



April 25, 2008

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Mr. Chuck Ayers  
Executive Director  
Cascade Bicycle Club  
7400 Sand Point Way NE  
Building 138  
Seattle, WA 98115

Dear Mr. Ayers:

The Port of Seattle is committed to the acquisition of the BNSF's Eastside rail corridor for the public's benefit. That includes preserving the options for transportation -- including passenger rail, bicycling, walking and recreational uses.

Port of Seattle Commissioners believe we share this goal with the Cascade Bicycle Club, and we strongly endorse the value of bicycling as a transportation alternative. So we are understandably surprised at the CBC's most recent e-mail alert claiming a "BNSF trail is in doubt." Unfortunately, it appears that the CBC did not discuss the statement with either King County or the Port before posting the statement.

Under our acquisition plans, the Port will rail-bank the southern portion of the rail corridor, from Woodinville to Renton and the Redmond Spur. Federal law **requires** continuous public access throughout the rail-banked section, as well as preservation of the corridor for rail and transportation uses.

Under the Port's draft agreement with King County, the county would become the trail sponsor for the rail-banked southern section and would be granted a trail easement in the southern section. The draft agreement calls for King County and the Port jointly to agree on the design, and the county would build the trail. The Port Commission has always endorsed trail development, and nothing in our current discussions would change that position.

As currently envisioned, the trail would be designed so that the corridor could later accommodate a potential passenger rail use. The CBC, along with the County Executive and other leading environmental groups, signed a joint statement endorsing this "rail with trail" concept. In fact, federal rail-banking law requires that the transportation use be preserved.



The Port Commission consistently has said that decisions about future uses of the corridor will be made only after a regional process of public comment and review. Of course, any future uses of the corridor -- including recreation and transportation uses such as bicycling and passenger rail -- will be subject to full public review and environmental studies.

We are attaching our most recent letter to the King County Council and the County Executive about our discussions on the trail easement.

We believe we are close to realizing a dream of securing the BNSF corridor in public ownership for the region's benefit. If you are interested, I would be happy to meet with you to discuss your concerns.

We would appreciate it if you would share this letter with your membership.

Sincerely,



John Creighton  
Commission President



Tay Yoshitani  
Chief Executive Officer

cc: Port of Seattle Commission

Attachment



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April 23, 2008

Hon. Julia Patterson  
Chair, King County Council  
516 Third Avenue, Room 1200  
Seattle, WA 981014

Hon. Ron Sims  
King County Executive  
701 5<sup>th</sup> Avenue Suite 3210  
Seattle, WA 98104

Dear Councilmember Patterson and County Executive Sims:

We are writing to update the King County Council and King County Executive Sims on the Port of Seattle's acquisition of the BNSF's Eastside rail corridor. The Port Commission is looking forward to securing the corridor for public use, a concept embraced by citizens throughout the region.

The Port's ultimate goal is to preserve the corridor for rail and transportation purposes. The Commission has heard clearly from citizens and stakeholders throughout the region that we should preserve options for future transportation uses, including passenger rail operations. Increasing congestion on our highways as well as the need to maintain freight mobility makes it more important than ever to maintain the rail line for transportation purposes.

To emphasize that future rail uses have priority over trail development, the Port Commission decided to acquire the corridor with the tracks intact. The Commission believes strongly that trail development by King County should create no barriers or encumbrances to future rail uses.

With the support of King County, we can create a partnership for regional mobility, economic vitality and expanded recreation throughout the 42 miles of the corridor from Snohomish to Renton.

We applaud the commitment of County Executive Ron Sims and the County Council for seizing the opportunity in 2005 to begin talks with BNSF to purchase the corridor. Elements of the transaction have changed over time, but the central vision has been unvarying: acquire the corridor for the public's benefit.

To recap the history of our discussions, in November 2007, the Port Commission approved a memorandum of understanding with King County and the BNSF Railway Company for the Port's acquisition of the corridor. The agreement calls for continuation of freight service between Woodinville and Snohomish, rail-banking the southern section from Woodinville to Renton and the Redmond Spur to protect future rail uses.

The agreement also called for the Port to lease the southern portion of the corridor to King County for development of a public-access trail. As currently proposed in the draft agreement, the Port will grant a trail easement to King County, which would become the trail sponsor to develop and maintain the trail,

consistent with federal rail-banking requirements. We appreciate the County Executive's proposal that King County pay the Port \$2 million to secure the multipurpose trail easement.

Last December, the Commission authorized CEO Tay Yoshitani to complete the acquisition of the corridor and approved a budget of \$107 million for the project.

The acquisition and rail-banking will be subject to review and conditions set by the Surface Transportation Board in Washington, D.C. We hope the STB will act by the fall, but until then we won't know the final details of the acquisition and purchase of the corridor. This approval process imposes constraints on our ability to plan for the corridor until the STB acts.

As mentioned above, the Port Commission believes trail development should not preclude opportunities for rail use. Attached are revised terms of the relevant section of our draft easement agreement with King County. The new draft clarifies that the Port or future rail users will not be required to compensate the county for the costs of either moving or reconstructing the trail.

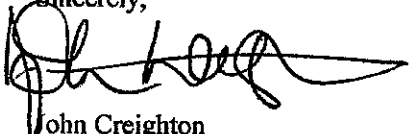
A trail complementary to future rail uses will be a tremendous asset for the Eastside and the entire region. Under our draft agreement, the Port and King County would jointly approve design of the trail, and we are confident that working together we can minimize future conflicts with rail uses.

Another key component of our proposed agreement is a commitment to broad public outreach in King and Snohomish counties to help plan for the long-term uses of the corridor.

We have begun discussions with communities along the corridor in both King and Snohomish counties. The Eastside Transportation Partnership, which has membership throughout the corridor including King County Council members, could also be a venue for public input about future uses. Further, the Legislature has mandated the PSRC and Sound Transit conduct a study this year of the feasibility of commuter rail operations between King and Snohomish County. The Port also expects that the County's trail planning would involve a wide range of stakeholders throughout the community.

We appreciate the willingness of both the County Council and County Executive to work with the Port to achieve our mutual goal of securing this unique and irreplaceable asset for the public's use.

Sincerely,



John Creighton  
President, Seattle Port Commission



Tay Yoshitani  
Chief Executive Officer

CC: Port of Seattle Commission  
King County Council