In **conjunction** with East Link, this location of the eastbound HOV direct-access off-ramp would be modified to Island Crest Way, as further described in Policy Points 3 and 4; these access modifications are illustrated in Figure 1-6. Policy Point 7 provides more information about the I-90 Two-Way Transit and HOV Operations Project.

Preferred Alternative A1 begins in the Downtown Seattle Transit Tunnel at the International

District/Chinatown Station, where it connects to the Central Link light rail system. From there, the alternative enters the D2 Roadway. The D2 Roadway is a ramp between Downtown Seattle and Rainier Avenue South that currently provides HOV and transit access to and from I-90. With the East Link Project, the D2 Roadway will operate as **a joint light rail/bus facility with embedded track**. Non-transit (such as carpools) vehicles will be prohibited from using the D2 Roadway. The alternative continues in the I-90 center roadway to the Rainier Station, passes through the Mount Baker Tunnel, travels in an exclusive right-of-way in the center roadway on the Homer Hadley floating bridge, and continues to the Mercer Island Station located between 77th Avenue SE and 80th Avenue SE by the existing Mercer Island Park-and-Ride lot. As part of Alternative A1, an HOV direct access ramp will be constructed at Island Crest Way in the eastbound direction. Even though the current proposal as part of Stage 3 of the I-90 Two-Way Transit and HOV Operations Project is to construct the eastbound HOV off-ramp proposed at 77th Avenue SE, it is not the preferred option in conjunction with the East Link Project, because bus use of 77th Avenue SE ramp would be partially or wholly replaced by light rail service. Sound Transit and WSDOT prefer to connect this access with the Island Crest Way eastbound off-ramp from the center roadway. From the Mercer Island Station to Segment B, Preferred Alternative A1 continues along the I-90 center roadway in exclusive right-of-way. The conversion of the center roadway to light rail would require closure of the center roadway ramp with 77th Avenue SE and the center roadway eastbound direct HOV off-ramp to Island Crest Way. To mitigate queuing effects onto the I-90 mainline, traffic signals at the 77th Avenue off-ramp **are included within the technical analysis.**"

Construct an eastbound HOV direct-access off-ramp at 77th Avenue SE (note: this location would change with the East Link Project).

Alternative A1 continues in the I-90 reversible center lanes, first crossing Lake Washington to a Mercer Island station between 77th and 80th Avenues, and then crossing the I-90 East Channel Bridge to connect to Segment B in south Bellevue. Pedestrian access to the Mercer Island Station is via 80th Avenue SE and 77th Avenue SE. Alternative A1 includes an eastbound HOV direct-access off-ramp on Mercer Island at Island Crest Way.

It was Deputy City Manager James Mason who messed the plan up. Here is why the 77th Ave SE HOV ramp got changed.

"City Council Mini Planning Minutes June 19, 2010

I-90 RAMPING AND LANE CONFIGURATIONS:

Deputy City Manager James Mason provided a brief overview of the proposed and potential options for I-90 ramping connections to Mercer Island that will be a result of both R8A (HOV lane modifications) and the future light rail. The two ramp options include an added HOV exit at 77th Ave SE - **which is an expensive option** that could create additional traffic congestion in the Town Center; or a preferred ramp configuration that will provide access from I-90 eastbound to Island Crest Way via an existing tunnel. Staff has had discussions with both WSDOT and Sound Transit about using the cost differential between the ramp options as a part of mitigation funds for loss of mobility. The existing Island Crest Way access to I-90 westbound will remain but will link into the westbound HOV lane. **Staff will work with WSDOT to ensure SOV drivers from Mercer Island will be able to access and use this lane.**"

<http://www.mercergov.org/files/ab4562.pdf>

BASIS FOR SELECTING

2004

http://www.wsdot.wa.gov/NR/rdonlyres/1C5DB178-7F10-4FD8-BB60-F4F94E917E8F/0/R8A_Record_of_Decision.pdf

"Construction. During construction of the ramps, road closures will not occur on 77th Ave SE and 80th Ave SE, at the same. This will ensure that access to the Mercer Island CBD is not adversely impacted."

We need to see the construction plan and schedule. We need to know if and when they plan on shutting down any local roads during construction and for how long and will the 77th Ave SE general ramp be impacted?

And what is the noise ordinance?

"Operation. The westbound approach at the unsignalized intersection at 76th Ave SE/I-90 westbound on-ramp/North Mercer Way will be changed to a left turn lane and a shared right and through lane. The improvement that will only require re-striping of the westbound approach will improve the AM peak period of level of service from LOS E to LOS B."

They keep changing this. We need to see what they have planned and make sure that the ramp is built before they close the center lanes.

"Monitoring and Enforcement

The Division Administrator, ... the City of Mercer Island, and the City of Seattle will be responsible for monitoring and enforcing mitigation measures."

As far as monitoring goes, they are way out of compliance with the noise, yet they are not doing anything about fixing it. It has been 6 years now. What can the City do legally to make them comply? Do they want us to go deaf before they do anything about the noise?

And what is happening with the air quality testing? Why has there been no monitoring?

And legally, payment for traffic mitigation is shared to the extent Sound Transit pays for its share of congestion caused by Sound Transit 2. The rub is Sound Transit is probably arguing the FHWA prohibited SOV access based on federal law, not ST 2, and so Sound Transit does not owe for any mitigation due to loss of SOV. You might want to find out about this in case the City get the bill.

I hope this is of help. I will email you separately on the light rail stations. They are not acceptable.

Thank you.
Sarah Fletcher

From: T Dickhaus
To: council@mercergov.org council@mercergov.org
Cc:
Subject: I-90 Access & Light Rail design questions
Date: 2/2/2017 7:08:38 PM
Attachments:

Hi Council,

Here are the questions I have about the current design and schedule of the I-90 redesign for Light Rail.

1. If there is one person in the car, how many possible ON and OFF ramp "Lanes" including dual lane ramps will there be before (Now) and after when construction begins and after the center lanes close?
2. Which On ramp lanes in the new design, post construction will be flow controlled with a "One Car per Green Light" and how will that back up traffic be managed on MI with adequate space?
3. What is the cumulative (past, present and future) number of times I-90 East or West will be closed or restricted for the construction of light rail until the project is finally completed?
4. Where and who will tally, disclose, notify and report the total number of I-90 closures to the media and the public for this project and why is it not being disclosed to the public now?
5. How will I-90 maintenance be performed once the center lanes are closed given that currently the center lanes enable maintenance of either E/W span today?
6. Will diversions to 520 in any scenario be imposed and forced on Mercer Island citizens who need to travel to and from the east and west sides of Lake Washington?
7. How will tow trucks and emergency vehicles reach impaired vehicles or injured passengers on the I-90 spans once the lanes are reconfigured?
8. If trolleys and street traffic share the same streets in Seattle and in hundreds of cities in the world, why can't cars, busses and light rail share the same mid-span road?
9. Why does this project take so long to complete?

We voted for "Professional", "Excellent", "Efficient" Traffic Management . We did not vote for "Dumb" Traffic Management.

Tom Dickhaus

From: Sarah Fletcher
To: Bruce Bassett bruce.bassett@mercergov.org; julie.underwood@mercergov.org;
council@mercergov.org
Cc:
Subject: Bus/Rail Intercept - Bruce Bassett's Last Correspondence
Date: 2/3/2017 10:41:08 AM
Attachments:

Hello, this is Bruce Bassett's last correspondence with regard to Sound Transit's bus/light rail intercept plan. Could someone please follow up and see where things stand with regard to this subject? Thank you.

http://www.mercergov.org/files/Bus_Intercept_CouncilLetter_05.11.15.pdf

You might not know this, but why they want to shove their bus turnaround on Mercer Island is because they can't build the HOV ramp leading to the South Bellevue Park and Ride because of the Mercer Slough. Did you know that or did Sound Transit and WSDOT neglect to tell you? So, the solution would be to build the 77th Ave SE HOV ramp like they were originally supposed to do, as well as the Island Crest Way HOV ramp. And instead of demolishing the 77th Ave SE HOV ramp come the running of light rail, they should leave it in place. If they truly did not want vehicles to come into the Town Center, then they would have closed the general 77th Ave SE ramp, as well. It doesn't add up. The reason is not that they did not want cars coming into the Town Center, it is because they didn't want to spend the money on building the 77th Ave SE HOV ramp. I have never seen any documentation that it could not be built because of a problem with the design. And just so that you know, Sound Transit and WSDOT's goals are to save money, their goals are not the same as ours.

And where do we stand with regard to the light rail station designs? They are horrible and will change our views forever as currently designed. They are unacceptable as is their plan to plant Boston Ivy.

And what is being done about the freeway noise? Could you please point me in the direction of where I can find the noise ordinance that even though Sound Transit state that our Noise Ordinance will not apply, what is happening with the ordinance and can we stop overnight construction on the local roads at least?

And where can I find information on the latest air quality data? I have not seen anything since 2002. The air quality plays an important part in light rail in that should the levels of service be at failure levels, that would mean that the air quality would also be at sub-par levels which is contradictory to what light rail is all about.

I look forward to receiving a response. Thank you.

Sarah Fletcher

From: Debbie Bertlin Debbie.Bertlin@mercergov.org
To: Scott Kuznicki; Julie Underwood julie.underwood@mercergov.org; Scott Greenberg
Scott.Greenberg@mercergov.org; Kirsten Taylor Kirsten.Taylor@mercergov.org
Cc:
Subject: RE: Mercer Island mobility and mitigation
Date: 2/3/2017 11:29:30 AM
Attachments:

Scott,

Thank you for the detailed and constructive letter. The timing is excellent.

I am cc'ing city staff to ensure it goes on record.

Regards,
Debbie

Sent from my Windows Phone

From: [Scott Kuznicki](mailto:Scott.Kuznicki@mercergov.org)
Sent: 2/3/2017 11:10 AM
To: [Debbie Bertlin](mailto:Debbie.Bertlin@mercergov.org)
Subject: Mercer Island mobility and mitigation

Good morning, Deputy Mayor Bertlin,

Please read the attached letter, submitted for the consideration of the City Council. The City Council has an obligation to aggressively protect the interests of Islanders and ensure that we are not irreparably harmed by regional agencies with no apparent interest in preserving our quality of life.

It seems likely that immediate action to delay the Center Roadway closure is imminent. If the City government does not do it, I can assure you that the people will see to it that it happens. In any event, implementing the recommendations in this letter will put a stop to the rising tide of opposition to Sound Transit's intent to severely impact our mobility.

Please act in the best interests of our Island.

Warmest regards,
Scott O. Kuznicki

From: MONICA and MARK ROBBINS
To: council@mercergov.org council@mercergov.org
Cc:
Subject: Restricted I-90 SOV Access Concerns
Date: 2/3/2017 4:03:02 PM
Attachments:

I have been reading and following the plans for eliminating SOV access to westbound I-90 with great concern and disbelief along with most of my fellow Mercer Islanders. I have read many concerns expressed about the impact of this monumental traffic revision on the CBD, but I think the impact of increased traffic on East and West Mercer Ways will be equally significant and may pose an even greater safety concern. Without access to westbound I-90 at Island Crest Way most of the SOV vehicles coming from mid Island as well as the south end of the Island will be primarily using these roadways with the bulk of the traffic overloading West Mercer Way. This presents a higher safety concern than the increased traffic in the CBD since West Mercer Way as well as East Mercer Way are poorly lit with no sidewalks and extremely limited shoulders. Past studies have indicated that it is not even feasible to sufficiently expand the shoulders for a safe bike lane let alone the addition of sidewalks. This is not just a concern during commuter hours but all day and night. And the impacts will be felt not only by Mercer Islanders but also the many bicycle riders that come to the Island to ride the extremely popular perimeter loop. My question, as a trained and licensed civil engineer, is how this has been taken into account in the traffic studies to date?

It is hard to believe that an exception to a rule cited by the FHWA cannot be made for a community whose sole ingress and egress is via a federal highway. The impact of limiting SOV access as currently proposed is far greater than simply the impact on traffic flow on I-90 and in the Mercer Island CBD.

Monica Robbins, P.E.

From: Sue Robboy
To: council@mercergov.org
Cc:
Subject: Please sue to protect our access to I-90
Date: 2/4/2017 3:02:23 PM
Attachments:

Dear City Council,

I cannot be at the Council meeting Monday but am in favor of spending city funds to stop the I-90 projects until serious safety and access issues can be resolved in a manner that keeps us safe and with great mobility. Narrowing lanes, closing shoulders and freeway entrances, removing SOV access, clogging up town center are not ok. I am also not willing to gamble my property value over this. We moved to Mercer Island for easy and safe access. Thank you in advance for taking a stronger stance.
PS Most of us at the southend will never ride light rail due to lack of parking.

Best, Sue Robboy

From: Jodi McCarthy
To: council@mercergov.org
Cc: julie.underwood@mercergov.org
Subject: I90 Mobility concerns
Date: 2/5/2017 8:11:19 PM
Attachments:

Council Members and Ms Underwood

I am writing to express my concern over the Eastlink light rail project.

I found a quote that I believe sums up this project - 'Don't cling to a mistake just because you spent a lot of time making it.'

There are too many unanswered questions surrounding the Eastlink light rail that need to be answered before the center lanes are closed on the I90 bridge and Mercer Island and the Eastside are severely impacted for years. Questions about safety, actual capacity of the trains, impacts to side streets, park and ride capacities, train capacities.... Just because Sound Transit wants to do this project and has already invested a lot of time and money into it doesn't mean that it is going to improve traffic congestion on I90 and make it the right project for Mercer Island and the Eastside.

There are many advances in public transit that could be a better answer for improving congestion on I90 that can be done without closing the center lanes.

Please act now to stop the Eastlink light rail project.

Sincerely

Jodi McCarthy

From: Weston Floyd
Subject: 2004 I-90 Litigation: Why did the City Council Ignore 4,750 Islanders?
Date: February 6, 2017 at 12:45:25 PM PST
To: julie_underwood@mercergov.org, benson_wong@mercergov.org,
david_wisenteiner@mercergov.org, wendy_weiker@mercergov.org,
jeff_sanderson@mercergov.org, dan_grausz@mercergov.org,
debbie_bertlin@mercergov.org, bruce_bassett@mercergov.org

Dear Council Members,

As a 33-year old husband, homeowner and 2nd generation Islander, I decided it was time to educate myself on the history of Mercer Island's I-90 access. I want to share my findings.

I was surprised to learn that on August 2, 2004 our own City Council voluntarily weakened the island's control of the I-90 center express lanes by voting 5-2 in favor of passing resolution No. 1337, which amended Mercer Island's 1976 I-90 Memorandum of Agreement. In response to the Council's vote, the Mercer Island political action group Save MI SOV collected in excess of 4,570 signatures of island registered voters on Referendum Petition 04-01. The Referendum sought to completely repeal Mercer Island Resolution No. 1337 and make the city council majority step back and figure out the negative impacts of giving up access to the I-90 center lanes before taking the drastic step which has landed the island in the position it is in today. In 2004, before the city council's vote, islanders were demanding that an EIS be done first; that the city council learn about the negative impacts; to figure out what was needed to address them; and to secure mitigation. That was not done in 2004, and that has still not been accomplished.

King County Records & Elections certified the referendum for inclusion on the November 2004 ballot.

I was confused, because I did not remember voting on Referendum 04-01 in the 2004 election. I recently decided to take a trip to the King County Court House Archives to learn more. I discovered that two former Mercer Island Council Members (Elliot Newman and Ben Werner), the Council's 2003 Citizen of the Year (Myra Lupton) and the League of Women Voters of Seattle filed suit against the King County Board of Elections **to prevent Islanders from being able to vote on repealing their own City Council's decision to Amend the 1976 MOA, which safeguarded Island access to I-90.** King County refused to defend itself, forcing Save MI SOV to intervene. Save MI SOV put up an admirable defense winning on a major issue, but Seattle's Superior Court allowed the preliminary injunction while at the same time encouraged Save MI SOV to appeal the ruling to lift it. The judge required a decision from the appellate court that same day before the 4 p.m. deadline for printing the ballot. Save MI SOV filed its appeal, but there were no appellate court judges available to hear it that Friday afternoon. So the ballots were not printed. Two former Mercer Island city council members; the council's citizen of the year; one other person and the League were able to stop a whole island from voting.

The city of Mercer Island and its council members did not step up in the lawsuit to protect islanders' right to vote. Instead, it did nothing.

Nor did they step up to offer legal or financial aid to the legal effort of Matt O'Meara and Lisa Belden, Save MI SOV's husband and wife pro-bono legal team fighting for the voice of 4,570 Islanders who signed the petition and likely more who wanted to vote. I know this, because I contacted Lisa after reading the legal filings, as I was so shocked by the lawsuit.

I also want to point out that the signers of the Referendum petition included the pillars of our community, by way of example Alan Mullaley (former CEO of Ford) and Todd Strumwasser (former President of Swedish Medical Center) and thousands of other islanders who care deeply for their community and understand the implications of limiting I-90 access.

A scanned copy of all 4,570+ certified signatures and key filings from the 2004 lawsuit are available for download and viewing at the Dropbox link below. I hope you take a minute and read through the filings to better understand why Islanders are hoping for a different response by the Council in 2017.

https://www.dropbox.com/sh/y4n66l2l708yo61/AAAFh-jJ21fNgLHkItT_Mqi5a?dl=0

Thank you,

Weston Floyd

From: Don Kern
To: council@mercergov.org
Cc:
Subject: Sue to protect our I 90 access, please
Date: 2/6/2017 2:53:27 PM
Attachments:

Dear City Council,

I may not be able to attend the new day/time for this week's council meeting (adjusted for snow weather), so I am emailing for my voice to be heard.

We have happily lived and owned a home on Mercer Island for over a decade, and work in Seattle. Our jobs are not transferable to the Island or to the East side. Public transportation will not work for our jobs. Car pooling does not work for our jobs. We depend on the access for single occupancy vehicles to I 90 via Island Crest Way for ingress and egress, in addition to enjoying the benefit of access to the Express Lanes. Given our jobs, which predate our living on Mercer Island, the excellent commute to Seattle was a significant reason we purchased a home here.

We are obviously alarmed for ourselves in terms of our commutes that would result from the potential changes to I 90 access, but also for the effects on downtown (town center) Mercer Island and the safety issues others have articulated. We are also concerned for our home value.

Please sue to protect our access to I 90. We support spending city funds to stop I 90 projects until the serious access and safety issues are resolved in a manner that keeps us with great mobility and safe. If necessary, a temporary tax to fund the City's legal effort for this purpose is OK.

Thank you, in advance, for taking a stronger stance.

Sincerely,
Don Kern

From: Terry Deeny
To: Mercer Island Council council@mercergov.org
Cc:
Subject: Sound Transit HOV access
Date: 2/7/2017 10:13:14 AM
Attachments:

If it takes a lawsuit then do it! We, (you) just can't talk about preserving our rights. Stand up and fight!

Terry Deeny

From: Bart Dawson
To: julie.underwood@mercergov.org
Cc: council@mercergov.org
Subject: Design of 80th Avenue SE at Light Rail Station
Date: 2/7/2017 9:34:23 PM
Attachments: PicturesforListofProblems20150413.pdf; PlanBpages2015-04-07RevA.pdf

February 7, 2017

Dear Ms Underwood:

Please review the Google Maps view of I-90 near the Park and Ride Lot. <https://www.google.com/maps/@47.5881467,-122.2331226,400m/data=!3m1!1e3?hl=en>

When I-90 was designed Aubrey Davis was adamant that I-90 would be as hidden as possible from people on Mercer Island. Thus the roadbed was below normal ground level. All pedestrian pathways on all of the bridges curve through greenery on wide lids that hide the view and direct light of sight traffic noise.

It is not clear to me, looking at the illustrations on the web if the 60 foot wide green space on west side of the 80th Avenue SE bridge is preserved. I think it is unacceptable that one of the guiding principles for the I-90 design way back in 1972 should be nonchalantly discarded. Please ensure that the 60 wide green space on the west side of the bridge is preserved.

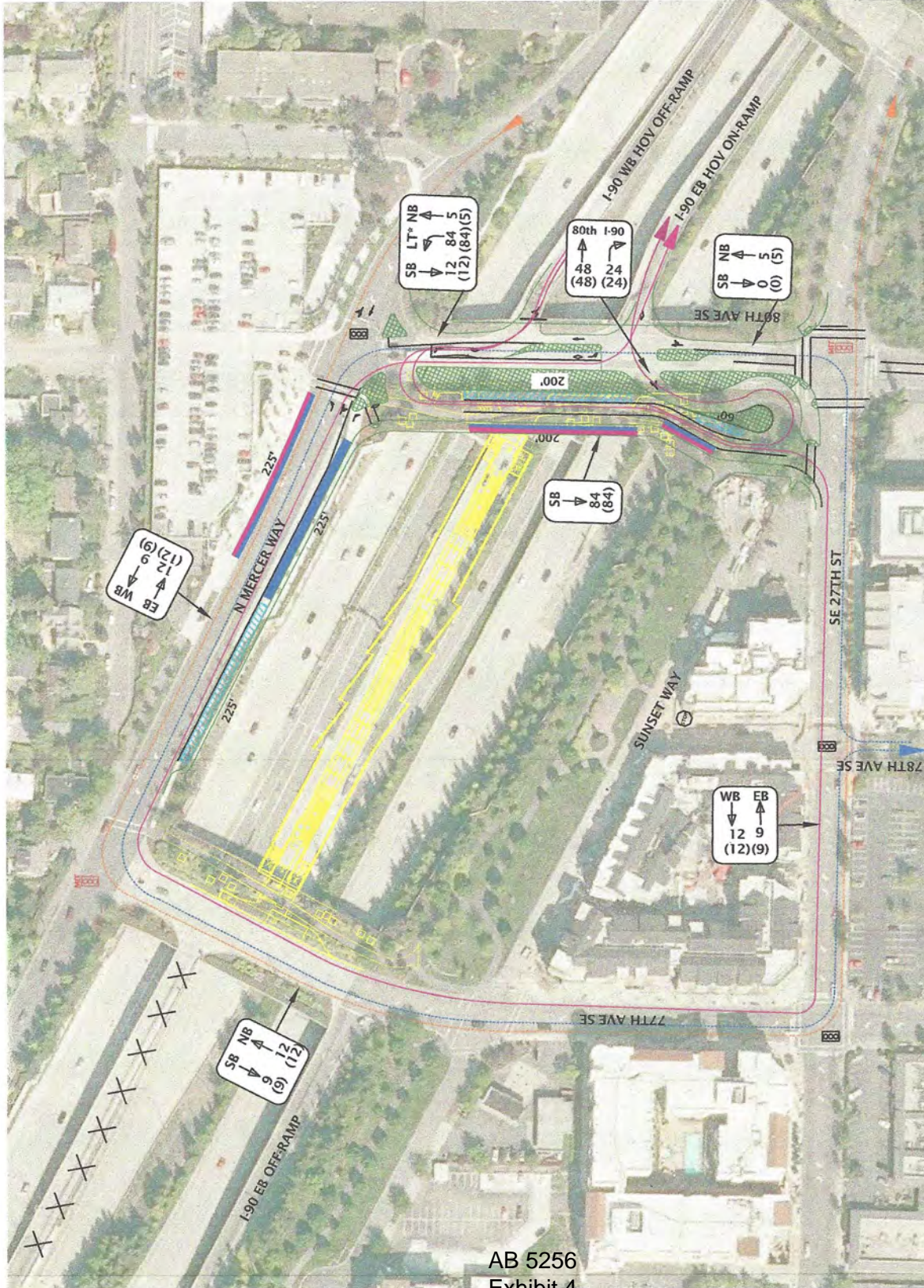
For your information I am attaching my previous comments that were submitted to the City or city council members.

Thank you for standing up for Mercer Island. Your citizens expect nothing less.

Bart Dawson

LEGEND

- BUS DROP-OFF AREA
- BUS LAYOVER AREA
- BUS PICK UP
- MERCER ISLAND EASTLINK STATION
- MERCER ISLAND LOOP ROUTES
- MERCER ISLAND E/W LOOP
- KC METRO ROUTE 216
- SOUND TRANSIT ROUTE 554
- WSDOT ROW
- CITY ROW
- PEAK HOUR BUS VOLUMES
- EASTLINK FEIS PROPOSED MITIGATION
- EXISTING SIGNAL CONTROL
- EXISTING STOP CONTROL



* Left Turn Into Transit Center

**EASTLINK BUS/RAIL SYSTEMS INTEGRATION STUDY
80th Ave SE Transit Center Design Option**



East Entry at 80th Ave SE



Serious Problems with Sound Transit Bus Intercept Scenario 5

80th Avenue SE Bridge over I-90

1. The visual impact of I-90 on Mercer Island was reduced by adding wide bridges, with spaces for winding paths next to shrubs and trees. Aubrey Davis left us with a wonderful legacy, which we still admire and are thankful for. I wish he was still here today advocating for Mercer Island.
2. Scenario 5 removes most of 60 foot wide planting of shrubs and trees next to a winding walkway, now part the 80th Avenue lid. Scenario 5 adds large, bulky buses, two extra lanes of pavement, and a 12 foot wide roadside sidewalk that will be constantly filled with bus passengers. Please remember that the 80th Avenue lid is the major walkway between Town Center, and the homes north of I-90, and the Community Center and Luther Burbank Park.
3. Passengers arriving up the stairs from the light rail trains will arrive at a city sidewalk and by a wall of waiting buses, whether they want to board them or not. Not an attractive way to be introduced to Mercer Island.
4. Pavement for the bus turnaround will replace a handsome Town Center gateway sculpture, in addition to reducing the size of the Outdoor Sculpture Gallery
5. Each peak hour 84 buses (one every 43 seconds) will circulate next to a major Town Center arterial (SE 27th Street, next to Tully's) and next to that major walkway
6. Buses will be added to Town Center streets which will not stop for any passengers
7. The scenario does not include space near the Mercer Island Station to accommodate people arriving and departing by private automobile. (The South Bellevue Station has a nice "kiss-and-ride" waiting area surrounded by trees.)
8. Scenario 5 packs too many buses and people into too small a space compared to the spacious, tree lined South Bellevue Station
9. The bus intercept could easily be handled using freeway ramps and space near the South Bellevue Station

Paul Dawson - 4.7.2015

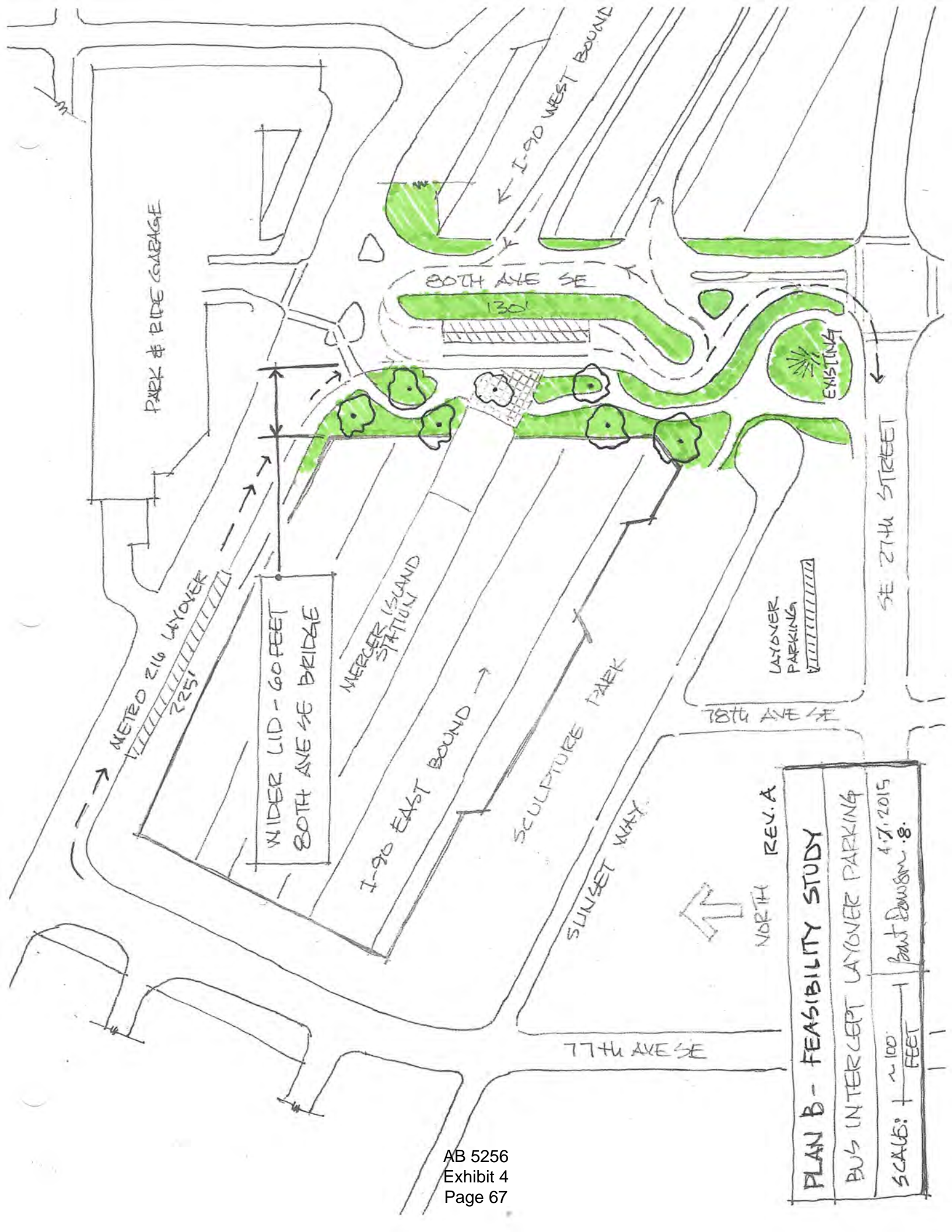
Goals for Plan B - Feasibility Study

Bus Intercept Layover Parking

Mercer Island Light Rail Station

1. Preserve the wide bridge to accommodate the winding path, shrubs, and trees on the 80th Avenue SE Bridge.
 - a. Wide bridges, or lids, on Mercer Island are part of the I-90 visual and noise mitigation implemented in the 1980's
 - b. The state highway department developed the I-90 design after extensive community involvement
2. Maintain the pleasant experience for people walking between Town Center and the homes north of I-90, the Community Center, and Luther Burbank Park.
 - a. Separate, as much as possible, pedestrians walking between Mercer Island locations away from arriving or departing bus passengers.
3. Provide a pleasant experience for passengers arriving on Mercer Island from the light rail station.
 - a. Reduce the visual impact of a wall of buses 200 feet long
 - b. Treat arriving passengers to a small public plaza rather making them arrive at sidewalk with standing buses.
4. Preserve the handsome gateway sculpture at the corner of 80th Avenue SE and SE 27th Street
5. Move traffic further away from the sculpture garden park.

Bart Dawson - 4.7.15



PARK & RIDE GARAGE

METRO 216 LAYOVER
225'

WIDER LID - 60 FEET
BOTH AVE SE BRIDGE

MERGER ISLAND
STATION

I-90 EAST BOUND →

SCULPTURE PARK

SUNSET WAY

77th AVE SE

78th AVE SE

LAYOVER
PARKING

EXISTING

SE 27th STREET



NORTH REV. A

PLAN B - FEASIBILITY STUDY

BUS INTERCEPT LAYOVER PARKING

SCALE: 1" = 100 FEET
4.7.2015
Paul Dawson .8.

From: Mike and Jane Gates
To: kari.sand@mercergov.org
Cc: bruce.bassett@mercergov.org; debbie.bertlin@mercergov.org; Dan Grausz
dan.grausz@mercergov.org; jeff.sanderson@mercergov.org; wendy.weiker@mercergov.org;
david.wisenteiner@mercergov.org; benson.wong@mercergov.org; Council@mercergov.org
Subject: Fwd: I 90
Date: 2/8/2017 9:48:13 AM
Attachments:

Hello again Kari,

I would like a response to my email below before the City Council meeting scheduled for Monday, February 13th. I posted my email to you on Nextdoor. There is considerable citizen interest. I think you should log on to that site and read for yourself the interest in the inevitable loss of mobility and the taking of property rights from Mercer Island residents. That the citizens of Mercer Island acquired dedicated public transit rights-of-way to access the express lanes under the 1976 MOA is indisputable. A taking of those rights by a public entity for a public use must be by an action in eminent domain that affords of the citizens of Mercer Island due process and just compensation. A failure to require same by the City Council is a deprivation of constitutionally protected rights to property. In my opinion, the City Council must require the State and Sound Transit to file an action in eminent domain to protect these property rights under the attendant circumstances surrounding this matter.

Thank you for your consideration in this matter.

Michael Gates

----- Forwarded message -----

From: **Mike and Jane Gates**
Date: Fri, Feb 3, 2017 at 10:51 AM
Subject: Fwd: I 90
To: kari.sand@mercergov.org

Hello Kari,

My name is Michael Gates. I am a resident of Mercer Island. I am of the opinion that the City Council has shirked its responsibility to the residents of Mercer Island regarding the preservation of the public rights-of-way to access of the express lanes acquired during the 1976 Memorandum of Agreement. For these dedicated public rights-of-way to be taken the Department of Transportation and Sound Transit must condemn these dedicated rights-of-way as property cannot be taken for a public project without due process and without just compensation.

Mercer Island residents will not be allowed to use SOV lanes by the Feds period. You know that and the members of the City Council know that. The only way to preserve and protect our property rights is to file a writ of prohibition/mandate to require a second action in eminent domain by the State and Sound Transit. Clearly, the first MOA would not have been agreed to if it required Mercer Island residents to subsequently give up their rights of access to the express lanes.

Below are my communications with Grausz.

Please advise whether you agree or disagree with my position on this matter.

Regards,

Michael Gates

First email to Dan Grausz:

Dear Mr. Grausz,

This is in response to your email of August 14, 2016. I think you minimize the significance and importance of the 1976 Memorandum of Agreement that embodies the property rights and interests of the city of Mercer Island and its residents. On page 8 paragraph 7 it provides in pertinent part that the ...the **Commission shall transfer to appropriate jurisdiction fee title of all state-purchased lands acquired for the I-90 project but which are outside the finally determined right-of-way lines of I-90....** And paragraph 10 on page 11 provides Seattle, Bellevue, Mercer Island, King County and Metro agree that the **dedicated public transit rights-of-way** through downtown Seattle and through downtown Bellevue are compatible with the public transportation plans of this area and are desirable to be implemented in conjunction with the completion of the I-90 facility. Therefore, it appears to me that it is not just a temporary grant or dedication of access that can be revoked at the whim of government bureaucrats, rather the rights-of-way to use the express lanes is a property right that cannot be taken without due process of law and just compensation.

Would you please provide me with the fee title of all the state-lands purchased and acquired for the I-90 project as referred to above. In my opinion the thrust of the MOA was to grant a property right in the nature of a right-of-way to the City of Mercer Island and to its residents in perpetuity.

I practiced law for 25 years for the California Attorney Generals Office. I am now a resident of Mercer Island and have been since 2010. I have had extensive experience regarding property law and the laws pertaining to condemnation and inverse condemnation.

I would suggest that you have your City Attorney do some research in this matter and come up with a legal basis for asserting the rights of the residents of Mercer Island to have continued access to and from the Island in express lanes. Perhaps a declaratory judgment or writ of mandate/prohibition is in order. It is my understanding that the City Council was not fully on board in asserting our rights when the issue of a taking of our rights-of-way to facilitate what will be a disastrous project. The issue of the legal significance of the 1976 MOA has been briefed and was posted by Scott Milburn in the form of Appellants brief, a link to access the brief is set out below which must be copied and pasted.

Just so you know where I am coming from I invite you to read my emails to the City Council of June 15, 2015 where I advocated the same position (See Below)

Respectfully,

Michael Gates

Second email to Dan Grausz:

Hello Dan,

Generally eminent domain is the exercise of the power of a public entity to take property for just compensation from an owner of the subject property for a public use under due process of law. That taking must encompass everything necessary to build the public project for which the property is taken. Note well, it was never contemplated that somewhere down the line our onramps to the express lanes were to be taken as part of the project. Inverse condemnation is an action by an owner of property whose property has been taken for a public use but the initial taking was insufficient. For example, a public entity condemned an easement two hundred feet wide to string electric wires over property. Subsequently, it was determined that the 200 foot wide easement was insufficient and the electrical field encroached further into the property and thus rendered a greater portion of the property unsuitable for development. The owner thus has an action in inverse condemnation to require the public entity to take more property and pay more compensation.

What we have here is the initial taking of property for the public purpose of constructing I-90 project. In so doing eminent domain was used to take property from, I suspect, both private property and city owned property. Thus, the provision in paragraph 7 ...the **Commission shall transfer to appropriate jurisdiction fee title of all state-purchased lands acquired for the I-90 project but which are outside the finally**

determined right-of-way lines of I-90.... The residents of Mercer received under the initial public project in accordance with the 1976 MOA in paragraph 10 "**dedicated public transit rights-of-way**"

I am not sure whether fee title of state purchased lands acquired for the I-90 project were transferred to the City of Mercer Island or not at that time. However, the title of said properties was necessarily recorded with the King County Records Office. It is likely that title to property taken for the express lanes and on ramps were state-purchased lands. The City needs to obtain them. It doesn't matter that our City got said records of fee title back then or it gets them now.

I think what we have here is second public project (transit) being constructed on top of a previous public project (I-90 pursuant to the 1976 MOA) Under that construction Mercer Island residents were given "dedicated public transit rights-of-way" to use, the more technically accurate term, express lanes for which

onramps were constructed specially and specifically for the use of said rights-of-way by the residents of Mercer Island. We have exercised those rights-of-way for what, 40 years. Now the jargon being used is HOV lanes under which the Federal Department of Transportation attempts to take our rights-of-way by regulation of HOV lanes saying that SOV cannot use HOV lanes. The Supreme Court has recognized that a taking can occur where the result is a taking as a result of the adoption of legislation or regulations. For example downzoning. The State or the Feds cannot alter the rights-of-way by simply defining them as access to HOV lanes. There was no determination until recently that our rights-of-way were to be taken, in fact there is ongoing discussions of how to accomodate the rights-of-way that the residents of Mercer Island have been exercising for about 40 years. Demolition of ramps of access to the express lanes constitutes another taking for a separate public project for a public use. Necessarily, the public entities involved must bring an action in eminent domain and pay just compensation to take our rights-of-way. The issue before the State Supreme Court in 2013 was whether the State could lease the Center Parkway to Sound Transit because it is a State Rosdway. It did not consider the rights-of-way of the residents of Mercer Island which was not before the Court at that time. It was incumbant on the State to lease the express lanes to Sound Transit in such a manner that would not result in a taking of our rights-of-way. The State had no right to lease the express lanes in a manner that would result in the taking of our rights-of-way. It is a matter of government bureaucracies racing to trample rights to serve their ill-conceived ideas for public transit transportation.

I think it is patently obvious that **had** the MOA of 1976 contemplated a two stage taking, the first of which gave Mercer Island residents rights-of-way to use the express lanes and then a second stage where those rights-of-way were to be subsequently taken away, it would have never been agreed to. In my opinion, I think the City of Mercer Island should take the position that this transit business being foisted upon us and is infact a new public project and that a second eminent domain proceeding must instituted to take our dedicated rights-of-way or find another way to build the light rail tracks without taking our rights-of-way. Alternatively, there should be a separate action for a declaratory judgment or writ or prohibition/mandate asserted against the Federal Transportation Authority to prevent them from taking our rights-of-way by the exercise of their rule and regulations powers.

Frankly, I am appalled that the City Council through its City Attorney didn't fight this absurd grab of our property rights-of-way tooth and nail. If we need outside counsel with expertise in this area of the law then that should be done. I would be happy to assist, without compensation, your City Attorney in opposing the taking of our property rights without due process and just compensation.

Regards,

Michael Gates

From: Anderl, Lisa
To: council@mercergov.org council@mercergov.org
Cc:
Subject: I-90 access - the most important issue this year
Date: 2/8/2017 10:46:50 AM
Attachments: image001.gif



To the City Council – Please advocate strongly for the residents of the Island in connection with I-90 access. Consideration of the best interests of the residents of the Island requires that we do everything in our power, including litigation, in order to maintain access to HOV lanes on I-90. This issue critically impacts our mobility, our property values, and the overall desirability of Mercer Island as a residential and commercial destination. WSDOT and Sound Transit clearly do not have the Island’s interests in mind, as they are actively working to deteriorate access and mobility for those who live and work on the Island. I consider this to be the most important issue facing the City, and I ask all of you to work diligently on this – do not compromise the Island’s interests when no benefits result for the residents here.

Thank you for listening.

Lisa A. Anderl

From: Scott Kuznicki
Subject: Mercer Island mobility and mitigation
Date: February 3, 2017 at 11:09:53 AM PST
To: bruce.basnett@mercergov.org

Good morning, Mayor Bassett,

Please read the attached letter, submitted for your consideration. As the City's lead negotiator and an elected member of the City Council, you have an obligation to aggressively protect the interests of Islanders and ensure that we are not irreparably harmed by regional agencies with no apparent interest in preserving our quality of life.

It seems likely that immediate action to delay the Center Roadway closure is imminent. If the City government does not do it, I can assure you that the people will see to it that it happens. In any event, implementing the recommendations in this letter will put a stop to the rising tide of opposition to Sound Transit's intent to severely impact our mobility.

Please feel free to contact me with questions. I'm presently working in the UAE for a few months, where they actually build freeways with sufficient capacity; I'd be happy to schedule a time to speak with you, with general availability between 8 and 11 a.m. Pacific Time. We've spoken in the past and you've requested my input; I hope that you find this letter valuable and helpful.

Warmest regards,
Scott O. Kuznicki

February 3rd, 2017

Dear Mayor Bassett,

The City of Mercer Island faces unprecedented challenges related to on-Island and off-Island mobility in the near future. As Mayor of our wonderful community, you are well aware of the significant impacts resulting from the closure of ramps to westbound Interstate 90. You are also well aware that a broad spectrum of Island residents is questioning the wisdom of allowing the Federal Highway Administration (FHWA), the Washington State Department of Transportation (WSDOT), Sound Transit, and other regional entities to exercise a great degree of control over our access to the freeway, our sole access to Seattle.

The proposal currently envisioned for access to Interstate 90 westbound involves closure of the Island Crest Way entrance ramp to single-occupant vehicles and the full closure of the 77th Avenue SE entrance ramp to the reversible lanes of the center roadway. If implemented, these closures will likely force over 700 additional vehicles per hour to use SE 27th Street and N Mercer Way to access the entrance ramp at 76th Avenue SE, during the peak period, causing congestion in our Town Center and severely impacting several intersections throughout the Town Center and throughout the North End.

The people of Mercer Island have made clear that you have two objectives: Maintain the quality of access to I-90 for Mercer Island traffic and mitigate all impacts associated with increased traffic on the North End, particularly in the Town Center. In this memorandum, you'll find five key tactics, all related to traffic operations, that will ensure you achieve these objectives, even as this project moves forward and construction of the proposed East Link transit line is completed. This memorandum does not address the valuation of Islander loss of mobility, the need to delay the closure, issues related to Park & Ride access and utilization, the transit intercept, or transit availability with regard to light rail passenger loadings.

Construct Roundabouts at Key Intersections

The original Environmental Impact Statement for East Link identified five intersections that would be subject to mitigation. In my preliminary analysis of the traffic impacts, I identified ten intersections where roundabouts should be constructed. The following list includes 10 intersections with single-lane approaches for through movements, where the capacity is generally limited to 700 vehicles/hour in a conventional signalized intersection, assuming minimal turning volumes.

- N Mercer Way and I-90 westbound entrance ramp at 76th Ave SE
- N Mercer Way at 77th Ave SE
- N Mercer Way at 80th Ave SE
- N Mercer Way and I-90 westbound exit ramp at Island Crest Way / SE 26th St
- 77th Ave SE at I-90 eastbound exit ramp
- 76th Ave SE at SE 24th St
- SE 27th St at 77th Ave SE
- SE 27th St at 78th Ave SE
- SE 27th St at 80th Ave SE
- SE 27th St at Island Crest Way

The existing signalized intersections are already at capacity during peak periods, often resulting in queue lengths extending into adjacent intersections with the attendant inconvenience for pedestrians. Additionally, STOP-controlled intersections, which are inefficient at high demands, have long contributed to congestion in the Town Center and North End.

Additionally, providing roundabouts at three other intersections may be necessary, those intersections being I-90 eastbound at E Mercer Way, I-90 westbound at E Mercer Way, and E Mercer Way and SE 36th Street, near the City Hall, where intersection proximity results in inefficient signal operations.

Roundabouts exhibit key advantages over STOP-controlled and signalized intersections. Those advantages include increased safety for all users, increased throughput, and reduced delay. Those Islanders who have visited our Sister City in France are familiar with the efficiency and sustainability of these intersections. It's time to stop building traffic signals because, frankly, we cannot expand our roadways in the Town Center to meet the requirements of most signals for an adequate Level of Service. For your convenience, a summary of seven key benefits of roundabouts is provided in the list below.

- Safer for pedestrians, with a single-lane crossing on each leg
- Calming, reducing vehicle speeds with natural curvilinear paths on entry and exit
- Efficient, eliminating all off-peak delay and reducing peak delay
- Robust, capable of serving far more than expected growth in our street network
- Sustainable, proven to reduce emissions and eliminate traffic signal costs
- Simple, providing for easy u-turns and driveway access
- Aesthetic, providing for landscaping in the medians, splitter islands, and circular central island

Of course, our knowledgeable and skilled City staff has most likely already briefed you on all of these characteristics associated with roundabouts. Given that, I'm certain that you and the City Council are charting a sustainable path forward that preserves the character of our Town Center while allowing for safe and efficient movement of people, whether they are people walking, people on bicycles, or people in motor vehicles. Roundabouts, when properly designed, also accommodate delivery vehicles and larger trucks while still fitting within our available rights-of-way. These intersections have transformed European and Middle Eastern communities, creating safer and more efficient street networks for everyone.

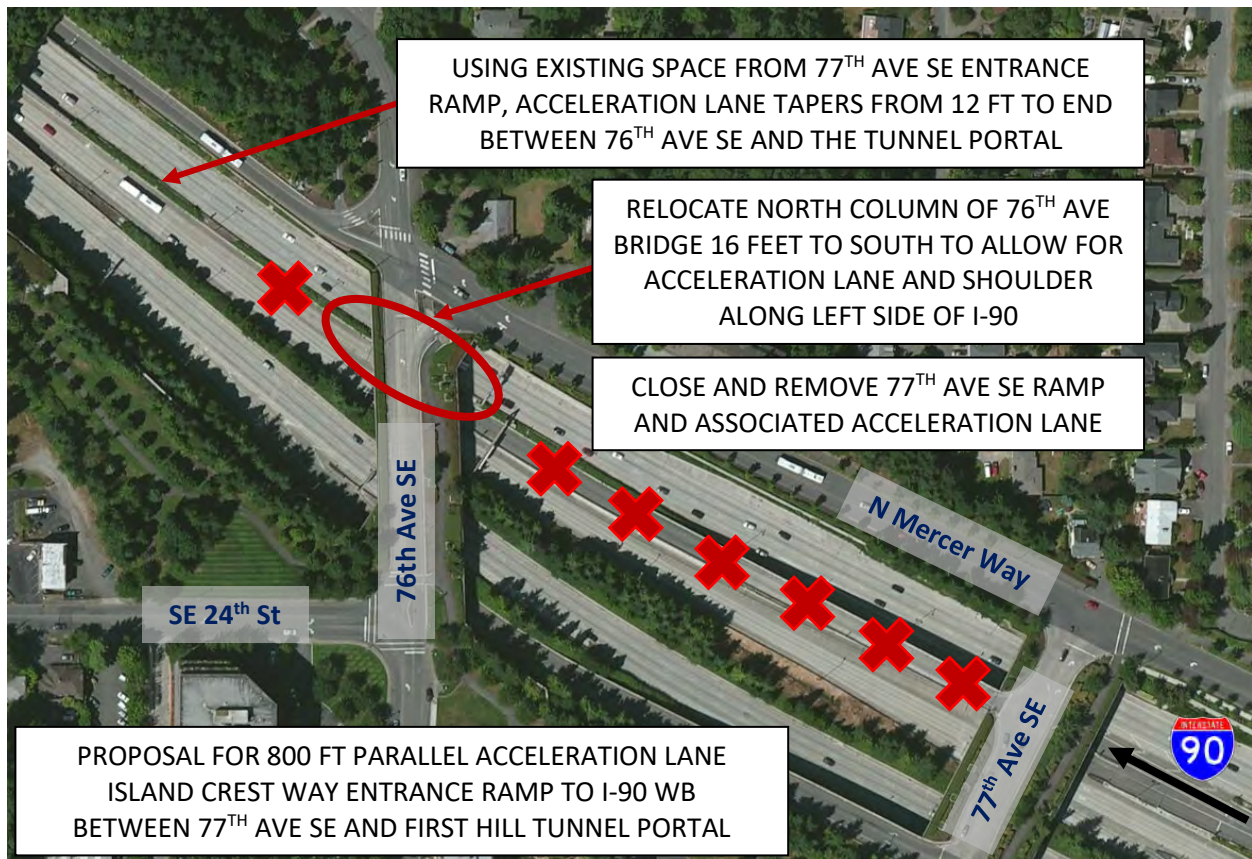
Construct Acceleration Lane for Island Crest Way Entrance Ramp

Despite the objections of the FHWA and WSDOT, made evident in correspondence between August of last year and just this week, allowing single-occupant vehicle (SOV) access to a high-occupancy vehicle (HOV) lane is not a novel concept. On Interstate 5 northbound south of the Corson Avenue exit in Seattle, SOVs are permitted to access the HOV lane in advance of the left-hand exit from the freeway. On SR 520 in several locations, entering SOV traffic, often in significant volumes, accesses the right-hand HOV lane for some distance prior to changing lanes into the adjacent general purpose lane.

A properly-designed acceleration lane for the Island Crest Way entrance ramp to westbound I-90, funded and constructed by Sound Transit, will address any reasonable concerns held by the WSDOT and FHWA. Constructing a longer acceleration lane for the Island Crest Way entrance ramp traffic will facilitate the merging of significant volumes of entering traffic, particularly considering the expected future condition of sparse transit bus volumes in the HOV lane at that point. Further, such a long acceleration lane will facilitate relaxed speed changes for traffic entering from Island Crest Way, providing an increase in the capacity of the entrance ramp, less disruption to the freeway lanes, and more comfort for drivers.

Provision of an acceleration lane of the parallel design, with a length of 800 feet and 600-foot lane reduction taper, will extend the existing entrance ramp, which is of the tapered design without a parallel acceleration lane. Construction of this acceleration lane will require the removal of the existing 77th Avenue SE entrance ramp to the reversible roadway and relocation of one column supporting the 76th Avenue SE overcrossing of I-90. Even without other obstructions, there would be insufficient space to provide an adequate acceleration lane for an entrance to the outer roadway from 77th Avenue SE without modifying the entrance to the tunnel. The removal of the 77th Ave SE entrance ramp, along with the modification to the 76th Avenue overcrossing, will allow for the construction of a full-width acceleration lane to the left of the proposed HOV lane on the westbound outer roadway.

FIGURE 1 Depiction of Modifications for Proposed Acceleration Lane on I-90 Westbound



The modification to the 76th Avenue SE overcrossing, the bridge between SE 24th St and N Mercer Way, would involve removal of the north pier (between the reversible roadway and the westbound outer roadway) and construction of a replacement pier approximately 16 feet to the south.

Implement a Vulnerable Users Safety Plan

As our Town Center continues to develop, the probability of increased conflict between motor vehicles and vulnerable users will continue to rise. In order to mitigate this, City Staff should be directed to develop a plan to ensure that people biking and people walking are adequately served by the street network. Replacement of traffic signals and multi-way STOP-controlled intersections with roundabouts is one significant step toward improving intersection safety. Additionally, modifications to roadways include the construction of pedestrian refuge islands at mid-block crossings, curb bulb-outs at intersections (where parking is provided near the intersection), installation of traffic control devices such as signing, pavement markings, and active devices, including flashing lights, and a general systemic approach to speed reduction on our Town Center streets. Because of the efficiency of roundabouts, speed reductions do not necessarily mean a reduction in throughput or increases in travel time. The City Council must make clear that it is preserving our mobility while increasing safety, objectives that are not mutually exclusive.

Develop a Contingency Fund

While East Link light rail will initially function as a substitute service for buses, growth on and off the island is likely to cause changes in travel patterns and demand, placing unanticipated strain on our street network. Cut-through traffic, exacerbated by WSDOT’s unwillingness to address congestion in the cross-lake corridors with necessary capacity expansions, and other impacts cannot be readily foreseen. This is

particularly prescient given the construction proposed for I-405 between Bellevue and Renton and we should expect additional congestion on I-90 during that time period as well.

The City of Mercer Island should require, as a condition of East Link being built in our community, that Sound Transit provide a guaranteed contingency fund. This fund should be of a size adequate to permit the total reconstruction of four or five local intersections over a period of ten years, in addition to the nine roundabouts already recommended. Additionally, this fund should include a set-aside for intelligent transportation systems planning, design, installation, and operation, allowing our City to carefully monitor the I-90 corridor and immediately react to incidents and closures associated with SR 520 and I-405.

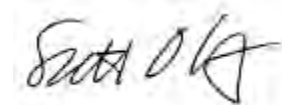
Improve Wayfinding for I-90 with Street Network Monitoring

As part of the planning for intersection improvements, the City of Mercer Island should plan, design, and implement a system of regulation-compliant wayfinding signing for access to I-90 from various locations on the north end of the Island and a system for monitoring traffic throughout the north end. This system, initially comprised of static signs with vehicle detectors, would be compatible with future plans to provide an upgraded dynamic wayfinding system, capable of providing alternate route advisory to traffic so that congestion in the Town Center and at entrance ramps can be avoided. For example, if northbound Island Crest Way traffic were to back up due to congestion at SE 29th Street, SE 27th Street, and N Mercer Way, northbound traffic could be rerouted from south of SE 40th Street, using SE 40th St and 78th Avenue SE. Planning for this system now allows the City to begin assessing travel patterns, congestion, and other impacts to the street network with a framework for a dynamic wayfinding system as the end goal.

As anyone reading this letter will no doubt surmise, I speak in no official capacity for any organization, group, or government agency. I have no personal stake in any contract with Sound Transit nor with the City of Mercer Island. This memorandum is merely to share what I feel will be the to the advantage of the people of Mercer Island while preserving the regional interests that have determined the need for a light rail line between Seattle and Bellevue. If the project is to proceed, then the City of Mercer Island will serve its citizens well to insist that these features are incorporated into a plan that is implemented as soon as possible, prior the closure of the reversible roadway, and fully funded by Sound Transit.

The people who live, work, and play on our island will accept nothing less than an earnest and vigorous defense of our interests. The objectives of maintaining mobility and mitigating congestion are readily achievable without sacrificing the regional interests that remain vitally important to our City Council. Should you have any questions regarding this letter, please do not hesitate to reply to the e-mail address from which it was transmitted.

Very truly yours,



Scott O. Kuznicki, P.E.

cc: Individual Members of the Mercer Island City Council
Julie Underwood (City of Mercer Island)
Senator Curtis King (Washington State Legislature)
Representative Judy Clibborn (Washington State Legislature)
Roger Millar (Washington State Department of Transportation)
Peter Rogoff (Sound Transit)

From: Sarah Fletcher
To: julie.underwood@mercergov.org; council@mercergov.org
Cc:
Subject: Fwd: 77th Ave SE HOV Ramp CRM:0274057
Date: 2/8/2017 2:20:11 PM
Attachments: image001.png

Hello, see below. Are you alright with this? I was told that the buses could not use the South Bellevue HOV ramp because it is not possible to build an HOV ramp at that location because of the Mercer Slough so they will have no other choice other than to have buses turning around on Mercer Island which is quite unacceptable. I hope you make it very clear to them that this is unacceptable. Thank you.

Sarah Fletcher

----- Forwarded message -----

From: **Ambrose, Zack** <Zack.Ambrose@soundtransit.org>
Date: Fri, Jan 27, 2017 at 5:00 PM
Subject: RE: 77th Ave SE HOV Ramp CRM:0274057
To: Sarah Fletcher , Dan Thompson

Hello Sarah,

The 77th Avenue ramp will be closed to the general public in the start of construction in 2017. There are no plans to build a ramp at this location. Every point of access to and from Interstate 90 that Sound Transit designs is reviewed and approved by WSDOT and the Federal Highway Administration.

The 76th Avenue ramp design is under discussion between WSDOT and Sound Transit. As I mentioned in my last email, when East Link is in operation, **the buses will not drive into Seattle and will not use this ramp. Buses will turn around at Mercer Island station or South Bellevue station to reduce duplicative services and be an efficient use of taxpayers dollars.** The 76th Avenue SE and North Mercer Way intersection and bus bypass is a subject of the current negotiations.

I hope this information is helpful.

Thank you,

Zack Ambrose

Community Outreach Specialist, East Corridor

Design, Engineering & Construction Management

Sound Transit

[206-903-7176](tel:206-903-7176)

Connect with us

facebook.com/SoundTransit

twitter.com/SoundTransit

From: Sarah Fletcher

Sent: Thursday, January 26, 2017 11:44 AM

To: Ambrose, Zack <Zack.Ambrose@soundtransit.org>; Dan Thompson

Subject: 77th Ave SE HOV Ramp

Hello Zack, I would like to know

1. whether the 77th Ave SE HOV ramp can be built,
2. if so, how long will it take to build;
3. how much will it cost to build, and
4. when will we see what is planned for the 76th Ave SE bus bypass: and
5. are you aware that between 76th Ave SE and the ramp, there is a raised island that separates the bike path from the ramp?
6. What is the plan for that section?

7. Are you going to move the island and bike path?

And is Sound Transit and WSDOT aware, that:

"This policy is applicable to new or revised access points to existing Interstate facilities regardless of the funding of the original construction or regardless of the funding for the new access points. This includes routes incorporated into the Interstate System under the provisions of 23 U.S.C. 139(a) or other legislation.

Routes approved as a future part of the Interstate system under 23 U.S.C. 139(b) represent a special case because they are not yet a part of the Interstate system and the policy contained herein does not apply. However, since the intention to add the route to the Interstate system has been formalized by agreement, **ANY PROPOSED ACCESS POINTS, REGARDLESS OF FUNDING, MUST BE COORDINATED WITH THE FHWA DIVISION OFFICE.** This policy is not applicable to toll roads incorporated into the Interstate System, except for segments where Federal funds have been expended, or where the toll road section has been added to the Interstate System under the provisions of 23 U.S.C. 139(a).

For the purpose of applying this policy, each entrance or exit point, including "locked gate" access, to the mainline is considered to be an access point. For example, a diamond interchange configuration has four access points.

Generally, **REVISED ACCESS is considered to be a change in the interchange configuration even though the number of actual points of access may not change.** For example, replacing one of the direct ramps of a diamond interchange with a loop, or changing a cloverleaf interchange into a fully directional interchange would be considered revised access for the purpose of applying this policy.

All requests for new or revised access points on completed Interstate highways must be closely coordinated with the planning and environmental processes. The FHWA approval constitutes a Federal action, and as such, requires that the National Environmental Policy Act (NEPA) procedures are followed. The NEPA procedures will be accomplished as part of the normal project development process and as a condition of the access approval. This means the final approval of access cannot precede the completion of the NEPA process. To offer maximum flexibility, however, any proposed access points can be submitted in accordance with the delegation of authority for a determination of engineering and operational acceptability prior to completion of the NEPA process. In this manner, the State highway agency can determine if a proposal is acceptable for inclusion as an alternative in the environmental process. This policy in no way alters the current NEPA implementing procedures as contained in 23 CFR part 771.

Although the justification and documentation procedures described in this policy can be applied to access requests for non-Interstate freeways or other access controlled highways, they are not required. However, applicable Federal rules and regulations, including NEPA procedures, must be followed."

Thank you.

Sarah Fletcher

From: Thomas Imrich
To: Steve J Marshall
Cc: Council@mercergov.org
Subject: Today's "I-90 Access" Editorial Letter to MI Reporter by Steve Marshall
Date: 2/8/2017 5:10:51 PM
Attachments:

Steve,

That was an excellent editorial letter on I-90 access and lane use that you submitted to the MI Reporter today!!!

("Get Maximum Value from the I-90 Center Roadway" MI Reporter 2-8-2017).

Your argument is technically sound, forward looking, economically rational, and would be a vastly superior and more flexible solution to our region's real transportation needs. Your recommended approach would clearly be a much better and more effective solution for both MI and the region's short and long term transportation needs, than is otherwise being advocated or implemented by either WSDOT or Sound Transit.

Our MI Council would do well to now heed your advice, as would the entire region, including Mr. Constantine, Mr. Rogoff, and Ms. Clibborn.

Bravo!! Extremely Well Done!!!

Tom Imrich

From: Jocelyn Antilla
To: bruce.bassett@mercergov.org; Dan Grausz Dan.Grausz@mercergov.org;
debbie.bertlin@mercergov.org; julie.underwood@mercergov.org
Cc: Benson Wong Benson.Wong@mercergov.org; David Wisenteiner david.wisenteiner@mercergov.org;
Jeff Sanderson jeff.sanderson@mercergov.org; Wendy Weiker wendy.weiker@mercergov.org; Ali Spietz
ali.spiez@mercergov.org
Subject: Tomorrow
Date: 2/8/2017 7:56:06 PM
Attachments:

A meeting with the Governor? 3 requests from a Constituent;

Please make known our concern for Islander and ALL other I-90 traveler's safety with the new lane configurations. Let's not allow it to take a few fatalities before the plan is re-thought – after all, it may be someone you know lost to this current configuration! Please require that R8-A be opened, operational and TESTED before the center lanes are closed. This is the responsible thing to do and the entire region will applaud your efforts and reap the benefits of a thoroughly vetted and fine-tuned plan.

Recognize how valuable our land is to this project - and – don't settle for peanuts even if it's wrapped in a fancy Cracker Jack box – there will be **NO** prize inside once opened – even the promise of a rail ride once complete is in question for Islanders due to capacity issues that even ST admits. Islanders will live with whatever plan is adopted and it will be your legacy to the Island. How would you like to be remembered? Don't undo the strides that were made recently by citizens as attested to in one of your own communication emails: *"The Council would like to thank the community – we believe it's your call for action that has resulted in getting the attention of Congressman Smith and Governor Inslee"*. **Please don't WASTE our efforts** by agreeing to a plan that is not well constructed and beneficial to the I-90 traveler and the residents of Mercer Island.

Any deal that is made must be put forth in front of not only the entire Council but the citizens of Mercer Island as a whole. A back door deal at this stage of the game will reek of rot and conspiracy; in the very least a continuation of the desire to keep us in the dark. Why is it, all of a sudden, the Governor is stepping in? Because there must be a sense of urgency and we **MUST** have a real role to play here – we must have a valuable card in this game and we must play it correctly. We have a right to be involved in our fate. Island residents deserve better than the efforts, communication and transparency we have "received" to date (from all parties). Our tax dollars, willingly entrusted to government officials, should have secured at least some respect – but have they? We should be consulted or at least allowed to speak to ANY plan put forth **BEFORE** it is agreed upon. **The council MUST agree (by majority) on the entire deal before approving any part.**

Thank you for your consideration of my requests – I hope that you will truly lobby for the best interests of those you serve. I appreciate your service on behalf of our city and wish you a safe and successful trip to Olympia.

Sincerely,

Jocelyn Antilla

From: Mary Anderson To:
council@mercergov.org
Cc:
Subject: I-90 meeting with Gov Inslee
Date: 2/8/2017 10:33:34 PM
Attachments:

To Mercer Island city council members:

Unfortunately, I am one of the many residents who should have voiced my concerns long ago.

I have lived on Mercer Island for 21 years and I am truly dismayed at what is happening to our access to I-90 with the light rail project. I, along with many of our neighbors have silently trusted that our council members have been working with our best interests in mind. However, it is hard to believe that what is happening, is truly the best for Mercer Island.

I agree with many others who have expressed these main concerns:

1. Driver's safety with the new lane configurations. Please require that R8-A be opened, operational and TESTED before the center lanes are closed. This is the responsible thing to do and the entire region will applaud your efforts and reap the benefits of a thoroughly vetted and fine-tuned plan.
2. Our land is obviously valuable to this project. Islanders will have to live with whatever plan is adopted and it will be your legacy to the Island. It is now your responsibility to make sure the plan is well constructed and beneficial to the residents of Mercer Island.
3. Any deal that is made should be presented to the entire Council AND ALL Mercer Island residents. We certainly deserve transparency on this issue. We should be consulted or at least allowed to speak to ANY plan put forth BEFORE it is agreed upon. The council must agree (by majority) on the entire deal before approving any part.

Thank you for your consideration of my requests I hope that you will truly lobby for the best interests of those you serve. I appreciate your service on behalf of our city and wish you a safe and successful trip to Olympia.

Sincerely,
Mary Anderson

From: T Dickhaus
To: Julie Underwood julie.underwood@mercergov.org; T Dickhaus ; Council Mailbox council@mercergov.org
Cc: Kirsten Taylor Kirsten.Taylor@mercergov.org
Subject: RE: I-90 Access & Light Rail design questions
Date: 2/9/2017 8:10:46 AM
Attachments: image002.png; image004.png; image006.png; I-90 Mercer Island Accesses List 121916-Misleading-original.docx; I-90 Mercer Island Accesses List 121916-Corrected.docx

Hi Julie,

Unfortunately, I have not seen or received detailed responses from Mr. Ambrose, Mr. Petersen or Mr. Mathis. The responses are inadequate and vague which talk about coordination and plans but offer no insights to exactly "how" this is going to work. Currently I-90 and 520 are closed on very regular basis for maintenance and the center lanes are the only way to provide back up for East-West access. Once the center lanes are closed, the current methods of backups and overflows between the lanes and with 520 will no longer be options. That makes it imperative to know "how" they plan to perform regular maintenance and if a construction mishap occurs, how will we get off the Island West and East. These statistics should be on the MI website and the answers to these questions should be in the FAQ. What are the availability design goals of the I-90 spans today and after construction begins? 99.9%, 99.99%, 99.999%. MI Government needs a method to hold the State accountable to that number. To do that, you have to tally and collect the statistics.

I suggest that the city of MI also start to tally and post publically all past, present and future closures and partial closures of I-90. I have been diverted several times in past year after 8 PM and later went to find it on a website but could not. One such date was on 10/18/16. There wasn't a notification or posting to warn anyone that the East Bound Mount Baker tunnels were going to be impaired.

1. What is the cumulative (past, present and future) number of times I-90 East or West will be closed or restricted for the construction of light rail until the project is finally completed?
2. Where and who will tally, disclose, notify and report the total number of I-90 closures to the media and the public for this project and why is it not being disclosed to the public now?
3. How will I-90 maintenance be performed once the center lanes are closed given that currently the center lanes enable maintenance of either E/W span today?
4. Will diversions to 520 in any scenario be imposed and forced on Mercer Island citizens who need to travel to and from the east and west sides of Lake Washington?

I have also attached 2 documents that the State has sent to the Media which is inaccurate and misleading. The current design only works if our rights to use Express Lanes is made whole by allowing us to use HOV. It's that simple. A new design is required if those rights are not maintained. In the attached, the State is confusing Ramps and Lanes. Many Ramps have multiple Lanes. The corrected version shows a total of 8 lost lanes for SOVs if our rights to use HOV are not maintained.

Tom Dickhaus

From: Julie Underwood [mailto:julie.underwood@mercergov.org]
Sent: Thursday, February 02, 2017 9:29 PM
To: T Dickhaus ; Council Mailbox
Cc: Kirsten Taylor
Subject: RE: I-90 Access & Light Rail design questions


Dear Mr. Dickhaus,

On February 21, Sound Transit staff will be attending the Council meeting to address many of the questions we've heard from the community; many of the same ones that you have. Recently Sound Transit responded to some of the questions we've received – you can review them here:
<http://www.mercergov.org/Page.asp?NavID=3132>

We will be forwarding your questions to Sound Transit for their response.

Thanks,
Julie

Julie Thuy Underwood
City Manager | City of Mercer Island
d\intbl\plain(: (206) 275-7665 | * : julie.underwood@mercergov.org
| mercergov.org

 cid:im4
NOTICE OF PUBLIC DISCLOSURE: This e-mail account is public domain. Any correspondence from or to this e-mail account may be a public record. Accordingly, this e-mail, in whole or in part, may be subject to disclosure pursuant to RCW 42.56, regardless of any claim of confidentiality or privilege asserted by an external party.

d\plainFrom: T Dickhaus
Sent: Thursday, February 2, 2017 7:09 PM
To: Council Mailbox <council@mercergov.org>
Subject: I-90 Access & Light Rail design questions

Hi Council,

Here are the questions I have about the current design and schedule of the I-90 redesign for Light Rail.

1. If there is one person in the car, how many possible ON and OFF ramp "Lanes" including dual lane ramps will there be before (Now) and after when construction begins and after the center lanes close?
2. \ Which On ramp lanes in the new design, post construction will be flow controlled with a "One Car per Green Light" and how will that back up traffic be managed on MI with adequate space?
3. \ What is the cumulative (past, present and future) number of times I-90 East or West will be closed or restricted for the construction of light rail until the project is finally completed?
4. \ Where and who will tally, disclose, notify and report the total number of I-90 closures to the media and the public for this project and why is it not being disclosed to the public now?
5. How will I-90 maintenance be performed once the center lanes are closed given that currently the center lanes enable maintenance of either E/W span today?
6. \ Will diversions to 520 in any scenario be imposed and forced on Mercer Island citizens who need to travel to and from the east and west sides of Lake Washington?

7. How will tow trucks and emergency vehicles reach impaired vehicles or injured passengers on the I-90 spans once the lanes are reconfigured?
8. If trolleys and street traffic share the same streets in Seattle and in hundreds of cities in the world, why can't cars, busses and light rail share the same mid-span road?
Why does this project take so long to complete?

We voted for "Professional", "Excellent", "Efficient" Traffic Management . We did not vote for "Dumb" Traffic Management.

Tom Dickhaus

I-90 Mercer Island on and off ramps proposed in Interchange Justification Report

EASTBOUND I-90					
		Traffic	On/Off	Comments	Status after Construction
1	West Mercer Way	General Purpose (GP)	Off	Existing	No Change
2	77 th Ave SE	GP	Off	Existing	No Change
3	80 th Ave SE	HOV/Transit	On	New ramp to outer roadway HOV lane	New
X		HOV\Transit	Off	Existing from Center Roadway	Removed
4	Island Crest Way	GP	Off	Existing	No Change
5		GP	On	Existing	No Change
6		HOV/Transit	Off	New ramp from outer roadway HOV lane	New
7	East Mercer Way	GP	Off	Existing	No Change
8		GP	On	Existing	No Change

WESTBOUND I-90					
9	East Mercer Way	GP	Off	Existing	No Change
10		GP	On	Existing	No Change
11	Island Crest Way	GP	Off	Existing	No Change
12		HOV	On	This is the on-ramp which Mercer Island wants to maintain SOV access to the I-90 HOV lanes	No Change except SOV use no longer permitted
X		HOV	On	HOV access to Center Roadway	Removed
13	80 th Ave SE	HOV	Off	New	New
X	77 th Ave SE	HOV	On	HOV access to center roadway	Removed
14	76 th Ave SE	GP	On	Existing	No Change
15	West Mercer Way	GP	On	Existing	No Change

Two HOV ramps exiting the Center Roadway and one ramp entering the Center Roadway are being removed. Two ramps exiting the Outer Roadway HOV lanes and one entering the Outer Roadway HOV lanes are being added. There is no net change to the number of I-90 exits and entrances.

I-90 Mercer Island on and off ramps proposed in Interchange Justification Report

EASTBOUND I-90					
		Traffic	On/Off	Comments	Status after Construction
1	West Mercer Way	GP (General Purpose)	Off	Existing	No Change
2	77 th Ave SE	GP	Off	Existing	No Change
3	80 th Ave SE	HOV/Transit	On	New ramp to outer roadway HOV lane	New – Loss 1 – SOV can use this today but not in future
X		HOV\Transit	Off	Existing from Center Roadway	Removed
4	Island Crest Way	GP	Off	Existing	No Change
5		GP 1 car per light	On	Existing	No Change
6		HOV/Transit	Off	New ramp from outer roadway HOV lane	New – Loss 2 – SOV can use this today but not in future
7	East Mercer Way	GP	Off	Existing	No Change
8		GP 1 car per light	On	Existing	No Change

WESTBOUND I-90					
9	East Mercer Way	GP	Off	Existing	No Change
10		GP 1 car per light	On	Existing	No Change
11	Island Crest Way	GP	Off	Existing	No Change
12		HOV	On	This is the on-ramp which Mercer Island wants to maintain SOV access to the I-90 HOV lanes	No Change except SOV use no longer permitted – Loss 3
X		HOV	On	HOV access to Center Roadway	Removed - Loss 4
13	80 th Ave SE	HOV	Off	New	New – Loss 5
X	77 th Ave SE	HOV	On	HOV access to center roadway	Removed – Loss 6
14	76 th Ave SE	GP 1 car per light	On	Existing	No Change
15	West Mercer Way	GP 1 car per light	On	Existing	No Change – Loss 7 SOV in HOV

Loss 8: I-90 from Bellevue access to the West bound Express lanes. (Use case: MI citizen has a Meeting in Bellevue in AM, then Meeting in Seattle in AM)

Two HOV ramps exiting the Center Roadway and one ramp entering the Center Roadway are being removed. Two ramps exiting the Outer Roadway HOV lanes and one entering the Outer Roadway HOV lanes are being added. There is no net change to the number of I-90 exits and entrances.



**Washington State
Department of Transportation**

Transportation Building
310 Maple Park Avenue S.E.
P.O. Box 47300
Olympia, WA 98504-7300
360-705-7000
TTY: 1-800-833-6388
www.wsdot.wa.gov

February 1, 2017

The Honorable Bruce Bassett
Mayor, City of Mercer Island
9611 SE 36th St.
Mercer Island, WA 98040

Dear Mayor Bassett,

Thank you for meeting with Representative Clibborn, Sound Transit CEO Peter Rogoff and me on January 23, 2017 to continue our dialogue on the I-90 re-evaluation analysis. At that meeting you requested that I provide you with a letter indicating WSDOT's intent on the issue of Mercer Island access to and from I-90. Please consider this letter an update in response to your request.

For decades now, we have actively engaged and consulted with both affected and interested parties regarding the future operation of I-90 between Mercer Island and Seattle. This engagement dates back to the 1970s as well as studies that led to the selection of Alternative R-8A in 2004, through the ongoing I-90 Two-Way Transit and HOV Operations project, and looking forward to the imminent construction start of Sound Transit's light rail system within a decommissioned I-90 center roadway in June 2017. As we were moving forward to consider options to address Mercer Island's access to I-90, information came from the Federal Highway Administration in an August 2016 letter that removed some options from the table. That letter stated unequivocally "that USDOT does not possess legal authority to grant either a temporary or permanent waiver to permit [single occupancy vehicle] SOV access to [high occupancy vehicle] HOV lanes." This statement was specific to both access via a freeway ramp entering a mainline HOV lane and travel within the mainline HOV lane.

At our January 23rd meeting you reiterated that it is essential that SOV access be maintained to I-90 via Island Crest Way. As detailed in the August 2016 FHWA letter, once the new HOV lanes are in operation and the center roadway is closed, federal law prohibits allowance of SOV traffic in the HOV lanes. This is a federal requirement that the State cannot change and with which WSDOT obligated to comply.

Since this past August WSDOT, City of Mercer Island, Sound Transit and FHWA staff have met regularly and worked together to identify 12 alternatives for I-90 access to and from Mercer Island. The team also analyzed 12 additional alternatives proposed by the citizens of Mercer Island. After all of that productive work, we believe there are three long-term options we could move forward to study and consult upon further to address access to I-90 from Island Crest Way. All three of these options will need a regional conversation about whether or not they are operationally and financially feasible and if the larger region is interested in pursuing them. Those three options are:

- 1) Build a new on ramp connecting Island Crest Way to the right side of westbound I-90. As part of the interagency meetings, the City requested investigating the potential for a new ramp. It is our understanding that preliminary work to date has yielded several very costly options, likely exceeding \$60 million. FHWA has not yet been consulted on this idea related to requirements such as Interstate interchange spacing, layout specifics, and other design and operational considerations. It is our understanding that staff expect to finish work on this idea and issue a briefing paper within the next few weeks.
- 2) Convert some portion of the I-90 HOV lanes to High Occupancy Toll (HOT) lanes. FHWA has stated that if Island Crest Way were converted to a HOT ramp, it would need to connect to a HOT lane on the mainline. There are many requirements for a HOT lane, including meeting performance requirements and allowance for adequate ingress and egress opportunity for motorists traveling on I-90. If there is regional interest in this option and funding were made available by the Legislature, WSDOT could study this option. Amongst other actions, a HOT lane alternative will require legislative authorization, funding for and completion of an operations and tolling analysis, FHWA approval, regional concurrence on implementation, Washington State Transportation Commission action on toll rates and exemptions, and ultimately funding from the Legislature to construct, maintain and operate.
- 3) Convert the R-8A HOV lanes to General Purpose lanes between Island Crest Way and Seattle. This option would require a regional policy discussion to alter the goals of regional mobility and management of the Interstate system. Travel impacts to transit and HOV-eligible vehicles along the entire Eastside I-90 corridor would need to be taken into account. Additional considerations would include environmental review, as well as potential repayment of both local and federal funds that have already been invested in the HOV lanes on this portion of I-90.

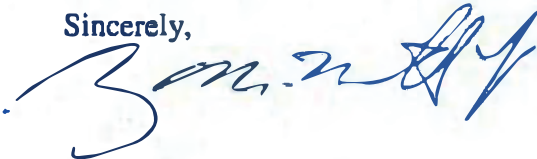
While we continue to discuss these long-term alternatives with the affected parties, including the City, we will be turning the center lanes over to Sound Transit this summer to build the East Link project. When we take that step, we want to make every reasonable effort to provide additional mitigation impacts to Mercer Island traffic, as identified in the transportation analysis being conducted by Sound Transit and WSDOT. Moving forward, WSDOT's intent is to:

- 1) Continue to work with the City of Mercer Island and Sound Transit to summarize key data analysis assumptions used within the most recent Sound Transit/WSDOT traffic analysis and the City's separate traffic analysis.

- 2) Continue to work with City of Mercer Island and Sound Transit staff to finalize a list of necessary on ramp and potential local street improvements to accommodate future changed operations, and develop scope, schedule and design to complete implementation as soon as practical.
- 3) Continue to work in coordination with Sound Transit, and in consultation with the City of Mercer Island and FHWA to document recent analysis and conclusions on the effect of Mercer Island mobility in the future with I-90 HOV lanes and light rail in construction and operation.
- 4) Successfully complete the I-90 Two-Way Transit and HOV Operations project allowing regional light rail construction to begin on I-90.

Thank you again for our recent discussion and the furtherance of our ongoing dialogue. I look forward to continuing to consult with you and the other parties involved to find solutions that can address Mercer Island's mobility needs.

Sincerely,



Roger Millar, PE, AICP
Secretary of Transportation

Cc: The Honorable Dow Constantine, Executive, King County
The Honorable John Stokes, Mayor, City of Bellevue
The Honorable Ed Murray, Mayor, City of Seattle
Mr. Peter Rogoff, Chief Executive Officer, Sound Transit
The Honorable Judy Clibborn, Washington State House of Representatives



CITY COUNCIL PLANNING SCHEDULE

All meetings are held in the City Hall Council Chambers unless otherwise noted.
 Special Meetings and Study Sessions begin at 6:00 pm. Regular Meetings begin at 7:00 pm.
 Items listed for each meeting are not in any particular order.

FEBRUARY 13 – 5:30 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session</i> (5:30-7:00 pm)	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
<i>Regular Business</i> (7:00 pm)	I-90 Loss of Mobility Negotiations Status Report – J. Underwood	60

FEBRUARY 21 (TUESDAY) – 5:00 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session</i> (5:00-6:00 pm)	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	60
<i>Study Session</i> (6:00-7:00 pm)	Sound Transit Follow-Up on Community Questions – K. Taylor	60
<i>Consent Calendar</i>	Open Space Conservancy Trust Board Annual Report and Work Plan – A. Sommargren	--
<i>Regular Business</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	30
<i>Regular Business</i>	Island Crest Park Ballfield Advertising – D. Fletcher	30

FEBRUARY 28 (TUESDAY) – 9:00 AM–10:30 AM		
<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90

MARCH 6 – 5:30 PM		
Item Type	Topic/Presenter	Time
<i>Executive Session</i> (5:30-7:00 pm)	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
<i>Special Business</i>	Presentation from King Council Councilmember Claudia Balducci	10
<i>Consent Calendar</i>	ARCH 2016 Trust Fund Recommendation – A. Van Gorp	--
<i>Consent Calendar</i>	ARCH 2017 Administrative Budget and Work Program – A. Van Gorp	--
<i>Consent Calendar</i>	Department of Social & Health Services Interlocal Agreement for Respite Care Services Reimbursement – D. Mortenson	--
<i>Regular Business</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	30
<i>Regular Business</i>	Outdoor I-90 Sculpture Gallery Name Change – K. Fulginiti	30
<i>Regular Business</i>	Parks & Recreation Department Name Change – B. Fletcher	30
<i>Regular Business</i>	Code Amendment Modifying MICC Chapter 3.32 Pertaining to Emergency Management Administration (1st Reading) – A. Spietz	10
<i>Regular Business</i>	Code Amendment Modifying MICC Chapter 4.20 Pertaining to Claims for Damages (1st Reading) – A. Spietz	10

MARCH 14 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
--------------------------	--	----

MARCH 20 – 5:30 PM

Item Type	Topic/Presenter	Time
<i>Executive Session (5:30-7:00 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
<i>Regular Business</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	30
<i>Regular Business</i>	Closing Criminal Justice Fund (2017-2018 Budget Amendment) – C. Corder	30

MARCH 28 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
--------------------------	--	----

APRIL 3 – 5:30 PM

Item Type	Topic/Presenter	Time
<i>Executive Session (5:30-7:00 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
<i>Study Session</i>	NPDES Stormwater Code Update – P. Yamashita	60
<i>Regular Business</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	30
<i>Regular Business</i>	NPDES Stormwater Code Update (1 st Reading) – P. Yamashita	60
<i>Regular Business</i>	General Sewer Plan Update – A. Tonella-Howe	45

APRIL 11 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
--------------------------	--	----

APRIL 17 – 5:30 PM

Item Type	Topic/Presenter	Time
<i>Executive Session (5:30-7:00 pm)</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
<i>Regular Business</i>	I-90 Loss of Mobility Negotiations Status Report – K. Taylor	30
<i>Regular Business</i>	Fourth Quarter 2016 Financial Status Report & Budget Adjustments – C. Corder	45
<i>Regular Business</i>	Regional Animal Service of King County (RASKC) Interlocal Agreement – D. Jokinen	30

APRIL 20 (THURSDAY)

	JOINT MEETING WITH MISD BOARD	
--	--------------------------------------	--

APRIL 25 (TUESDAY) – 9:00 AM–10:30 AM

<i>Executive Session</i>	To discuss (with legal counsel) pending or potential litigation pursuant to RCW 42.30.110(1)(i) for 90 minutes	90
--------------------------	--	----

OTHER ITEMS TO BE SCHEDULED:

- Code Enforcement Ordinance Update – A. Van Gorp (Q1 2017)
- Light Rail Station Design Oversight – K. Taylor
- Mercer Island Center for the Arts (MICA) Lease – K. Sand
- PSE Electric Franchise – K. Sand
- Zayo Telecom Franchise – K. Sand
- Six Year Sustainability Plan – R. Freeman

COUNCILMEMBER ABSENCES:

- Bassett: February 21