

CITY COUNCIL STUDY SESSION

Update on I-90 Sunset and Lewis Creeks – Fish Passage

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DIRECTION NEEDED FROM COUNCIL**INFORMATION
ONLY**

Tonight's update is informational only and no Council action is required. The update provided by WSDOT staff is an opportunity for Council to review progress on the fish passage projects, ask questions, and provide feedback to WSDOT staff.

RECOMMENDATION

N/A

BACKGROUND & ANALYSIS**WSDOT Fish Passage Program**

As part of the state's fish recovery efforts, the Washington State Department of Transportation (WSDOT) has made it a priority to reconnect waterways where its road culverts act as barriers. Since 1991, when WSDOT created a dedicated program, 344 barriers have been corrected, opening a total of 1,161 miles of fish habitat.

While WSDOT has made progress since 1991, 21 northwest Washington tribes asked the U.S. District Court to find that the State of Washington has a treaty-based duty to preserve fish runs. As a result, a 2013 federal court injunction (United States, et al. vs. Washington, et al. No. C70-9213) requires WSDOT to speed up its fish passage work in western Washington. WSDOT is now working with treaty tribes on a project delivery plan to open 90 percent of habitat blocked by state culverts by 2030. This requires a significant acceleration of the fish passage work.

Sunset Creek

Culverts on Interstate 90 at Sunset Creek in Bellevue have been identified as fish barriers by Washington Department of Fish and Wildlife (WDFW) due to water surface drop. The Sunset Creek crossing is in the Factoria community at milepost 10.52, approximately a half-mile east of the I-90/I-405 interchange.

The project will replace the existing 36-inch and 48-inch culverts with two bridge spans of at least 55 feet. This will require an open channel at least 60 feet deep. WSDOT will also build fish-passable structures on SE Eastgate Way and SE 36th Street for a total of four stream crossings. Upon completion of the project, WSDOT's contractor will return roadways, sidewalks, and trails to their configuration prior

to construction.

Lewis Creek

I-90 is also a barrier to fish migration in Lewis Creek just east of the Bellevue-Issaquah boundary. WSDOT will replace the completely unpassable culverts with fourstream crossings under eastbound I-90 that includes the on-ramp westbound I-90, West Lake Sammamish Parkway Southeast, and Southeast Newport Way.

Project Delivery

WSDOT is currently working with a consultant on conceptual design and then will hire a design-build contractor for this project. The bidder with the Apparent Best Value (ABV) will be responsible for completing the design and then constructing the project. Design-build projects often find time and cost efficiencies by combining design and construction processes under one contract.

The Request for Proposal (RFP) is being developed and portions of the first draft have been shared with City staff for feedback by the time of today's Council briefing. The RFP is scheduled for release in April 2022, with a contractor likely to be selected in Fall 2022. In response to construction industry workforce concerns, WSDOT has bundled this project with nine other culvert barrier corrections in King County required by the injunction. This bundling of projects is not anticipated to cause any delays to the construction schedule.

Design-Build projects move faster than Design-Bid-Build projects and will likely have different and fewer City review periods than typical projects. WSDOT's project will require substantial coordination for traffic impacts, utility relocations (franchise utilities and City utilities), agency permitting and other issues. As has been done with previous WSDOT work on I-405 and SR-520, WSDOT and Bellevue staff will work closely together to assure timely design, permit review and inspection of future City owned and/or operated facilities.

City staff will continue to update Council as the project progresses.

Maintenance of Traffic

Building fish passable structures on I-90 and the parallel Bellevue roads will require road closures and lane reductions starting in 2023. On I-90, WSDOT expects lane reductions in each direction for up to two years at some point during construction. Work on each direction could take place simultaneously or consecutively, but that decision and all other maintenance of traffic phases and strategies will be reached following the hiring of a design-build contractor. WSDOT will coordinate with City staff on allowable hours and detour routes for these closures.

WSDOT's understanding regarding closure of lanes on Bellevue roads is that the City will require the design-build contractor to conduct a traffic study to support their land and road closure strategies. Currently, WSDOT anticipates the following lane and road closures for Bellevue roads:

- Single lane reductions will be needed on SE 36th Street with one lane remaining open to alternating traffic.
- The structure on SE Eastgate Way could be completed during a longer duration with a single lane closure (requiring alternating traffic) or a shorter duration with a full closure and detour.
- SE 32nd Street is a likely access point for construction vehicles removing excavated material and therefore will see significant truck traffic.

- The Mountains to Sound Greenway Trail will be included in the new bridge span and need to be shifted or detoured while reconstructed.

WSDOT will continue to coordinate with the City to determine the best possible maintenance of traffic plan for all Bellevue roads and the Mountains to Sound Greenway Trail.

Noise

Noise effects specific to this project will not be known until the design-builder determines equipment needed for their construction method. WSDOT typically mails out noise notices to residents within 500 feet of a project area in advance of overnight work. The immediate Sunset Creek project area is largely commercial, but WSDOT will monitor potential effects for residences beyond 500 feet of the project area.

Utility Construction Agreement

The project will disturb City facilities that are in WSDOT Limited Access and WSDOT Right-of-Way, thereby requiring relocation. This agreement will obligate the City to reimburse WSDOT for relocating and improving existing City infrastructure as follows:

1. Water main at SE 36th Street
2. Sanitary sewer across I-90 and along Sunset Creek in adjacent easements
3. City-owned telecommunications conduit at Eastgate Way and SE 36th Street
4. Possible changes to storm drainage at Lewis Creek and Sunset Creek

The final agreement will return to Council on consent for approval at a future date.

The project schedule is anticipated as follows.

Milestone	Date
<i>Issue Request for Qualifications</i>	<i>December 2021</i>
<i>Notify Short-Listed Submitters Team</i>	<i>April 2022</i>
<i>Issue Request for Proposal</i>	<i>April 2022</i>
<i>Announce Best Value Proposer</i>	<i>Fall 2022</i>
<i>Begin Construction</i>	<i>Spring 2023</i>
<i>Finish Construction</i>	<i>2027</i>

The project is expected to cost \$138 million and will be funded through the state’s Connecting Washington program.

Fish Passage Benefits

According to WDFW analysis, there are 1.65 miles of potential habitat gain upstream (south of I-90) from the Sunset Creek culvert barriers at I-90. This habitat gain is rated “good-to-excellent” for rearing, due to its relatively unimpacted nature and surrounding riparian zone. Fully realizing this potential is dependent on removing other culvert barriers to Sunset Creek that are not addressed in this project, including one about a half mile south of I-90. While several barriers downstream of the project area have been corrected, three additional partial barriers remain and impede fish passage to and from Lake Washington.

Similarly, there are 2.7 miles of potential habitat gain above the Lewis Creek crossing, including 42,905

square feet of potential spawning habitat and 6,663 square feet of potential rearing habitat. The Lewis Creek fish-passable structures will provide openings for sockeye and Chinook salmon to migrate downstream to Lake Sammamish and upstream to this potential spawning and rearing habitat. Two barriers downstream of the crossing have recently been addressed through restoration projects. Three partial barriers upstream of the culverts could limit full habitat gain if unaddressed.

Tribal Coordination

Most of WSDOT’s barrier culverts were installed decades before scientists fully understood the needs of fish and streams. While culverts were built to standard at the time, they had the unintended consequence of blocking salmon from reaching upstream habitat which violated tribal treaty fishing rights. In designing this project, WSDOT is working closely with the Muckleshoot and Snoqualmie Tribes to restore stream channels that will ensure a strong revitalization of Lewis and Sunset Creeks, and a return of fish to their natural habitat.

POLICY & FISCAL IMPACTS

Policy Impact

As part of the state’s fish recovery efforts, WSDOT has made it a priority to reconnect waterways where their roads act as barriers. In Western Washington, that means building thousands of fish passable structures under state highways in the next decade to create habitat gain essential to meeting state recovery goals. Starting in late 2022, WSDOT will build eight such structures under Interstate 90 and local roads in the eastside of King County to open water flow in Sunset and Lewis Creeks.

WSDOT and the City have initiated discussions regarding potential turn-back agreements, whereby WSDOT may want to “turn back” ownership and operations/maintenance of certain infrastructure to the City, including bridge structures and/or stream channels in City right-of-way. Turn-back agreement discussions between WSDOT and the City will proceed in parallel with the project as it proceeds.

Fiscal Impact

This agreement will require the City to pay for estimated costs associated with relocating the existing water main in SE 36th Street at Sunset Creek, sanitary sewer mains crossing I-90 and in easements adjacent to the freeway, and City communications conduits in Eastgate Way and SE 36th Street, which WSDOT will disturb in conjunction with the project. The final agreement will return to Council on consent for approval at a future date.

OPTIONS

N/A

ATTACHMENTS & AVAILABLE DOCUMENTS

N/A

AVAILABLE IN COUNCIL LIBRARY

N/A