



interim, pending final approval from the National Park Service. Project sponsors cannot proceed until the National Park Service approves the conversion.

## **Analysis**

The proposed conversion is complicated by several factors.

First, the state has funded the boardwalk trail twice, and the two grant programs have different eligibility criteria. The first grant, made by the board, was awarded through LWCF, which has a set of criteria that must be met per the federal requirements. The second grant, made by the Washington Department of Natural Resources (DNR)<sup>1</sup>, was awarded through ALEA for recreational facilities associated with a navigable waterway.

This situation essentially creates two conversions on the same property, so RCO staff is approaching them simultaneously and encouraging the projects' sponsors to find replacement property that will satisfy both grant programs' requirements. Therefore, any replacement property will need to be located on a navigable waterway and meet the recreational needs for both the City of Seattle and University of Washington.

A second complicating factor with this proposed conversion is that the first grant was awarded to Seattle and the University of Washington as co-sponsors, and the second grant was awarded only to the City of Seattle. Therefore, Seattle is obligated to resolve both conversions, but the University is only obligated to satisfy the LWCF conversion. Both project sponsors have agreed to move forward to address the two conversions simultaneously in hopes it will satisfy each entity's needs as well as both funding program requirements.

The final complicating factor is the issue of property ownership within the Arboretum. Seattle, the University of Washington, and DNR all own property within the Park. Seattle maintains the park, and the University manages the Arboretum collection. However, neither party has complete control over the entire park, including portions of the park that were improved with grant funding and that are located on DNR property. RCO staff is working with all parties to clarify the control and tenure issues. DNR staff has been very cooperative in helping identify property ownership boundaries and offering a no-fee lease option to protect the previously funded grant investments. All parties are operating under the premise that since DNR awarded the ALEA grant to the City of Seattle to construct facilities over state land, that a no-fee recreational lease would be an appropriate way to guarantee Seattle's ability to maintain the park in perpetuity and protect the state's previous investment.

WSDOT is working on an expedited timeline for design, review, permitting, and construction of the SR 520 project. The Governor expects construction on the new bridge to begin in 2014. In order to meet this aggressive timeline, all state agencies must assist WSDOT with providing information for the environmental review process as soon as possible.

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<sup>1</sup> The ALEA grant was managed jointly by DNR and the Interagency Committee for Outdoor Recreation when the original grant was awarded. The ALEA grant program was subsequently transferred to RCO for administration in 2004.

At this stage, WSDOT is developing a supplemental draft environmental impact statement to evaluate three main design alternatives. RCO staff is participating on WSDOT's Regulatory Agency Coordination Process workgroup to help identify conversion impacts and replacement requirements. The conversion package will be addressed in the environmental review materials, which should be made available for public comment by the end of this year. In addition, the RCO Director, along with other applicable state agency directors, participates in quarterly meetings with the Governor's Office to discuss roadblocks and red flags to meeting the Governor's timeline.

### **Next Steps**

The RCO Director will continue to brief the Governor's Office on park-related impacts that must be addressed by the board as part of the SR 520 project approval process.

RCO staff will continue to work with the City of Seattle, University of Washington, DNR, WSDOT, and the National Park Service to identify conversion impacts and potential replacement scenarios. WSDOT's proposed schedule for environmental review is as follows:

<b>Activity</b>	<b>Target Date</b>
Draft Supplemental Environmental Impact Statement	December 2009
Final Draft Environmental Impact Statement	February 2010
Final Environmental Impact Statement	November 2010
Record of Decision	January 2011

RCO staff will continue to brief the board on the status of the Arboretum conversion at key points in the process. One such milestone will be after the preferred bridge construction alternative is selected and conversion impacts are quantified. Based upon the proposed schedule, this likely will take place at the board's June or September meeting in 2010. The board should make its decision on the conversion after all public comment and review has been completed. The first opportunity for a decision would be at the board's January 2011 meeting. Once the board has granted interim approval, the conversion package can be forwarded to the National Park Service for consideration.

### **Attachments**

- A. Arboretum Draft Boundary Map

**ATTACHMENT: ARBORETUM PARK DRAFT BOUNDARY MAP**

