



Legislation Text

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Clerk 10/04/2007

A MOTION relating to the acquisition of Burlington Northern Santa Fe's Eastside rail corridor right-of-way rail/trail dual usage agreement, solid waste management and a call for immediate executive action.

WHEREAS, in 2003, Burlington Northern Santa Fe Railroad ("BNSF") announced its intent to divest itself of the Eastside rail corridor, a one-of-a-kind forty-seven-mile-long corridor vital to the economic future of six separate Eastside jurisdictions, and

WHEREAS, in 2005, the Puget Sound Regional Council in partnership with Washington state Department of Transportation obtained federal grant funds to conduct a study of this vital corridor, which was released in 2007, and

WHEREAS, in June 2005, the county council appropriated \$3,800,000 to further the acquisition of this corridor, and

WHEREAS, on February 26, 2007, the chief executive officer of the Port of Seattle, the chairman, president and chief executive officer of BNSF and the county executive signed a memorandum of understanding stating their intent to enter into a definitive transaction regarding the land and infrastructure elements of a purchase and sale agreement within one hundred eighty days, and

WHEREAS, at a July 25 Seattle Rotary Club Meeting, the Port of Seattle through its new chief executive officer rejected the proposal as originally envisioned but proposed an alternative partnership and transaction was possible, and

WHEREAS, King County councilmembers, the Port of Seattle and the King County executive have

since been in discussions to find a collaborative and mutually beneficial way to acquire this vital transportation corridor through a regional partnership, and

WHEREAS, King County and the Port of Seattle have many mutual interests and shared goals, such as: infrastructure improvements, which make the region more globally competitive; improved freight mobility for commerce; collaborating on airport operations to ensure preservation and cohesiveness of business models without the county having to divest itself of its airport asset, the King County International Airport (Boeing Field); and enhancement of mobility, air-quality and healthy life-styles through development of additional alternative transportation modalities, and

WHEREAS, a revised proposal could potentially involve the purchase of approximately forty-seven miles of BNSF railroad right-of-way, improvements over time to the rail corridor, construction of a trail or parallel trail, sale of the county's Fisher Flour Mill site on Harbor Island, construction of a new intermodal rail yard for waste export and expanding the capacity of the Stampede pass rail tunnel, and

WHEREAS, the port, the county executive and councilmembers have carefully moved toward completion of a purchase and sale agreement with BNSF by December 31, 2007, that will meet the above stated goals while preserving the principle of "dual usage" for rails and trails, and

WHEREAS, preserving this critical transportation corridor for public ownership for future transportation needs, protecting the county's general aviation airport, and providing an opportunity for the port to secure an asset to ensure global competitiveness subsequent to identifying an alternative solid waste waste-export site, is definitely in the region's interest, and

WHEREAS, the King County council appreciates all the hard work of the participating parties for forging a collaborative approach that protects the interests of the citizens of King County before the December 31, 2007, expiration of the offer by BNSF to sell this vital corridor;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

A. Not later than October 31, 2007, the council requests the executive formally to submit to the council

a memorandum of agreement between the county and the Port detailing all elements of a final proposal for the purchase and sale of the BNSF corridor; and

B. Not later than November 15, 2007, the council also requests the executive

transmit to the council any requisite legislation necessary to effectuate the memorandum of agreement.