

Letter of Intent

To Coordinate and Develop Future Memoranda of Understanding

between

City of Seattle Department of Planning and Development (DPD)  
and

Seattle Public Utilities (SPU)

and

Washington State Department of Transportation (WSDOT)

To accomplish  
Permitting to Allow Construction of the Alaskan Way Viaduct and Seawall  
Replacement Project

**Comment [A1]:** One letter for all City agencies including SCL or separate?

**Comment [A2]:** Include the seawall?

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Whereas the City of Seattle and WSDOT agree that the Alaskan Way Viaduct and seawall are in urgent need of replacement due to age and previous damage by seismic events;

Whereas the Alaskan Way Viaduct is located over City of Seattle road right-of-way and within WSDOT road right-of-way and is maintained jointly by both agencies;

**Comment [KF3]:** I know this is incorrect. Need input/proper language from Karen Stagner. The intent of this paragraph is to identify the City's and WSDOT's relationship and responsibility for the viaduct (and seawall if we are including that here).

Whereas, assuming that the parties concur on the design of a replacement facility, WSDOT and the City of Seattle have previously agreed to coordinate to design and construct a replacement facility;

Whereas construction of the facility will require numerous regulatory approvals from the City of Seattle;

Whereas the process to obtain regulatory approvals from the City has potential to negatively impact the project’s necessarily tight construction schedule, and both parties wish to avoid delays in permitting where possible;

Whereas it is anticipated that Memoranda of Agreement (MOA) will be needed to memorialize any agreements reached regarding permitting processes;

Whereas it is understood that a Letter of Intent can serve as a basis for discussion regarding MOAs that will be required;

The signatory parties hereby agree to develop and document coordination processes and procedures to use in obtaining appropriate permits for construction of a replacement for the viaduct and seawall. Preparatory to the development of appropriate MOAs, the signatory parties of this Letter agree to address the following issues relative to the permitting and construction of a replacement:

**Comment [KF4]:** Want to include operational permits here as well?

1. Identify City staffing to streamline permitting processes for the project. This action will address numbers of staffing and provide specific staff names where possible, along with specific roles and responsibilities. This action will confirm whether one department will take the lead in issuing certain permits and which department that will be. This action will confirm how the City departments will coordinate internally to provide for as little delay as possible in the permitting process. This action will also confirm funding to be provided by each agency to provide staff for this effort.
2. Confirm the types of permits needed and how applications will be processed. This action will address any potential to combine permit applications or create specialized permits (such as *Project Construction Permits* developed for Sound Transit projects) and will include identification of master agreements that may be entered into for particular types of permits (such as shoreline), use of performance standards-based permitting, and review batching processes.
3. Confirm when permit applications will be submitted. This action will identify whether applications will be submitted by contract, by geographic area, or other method of organization. This action will also confirm the level of design detail the City will need in order to process applications

and will confirm whether applications would be reviewed prior to completion of the SEPA process.

4. Confirm how applications will be submitted. This action will include identification of how applications will physically be submitted and will address potential for electronic processes where possible; pre-application meeting needs, timing, and content; and specific recipients of applications.
5. Confirm timing for application review by City staff and proposed turn-around times to issue permits.
6. Confirm cost of permits and payment processes.
7. Confirm procedures, staffing and timing for processing of applications to be submitted by project construction contactors.
8. Establish conflict resolution procedures for the permitting process. This item may include use of a third-party facilitator in the event that there is disagreement regarding project impacts and necessary mitigation.
9. Confirm WSDOT's role in the event of permit appeals.
10. Confirm the on-going overall coordination mechanism that works best for all parties. This action will address whether and how to use the proposed Permit Forum or will establish an alternate process or processes. This action will also include confirmation of what types of project schedule and design updates City permitting staff will want and need as the project proceeds.
11. Sandy – any specifics from previous discussions with the City?
12. Identify all Memoranda of Agreement (MOA) needed to memorialize agreements reached on the issues above, along with a schedule of intermediate deliverables such as document drafts, and a target date to complete negotiations of MOAs.

Additional issues may be identified during ongoing coordination processes. This Letter is not to be construed to limit discussion or resolution of issues not identified herein.

This Letter of Intent does not constitute an agreement by any of the parties to institute any procedure or process.

The undersigned hereby agree to coordinate to coordinate to address the topics and issues itemized within this letter.

City of Seattle

NAME:

DATE:

Signature: \_\_\_\_\_

Each department?

WSDOT

NAME:

DATE:

Signature: \_\_\_\_\_

Confirm who to sign