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Sent: Thursday, April 15, 2010 10:35 AM
To: SR 520 Bridge SDEIS
Cc: 'Douglas Tooley'
Subject: 520 Supplemental Draft EIS Comments
Importance: High

I-296-001

I am writing to comment on the 520 Bridge Design Process via the Washington Department of Transportation Environmental Review. Though I am no longer a citizen of King County I likely can claim 'senior' status as a citizen involved in this process – having originally suggested the general approach in option K/L, [the additional crossing of the Montlake Cut, in 1988](#) . Additionally, during the time the project formally got started I served as Secretary of the Madrona Community Council. I am also a 1990 Honors graduate from the University of Washington, in the field of Economics. My senior's thesis was a labor approach to economic development and education(1988), and I have also significantly studied Urban Planning and other public fields. Prior to the incidents referenced below I was employed with King County in the field of Geographic Information Systems – where I grunted out the first parcel database for the unincorporated County – and the first growth management boundaries.

My comments today are solely my own, though hopefully I do have some remaining indirect connection with many communities in King County, including the Eastside, where I have worked often in both the public and private sectors. I would also hope to have at least some remaining respect among the members of my former profession, as well as other allied arts and sciences..

- A. This Supplemental Draft EIS process is invalid, \$220 million spent on a process not designed to fully and fairly evaluate well designed alternatives, but instead justify a pre-determined conclusion by corrupt individuals incompetent to handle conceptual design in a long term cost sensitive manner. The real purpose of this process has been to establish control of the project in a post old boy highway network 'bi-partisan' politically correct manner which settles a conflict between the public left and the corporate right, at the expense and public safety of the non-involved, and paying, public citizenry, the customer and owner of all branches of government.

I-296-002

1. The analysis of the K/L approach has been padded with additional costs, including mitigation costs from the University of Washington, not added to other alternatives. It may well be the fact that a Montlake tunnel or bridge is too expensive, but that analysis has not been completed satisfactorily in the \$220 million dollar spent to date.

I-296-003

2. The analysis of preferred option A+ is not complete, most notably in transit enhancements. This is certain to be an area for planned cost overruns.

I-296-001

The decision-making process for this project has lasted over 10 years and has incorporated extensive participation from stakeholder groups, communities, the general public, local jurisdictions, transit and other regional agencies, the Legislature and Governor, tribes, and state and federal regulators. The Agency Coordination and Public Involvement Discipline Report and Addendum (Attachment 7 to the Final EIS) document the participation that has occurred.

As explained in Chapter 1 of both the Draft EIS and the SDEIS and documented more fully in the Range of Alternatives and Options Examined report (Attachment 8 to the SDEIS), the SDEIS design options were the product of an alternatives analysis that had already considered multimodal solutions and a DEIS that evaluated No Build, 4-lane, and 6-lane alternatives. This process identified the 6-Lane Alternative—four general-purpose lanes plus two HOV lanes to serve transit and carpools—as best meeting the project purpose of improving mobility for people and goods.

As stated in the SDEIS (page 1-21): “Although the mediation participants, the legislative workgroup, and other political bodies can provide recommendations, it remains FHWA’s responsibility under NEPA, and WSDOT’s under SEPA, to select the final preferred alternative and to ensure that the environmental review process has evaluated a reasonable range of alternatives.” Also see the responses to comments in Item C-040, which was submitted by the Coalition for a Sustainable 520, for further discussion of the relationship between public involvement, the range of alternatives, and the Preferred Alternative, and how the process has been and continues to be consistent with NEPA regulations.

I-296-002

The analysis for Options A, K, and L was completed using the same

I-296-004

3. Given the flaws in analysis a cost aware review of these environmental costs is not possible.

I-296-005

B. Public relations efforts have been made to portray the neighborhood approach as stereotypically 'Nimby', or "Not In My Back Yard", and obstructive. The Montlake neighborhood K/L approach is constructive – even if there are a few individuals who would be happy to delay the project forever. The design process is under the control of the State of Washington and they have consciously chosen to implicitly politically attack the legal, constitutional, right of citizens to comment on their government. This is but one example of a broader strategy toward this end, which have also included indirect "Duke LaCrosse Players/Nifong" takeover of the University of Washington via an agent of the Abramoff Lobbying Firm Preston Gates and Ellis, via their agent Professor William Beyers, using this citizen as patsy(1994). Responsibility for any delay is on the hands of those who have controlled the review process.

This review process is in fact a direct Corporate attack against our constitutional system of government with the full collaboration of Governor Christine Gregoire, her appointees, her former staff employees in the Attorney General's Office, and the environmental review profession, once nobly led by Gregoire as head of the Department of Ecology during the original implementation of the State EIS process. [Microsoft Counsel Brad Smith's recent statements about the effort prove this conclusively](#), especially given the very recent shilling the firms outside Counsel, [the post Abramoff firm of K & L Gates, has engaged in concerning the controversial "Citizens United" Supreme Court decision](#).

In attacking public involvement via a variety of legal strategies that include falsely accusing responsible citizens, including this commenter, of abusive harassment for insisting on government and corporate accountability these "elite" individuals have themselves engaged in the behavior they claim to condemn. Correctly, the King County Courts, with it's "officers", have engaged in an unwritten common law practice of assigning 'second-class' citizenship to abusers. This standard needs to be applied to the true abusers, and their assets used to reimburse the public for the abuses to date.

I-296-006

Personally, I believe Mayor McGinn's calling for immediate transit only usage for the third lane is premature. However the need to plan for the eventual conversion of this bridge to light rail is necessary. McGinn's negotiating position addresses this need in a completely professional fashion which greatly exceeds the ability of the so-called Downtown Business community. The community of the greater Montlake area, Seattle, King County, the Puget Sound Regional Council, Washington State would be better off served starting from scratch with the leadership of McGinn and the leaders of the Montlake neighborhood. The general approach of alternatives K/L/M is superior to light rail for eventual conversion to light rail. The omission of this fact is a fatal flaw in the WSDOT led effort.

methodology for each option. Mitigation cost estimates for each option vary because the effects requiring mitigation are different for each option. For instance, Options K and L would require additional money spent for right-of-way acquisition at the University of Washington that would otherwise not be needed for Option A. For a more in-depth discussion about how costs are derived and developed for the Cost Estimate Validation Process, see the WSDOT website at: <http://www.wsdot.wa.gov/Projects/ProjectMgmt/RiskAssessment/>.

I-296-003

As part of the planning process required under Engrossed Substitute Senate Bill (ESSB) 6392, which was passed by the Washington State Legislature in 2010, WSDOT coordinated with Sound Transit, King County Metro Transit, the City of Seattle, and the University of Washington during the refinement of the Preferred Alternative. This coordination ensures that the SR 520, I-5 to Medina project will not adversely affect transit at the future Montlake Multimodal Center (currently known as the Montlake Triangle), nor will it preclude future transit facility and service improvements. Modifications for the Preferred Alternative also include changes to the Montlake Boulevard interchange and lid to better accommodate transit. Additionally, the Preferred Alternative allows for two future rail options, should a regional decision to implement rail on the SR 520 corridor be made and funded. See Chapter 1 of the Final EIS for a description of the ESSB 6392 process, and Chapter 2 for a description of the Preferred Alternative. Please see Chapter 8 of the Final Transportation Discipline Report for a discussion of which transit facilities are included in the Preferred Alternative as a result of the coordination efforts.

I-296-004

In 2008, a very detailed cost evaluation was performed for Options A, K, and L through the Cost Estimation Validation Process (CEVP®). The methodologies used to generate costs were the same for all options

I-296-007

Given similar abuses on a national level this action is imperative. The real opportunity with this project is to re-invent corporate and governmental America. Jumping onto the soapbox for a moment, I'd like to see a private college of the Harvard/Stanford rank built on the eastern shores of Lake Washington – perhaps a useful place to put the remaining confiscated wealth of the Microsoft Executive 'gang'. Ironically, these actions would be a 'just' inheritance from Bill Gates, Sr, the former family law lawyer with Preston Gates and Ellis, to his son, the CEO of Microsoft, for their abuses at the University of Washington and, subsequently, the remainder of the Region and State.

The law is the law, and as former City Attorney Mark Sidran noted, little things matter, else they turn into big problems – as evidenced in this case. I sincerely hope and trust that all good people, upon being properly informed of these problems by the press, legislature, and Seattle Council, will turn away from this corruption – and stop our significant local contributions to corporate and governmental decay.

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evaluated, thus allowing for comparison across the options. During the CEVP process, analysts use systematic project review and risk assessment methods to identify and describe cost and schedule risks, and evaluate the quality of the information available. An important part of the process is that analysts examine how risks can be lowered and cost vulnerabilities can be managed or reduced. Costs estimated during the process account for a host of project components and risks, including design, construction, mitigation efforts, potential delays at each step of project delivery, costs for legal challenges and litigation, and inflation. The process provides opportunities for WSDOT to improve final cost and schedule results. The output of the CEVP® process is a probabilistic range of costs. The range accounts for uncertainties defined in the workshop for cost and schedules. By WSDOT policy (IL 4071.01) the 60th percentile estimate number is used for the budgeting process.

I-296-005

Please see the response to Comment I-296-001. WSDOT and the mediation participants agreed at the conclusion of the mediation process that Options A, K, and L would be evaluated in the SDEIS. Since publication of the SDEIS, FHWA and WSDOT have identified a Preferred Alternative that is similar to Option A but with a number of design refinements that minimize the effects presented in the SDEIS. These refinements respond to comments made on the SDEIS and to WSDOT's work with many project stakeholders under Engrossed Substitute Senate Bill (ESSB) 6392, which was passed by the Washington State Legislature in 2010 respond to stakeholder and community comments on the SDEIS. Through the analyses conducted for the SDEIS, WSDOT determined that Options K and L would result in more adverse effects on natural resources than Option A. If Options K or L were identified as the Preferred Alternative in the future, additional detail would be provided at that time.

I-296-006

The SR 520, I-5 to Medina project would be constructed without light rail but could accommodate it in the future. Section 2.4 in the Final EIS explains why initial implementation of light rail transit on SR 520 is not planned. Section 2.4 also explains how the SR 520, I-5 to Medina project can accommodate future high capacity transit, such as proposed bus rapid transit or potential future light rail. While WSDOT believed that the design of the SR 520, I-5 to Medina project already accommodated potential future light rail, the agency worked with the City of Seattle and Sound Transit to identify changes that would enhance the corridor's rail compatibility. The Preferred Alternative reflects these design changes and allows for two potential future rail options:

- Option 1: Convert the HOV/transit lanes to light rail. This approach would accommodate light rail by converting the HOV lanes to exclusive rail use. Trains would use the direct-access ramps at Montlake Boulevard to exit, or could utilize a 40-foot gap between the eastbound and westbound lanes of the west approach to make a more direct connection to the University Link station at Husky Stadium.
- Option 2: Add light-rail only lanes. This approach would allow several connections—via a high bridge, a drawbridge, or a tunnel—to the University Link station.

See the response to Comment I-296-005 regarding Options K and L. See Section 2.4 in the Final EIS regarding Option M.

I-296-007

Comment noted.