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# Exhibit A

## RESOLUTION NO. 3500

**A RESOLUTION** of the Port Commission of the Port of Seattle authorizing the Chief Executive Officer to enter into a 2002 Memorandum of Understanding for Phases I and II of the Freight Action Strategy for the Seattle-Tacoma ("FAST") Corridor.

**WHEREAS**, the assurance of continued freight and passenger mobility throughout the Puget Sound is an issue of critical strategic importance to the Port; and

**WHEREAS**, the Port of Seattle has joined with other agencies and private partners in the Freight Action Strategy for Seattle and Tacoma ("FAST") Corridor partnership; and

**WHEREAS**, this partnership has resulted in the completion of several of the grade separations and port access projects, and substantive progress on the remaining projects envisioned in Phase I; and

**WHEREAS**, representatives of the Port of Seattle; the Washington State Department of Transportation (WSDOT), Freight Mobility Strategic Investment Board (FMSIB), and Transportation Improvement Board (TIB); the Puget Sound Regional Council, the ports of Tacoma and Everett, King County, Pierce County and Snohomish County, The Burlington Northern Santa Fe Railway Company, the Union Pacific Railroad Company, the Washington Trucking Association, and the cities of Tacoma, Fife, Puyallup, Sumner, Pacific, Algonia, Auburn, Kent, Renton, Tukwila, Seattle and Everett, all located along the Everett-Seattle-Tacoma corridor, have reached consensus and recommended the projects shown in Attachment B to Exhibit A of this resolution as a Phase 2 program of projects for an integrated freight mobility strategy; and


**WHEREAS**, detailed procedures for funding and disbursement of funds and other factors among the FAST Corridor partners will come before the Port Commission for review and approval on a project by project basis;


**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of Seattle that:


1. The Chief Executive Officer (CEO) is hereby authorized to execute a 2002 Memorandum of Understanding for Phases I and II of the FAST Corridor ("MOU"), in substantially the form attached hereto as Exhibit A and by this reference incorporated herein.
2. A copy of the final executed MOU shall be attached to this Resolution as Exhibit B.

ADOPTED by the Port of Seattle at a regular meeting thereof, held on this 28th day of January, 2003, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

  
PATRICIA DAVIS

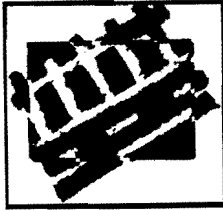
  
PAIGE MILLER

  
CLARE NORDQUIST

  
LAWRENCE T. MOLLOY

  
BOB EDWARDS

Port Commissioners



## **2002 Memorandum of Understanding for Phases I and II of the FAST Corridor**

This Memorandum of Understanding (MOU) is entered into among the signatory parties as an effort to articulate a set of mutually agreed upon steps to enhance freight mobility throughout the central Puget Sound Region—from the area of Everett in the north to the area of Tacoma in the south, and eastward towards the SR 2 and I-90 mountain passes—the FAST Corridor. This MOU updates, restates and supplements the 1998 MOU regarding the Phase I project package and communicates how the FAST Corridor Phase I and Phase II partnership is envisioned by its cooperating member agencies, to assist each agency to plan towards meeting its share of the Phase II costs and responsibilities.

In that spirit and context, it is agreed among the parties as follows:

### ***Premises:***

1. The name "FAST Corridor" refers to a series of related but independent projects and actions which incrementally and when completed systematically improve freight movement and mitigate the impacts of increasingly intensive use of the freight transportation corridors in the Everett – Seattle – Tacoma region.
  - a) FAST Phase I refers to the fifteen projects selected in the first prioritization process (1998) of the FAST Corridor. These are delineated in Attachment A.
  - b) FAST Phase II refers to the ten projects selected in the Spring 2002 prioritization process of the FAST Corridor. These are delineated in

Attachment B. An additional seven projects were identified as probable candidates for future inclusion within the FAST Corridor (Attachment C).

2. The fast, efficient and reliable movement of freight is vital to the economic health and well-being of the Puget Sound Region, the State of Washington and the nation as a whole.
3. International trade in, out and through the Puget Sound ports, as well as general freight into, out of and within the Puget Sound Region, is experiencing increasing congestion due to more intensive use of transportation corridors, the general growth of freight, and growth in other vehicular traffic of the region.
4. Representatives of the Washington State Department of Transportation, the Puget Sound Regional Council, the ports of Seattle, Tacoma and Everett, King County, Pierce County and Snohomish County, The Burlington Northern and Santa Fe Railway Company, the Union Pacific Railroad Company, the Washington Trucking Association, and the cities of Tacoma, Puyallup, Sumner, Fife, Pacific, Albona, Auburn, Kent, Renton, Tukwila, Seattle, and Everett, all located along the Everett-Seattle-Tacoma corridor, have met, discussed, analyzed, reached consensus, and recommended the projects shown in Attachments A and B as an "immediate priority" program of projects that together form the first and second phases of an integrated freight mobility corridor strategy.
5. This integrated freight mobility corridor strategy is consistent with the Puget Sound Regional Council's Metropolitan Transportation Plan (Destination 2030).
6. Ongoing processes to assess statewide freight priority needs have consistently identified the FAST Corridor program as having high priority and statewide impact.
7. Members of the U. S. congressional delegation from Washington State are on record in support of federal funding participation in the FAST Corridor program.

8. **Project delivery is a critical aspect of the FAST Corridor Partnership. Many of the FAST Phase I projects are underway, with two projects complete, and another seven to be completed by the end of 2003. FAST is committed to maintaining its record of project delivery with the remainder of the Phase I projects, as well as with the Phase II program recently selected.**
  
9. **Implementation of the FAST Corridor will be enhanced if each party can safely anticipate that the other parties will be committed to a pre-agreed share of the cost in order to fully fund the immediate priority program shown in Attachments A and B. The FAST Partners believe that tying costs and benefits to financial participation in the program is a critical element to FAST's ongoing success.**
  
10. **All funding partners will need assurance that their expected participation in FAST Phase II projects will be tied to the total program costs agreed to and shown in Attachment B and will not be expected to grow as individual project cost estimates are refined during the project development process.**

## ***Understandings:***

1. The FAST Corridor projects listed in Attachments A and B will improve access to port areas and resolve modal conflicts at railroad grade crossings and will complement investment by the railroads, Sound Transit and the State to improve the overall capacity and reliability of the mainline rail corridor for both freight and passenger operations. The FAST program of improvements will also enhance the capacity and reliability of the highway freight transportation corridors in the region.
2. The FAST Phase I projects (Attachment A) are deemed to be the highest priority of the FAST Corridor projects. The Projects shown in Attachment B, ten additional projects selected in April 2002 for implementation over the next three years, constitute 'FAST Phase II.' These are immediate priority projects, but subordinate to the Phase I projects. All prioritized projects are to be considered collectively as a single "corridor" program.
3. For the FAST Phase II program, the partners endorse the following funding participation goals:
  - a) Federal funding through TEA 21, section 1118 (and its successor(s)) grants should provide 35 percent of the program costs. Additional federal funding (e.g., STP grants) will be targeted to provide another five percent of program costs.
  - b) State funding, including WSDOT, FMSIB, and TIB contributions, should provide 40 percent of program costs. It is recognized that the trucking community contributes to this share through the fees and fuel taxes they pay into the system.
  - c) The Ports of Seattle and Tacoma should collectively provide seven percent of program costs.

- d) The Union Pacific and Burlington Northern Santa Fe Railroad Corporations should collectively provide project shares equivalent to three percent of program costs. This contribution could include redirected federal allocations of rail diesel taxes if TEA 21 reauthorization authorizes such allocations.
  - e) Agencies responsible for implementation of individual projects are expected to finance a minimum of 10% of the cost of the individual projects they will implement, using their own funds or other funding sources not otherwise noted in this MOU, and including funds previously expended to develop each project in advance of full program funding.
  - f) Where appropriate, additional funding will be sought from other agencies and organizations receiving significant benefit from specific FAST projects.
4. Each individual project shown in Attachment B is the implementing agency's responsibility to design, permit, and construct as a normal matter of course in capital project development, and implementation of any individual FAST Corridor project will be dependent upon funding authorization by the party or parties responsible for that project.
5. The existing FAST Corridor Agency Staff Team (FAST CAST) will continue to meet in order to monitor and promote both the immediate priority program shown in Attachments A and B, and other identified FAST Corridor priorities, and to facilitate communications and agreements needed to implement these understandings.
- a) Funding for the ongoing management of the FAST Corridor by the WSDOT will be drawn from awarded TEA21 Section 1118/1119 (or its successors) funds in an amount to be set annually by the FAST Partners, but which will not exceed five percent of the awarded funds in any given

year. These funds will be transferred to a WSDOT account specific to FAST management and expenditures at the time of obligation.

6. This MOU shall remain in effect until superseded by a subsequent MOU or other agreement, or until earlier terminated by written agreement of all the parties.
7. This MOU does not create any legally enforceable rights or obligations on the part of any of the signatory agencies.

Signed by:

Washington State Department of Transportation (co-sponsor)  
King County  
Pierce County  
Snohomish County  
Port of Seattle  
Port of Tacoma  
Port of Everett  
City of Seattle  
City of Tacoma  
City of Everett  
City of Auburn  
City of Kent  
City of Tukwila  
City of Puyallup  
City of Sumner  
City of Renton  
City of Pacific  
City of Algona  
City of Fife  
The Burlington Northern & Santa Fe Railway  
Union Pacific Railway  
The Washington Trucking Association  
Washington State Freight Mobility Strategic Investment Board

Endorsed by:  
Puget Sound Regional Council (co-sponsor)



ATTACHMENT A:

**FAST Corridor Phase I Projects**

<u>Project Name</u>	<u>Implementing Agency</u>
California St.	Port of Everett
E. Marine View Drive	City of Everett
41 <sup>st</sup> St. Extension/Riverfront Parkway Overcrossing	City of Everett
Spokane St.	City of Seattle
Royal Brougham (SR 519)	WSDOT
E. Marginal Way	City of Seattle
S. 180 <sup>th</sup> St.	City of Tukwila
S. 277 <sup>th</sup> St.	City of Auburn
3 <sup>rd</sup> St. SW / BNSF crossing	City of Auburn
8 <sup>th</sup> St. / BNSF crossing	Pierce County
Shaw Rd. Extension	City of Puyallup
Canyon Rd. Extension	Pierce County
D St.	City of Tacoma
Port of Tacoma Rd.	WSDOT
SR 167 (R/W only)	WSDOT

ATTACHMENT B:

**FAST Corridor Phase II Projects for  
Immediate Implementation**

(Figures in millions of dollars)

<u>Project Name</u>	<u>Implementing Agency</u>	<u>Estimated Cost*</u>
Duwamish ITS Project	City of Seattle	\$ 7.21
WSDOT ITS	WSDOT	\$ 30.00
SR 9 Widening	WSDOT	\$ 45.98
Lincoln Avenue	Port of Tacoma	\$ 26.00
S 228th Street	City of Kent	\$ 48.00
70th Street/Valley Avenue	City of Fife	\$ 18.86
M Street	City of Auburn	\$ 22.04
Eighth St--UP	Pierce County	\$ 20.00
Lander Street	City of Seattle	\$ 23.93
Willis St	City of Kent	\$ 20.80
<b>Total</b>		<b>\$ 262.82</b>

**FAST Corridor Phase II Partnership Funding Goals**

Section 1118 funds	\$ 91.99
other federal funds	\$ 13.14
state funds	\$ 105.13
port funds	\$ 18.40
rail funds	\$ 7.88
implementing agency funds	\$ 26.28
<b>Total</b>	<b>\$ 262.82</b>

\*Cost estimates are from 2002, and given in 2002 dollars.

ATTACHMENT C:

**Candidate Future FAST Corridor Projects**

(Partial list, figures in millions of dollars)

<u>Project Name</u>	<u>Implementing Agency</u>	<u>Total Project Cost Estimate*</u>
SR 18	WSDOT	\$ 217.17
SR 509	WSDOT	\$ 127.00
Strander Boulevard	City of Renton	\$ 47.00
Duwamish Truck Mobility Improvement Program	City of Seattle	\$ 7.18
E Everett Ave Overcrossing	City of Everett	\$ 10.00
I-5/Port of Tacoma Rd Interchange	WSDOT	\$ 17.90
24 <sup>th</sup> St Grade Separation	City of Sumner	\$ 5.50
<b>Total</b>		<b>\$ 431.75</b>

\*Cost estimates are from 2002, and given in 2002 dollars. This list is not exclusive, but is a listing of projects that are currently prioritized by the FAST Partners through FAST's Spring 2002 prioritization process, and are not among the projects programmed for Section 1118 funds *at this time*.

*M. R. Dinsmore*

1/30/03

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M. R. Dinsmore  
Chief Executive Officer  
Port of Seattle

date