



CITY OF KIRKLAND
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MEMORANDUM

To: Kurt Triplett, City Manager

From: Pam Bissonnette, Interim Public Works Director
David Godfrey P.E., Transportation Engineering Manager

Date: February 21, 2013

Subject: Cross Kirkland Corridor Update

RECOMMENDATION:

It is recommended that City Council receives an update on the Cross Kirkland Corridor and present any questions, concerns or comments they may have.

BACKGROUND DISCUSSION:

1. Rail removal

A. Schedule

Removal of the rails, ties and other equipment to make way for an interim trail is proceeding as rapidly in order to meet the Council's adopted interest to "Actively use the corridor in the near future". An aggressive schedule is also needed to ensure that the interim trail is constructed in a manner that meets the time constraints associated with the grant funding, specifically the \$2 million of state funding which must be spent prior to June, 2015. Table 1 shows the schedule for rail removal:

Table 1: Key dates in Rail removal schedule

Date	Milestone
February 26, 2013	Contract Advertised
March 5, 2013	Council to pre-approve bid award
March 15, 2013	Bid opening
April 5, 2013	Estimated earliest date for notice to proceed
April 22, 2013	Estimated earliest date for contractor to begin work
The contract documents allow the contractor 35-days to complete all rail removal and clean-up work. The contractor may request to begin work later than the earliest possible date shown above, but must complete work before the dates shown below.	
June 28, 2013	Latest date rail removal complete: Base bid
August 2, 2013	Latest date rail removal complete: Alternate late finish bid

The City's engineering consultant has been discussing the project with all major rail removal contractors for the past two months in order to stimulate interest and, at this time, interest in the Project appears high. There is only one specialty rail removal contracting firm in the Puget Sound region with other rail removal contractors being headquartered in states as far away as Florida. Because most contractors are relatively distant, they may have high costs for meeting an aggressive schedule or may not choose to bid at all. To insure a competitive bidding environment while, at the same time, pursuing an aggressive schedule, the bid documents provide a "base bid" and a "late finish" alternate (see Table 1 above).

The "base bid" has a completion date of June 28 and an "alternate late finish bid" allows a completion date of August 2. Contract award will be based on the "base bid" amount with the City Manager having the option of choosing the later completion "alternate" bid from the lowest responsive base bid contractor, as appropriate.

As another means of advancing the work as quickly as possible, staff is requesting that the City Council pre-authorize the City Manager to sign the removal contract, provided the following criteria are met:

- The City receives bids from more than one contractor deemed responsive and responsible for performing the specified work, and
- The City receives a net credit for the work because the salvage or re-use of the rail materials exceeds the cost of performing the work, or the total cost to the City from the lowest responsive and responsible bid is \$50,000 or less.

This item is scheduled for the Council's March 5th consent calendar and more background associated with the details of pre-authorization is located there.

B. Scope

Rail removal contract work includes removal of all rail, ties and other track material (OTM) within the Cross Kirkland Corridor right-of-way from 108th Avenue NE to 132nd Ave NE with the exception of at-grade roadway crossings. Items of work include removal and salvage of the railway; removal and salvage/disposal of OTM; restoration of all disturbed areas to match preconstruction or better conditions; and providing, installing, and maintaining temporary slope and erosion control using best management practices to protect sensitive areas.

Track on spurs will be removed up to the edge of city property. Spurs not on city property will be removed with approval from the owners of property on which the spurs are located. Materials salvaged will become property of the city.

Basic rail removal work does not include any excavation or earth moving and, as a result, the rail removal contract will not include the removal of the rails and the repaving of the nine existing street crossing locations. The removal of rail within concrete and pavement at the existing road crossings will be performed as a part of the Interim Trail construction as the contractor selected to perform that future work will be better equipped to accomplish those removal efforts.

Rail removal will start with the removal of the rail spikes and steel plates that hold the rails to the wooden crossties. Appropriate length sections of rails are then literally dragged down the

rail corridor by construction equipment to one of a number of storage and staging areas situated along the alignment (see Map 1). Ties are pulled out of the ground and also brought to staging areas. Both groups of materials are stacked at the storage areas and then loaded on flatbed trucks for shipping to their final destinations. The goal is to reuse or recycle as much material as possible. Both used rail and used ties are graded and separated into various categories based on their utility. Some rail and ties, in their present state, can be sold for reuse on other railroads. Some rail can be reworked and made useable again for use on railroads while other rail must be scrapped with the steel repurposed for other uses. Ties not usable on railroads are similarly graded and only those of the lowest quality are disposed.

As shown in Map 1, points for contractor access to the corridor are located at various points along the CKC. Staging will also be allowed at these points.

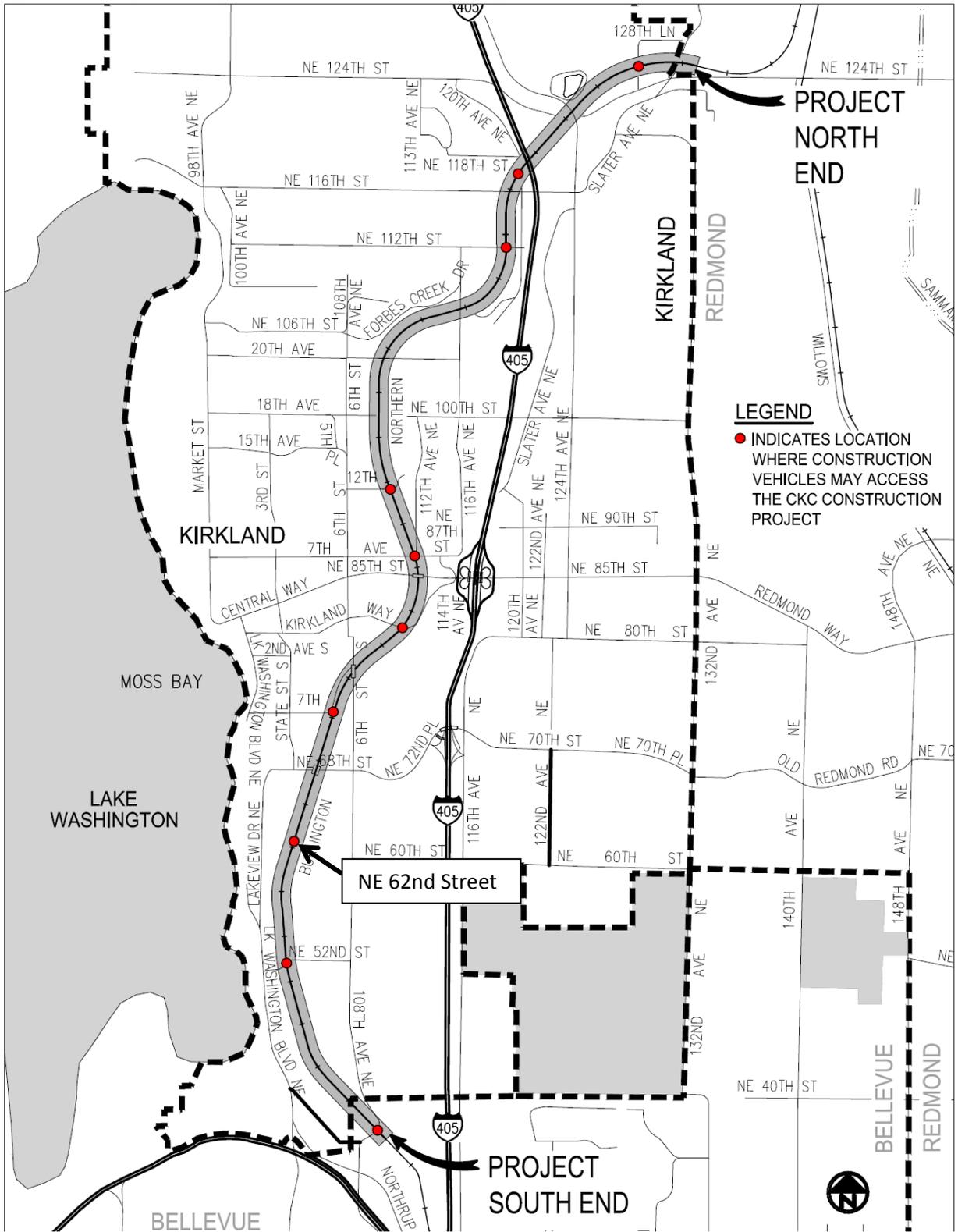
Traffic control including flaggers will be present when work is being performed on aerial structures and at locations where trucks loaded with surplus materials are accessing streets.

While sections are being worked on for rail removal, the CKC will be posted as "Temporarily Closed". Keeping everyone off the construction area will insure the work is accomplished in an expedient and safe manner.

C. Cost

The work required to remove the steel rail, the miscellaneous hardware and railroad crossties is currently estimated to cost less than the current market value for the salvageable material. A reasonable percentage of the existing rail material is highly sought after by "short-haul" railroad companies across the country and it is expected to bring a relatively high price. The estimated cost for the removal of the materials is \$435,000 to \$535,000 and the estimated salvage value of the material to be removed is \$465,000 to \$572,000 for an estimated credit to the City of Kirkland in the amount of \$35,000. The current engineer's estimate includes a reasonable contingency to cover the risk of low scrap prices or low demand for used materials. State and local funds are being used to pay for the engineering and for any construction costs of the rail removal project.

Figure 1. Map showing access and material storage locations.



D. Environmental process

The City has received several inquiries about the need for environmental review of the rail removal effort. Federal law preempts local environmental review (including SEPA) of the rail removal project. This is based on federal statute (49 U.S.C.10501(b)), which provides that the Surface Transportation Board (STB) has exclusive jurisdiction over (among other things) abandonment of rail lines. Courts interpreting this statute have ruled that the federal preemption extends to state and local environmental regulations. See, e.g. *City of Auburn v United States*, 154 F .3d 1025, 1028 (9th Cir. 1998). In addition, a 1999 Federal District Court decision involving the East Lake Sammamish trail specifically found that federal law preempts rail salvage from state and local environmental and land use regulation. In addition, it should be noted that, as part of the abandonment proceedings for the Eastside Rail Corridor, the STB conducted an Environmental Assessment and concluded that the abandonment would not significantly affect the quality of the environment. See STB Docket No. AB-6 (Sub-No. 465X). Although environmental review processes are not need for rail removal, SEPA and NEPA reviews will be conducted for the interim trail project (see section 2D below)

E. Public process

The outreach efforts for the rail removal will be focused on keeping the public informed and minimizing impacts of construction. The outreach team will visit residents and businesses adjacent to any staging areas to inform them of the timeline and possible impacts. The residents and businesses will be given a direct contact to call if they have any concerns or questions during the rail removal process. The City will report out on the progress of construction and warn residents not to use the trail during construction. The goal of the outreach efforts related to the staging area will be to ensure no surprises for the adjacent residents and businesses.

2. Interim trail

A. Schedule

Interim trail design and environmental work will be completed in the spring and summer, with trail construction beginning in the fall of 2013. The trail is scheduled to be completed in 2014. More details on the interim trail schedule will be presented at the study session on March 5.

B. Scope

As another element of meeting the Council's interest in making the corridor available as soon as is practical, and as approved by the City Council on August 7, 2012, the interim trail will be a gravel surfaced facility located on the existing rail bed. This will allow the maximum flexibility for future uses while offering a reasonable level of use quickly.

Improvements to be designed under the scope of the Interim Trail include:

- An interim gravel path along the existing 5.75 mile long railroad track alignment matching the width of the existing rail bed (8 to 10-foot wide) that can be used by walkers, bicyclists, and other uses compatible with this type of surface. It will provide an accessible, all-weather, crushed gravel path similar to the East Lake Sammamish Trail. The new trail will meet federal funding requirements for a

shared use gravel path. An ADA compliant interim trail will be achieved through careful specification of materials and proper construction.

- Roadway modifications as required at all street crossing locations to provide safe crossings meeting applicable guidelines, including enhanced street lighting and other improvements at crossings where needed.
- Installation of geo-technical fabric for retention of the new gravel surfacing within the existing railroad ballast section where necessary.
- New signing and markings at street crossings and for parking regulation.
- Railing or fencing as required for safety or to protect sensitive areas. Split rail style fences will keep users from sensitive areas and chain link fence will be used in limited applications to protect users from steep slopes or other hazards. Other wooden fencing will be used to prohibit vehicle access to the corridor.
- Modifications to existing railroad trestles, as required, providing a safe and accessible pedestrian passage.

The ultimate trail cross section and alignment, surfacing and related landscaping, amenities, and a host of other permanent improvements will be constructed in the future based on the outcome of the Cross Kirkland Trail Master Plan.

C. Cost

The estimated cost of the interim trail is estimated to be approximately \$3.6 million. It will be funded through a combination of federal and state grants and local funds.

D. Environmental process

The City and its consultant will complete appropriate environmental documentation, including all needed studies, modeling, and analysis in accordance with State Environmental Policy Act (RCW 43.21C), SEPA Rules (WAC 197-11) and all appropriate federal regulations. The project's SEPA Checklist and supporting documents will be reviewed by the City's Department of Planning and Community Development, who will issue a SEPA Determination. Federal environmental compliance will be reviewed by the appropriate agencies.

E. Public process

The outreach efforts for construction of the interim trail will be primarily focused on keeping the public informed and minimizing impacts of construction. The City will also strive to manage expectations about the scope of the Interim Trail and communicate clearly the difference between the Interim Trail and the Master Planning Process. The City will disseminate consistent and timely messages about construction impacts for existing trail users and adjacent property owners (specifically those next to construction access points). The communications will be clear about what the public can influence on the design of the interim trail (such as helping to prioritize trail access points, providing input on public and private conflicts during and after construction). The City will help spread the enthusiasm for the Interim Trail and work to foster public pride and a sense of ownership in the trail.

F. Potential of restoring rails

One of the benefits of constructing the interim trail on the existing rail bed is its flexibility for future development. Most importantly, it allows use of the corridor without excluding any options for future trail or transit. In the unlikely event that freight operations were pursued under the railbanking provision, or if the region were to agree to some mode of rail transit on the existing rail line, a single-track system similar to the one available today could be reinstalled

on the existing rail bed for a cost of approximately \$1M/mile¹ for the rails. The Cascadia Center of the Discovery Institute has previously stated that updating existing rails would also cost about \$1M/mile². This demonstrates that there is no significant difference in the cost of replacing the rails with the existing tracks in place, or replacing them months or years after they have been removed. Therefore, there is no cost to the region for Kirkland's interim trail action beyond what would otherwise be incurred to replace the existing rails. In the meantime, thousands of Kirkland residents as well as pedestrians and cyclists from throughout the region would have use of the Cross Kirkland Corridor interim trail.

3. Master plan

A. Status of consultant

On January 18, 2013 a request for proposals was issued to solicit consultants to prepare a Master Plan for the long term development of the CKC. Six firms replied and after the proposals were scored by a staff panel, four firms were selected to interview on February 22. The interview panel consisted of staff from several city departments plus a representative from both the Park Board and the Transportation Commission. At the time of this memo, a finalist has not been selected, but more information will be available at the study session on March 5. Scope and budget will be negotiated with the highest ranking firm and it is anticipated that these negotiations will result in a signed contract with notice to proceed by the end of March.

Scope negotiations will start with the Master Plan scope that was developed by the Transportation Commission and approved by Council on August 7, 2012. The draft scope is included here as Attachment 1. Although the draft scope will be the beginning point, based on the consultant interview process, any of the firms that will be selected will have helpful refinements to the scope.

As described in the scope, the public outreach for the Master Plan is expected to be thorough and is expected to build on the existing community enthusiasm surrounding the CKC. Several consultant teams mentioned in their interviews that they have never had the opportunity to work on a project where the community was so involved prior to the start of the process.

Prior to their interviews, the Consultant teams were asked to specifically address how they will coordinate with the other planning efforts that are taking place in the next couple of years. The coordination effort will be further developed as the consultant team finalizes the overall project scope and the public outreach process.

Almost all the City Boards and Commissions will participate directly in the development of the Master Plan, but based on previous Council direction the Transportation Commission, in close collaboration with the Park Board, will have primary responsibility for the Master Plan.

B. Budget

A budget of \$360,000 was advertised in the Request for Qualifications for the Master Plan consultants. The project is funded through the recently passed Parks Levy.

¹ Based on information received from the following firms: Industrial Railways, Railworks and RailPros

² December 10, 2012 Letter to Bellevue City Council

C. Schedule

As with scope and budget, at the time of this memo, a final detailed schedule has not been prepared, but completion of the Master Plan is anticipated in mid-2014. The schedule may change based on the final nature of public outreach and other factors.

4. Trail easement sponsor

When the Port of Seattle purchased the full corridor spanning 42 miles in King and Snohomish Counties, the Port elected to retain the section in Snohomish County for freight, and railbanked the portion in King County. Railbanking statutes require a "trail sponsor". Under the federal Rails-to-Trails Act, a trail sponsor assumes responsibility for managing the right-of-way and payment of any and all taxes that may be levied or assessed against the right-of-way. From a practical standpoint, the trail sponsor must work towards planning, designing and constructing a trail on the right of way. Interim trail use is subject to possible future reconstruction and reactivation of the right-of-way for freight rail service, and to the trail sponsor continuing to meet its responsibilities. As part of the Port purchase, King County agreed to be the trail sponsor for railbanking purposes, and in 2009 purchased a trail easement within the King County portion for \$1.9 million.

Subsequently, the City of Redmond purchased, in fee, the spur within their jurisdiction. King County then transferred their trail easement and trail sponsorship responsibilities to Redmond. This same arrangement has been offered to Kirkland by King County. A transfer agreement along the lines of Redmond's is in process and expected to be brought to the Council in mid to late summer, 2013.

The City of Kirkland is in alignment with the responsibilities of a trail sponsor through the development of the interim trail, and initiating the CKC Master Plan. The removal of the rails in spring and summer, 2013, is the first step in this process.

Thanks to the Parks levy approved last fall by Kirkland voters, the City has sufficient resources to carry out the other responsibilities required of a trail sponsor.

5. King County Eastside Rail Corridor Regional Advisory Council

After BNSF announced the corridor was for sale, King County was one of the original partners that came together to find a way to keep the corridor in public hands.

King County desired to purchase portions of the corridor in fee within King County that remained after Redmond and Kirkland had purchased their sections. King County's purchase has only recently been completed. As part of the process for these purchases, the King County Council decided that a regional Vision for the corridor was needed.

In mid-December, 2012 the King County Council unanimously adopted Motion 13801 establishing the Eastside Rail Corridor as a corridor of regional significance and declaring the criticality of the regional ownership partnership by establishing the Eastside Rail Corridor (ERC) Regional Advisory Council to immediately initiate a regional planning process. The ERC regional advisory council is comprised of the fee and easement owners within the King County section of the corridor: King County, PSE, Sound Transit, Redmond, and Kirkland. Their first meeting was

held on February 20th, 2013. The City Council appointed Mayor Joan McBride as Kirkland's representative and City Manager Kurt Triplett as the alternate to the Council. At the meeting a slide show was presented regarding the property purchases and ownerships on the corridor. This set of slides will be shown at the March 5 study session.

Mayor McBride provided a brief explanation of Kirkland's interests and provided messages from the City's talking points (Attachment 2) to the Advisory Council. City Manager Kurt Triplett then made a short presentation (Attachment 3) to the Advisory Council on Kirkland's CKC interest statement as well as key historical milestones in Kirkland's history demonstrating that the CKC has been a priority of Kirkland for decades and that it was strongly supported by Kirkland residents, most recently by the 57% approval of the Parks Levy that included money for the interim CKC trail.

The goal of the Advisory Council is "to oversee the partner planning process including implementing and coordinating the rail, trail and utility uses in the ERC, coordinating with affected cities around local planning and development with the regional uses and overseeing the work of a technical staff work group." The Advisory Council "shall reach out to a broad-spectrum of stakeholders", during their work, including local governments along the ERC. A parallel staff technical committee has been formed to support the ERC Advisory Council. Kirkland's representative is Interim Public Works Director Pam Bissonnette and Transportation Engineering Manager Dave Godfrey is the alternate.

Motion 13801 went further to declare the corridor as an essential public facility subject to the requirements of the Growth Management Act in that it provides public benefits (transportation, trail and wastewater uses). The Advisory Council is to develop policy options for discussion by March 29th, 2013 and make recommendations, including any needed changes to the countywide planning policies, and present them to the King County executive by July 31, 2013. The Executive is directed to submit them to the King County Council by August 30, 2013. The process for adoption of countywide planning policies takes considerable time, but when completed Kirkland's actions will need to be consistent with them.

6. Other groups

A. TRailways Alliance

TRailways Alliance is a group co-chaired by elected officials from the cities of Woodinville and Snohomish. The group is catalyzed by the Cascadia Center of the Discovery Institute. Along with Woodinville and Snohomish, other Alliance supporters include various business groups and tourism interests, All Aboard Washington, Eastside Community Rail and other groups.

TRailways Alliance has two main objectives: one being development and promotion of passenger and excursion rail service on the Port of Seattle owned tracks between Woodinville and Snohomish; and the other being rail service along other portions of the rail corridor between Renton and Woodinville. This second objective is what has led the group to call for Kirkland to not remove rails on the CKC. Another stated interest of the Alliance is development of a trail as a complement to rail service along the length of the corridor. These points are described in an Alliance solicitation for support which is included here as Attachment 4. Both the City of Snohomish and the City of Woodinville have sent letters to the City of Kirkland urging Kirkland to wait to remove rails.

Eastside Community Rail has made a proposal (Attachment 5) to the City to construct a gravel road parallel to the tracks. This proposal does not initially appear to meet the adopted interests of the City but staff is continuing to research its details.

B. Sound Transit

Sound Transit owns an operating easement along the length of the corridor and they own a section of the corridor in Bellevue which is connected with future Eastlink construction. Kirkland considers Sound Transit to be the provider of future transit on the CKC. If King County Metro Transit were to provide transit, it would be via the Sound Transit easement.

City of Kirkland and Sound Transit staff are scheduled to meet on February 28 to discuss the roles of the two agencies in development of the CKC. More information based on the outcome of that meeting will be available at the March 5 Study Session.

C. Business roundtable Founders club

The Founder's Club is a subgroup of the Kirkland Business Roundtable, dedicated to the promotion and improvement of the Cross Kirkland Corridor. In May, the Founder's Club will be holding an event at the Eastside Tennis Center which is adjacent to the Corridor in the Par-Mac area. The event will be focused on informing businesses of the group's mission and to get other businesses to become members.

D. The Trust for Public Lands

The Trust for Public Lands held an internal grant competition for funds to be used for a Climate Smart Design Pilot Project. Using the CKC as their project, the Washington State office successfully competed against other offices across the country and received the \$25,000 grant. The Trust for Public Lands will conduct a GIS analysis that will identify key access points for non-motorized transportation, as well as important connections to existing parks and trails, bike and pedestrian routes, and other important community resources such as schools and libraries. The project will also identify locations along the Corridor for demonstrating the benefits of green infrastructure to infiltrate stormwater and reduce polluted runoff.

E. ETP

At the February 8 meeting of the Eastside Transportation Partnership, and at the urging of the Mayor of Snohomish and a rail supporter, the group contemplated discussing the Corridor at a future meeting. A specific point of discussion was proposed; namely attempting to delay Kirkland's rail removal based on environmental process concerns. At the time of this memo, it is unclear whether or not ETP will take up the issue at its March 8 meeting, but at a minimum the issue is likely to come up under items from the audience.

7. Maintenance/operations

A. Adopt a section of the corridor

Groups and individuals may adopt sections of the CKC. All 28 quarter mile long sections have been adopted. These sections are mapped in Attachment 6. Responsibilities of the adopters include:

- Sign an Agreement outlining the responsibilities (see Attachment 7)

- Require all participants to sign a consent/hold harmless form prior to participating in a clean-up event
- Keep a copy of the Agreement at the cleanup site
- Cleanup a minimum of two times a year
- Safely have the participants pick up litter and trim vegetation off of the adopted trail section adopted
- Return unused bags and the safety vests to the City within one week following clean-up
- Avoid anything that might be hazardous or cause injury
- Report hazards to the City of Kirkland Public Works Department or the Police Department

Several groups have already held successful clean up events including the Highlands and Market Neighborhood Associations.

B. 128th Ln NE parking

For years before Kirkland owned the CKC, vehicles parked on the corridor near the crossing of 128th Lane NE in Totem Lake. Parking expanded into areas where it is not appropriate and the parking area has become severely rutted and contains large puddles. (see red-outlined area of Figure 2 below). At the same time there is a demand for parking from nearby auto dealers and from the Nintendo facility. The current plan is for the City to limit parking to areas that were not historically wetlands (see green-outlined area of Figure 2 below) and to grade the parking area. This will be done prior to the area being used as a rail removal storage area. The parking area will be closed during this time. When it re-opens it will be a smaller but better maintained area. These improvements were to be made last fall, but by the time discussions were completed with the parking users, the weather was no longer appropriate to complete the improvements.

C. Surplussing of grade crossing equipment

Public Works' Street Division has worked with the Washington State Utilities and Transportation Commission to find new locations for all the existing grade crossing materials from the CKC. Publicly owned railroads have been located where all the crossing devices can be used. The city is coordinating with UTC to schedule the removal of the CKC equipment that can be recycled back into service. An approved contractor that travels from eastern Washington has been struggling with the weather in the mountain passes and has been taking some of the equipment to areas where it will be reinstalled. Work will be scheduled with the UTC and the contractor so that conflicts with equipment removal and rail removal operations will not conflict.

Figure 2 Parking Near 128th Ln NE



D. Encroachment

Prior to Kirkland's ownership, and at various points along the corridor, adjacent properties have created encroachments on the CKC. These are mostly minor, including driveways, lawns, landscaping, sheds, and patios. (See Figure 3 below) In January, use permits were sent to property owners where encroachments were located. Locations were determined using city aerial photographs and survey data. Use Permits allow current encroaching uses but establish City of Kirkland's ownership and rights to remove the encroachment should it become necessary. About 25% of those receiving permits have responded with either a signed permit or questions for clarification. When executed, permits will be recorded with King County. Currently, the City Attorney's Office and Public Works Department are responding to questions and issues. Staff will continue pursue completion of the permits

Figure 3. Aerial photo of sample encroachment

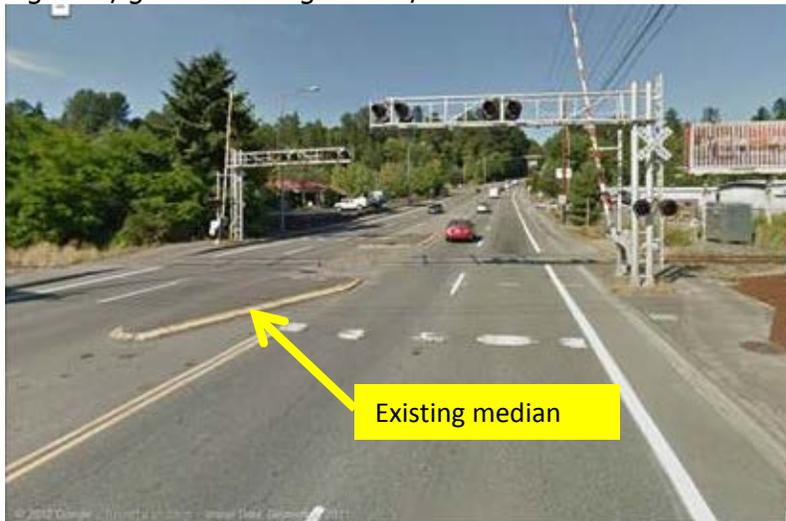


E. 132nd Avenue NE grade crossing

Citizens have expressed two concerns with the existing 132nd Avenue grade crossing. One is that the crossing is not signed as "NOT IN SERVICE" so buses and certain other vehicles have to stop, causing traffic congestion. When such signs are installed, the grade crossing lights must be removed or turned away from traffic. The City of Kirkland does not own the corridor east/north of the west/south edge of the 132nd Avenue NE crossing. Therefore, permission of the Port of Seattle was sought before Kirkland street division crews performed any work. This permission was not readily forthcoming. With ownership transferring to the County, permission may be easier to secure. Staff will continue to pursue this.

The second issue is that a median island is present at the existing crossing (See Figure 4 below). Southbound left turning traffic sometimes backs up from NE 124th Street to the median island and the island therefore increases congestion by forcing left turners to spill into and block the southbound through lane. Changes have been made to the signal timing in an attempt to reduce the backups. Preserving the median island would be helpful as a safety measure for future pedestrian crossing improvements. At this time staff recommends retaining the island and continuing to attempt to reduce backups by improving signal timing.

Figure 4, grade crossing at CKC/132nd Avenue NE.



8. Communications

In April 2012, the City launched the [Cross Kirkland Corridor webpage](http://www.kirklandwa.gov/crosskirklandcorridor), www.kirklandwa.gov/crosskirklandcorridor. As of February 2013, there are 615 subscribers who receive emails when pages within the site are updated. In January 2013, two new pages were added to the site: Interim Trail and Corridor Master Plan. Since August of 2012, the site has received over 2500 visits.

In December 2012, an [informational brochure](#) was developed to inform the public about the project timeline for rail removal, interim trail and Master Plan process.

The City publishes a [quarterly online newsletter, City Update](#), and has featured the Corridor in the following editions. Each time the newsletter is posted to the website, over 1,500 page subscribers receive an email notification. Limited hard copies of the newsletter are available at city and public buildings. Additionally, copies are provided for neighborhood, business, and community meetings.

- 4th Qtr 2012 (December)
- 3rd Qtr 2012 (September)
- 2nd Qtr 2012 (June)
- 1st Qtr 2012 (March)

The City-produced news show, [Currently Kirkland](#), has featured the Corridor in the following episodes:

- 8/24/12 episode CKC Update
- 11/2/12 episode (mentioned in Totem Lake Symposium story)
- 12/7/12 episode (mentioned in Proposition story)
- 1/4/13 episode CKC Update
- 2/15/13 episode (mentioned in Work Program story)

The City will continue to use multiple means to communicate the Interim Trail project and opportunities to become involved in the Master Plan process.

9. Acquisition Grant

In May 2012, the City applied for a \$500,000 Washington Wildlife and Recreation Program (WWRP) grant from the State of Washington to help offset the costs of corridor acquisition. The grant application was successful, ranking second highest on the list of projects to be funded. Funding for the grant is dependent on the Capital Budget under consideration by the Legislature. Based on the proposed capital budget, the Kirkland project will be funded. After the State budget is approved, the State will issue contracts for the grant.

Attachment 1 Draft Master Plan Scope of Work

Purpose

On April 13, 2012, the City of Kirkland purchased the Cross Kirkland Corridor, 5.75 miles of the former BNSF rail line in Kirkland. A masterplan is needed to help collect, develop, understand and put in to context a number of facts, ideas and opinions about the Corridor. The resulting plan will be a practical reference and guide which charts the course of facility development into the future.

Background

Almost 20 years ago Kirkland began to pursue the Cross Kirkland Trail. This project was set aside after it became clear that the BNSF railway was not interested in partnering on a rail/trail concept. King County undertook purchase of the entire "Woodinville Subdivision" rail line from Renton to Snohomish in 2005 when the BNSF signaled its interest in selling the corridor. In 2009, several entities including King County, the Port of Seattle, PSE, and the City of Redmond entered into a Memorandum of Understanding which resulted in the Port of Seattle owning the corridor, with the intent that other entities would purchase various interests for various portions of the property.

Given the terms of the 2009 MOU, Kirkland anticipated a regional process to discuss how the corridor should be developed. In preparation for such a process an set of interests was developed. In April of 2011 the Interest Statement was approved by the City Council. This interest statement clearly lays out a vision for a multi-modal transportation facility.

By 2011, full consummation of the MOU had not been completed, notably the County had not purchased the corridor in Kirkland. Subsequently, the City of Kirkland successfully negotiated with the Port to purchase a 5.75 mile long section of the Corridor in Kirkland. The purchase was completed on March 13, 2012.

Scope of Work

General comments

All products should be presented in web, electronic and hard copy formats and will be made available to the public. It is anticipated that the products of certain tasks will be chapters or appendices in the final report and should be formatted appropriately. The

following tasks are not necessarily consecutive; some may happen together or some tasks may be completed before tasks with lower numbers.

Task 1 Project Management

Finalize scope, provide regular updates on progress. Develop and maintain a schedule and progress made toward key events. Implement project management techniques to insure progress toward completion within schedule and budget.

Product: Schedules and updates as appropriate and monthly at a minimum.

Task 2 Understanding the corridor

Collect and evaluate existing information and gather additional information as needed to form a comprehensive understanding of the physical nature of the corridor. A partial list of existing information available from the City includes:

Corridor survey data:

1. Record of survey
2. Refined topographic data in Autocad format
3. 3D laser scanning data
4. 360° photos viewable with free proprietary browser plug-in

Phase 1 Environmental report following ASTM standards, completed March 19, 2012.

Railroad valuation maps

GIS data including city owned utility data, sensitive areas, trail crossings

Identify and map critical areas including streams, wetlands, and slopes which will impact development of the Corridor. Determine the locations of private utilities as appropriate. For each culvert, evaluate whether it is a barrier to fish passage.

Product: Memo describing critical issues for corridor development such as narrow corridor width, sensitive areas, surface water features, etc.

Task 3 Design and carry out Public process

Develop a public process plan that will allow meaningful input throughout the masterplan process. Public process will be required development of the vision and goals, prior to the development of alternatives, to vet the alternatives and identify the preferred alternatives, to review the Draft Master Plan, and to review the Final Master Plan. At a minimum, the following groups (listed in no particular order) will require briefing and involvement in the process:

City Council	Transportation Commission
Planning Commission	Kirkland Cultural Arts Commission
Park Board	Advocacy groups
Sound Transit	Neighborhood Associations
Adjacent property owners	Groups representing business interests
Neighboring cities	King County agencies including Metro and Parks

The various groups will be involved to varying extents and at different points in the process. Public process should be designed using International Association for Public Participation methods. A robust web based comment method for products of various tasks should be included in the public process. It is important that all relevant documents are available to the public throughout the development of the Plan.

Product: A memo describing a Plan and schedule for Public Process in all other Tasks, including an explanation of the principles that underlie the selected processes.

Task 4 Goals/vision

Using the Interest Statement as a starting point, and considering Council Goals, Comprehensive Plan Goals and Active Transportation Plan Goals, the consultant will prepare a vision and a set of goals for corridor development. An important part of the vision will be creating a corridor that is the greenest in the nation. The Consultant will research various methods of measuring this achievement such as the Living Building Challenge or other appropriate framework. These will be used as guidance for the rest of the process and serve as a key touchstone for developing and evaluating alternatives.

Product: A document that summarizes the vision and goals for the corridor.

Task 5 Design guidelines and principles.

Develop a set of guidelines and principles that can be used by designers as the corridor is developed. These guidelines and principles will help translate the vision and goals into a physical design. Examples might include spacing of certain amenities including trail head designs, access points, crossings, fencing guidelines, lighting guidelines, public art sites, dynamic envelopes of transit, etc. This task is not meant to develop a complete list of guidelines, but rather to identify key elements that will put constraints on alternatives.

Product: A document that summarizes the guidelines and principles.

Task 6 Develop potential alternatives

Based on the results of Tasks 4 and 5, alternative development plans will be prepared for three time periods; 1 to 5 years, 5 to 10 years and beyond 10 years. For each time period, two alternates will be developed. It is expected that the alternatives will have less detail the farther they are in the future. The alternatives will encompass different cross sections and different packages of amenity elements. Access points will also be evaluated. Environmental process implications will be developed for each alternative. The selection of the alternatives will be a key focus of public process.

Product: Memorandum describing a set of trail/transit cross-sections, documentation of the selection process and a review of why the selected options were chosen. Also includes draft illustrations of proposed sections.

Task 7 Develop cost estimates for various cross sections

Prepare a cost estimate including design and construction costs for each of the alternatives developed in Task 6. This work will include identifying uniform sections of the corridor and finding representative unit costs for each section and each alternative. Any additional costs such as boardwalks, bridges, signals, crossing improvements, etc. should also be added to the estimate.

Product: Memorandum describing costs, and methods used to establish the costs.

Task 8 Alternative selection

Based upon information developed in previous Tasks, select preferred alternatives for each time period. The selection of the preferred alternatives will be a key focus of public process.

Product: Memorandum describing the preferred alternatives, documentation of the selection process and a review of why the selected options were chosen.

Task 9 Implementation Plan

Prepare a plan that identifies likely funding and phasing scenarios for design and construction of preferred alternatives over time. An initial plan for development should be described. An important element in this work will be examining how various transit modes are likely to be implemented in the corridor. The implementation plan should identify significant constraints, obstacles and risks to various alternatives.

Product: Memorandum describing funding and phasing.

Task 10 Draft Plan

The draft plan will summarize of the work completed in Tasks 1 through 8 in a single document. A thorough public review will include a review by the City Council at a study session.

Product: A draft document with high quality presentation and graphic elements.

Task 11 Final Plan

Based on the comments and recommendations on the Draft Plan, prepare a Final Plan.

Product: A final document, to be adopted by Transportation Commission, Park Board and City Council. The final plan shall be presented in electronic and web-based versions, with limited hard copies.

Cross Kirkland Corridor Talking Points 2/19/13

Key Messages

- > The Cross Kirkland Corridor (CKC) has been an important part of Kirkland's Vision for its community for over 30 years, dating back to the 1977 Land Use Plan. Opening of a pedestrian/bicycle facility on the Corridor is the first priority of our 2009 Active Transportation Plan.
- > It is so important to Kirkland's citizens that they voted initial funding to invest in the corridor, AND citizen groups have stepped up to adopt all 23 sections of the corridor along its 5.75 miles within Kirkland
- > The CKC implements major goals as the central spine of Kirkland's pedestrian, bike, and transit mobility vision, with important connections to the region's other trails.
- > Kirkland is in the process of selecting a consultant to develop a Master Plan for the CKC which will include cross connections to local and regional corridors and connectors, parks, transit, and Kirkland's economic centers This work will benefit the region as other portions of the corridor are developed
- > Kirkland welcomes transit partners in the planning and future development of mobility on the CKC, along with utility easement holders, to maximize the public benefits from the corridor investments.
- > In April of 2011, Kirkland Council adopted an interest statement that, among other things clearly laid out a vision of dual use for the corridor that included High Capacity Transit.
- > Kirkland is also updating its Comprehensive Plan and Transportation Master Plan to incorporate the CKC as an important determinant for land use planning, transportation, and recreation
- > Given the importance of this asset to the Kirkland community and the region, substantial public outreach will be included in the Master Plan process.
- > The CKC will be a signature feature of and Gateway to Kirkland; it will reflect Kirkland's character while welcoming the region to Kirkland in harmonious transition to the remainder of the corridor in King County and Redmond.
- > Our work on the CKC will help spur economic development. Kirkland hopes for expansion of the Google campus as well as growth in Totem Lake and

the Yarrow Bay business district because of what Kirkland intends to do on the corridor.

> We expect the CKC development to be a catalyst to Kirkland's economy, AND a catalyst for the development of the rest of the corridor - once it is in use, it could create demand to develop the rest of the corridor.

> Our plans to remove the rail and construct a gravel trail (similar to the East Lake Sammamish trail) will make the corridor useable for transportation in 2014. It will immediately begin serving what we know is a large market for transportation.

> Because of the way the gravel trail is being constructed, ultimate flexibility is being retained. Our Master Plan process will allow assessment of how best to use the existing rail bed – retain it for transit, or convert it to part of trail.

> We are removing the rails starting in April, and planning to build the interim trail on the existing rail bed starting fall, 2013.

> The corridor has been out of use for 6 years and it is time to make productive public use of it; Kirkland purchased the CKC in April of 2012 and Kirkland citizens last fall passed a permanent levy to begin funding the CKC; we cannot wait any longer; our citizens expect action

> We will be planning together with Sound Transit for the long term joint use of the CKC to assure that transit objectives are met; according to Sound Transit the current rails are not useable for their future needs.

> Cascadia has stated that rehabilitating the existing line for some future use is on the order of \$1 million/mile. Kirkland is retaining the existing rail bed with our interim trail. In the unlikely event that funding became available to rehabilitate the rest of the corridor's rails, the existing rail bed in Kirkland could be restored with rails at the same \$1 million/mile cost. This cost is based on conversations with rail experts and contractors. Removing the rails does not cost the region anything.

> Currently, two major ideas for using the existing rails have been promoted. A tasting train passing through Kirkland or a freight train that would haul spoils from Bellevue development to points north of Kirkland. Kirkland has expressed a willingness to have the tasting train run to Totem Lake, but not all the way through Kirkland initially. Neither of these ideas implements the primary interests that Kirkland has identified in its 2011 interest statement. Therefore they are not priorities based on why Kirkland purchased the corridor.



Cross Kirkland Corridor

Vision - April 2011

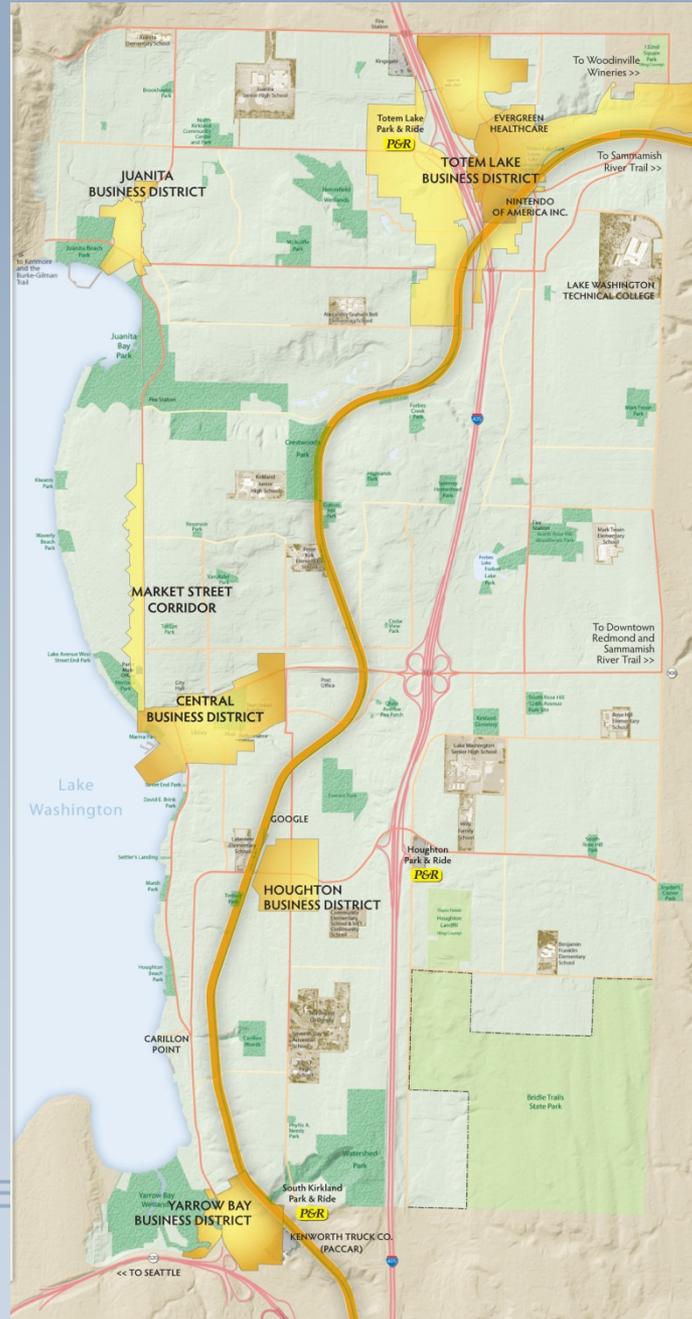
- **A dual use corridor:**
 - Bicycling and walking transportation
 - Transit partnerships
- **Early active use**

“Planning or implementing one mode must not foreclose future corridor use by another mode.”



Connecting

- Parks
- Schools
- Businesses
- Residents
- Transit
- Region



Key historical dates

- 1977 land use plan
- 1994 Cross Kirkland Trail
- 2009 Active Transportation Plan
- 2011 ULI study
- 2012 state awards \$2M grant
- 2012 PSRC awards \$1M grant
- Nov. 2012 Levy (57% approval)





Eastside TRailway Regional Alliance

The undersigned have formed the Eastside TRailway Regional Alliance to develop plans for best use of the Eastside Rail Corridor. We have concern over potential loss of Eastside rail infrastructure as planned by Kirkland.

The Eastside TRailway Regional Alliance agrees to the following:

- We agree that the Eastside Rail Corridor represents an irreplaceable resource and opportunity for the communities along the Corridor and the region. This unique, typically 100-foot wide strip of land can at once:
 - Provide opportunities for both economic development and recreation; and,
 - Foster sustainable, vibrant, and attractive communities.
 - Serve the region's growing transportation needs
- We support the retention of the Eastside Rail Corridor track and thus support a moratorium on all removal of track in the entire Eastside Rail Corridor, specifically Kirkland's 5.75 mile portion. The Kirkland portion is critical to providing a long term opportunity for commuter rail connectivity between Snohomish County and communities on the east side of Lake Washington.
- We invite the King County Regional Advisory Council to the Eastside TRailways Regional Alliance strategic process. As noted recently in an article in *Crosscut*, King County's existing easement for the rail line articulates an intent "that the property be used for regional recreational trail and other transportation purposes, including. . . rail." In a 2010 court deposition, port commissioner Gael Tarleton, now the commission chair stated that "the reason for that paragraph was to make it explicit that the rail had to be preserved; that you couldn't have just a recreational trail."
- We support building trails while keeping, maintaining and improving the existing rail infrastructure
- We support state rail assistance funding to bring the Snohomish to Woodinville segment of the Eastside line up to safe and quality freight and passenger experience operating conditions.
- Of the many benefits of joint rail and trail development, we emphasize the importance of maintaining the Eastside Rail Corridor to enable King County to reduce its carbon footprint.

We support maintaining the existing Eastside Rail Corridor line to Bellevue for the benefit of potential major projects such as the East Link, Lincoln Square II, Spring District, I-405, SR-522, and others. These projects alone require the removal and disposal of millions of cubic yards of spoils. Disposal by truck would result in over hundred thousand truck trips, causing congestion on the streets, inconvenience to travellers, and increased carbon emissions. The temporary use of the rail corridor to bring in and remove construction material and equipment can save project costs to taxpayers, reduce impacts on adjacent highways and result in significant reductions on diesel emissions. A potential combination of state freight rail assistance funding (referred to above) and Congestion Management and Air Quality (CMAQ) funds could be secured to upgrade the tracks for this temporary use. At this point, the City of Kirkland is using CMAQ funds to help remove the tracks. We support the use of construction spoils in the construction of a maintenance access alongside the tracks that can also serve as a pedestrian/bike trail.

Signed:

Copies to:
 King County Regional Advisory Council
 Kirkland City Council
 King County Council
 Bellevue City Council

Woodinville City Council
 Snohomish City Council
 Snohomish County Council
 Port of Seattle
 Seattle area/Snohomish County Media



EASTSIDE COMMUNITY RAIL BRIDGING THE GAP

22 February 2013

To: Eastside TRailway Alliance
Kirkland City Council

Cc: King County Council

Re: Eastside Rail Corridor – Cross Kirkland Corridor

We applaud Kirkland's vision in providing for dual use of the Eastside Rail Corridor and taking their regional responsibility seriously. We believe we have a win-win solution to provide near-term benefits while preserving the infrastructure for mid-term and long-term use for the greater good for the greatest number. Eastside Community Rail (EsCR) and Woford Demolition and Trucking has a first cost estimate of constructing primarily 15' base trail 15' from the existing track as an alternative to Kirkland removing the track structure for use as an interim 8' gravel trail. Specifications are included in the attached first-order estimate of \$2.9 million. We expect to have a second-order estimate, which we would like to discuss with the city of Kirkland the week of March 8th.

Through our rail operator economies, we can provide a wider trail for less cost while preserving the legacy of Kirkland's history of rail. With this trail building solution there will not be any wasted in ground expenses without planning for the future. We can maximize tax payer dollars with using the \$3.6 million already secured, including CMAQ funds, to provide the Cross Kirkland Corridor trail and keep the rails in place for potential near-term use by an excursion train and for use for future generations.

Our first-order estimate to utilize active rail to build a trail alongside the track structure is significantly less than Kirkland's budget. Thus, Kirkland will likely have several hundred thousand dollars still available for the trail amenities it wants. We would like to work cooperatively with Kirkland to ensure we meet the city's needs and provide for the best community asset for the state funds it received.

In summary, EsCR wants to provide Kirkland a non-profit service to more quickly utilize the corridor for rail and trail.

Respectfully,

Douglas Engle
Managing Director
Eastside Community Rail



EASTSIDE COMMUNITY RAIL BRIDGING THE GAP

19 February 2013

To: Eastside TRailway Alliance

Cc: King County Council & City of Kirkland

Re: Eastside Rail Corridor – Kirkland Rail and Trail – **Trail Specification**

First order estimate of \$2.87 million (\$587k/mile).

Eastside Community Rail (EsCR) and Woford Demolition and Trucking have been estimating the cost of construction of a new “primarily” 15’ “base trail” 15’ from the existing track with Eastside Freight Service acting as the authorized railroad.

Length 4.86 miles, which excludes portions north of NE 124th St

Trail Clearance: 20’ =>0.05 Ac./sta.

Trail Bed: crushed stone base course – 4” deep 15’-0” =>18.3 cy/sta.

Trail Surface: crushed stone top course – 2” deep, 12’-0” =>8.9 cy/sta.

“Primarily,” because corridor “pinch points” must be addressed in future development efforts of the Cross Kirkland Connector. The initial effort can be quickly constructed and utilized by the public by year-end 2014 – with city cooperation.

A “base trail” is the maintenance of way (MOW) road substructure that can either be immediately paved or paved with gravel added to the shoulders for walking, running or horse riding. Technically, the base trail is a road for use by the railroad in maintaining the right of way when needed.

Railroads are inspected monthly from the track by both rail-mounted vehicles and simply walking for visual inspection of the track structure. Unless there is an urgent need, maintenance work is scheduled weeks in advance.

Twenty feet of clearing is proposed as typical, as it is the most cost effective overall width for heavy equipment to develop the MOW road.

Although the minimum distance from the centerline of the track is 10’-6”, EsCR proposes a standard separation of 15’ and only utilize the minimum distance initially at pinch points. In either case, a drainage ditch will be constructed between the two.

The MOW road will undulate up and down along the track depending upon terrain.

EsCR believes that for two to four train movements a day at 15-20 MPH, a separating drainage ditch, and elevation differences, generally a fence between the track and MOW

DRAFT for Discussion Purposes Only

DRAFT for Discussion Purposes Only

road is not required. However, in segments where the trail is significantly above the railroad, a fence may be appropriate.

All trail crossings of the track will be perpendicular and protected by fencing, signage and other appropriate means as provided by the trail authority.

Grade crossings at streets are the city's responsibility.

Bridges are excluded from this estimate.

The public will provide insurance for the use of the MOW road as a trail.

The public will pay the railroad for maintenance of MOW road costs.

PSE utility needs have not been defined, yet are typically easily and willingly accommodated on either side of the track structure.

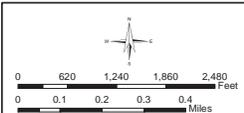
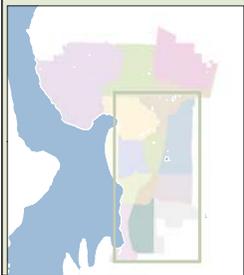
Adopt-a-Trail

Cross Kirkland Corridor

1. Rotary Club of Kirkland
2. Rotary Club of Kirkland
3. Yarrow Hill HOA
4. Available
5. CB Bain
6. Nancy Gode
7. BlueLine
8. Google*
9. Mark Williams (Moss Bay Design)
10. Everest Neighborhood Association
11. Steph Atkins
12. Kudos Kirkland
13. Highlands Neighborhood
14. Norkirk Neighborhood*
15. Dave Ramsay
16. Ruth Chaus
17. Juanita Neighborhood Assoc.
18. Kirkland Cub Scout Troop 566
19. Available
20. Transpo Group
21. Available
22. Evergreen Hill Neighborhood Assoc.
23. DeYoung Mfg., Inc.

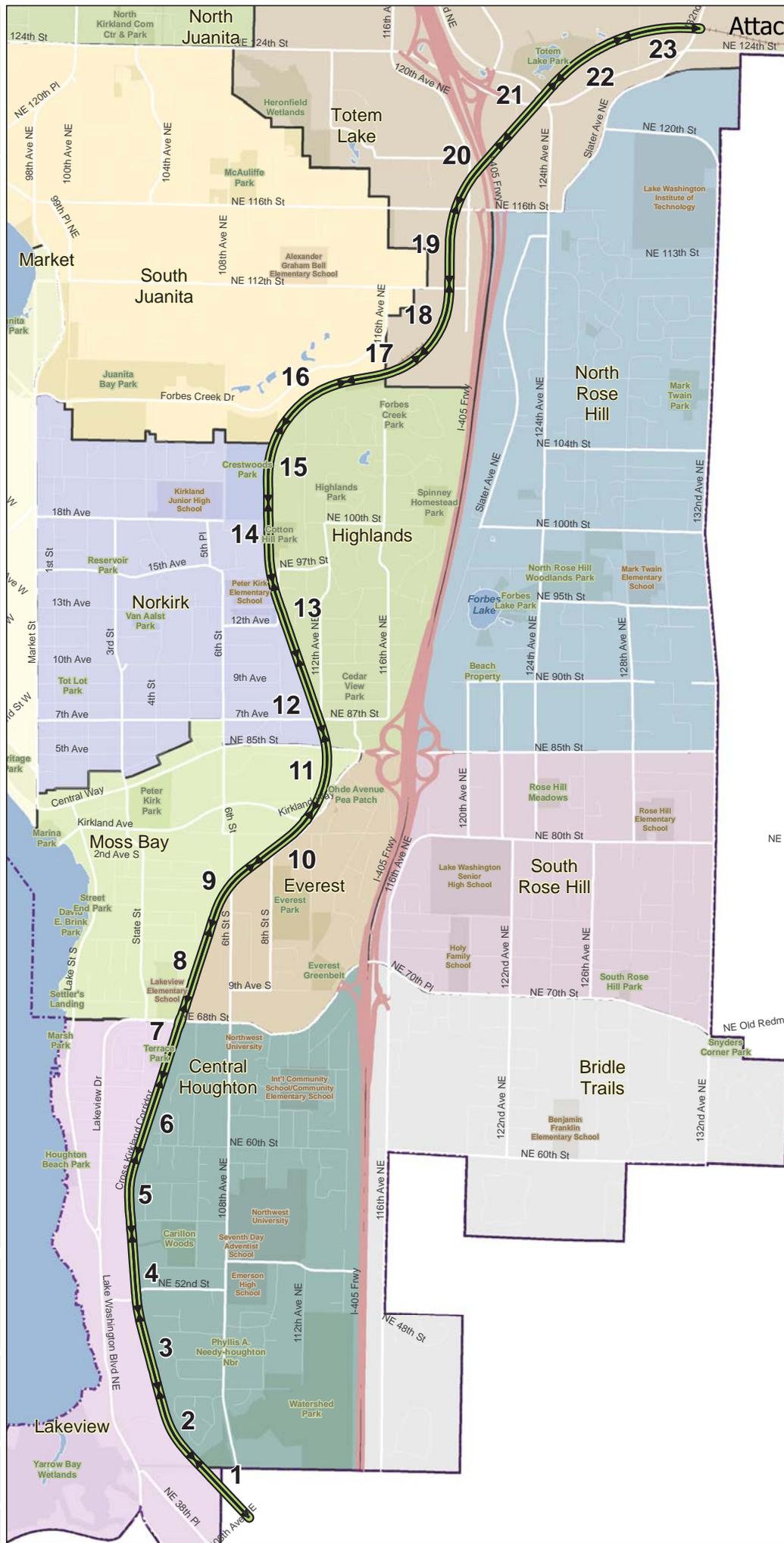
↔ QuarterMile Segments

🌿 Cross_Kirkland_Trail



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 No warranties of any sort, including but not limited to accuracy, fitness or merchantability, accompany this product.

Author: Name In Map Doc Properties
 Name: CrossKirklandTrail_Adopt_A_Trail
 Date Saved: 2/11/2013 10:55:50 AM





Adopt-a-Corridor Agreement – Pilot Program

This Agreement is made and entered into this day by and between the City of Kirkland, hereinafter called "City", and _____, hereinafter called "Contractor". The sole purpose of this Agreement is to permit the Contractor to contribute toward the effort of maintaining a litter-free and aesthetically pleasing neighborhood and road.

Both parties to this Agreement recognize and acknowledge that the safety of the participants in the City of Kirkland Adopt-a-Road Program is of primary importance and agree to the following terms and conditions:

1. Contractor Agrees To:

- a. The duration of the Pilot Program is 1 year ending in July 2013 after which the City will review the program and the trail section agreed upon either of which may be changed at the City's discretion.
- b. Allow group participants to pick up litter on a pre-selected section of a street or roadway located within the City of Kirkland city limits.
- c. Remove litter from the adopted area a minimum of two times a year.
- d. Provide each cleanup crew with a designated leader who shall have a copy of this Agreement with her/him at the cleanup site. The leader will be responsible for giving all members of the crew instructions concerning the rules of the road and safety, including any hazardous situations as described in this Agreement. A supervisor of minor participants may also serve as a crew leader.
- e. Obtain supplies and materials from the City, placing filled trash bags at designated locations for pick-up by the City, and returning any unused supplies to the City within one week following cleanup.
- f. Require all participants to wear safety equipment at all times when at the site.
- g. Perform all cleanup activities during daylight hours and suspend cleanup activities if weather conditions substantially reduce visibility levels.
- h. NOT touch anything that might be hazardous or cause injury, including such items as syringes, hypodermic needles, broken glass, animal bodies, and heavy items such as tires or appliances. The group leader shall report these items to the City of Kirkland Public Works Department or the Police Department.
- i. Require all participants to sign a consent/hold harmless agreement prior to their participation. A parent or legal guardian must sign for a minor.

2. The City Agrees To:

- a. Furnish and install a permanent sign with the Contractor's name or acronym at the adopted area.
- b. Provide trash bags and other appropriate safety equipment.
- c. Remove the filled trash bags.
- d. Assist the Contractor in cleaning up litter under unusual circumstances, such as when large, heavy, or hazardous items are found.

3. Termination of Agreement:

If, in the sole judgment of the City the Contractor is not meeting the terms and conditions of this Agreement, the City may terminate the adoption Agreement and remove the group's permanent signs upon 30 days notice.

4. Authority To Sign:

The signors of this Agreement acknowledge that they have read this Agreement and will abide by its terms. They further acknowledge that they are authorized to sign on behalf of the organization and that each participant will abide by this Agreement and consent to its terms.

AGREED TO AND SIGNED this _____ day of _____, 20__.

CONTRACTOR

CITY OF KIRKLAND

Signature

Signature

Print Name

Print Name

Organization

Title

Title/Capacity of Signor