Will Knedlik

May 17, 2017

Honorable Daniel T. Satterberg
Office of King County Prosecutor
King County Courthouse
Seattle, Washington 98104

Re: *Quo warranto* request as to gross mismanagement of a core state constitutional trust

Honorable Prosecuting Attorney:

Request is hereby made for your office to institute *quo warranto* proceedings, *sua sponte*, in respect to Honorable Roger Millar in his capacity as Secretary of the Washington State Department of Transportation – pursuant to jurisdictional remits granted to all prosecuting attorneys by RCW 7.56 – regarding WSDOT's long gross-and-worsening mismanagement of the colossal state constitutional trust, dedicated "exclusively for highway purposes" by Article II, section 40 of the Washington State Constitution, that now threatens multibillion dollar thefts from more-than-5.7 million licensed drivers, who are beneficiaries of the by-far-largest and by-far-most-valuable state constitutional trust, through violations both of heightened prudence duties and also of undivided loyalty obligations, imposed by *County of Skamania v. State*, 102 Wn.2d 127 (1984), as our state's central fiducial responsibilities for highly valuable trust assets constituting the Interstate 90 corridor within King County.

This request for *sua sponte* action by you – pursuant to the oath of office mandating total fidelity to the state constitution required of each prosecuting attorney within this state – is made by the undersigned on behalf of himself, and of over 5.7 million other drivers today licensed by the state, both as direct legal beneficiaries of the huge state constitutional trust created by the 18th Amendment, and also as the principal funders of the first two-of-three separate revenue streams constitutionally guaranteed "exclusively for highway purposes," namely: "All fees collected by the State of Washington as license fees for motor vehicles and all excise taxes collected by the State of Washington on the sale, distribution or use of motor vehicle fuel and all other state revenue intended to be used for highway purposes."

Absent *sua sponte* proceedings in the nature of *quo warranto* within 14 days, as requested *supra* upon bases outlined *infra* and in attachments hereto, litigation shall be necessary to protect vital interests of every trust beneficiary through *mandamus* to compel your office to enforce RCW 7.56 (or through a common law writ for *quo warranto* under Article IV).

Dimensions of presently devolving larcenies from more-than-5.7 million now-defenseless beneficiaries of the premier state constitutional trust – due to nonfeasance and misfeasance beyond any reasonable doubt and due to actual malfeasance in all likelihood – are several billion dollars, at a minimum, and could well reach $15-to-$18 billion dollars, if not more still, for reasons squarely identified for Mr. Millar heretofore through attachments hereto.

As such materials evidence, WSDOT's misconduct toward the crown jewels of a pivotal state constitutional trust not only violates our state's demanding fiduciary duties requiring both heightened prudence and also undivided loyalty, but manifests genuine recklessness!

Our state's indisputable-and-inglorious history, both in its misdesign of high-cost bridges (most famously the first Tacoma Narrows bridge in 1940), and also in its mismanagement allowing total losses of expensive bridge infrastructure repeatedly (including the floating bridge at Hood Canal in 1979, and another floating bridge in Lake Washington in 1990), has resulted in pure waste of immense state constitutional trust investments over and over.

Trust beneficiaries' interests are most imperiled today by WSDOT's casual disregard for literal physical destruction of the most valuable assets in a state constitutional trust, so as to reduce Lake Washington floating bridge structures' useful lives, and for fiscal wastery.

For example, WSDOT's studied negligence as to quintessential fiscal interests of over 5.7 million trust beneficiaries in the Homer Hadley bridge ensures sizeable reductions in that floating structure's useful life from inevitable microfracturing as each 160,000 pound rail car drops onto, and flexes from, its wave-tossed infrastructural components, millions and millions of times, at fixed track-attachment unions, which necessarily thereby concentrate those physically destructive forces into failure points, so as both to deform internal rebar and also to separate that steel from the concrete aggregate that encases it within pontoons.

No six-year-old with normal intelligence who has ever twisted a paperclip – as it warmed initially and failed inexorably in her or his hand – could fail to understand simple physics underlying microfracturing, and most six-year-olds would naturally visualize how endless flexions of rebar, as encased in pontoons, must degrade essential concrete-steel interfaces.

Nor could any engineer fail to assess the substantially accelerated destruction of high-cost state constitutional trust assets inevitably to result from needless microfracturing – readily apparent to any kindergarten child – absent either gross negligence, or else willful intent to reduce the functional lives of quintessential state constitutional trust assets, as well as to comprehend that physical destruction would yield adverse fiscal impacts for said trust.

This is particularly unacceptable given Mr. Millar's responsibility for sound management of revenues from our state's rapidly developing monetization of physical highway assets, as legally protected as a state constitutional trust, including administration of financing to be increasingly generated as a growing component of "all other state revenue intended to be used for highway purposes" through state tolling of highway assets that **he** is charged with rolling out, in multiple corridors, so as obviously to impose fiduciary obligations on the state, as a trustee, to protect over 5.7 million trust beneficiaries of that gigantic trust.

Given that actual earning capacity of the I-90 corridor across Lake Washington is at least several billion dollars over the next 75 years, which is the term of leases and of renewals that he is currently negotiating with Sound Transit, there is **no** way that he could agree to accept less than those several billion dollars on behalf of over 5.7 million beneficiaries of the state constitutional trust – together with mechanisms to hold the trust harmless for any and all reduced useful life through insurance or some other modality – except by means of intentional acts, based on actual bad faith, in order thereby to harm **every** licensed driver, **statewide**, in order to facilitate multibillion dollar thefts to subsidize a few thousand rail passengers, in King County, by diverting trust assets from over 5.7 million beneficiaries.

Nor has Mr. Millar assessed current-and-future need for I-90 assets to fund state highways, as a core aspect of "highway purposes," even as he fails to maintain and to preserve roads!

Additionally, in order to foster this patent wrongdoing, Mr. Millar has willfully failed to investigate consequences on highway components of the built environment, as is required by the State Environmental Policy Act, as attached materials document in several regards.

Similarly, Mr. Millar has failed to examine major requirements imposed on the Interstate 90 corridor by the federal FAST (Fixing America's Surface Transportation) Act of 2015's resulting designation of that corridor within King County, in 2016, as a key element of the "National Highway Freight Network" – even as major traffic diversions from State Route 520, through state tolling, worsen its already-often-congested and increasingly-gridlocked roadway even before substantially narrowed lanes and shoulders degrade that core freight route yet further – despite WSDOT now revising its 2014 state freight plan to conform its quite recently issued terms to the federal requirements imposed by that FAST legislation, as WSDOT's Rail, Freight, and Ports Division reported only yesterday to the Washington State Transportation Commission's monthly meeting, wherein its chair, Jerry Litt, noted WSDOT's ongoing failures to develop any "good traffic model for freight," and wherein his staff identified its like failures to meet state requirements to "assess the transportation needs of Washington's marine ports, including navigation, and [to] identify transportation system improvements" (RCW 47.06.070), fully 14 years after state law first so mandated.

All such wrongdoing is possible solely because WSDOT has throughout Mr. Millar's term as secretary – as well as for decades, previously, under several prior secretaries – failed to fulfill that department's explicit statutory obligations respecting development of regional transportation plans which are "based on a least cost planning methodology that identifies the most cost-effective facilities, services, and programs" (RCW 47.30.080), inclusive of full life-cycle costs for highway structures that he has willfully failed to ascertain for I-90, including but not limited to major cost and opportunity-cost aspects outlined hereinabove.

Likewise cavalierly and recklessly, Mr. Millar has accepted, without reasonable analyses, last-minute changes to the structural dynamics of crucial floating bridge infrastructure in the I-90 corridor through so-called "post tensioning," even though both human safety and also structural integrity are imperiled by adding tens of thousands of pounds in weight to bridge facilities already near safety-and-reliability bounds, in ordinary engineering terms, and **far beyond** limits imposed by fiducial prudence-and-loyalty duties owed by the state.

Hence, the issue is whether **you** will act to protect over 5.7 million beneficiaries of a state constitutional trust, *sua sponte*, or shall aid and abet gross abuses of each licensed driver, statewide, so as to imperil not just trust assets but also the lives of **every** trust beneficiary!

Respectfully yours,

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cc: Honorable Roger Millar

Will Knedlik

April 20, 2017

Honorable Roger Millar, Secretary
Department of Transportation
State of Washington
Olympia, WA 98504

Peter Rogoff, CEO
Sound Transit
Union Station
Seattle, WA 98104

Julie Underwood, Manager
City of Mercer Island
Mercer Island City Hall
Mercer Island, WA 98040

Re: Request for supplementation of East Link Final Environmental Impact Statement

Honorable Secretary Millar, Mr. Rogoff and Ms. Underwood:

Request is made for supplementation of East Link Final Environmental Impact Statement, under state laws, administrative rules and the Department of Ecology's *SEPA Handbook*, to document serious dangers strongly indicated, and likely enormous, respecting structural integrity of, useful lives for and related perils to high-cost roadway assets comprising the Interstate 90 corridor, as well as its adjacent D-2 segment, from construction of light rail for years and years and from railway operations planned for implementation subsequently.

In addition to issues identified in the administrative appeal of the East Link FEIS, as filed in 2011 by the undersigned, several major-to-massive hazards have since developed, both substantially and also substantively, needing supplementation rather than the joint artifice of *addenda* employed serially by WSDOT and by Sound Transit, which has thus afforded inadequate review of negative consequences of great dimensions and of still larger import (and which so constitutes a public-sector shell game based on bad faith misconduct, in my studied view, for reasons outlined two days ago in correspondence to our state's attorney general, as hereto annexed, as well as in oral testimony to the Mercer Island City Council).

While all significant issues necessitating supplementation cannot likely be known without scoping, pivotal-to-paramount changes in circumstances requiring a formal SFEIS include our state's abandonment of its plans, at the time of the FEIS' issuance in mid 2011, to toll both highway routes across Lake Washington (on political bases thereafter), so as to divert large traffic volumes onto I-90 when tolls were nonetheless imposed upon State Route 520 (subsequently), and our state's rapidly devolving roll-out of tolling to monetize its system of roads, including on SR 520, on Interstate 405 in 2015 and on State Route 99 as soon as a long-delayed tunnel can be built, thus multiplying the I-90 corridor's full-and-fair market value through genuine financial data allowing the income-approach-to-value to be utilized today (which was unavailable when absurdly low rates for rail usage of I-90 were first set, and which WSDOT has still **not** used notwithstanding state duties of heightened prudence and of absolute loyalty to more-than-5.7 million licensed drivers as beneficiaries of a state constitutional trust, *County of Skamania v. State*, 102 Wn.2d 127 [1984], *vis-à-vis* perhaps the quintessence of trust assets specifically dedicated "exclusively for highway purposes," for over 72 years, pursuant to Article II, section 40 of the Washington State Constitution).

Again subject to a like *caveat* respecting complete thoroughness requiring further scoping, immensely critical engineering problems have also arisen, since the Independent Review Team issued its report, in September, 2008, with several necessitating a supplementation.

While the IRT panel's excellent work has proven to be of genuine importance not merely for clarifying major dangers to core structural integrity of floating bridge infrastructure as stray current from Sound Transit's abnormal 1,500-volt light rail system invariably leaks (as the focus of requests directed to chairs of House and Senate transportation committees, in writing, by the undersigned prior to the legislative appropriation that later financed the IRT's pivotal inquiries), including in respect to engineering difficulties beyond electrical perils (and thus removed from fried destruction of internal rebar at issue when congeries of electrical risks were thereby raised then initially), expertise impaneled understandably included neither every relevant engineering discipline, nor naval architecture (so that the IRT's 23-item checklist that has driven WSDOT's reviews since was and is incomplete).

Of likely greatest concern today, and certainly of major need for a supplemental analysis now, is inevitable physical degradation of internal rebar from micro-fracturing – together with inexorable destruction of bonds between concrete aggregate and such internal steel – as each 160,000-pound rail car drops onto, and rebounds from, floating bridge structures, millions and millions of times, in constantly altering physical conditions, including wave actions and interactions from endless weather-generated and rail-stimulated oscillations.

This is especially important because "with steel rails, all stress goes to one point" (*i.e.* the *locus* of each track attachment), which Sound Transit has reportedly sought to mitigate by means of vaunted "*cesura*" joints as devised for the world's first so-called "track bridge," neither of which has been adequately assessed, in numerous respects, including but not limited to pivotal questions about how many years of useful life shall be lost as to central I-90 bridge structures (as core state constitutional trust assets) and what the full-and-fair market value of said as-yet-unevaluated reduction shall be (clearly several billion dollars since micro-fracturing of rebar and separation of concrete from steel will, for certain, thus shorten the useful lives of all bridge structures and not just those two lanes to be leased).

Similarly, a huge departure in engineering plans seemingly arrived at only recently – first publicly acknowledged in 2017 – shall of necessity substantially alter the entire structural dynamics of the Homer Hadley Bridge through post-tensioning plans lacking necessary-and-sufficient engineering, environmental, fiscal or physical analyses, including but not limited to whether post-tensioning, only now belatedly planned, shall amplify the physics whereby Sound Transit's engineers directly understand that "all stress goes to one point" (so as to exacerbate inevitable degradation and inexorable destruction, and so as to shift literally billions of dollars in rail costs from *circa* 5,000 East Link patrons to more-than-5.7 million motorists, statewide, as direct legal beneficiaries of the by-far-largest and by-far-most valuable state constitutional trust dedicated "exclusively for highway purposes").

Also, attaching rails to a floating bridge by gluing rail ties to concrete – particularly with respect to guard rails subject to enormous pressures that must be resisted *via* dependable securing of those unique rails to prevent derailment of a train and thus literally hundreds of passengers being pitched into Lake Washington, in one-or-more rail cars not designed to float, from some not-insignificant height – raises vital safety issues that have not been adequately studied (apparently because this life-and-death problem has been suppressed since WSDOT decided, prudently, to allow no drilling into the state constitutional trust's most valuable assets, but winked, imprudently, at a scantily vetted glue-down *macgyver*).

The Washington Administrative Code requires these and other "significant impacts" since the 2011 FEIS to be analyzed, in a comprehensive fashion, that "shall include the cost of and effects on public services, such as utilities, roads, fire, and police protection, that may result from a proposal," and that "shall also discuss significant environmental impacts on land and shoreline use, which includes housing, physical blight, and significant impacts of projected population on [natural-and-built] environmental resources" (WAC 197-11-400[6][e]). These include very significant narrowing of lane widths in the I-90 corridor from Bellevue to Seattle – to facilitate two-way operations for Metro and Sound Transit buses through R8A projects – adding to traffic congestion due to reduced speeds at which vehicles can operate safely (especially for large trucks using that key route from central-and-eastern Washington to the Port of Seattle that are **already** being adversely affected).

This is vital data not only for environmental review requiring a supplementation but also for genuine study required by the state's prudence-and-loyalty duties as a trustee – data unavailable until R8A is soon built out but readily accessible thereafter – which, together, suggest that WSDOT is attempting, **intentionally**, to avoid its core fiduciary obligations.

Under these circumstances – even were WSDOT and Sound Transit not engaged in active collusion to deny constitutional rights to every licensed driver in this state by suppressing the necessity of supplementation to an FEIS nearly six years old and immensely defective in major-to-massive respects above noted, briefly, as those facts so referenced implicate – state laws, code rules and DOE's long-established *SEPA Handbook* criteria not only thus indicate a supplementation to be mandated, but further advise state-and-local government **against** major actions before a supplementation can be finished, *e.g.*, WSDOT issuing air or any other leases or Mercer Island granting any permit. Cf. *SEPA Handbook* at page 63.

Absent receipt of notification by close of business on May 2, 2017 that either WSDOT or else Sound Transit, or both, shall commence formal supplementation of the FEIS for East Link, inclusive of each issue above indicated, and shall withhold actions in furtherance of light rail construction within the I-90 corridor inconsistent with a formal supplementation, or that Mercer Island shall exercise its legal rights to undertake a supplementation of said FEIS, and that WSDOT and Sound Transit shall withhold actions in furtherance of light rail construction in the I-90 corridor inconsistent with that city's formal supplementation, litigation shall be commenced, on or about May 3, 2017, in order to compel such further environmental study, as well as to require Sound Transit to pay full-and-fair market value for any and all rail uses of any and all state constitutional trust assets in the I-90 corridor, through necessary and sufficient lease payments into our state's Motor Vehicle Fund to comply with all terms, provisions and conditions legally established by our state Supreme Court, through *County of Skamania v. State*, 102 Wn.2d 127 (1984), and to guarantee all monies determined necessary and sufficient by the King County Superior Court to make beneficiaries of the state constitutional trust, statewide, whole for any-and-all aging of all trust assets, prematurely, due to construction and due to operations of light rail facilities.

Respectfully yours,

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Will Knedlik

April 17, 2017

Honorable Bob Ferguson
Office of State Attorney General
1125 Washington Street Southeast
Olympia, Washington 98504

Re: Sound Transit's violations of Open Public Meetings Act and related wrongdoing

Honorable General:

This correspondence requests you to exercise your office's authority to investigate and to take such steps as are necessary and sufficient to resolve Sound Transit's violation of our state's Open Public Meetings Act on March 23, 2017 and related wrongdoing both by that junior taxing district and also by the Washington State Department of Transportation with regard to litigation against the City of Mercer Island wherein you now represent WSDOT.

During the Sound Transit Board meeting on March 23rd, Sound Transit General Counsel Desmond Brown advised Board officers and Board directors that the public could legally be excluded to allow discussion of litigation (almost certainly inclusive of that referenced hereinabove); state citizens and other members of the public were instructed to leave (and did so); and an executive session then apparently occurred (for a rather extended period).

Thereafter, said Board purported to adopt a Motion No. M2017-38 unlisted on its agenda, seemingly contrary to state law and clearly violative of legislative intent for transparency, and claimed its motion to be **unrelated** to the litigation for which the meeting was closed. Thus, either the executive session was illegal or its direct results involve a false-flag ruse.

Sound Transit has an extensive history of violations of RCW 42.30, including its failures to provide public notice of meetings (as legally required), its overt inquiries into identities of participants (violative of RCW 42.30.040) and its explicit misrepresentations, through agency staff, when meetings subject to the Act were held in areas of its Union Station not accessible to the public (without further violation of RCW 42.30.040), *inter alia,* and your office has previously intervened to resolve that misconduct (pursuant to RCW 42.30.210).

Your office is now involved in related misconduct, in joint litigation against Mercer Island by the junior taxing district and by WSDOT, through claims *qua* made, in your name, that said city has "violated SEPA" and that "Actions in violation of SEPA are void" (at ¶1 and ¶2, respectively, page 13, Sound Transit and WSDOT Reply, King County Superior Court Cause No. 17-2-05191-8), which are being used to avoid essential supplementation of the Final Environmental Impact Statement issued in 2011, for light rail use of Interstate 90, to study major adverse traffic impacts from later state tolling of State Route 520 (*inter alia*).

Respectfully yours,

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Testimony prepared for the Senate Transportation Committee

March 6, 2017

I am Will Knedlik, and I testify today on behalf of the Interstate 90 Users Coalition, a grassroots alliance of interests reliant on I-90 and focused on preserving its utility for all motorists statewide.

The three bills now before the Committee respond to Sound Transit's initial "tactical bond sales," **years before debt was necessary**, in order thereby to shift rail-transit costs onto licensed drivers.

That junior taxing district has most squarely evidenced its *mala fides* through its **endless refusals to defease bonds – floated prematurely to ensure massive over-valuations of vehicles – even** when interest rates fell steeply, when defeasance would have thus saved taxpayers several million dollars in interest costs had its Board members simply fulfilled their fiduciary obligations, when it could have thereby legally removed its self-created "contracts clause" ploy and when **later-issued bonds, with lower interest rates, WERE refunded** (with its Board taking credit for tax savings).

This bad faith all occurred **after** the Washington State Supreme Court sustained the legality of the bonds in view here today – based on our state's "contracts clause jurisprudence" – but devoted its penultimate paragraph, **rather pointedly**, to encouraging Sound Transit to do the right thing **well over a full decade ago**: "We note, however, that nothing in our decision today forecloses Sound Transit from electing to retire the bonds early." *Pierce County v. State*, 159 Wn.2d 16 (2006).

Such *mala fides* also parallels Sound Transit's approach to the 64th Legislature for **$15 billion** in **new** tax authority for Sound Transit 3, then using sleights-of-hand to dupe voters into false belief that just **$36.3 billion in added taxes** were incorporated in a trumpeted $54 billion ST3 proposal over 25 years, while in fact pursuing **$308-to-$345 billion** in actual tax authority during up-to-65 years, given its own-albeit-concealed projections of tax-rate growth, by rushing to sell completely unneeded MVET bonds, **again years prematurely**, to set up a far bigger fiddle than the one now before you (by calling a special Board meeting to seize **$308-to-$345 billion** in new tax authority, with a series of pretextual debt maneuvers on the day the ST3 ballot was certified, *via* immediate "tactical flotations" to grab for 20 times the **$15 billion** repeatedly asked of the 64th Legislature).

Likewise, Sound Transit has serially misled previous state legislatures, including its promotion of a *nominal* appraisal of our state's most valuable highway assets, **for a token sum**, by lobbying *for* abandonment of **standard** principles for ascertaining full and fair market value – and *for* omission of all costs due to physical damage to I-90 bridge structures, from colossal transfers of weight, as 160,000-pound rail cars bend internal rebar, dislodge steel from concrete and shorten useful lives of core assets funded by a state constitutional trust created "exclusively for highway purposes" by our state Constitution's 18th Amendment – with no respect for, **if not genuine defiance toward**, well-established state trust jurisprudence that requires absolute loyalty and heightened prudence.

Nothing has ever kept Sound Transit from doing the right thing, except its persistent **refusals** to so act, as it has refined *mala fides* "tactical bonding": already emerging as a matter of concern when I chaired the House Revenue Resources Subcommittee in the 45th Legislature, and now crying out for our state to oblige local governments to reissue debt whenever major cost savings are feasible.

Sound Transit's bad faith could yield one good thing: **legislation to end its bond-sale chicanery**.

Interstate90UsersCoalition@gmail.com **Box 99, Kirkland, Washington 98083**

Testimony to the Sound Transit Board of Directors

February 17, 2017

I am Will Knedlik and I testify today on behalf of the Interstate 90 Users Coalition, an alliance of grassroots interests reliant on the corridor, which has studied I-90 operational problems for nearly a decade, including analyses employed in a formal challenge to factual-and-legal inadequacies of initial environmental review for exclusive light-rail usage of two pivotal bridge lanes, in 2011, and for comments to the Puget Sound Regional Council respecting freight mobility, earlier, *inter alia*.

The I-90 Users Coalition opposes Motion No. M2017-18 before you now – as well as Motion No. M2017-17, which would be here today but for your Capital Committee's **irregular** approval of it last week – due to gross imprudence as to $239 million and to furtherance of this agency's bully-boy tactics; and asks this Board to **order** supplemental environmental work required by state law.

Three quarters of Sound Transit's benefits are provided to Seattle residents and businesses, while three quarters of agency costs are imposed on the other four subareas, and this gross unfairness is made still more indecent by highly different treatments of Seattle and of suburbs in terms of **how much** their respective taxpayers are required to cover; **how** substantial agency-imposed costs are more wholly reimbursed for Seattle than for other jurisdictions; **how** federal grants are pursued or NOT pursued; **how** federal funds are allocated inequitably; **how** "subarea equity" legal duties are distorted in numerous ways so as repeatedly to operate to favor Seattle, unevenly, including major subarea injustices resulting in the Mercer Island City Council's unanimous vote to sue this week; and **why** billions of dollars in Sound Transit expenses are being dumped onto 5.7 million drivers, **statewide**, as legal beneficiaries of a **state constitutional trust** created "exclusively for highway purposes" by the 18th Amendment to the Washington State Constitution (Article II, section 40).

Bellevue taxpayers have been treated very inequitably; other East King County subarea residents are being chumped worse still without yet becoming fully aware; Mercer Islanders were targeted with thinly veiled threats this week after their elected representatives acted to litigate I-90 access; and the Pierce County subarea noticed, rejected ST3 and thus revealed King Canute's jeopardies.

As the City of Mercer Island correctly indicated as to its Council's unanimous decision to sue this junior taxing district, Sound Transit's six-year-old Final Environmental Impact Statement is badly out of date, in several particulars, and fails to examine pivotal circumstances profoundly changed since then, including but not limited to its lost "access to westbound I-90 *via* the Island Crest Way on-ramp, a crucial element of safe and efficient traffic flow," so as to expand great peril inflicted.

Factual-and-legal developments, thereafter, have also yielded considerably altered circumstances **not** subject to evaluation when the FEIS for exclusive East Link light-rail operations in two I-90 lanes was promulgated in July, 2011, which thus necessitate further analyses now to comply with the State Environmental Policy Act, due to highly adverse effects on Mercer Island residents and businesses from, for example, enormous disruptions caused by recurrent high-decibel screeching from Link light-rail's tracks – as repeatedly experienced within Seattle after the East Link FEIS was issued – which such awful ear-splitting commotion can now be eliminated by using virtually noise-free electric buses (given huge progress in battery technology **not** available in early 2011).

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Also, such nearly silent buses could begin operations promptly, while imposing **neither** a seven-year closure for two I-90 lanes to worsen traffic, **nor** major alterations that degrade the structural integrity of bridges, reduce their useful lives and steal billions of dollars from **all** state motorists.

Other relevant information includes both several central questions regarding the I-90 corridor put to the Secretary of the Washington State Department of Transportation on January 16, 2017 at his confirmation hearing before the Senate Transportation Committee (for him to answer in writing), and also a key presentation to the Washington State Good Roads and Transportation Association by that Committee's chair, on January 31, 2017, indicating utility in substituting electric buses for light rail in the I-90 corridor (given rapid technological advances in electric transit in this decade).

The Washington Administrative Code squarely mandates that such "significant impacts" **since** the 2011 FEIS – along with others imposed by **recent** actions of the Federal Highway Administration and of WSDOT – **must** be analyzed in a genuinely comprehensive fashion that "shall include the cost of and effects on public services, such as utilities, roads, fire, and police protection, that may result from a proposal," and that "shall also discuss significant environmental impacts upon land and shoreline use, which includes housing, physical blight, and significant impacts of projected population on [natural-and-built] environmental resources," as stated by WAC 197-11-400(6)(e).

Further, significant narrowing of lane widths in the I-90 corridor between Seattle and Bellevue to accommodate two-way operations for Metro and Sound Transit buses, after R8A is finished, will add to traffic congestion due to reduced speeds at which vehicles can operate **safely** – especially large trucks using that vital route between central-and-eastern Washington and the Port of Seattle – in a manner certain to create negative impacts for Mercer Island (again requiring real care in an assessment of quintessential data that was simply **un**available when initial environmental review was undertaken, before and in 2011, but that shall become feasible soon after R8A is completed).

Still further, numerous other post-2011 developments of paramount importance to **all** 5.7 million beneficiaries of the **state constitutional trust** oblige supplemental environmental study of those clearly altered circumstances, including: a major diversion of cross-lake traffic from state tolling of the SR 520 bridge; resultant necessity to establish, **objectively**, whether **all** I-90 assets may be needed for constitutionally intended "highway purposes," whether **already** or at some point over the **75-year lease period** now being negotiated by WSDOT for non-"highway purposes," and, if so, whether **all** monies to be collected for non-"highway uses," *cum* **all** costs for reversion to HW use when thus needed, could be ensured to protect beneficiaries of the **state constitutional trust**, fully, through guarantees in fact and in law of the full and fair market value for multibillion-dollar infrastructure now rapidly increasing in value, as the state has begun to monetize trust properties, during an up-to-75-year term, pursuant to legal obligations of **heightened prudence** and of **total loyalty** as imposed on the state *qua* a trustee by state law; establishment of **all** costs resulting from premature aging of costly I-90 bridge assets from degradation of internal rebar and separations of steel from concrete due to constant flexion from gigantic weight transfers as 160,000 pound 'light rail' vehicles drop onto and rebound from floating structures, and from post-tensioning identified, **only eight days ago**, through **irregular** after-the-fact funding, *inter alia*, given trust assets' rising FFMV; review of attachment of rails to a floating bridge, ***via* glue**, rather than standard anchoring, for federally required "guard rail" functions to prevent derailments and likely drownings of Link riders; and assessment of adverse impacts on roads and streets from vehicles rerouting from the I-90 corridor, due to much greater congestion resulting from toll-based diversion by the state from SR 520 to I-90, as well as from removal of center-lane facilities for any non-"highway purposes."