

Right of Way and Limited Access Plan Report Out

Introduction

The proposed alignment for SR 99 with the bored tunnel is in a new location that may be outside the existing SR 99 Right of Way. To begin construction we will need to have approved right of way plans and a right of way certification that all of the proposed construction is in right of way and not on private property. In locations where the new alignment is close to the existing alignment, the existing Right of way plans can be modified to show the changes. In locations where the new alignment does not show on the existing plans, a new set of right of way plans must be developed and the sections of plans that will no longer show SR 99 will be superseded. The sections of the existing Alaskan Way plans that will be used for projects such as demolition of the Viaduct or Armory Way will not be superseded until that construction is completed.

These plan sets must be based on a survey of the new alignment. The AWW project had a record of survey prepared by DEA that covers the area from the West edge of Alaskan Way to the centerline of 1st Avenue. The new survey would need to cover the area of interest that is not included in the existing survey. The record of survey will show the existing property lines and monuments.

The Right of Way plans need to be developed indicating all the parcels and portions of parcels that need to be acquired. It is a planning document that shows the ownership and areas to be acquired. In the case of this tunnel, the plans need to show the profile because many of the parcels acquired will be three dimensional and mostly sub surface.

The central bore may be limited access or managed access. That decision has not been finalized at this time and will have a lot of impact on the schedule for developing the plan set but more importantly will impact long term maintenance and operations responsibility.

The Right of way plans can be separated into three sections. At the north and south ends, the plans would be the existing right of way plan sets SR 99 S. DEARBORN ST. TO PINE ST. and SR 99 BATTERY ST. TUNNEL and SR 99 BATTERY ST. TUNNEL TO COMSTOCK ST. These plans would be modified if possible to show the new limits of the right of way. Due to the three dimensional nature of the tunnel, the plans may need to be redrawn with a plan and profile as new right of way plan sheets. There will need to be a new set of plans for the SR 99 SEATTLE TUNNEL in the central section where the tunnel goes under existing buildings. In these areas, there are no existing right of way plans to modify.

PE.PD.28 Right of Way Engineering

- **Determine the type of access for the tunnel.** The tunnel portion will be managed access (owned by Seattle) or limited access (owned by WSDOT). This decision needs to be made early in the planning process. The issues of ownership, maintenance

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responsibility, permitting and other issues will rest on this decision. The team's recommendation, including the design engineering manager, UCO traffic engineer, headquarters access manager, and headquarters design office is to make the tunnel limited access with managed access outside of the portal and ramp areas to clarify ownership and maintenance responsibility.

- **Staff Project Engineer Office with personnel.** Necessary personnel includes design, survey, drafting and review support. To be able to accomplish this work I need a licensed Assistant Project Engineer acceptable to management so Sara can resume her position as Design Team Leader. Part of this work could be done by a "virtual" team and part will be done by permanent staff added to the office team. We will need a TE-3 Surveyor and can borrow one from HQ right of way or from NW Region R/W Plans section who lead the survey and design team. We have a commitment for a survey crew from HQ Survey that could do the field work, and also an offer of a crew from NW Region Right of Way section. We have experienced CAD Drafters available from Olympic Region that can do the drafting as soon as their existing work load drops off. Mike Wilson from HMM/HDR will be available to assist with the review and coordination. I can stamp and sign the work.

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- **PE.PD. 2810.25 Record of Survey.** This work should start immediately based on the current selected alignment. We have an existing Record of Survey that covers from the waterfront east to the centerline of 1st Avenue. We need to tie into that survey, and do the block/parcel survey east to the centerline of Second Avenue from Jackson Street to Pine Street, and then 200 feet on each side of the proposed centerline from Pine Street to Denny Way.

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- **PD.PE.28.10.10.** As the survey is prepared, we would start preparing a Right of Way Plan set. This work would include the identification of effected parcels. Pharos would get a title company to develop the title reports on each of the parcels identified. The Right of Way plan work would be directed by the design TE-3 Surveyor, and the drafting would be done by the virtual drafting team from Olympic Region. These state employees would work from their current location and bill their time to the work order for this project.

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- **Limited Access Plans.** If the decision is to go with Limited Access for the central portion of the project from Main Street to Denny, we will need to prepare Limited Access Plans. These would not be separate plan sets but would be a modification of the Right of way plans to show the limited access hatchures. HQ Access has indicated that we would not need to purchase access rights for the central portion (bored tunnel) because the adjacent owners currently do not have access. We would not need a hearing for the Limited Access on the central portion, but could end up needing a hearing for the parcel on the north and south that currently have access to SR 99 and would not have that access for the new SR 99 alignment. My recommendation is that we proceed with the assumption that the project will be limited access.

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- **Monitoring and settlement plan.** For the Yesler Vicinity project we set up a plan to scan the adjacent building before, during and after construction. The intent was to determine the existing condition, and note any changes in settlement, cracking or other movement that could be attributed to our construction. We need to set up a similar scan and monitoring program for the bored tunnel construction. I discussed this with Kurt Iverson and Kurt Williamson from HQ. They conducted the monitoring for the Yesler project and are now familiar with the process. This is a long term effort that needs to start before the construction and will not finish until after the construction. HQ survey is willing to commit to a long term project, and my team will have a TE-3 surveyor available to coordinate and manage the effort. The cost of this will need to be estimated after a decision on the alignment so we can estimate the number of buildings involved and the complexity of the monitoring necessary. For now, assume 4 FTE for 2010 through 2016. The right of way survey in 2009 will establish monitoring points and bench marks to be used in the subsequent scanning and monitoring program.

Concerns

- The right of way plan development process may take longer than expected due to the number of parcels and the unusual characteristics of the three dimensional rights acquired.
- The 07-09 budget of \$400k for state forces may not be adequate for this work and other work expected. This work will require about \$30k per month for February through June for an estimate of \$150k. Budget constraints could delay the work.