



117 E. Louisa St. #1
Seattle, WA 98102-3278

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Mayor Ed Murray
601 Fifth Ave., Floor 7, P.O. 94749
Seattle, WA 98124-4749

City Councilmember Rob Johnson
601 Fifth Ave., Floor 2, P.O. 34025
Seattle, WA 98124-4025

Scott Kubly, Director
Seattle Department of Transportation
P.O. Box 34996
Seattle, WA 98124-4996

Ray Hoffman, Director
Seattle Department of Public Utilities
P.O. Box 34018
Seattle, WA 98124-4018

**REQUEST FOR AN END TO YEARS OF FLOODING ON SDOT RIGHT-OF-WAY
ONTO THE CHESHIAHUD LAKE UNION LOOP WALKWAY, PUBLIC PARKING,
AND THE PROPERTY OF UNITED STATES SEAFOODS**

To Mayor Murray, City Councilmember Johnson, and directors Kubly and Hoffman:

We are writing urgently to request an end to years of delay in stopping the flooding within and from SDOT's Fairview Avenue East right-of-way in part of the 1800 and 1900 blocks of the Fairview Avenue East right-of-way (between E. Blaine and E. Newton streets). This flooding became serious about three years ago. It is inundating the Cheshiahud Lake Union Loop pathway, its landscaping, an important public parking area, and a driveway needed to access the area.

This part of Fairview was created on fill, and while that may help explain the worsening drainage, it also means that failing to correct the flooding is compounding damage that will be increasingly expensive to fix. Years of visits to the site by lower level City staff from at least four different departments have seemingly come to nothing. When will our City's leaders take responsibility for a solution?

History. SDOT's Fairview Avenue East right-of-way on this block is about 120 feet wide, and for generations it lacked clearly defined and safe traffic lanes and its west (Lake Union) side lacked a separated walkway, designated driveways, or an efficient public parking layout (there were only two parking rows). In accordance with a conceptual plan (pp. 63 and 111) in the City-sponsored [1994 Eastlake Transportation Plan](#) and as mitigation for the City's combined sewer overflow project, SPU in 1997 installed with SDOT approval the current asphalt

pathway; wheel stops and curbed, landscaped buffers; and an optimized parking layout with three rows of parking and consolidation of entry into just three driveways. The pathway and the line of vehicles parked on its street side also helped to narrow the traffic lanes to a safer width.

The 1998 Eastlake Neighborhood Plan (click [here](#)) and the Mayor and City Council's unanimous 1999 Approval and Adoption document (click [here](#)) called for a safe lakeside walking and bicycling route through the Eastlake neighborhood. In 2009 the Mayor and City Council extended this goal to the rest of Lake Union with the joint SDOT/Seattle Parks and Recreation Department [Cheshiahud Lake Union Loop Master Plan](#) (p. 51 of the plan calls this segment between Blaine and Newton a "popular walking and biking route").

There is no flooding problem if we consult the City's [web site](#) which states that the Cheshiahud Lake Union Loop "creates safe and attractive access to the lake for all Seattleites"; "celebrates the rich and varied history of Lake Union and its ties to Seattle's maritime and industrial past, present and future"; and "enhances the vitality and livability of neighborhoods surrounding the lake, the City, and the Seattle region." But this segment of the Cheshiahud Lake Union Loop strikes out on all three counts: not safe or attractive for pedestrians, bicyclists, or drivers; not respectful of marine or industrial businesses; and not enhancing of the Eastlake neighborhood's vitality or livability.

Risk of accident. Pedestrians and bicyclists who would otherwise use the pathway are forced by the flooding into the path of motor vehicles; click [here](#) for a video of a large group of students and teachers walking in the roadway. Motorists and cyclists who may try to pass through the water are also at risk because in some places it is almost two (!) feet deep—enough to stall and even drown in. Are Seattle's risk managers aware of the danger to human life and limb from the flooding itself and from how it forces pedestrians and bicyclists into the roadway?

Public health and water quality. The stagnant water attracts trash, organic chemicals, metals, animal excrement, and all manner of germs. It is a danger to public health and to the quality of water in Lake Union. That this unhealthy reservoir is allowed to persist on City right-of-way suggests that government won't regulate itself as tightly as it does private land, where it would be quick to impose a citation and cleanup order for such conditions.

Drainage improvements. It is ironic that Seattle Public Utilities (in 1997, as explained above) built this block's pathway and parking area, because the drainage design was clearly inadequate and has become worse over the years. SDOT also bears some responsibility for the design and approval. SPU and SDOT must assume financial responsibility for a fix, including not only drainage structures, but also regrading the parking area and installing a new gravel or paved surface to facilitate runoff and fill the current huge potholes.

And SPU and SDOT must also install several catch basins and connect them to the nearby City pipes. There are few catch basins on the west side of this block, and almost none on the eight blocks of Fairview Avenue East just to the north that SDOT classifies as a Green Street. There, while flooding is less severe, in places it dangerously interferes with the ability of pedestrians to walk in the street. Walking in the roadway of the Green Street segments of Fairview is directed by SDOT's [Right-of-Way Improvements Manual](#) and by the Cheshiahud Lake Union Loop [Master Plan](#), but the City government must provide drainage so that promise to pedestrians is meaningful.

This parking is critically needed. City staff have stated that the public parking places being blocked and damaged by the flooding are not a significant concern. They are sadly mistaken, and lacking historical perspective, as the City improved the public parking in 1997 because it was badly needed—a need which has grown as City policies have eliminated parking places while increasing the demand for them.

The 2009 Cheshiahud Lake Union Loop [Master Plan](#) (p. 51) in its section about this segment of the Fairview Avenue E. right-of-way states that the “on-street parking for floating homes and businesses is highly valued.” Indeed, the nearby floating homes and marine businesses like United States Seafood and Lake Union Drydock have little on-site parking of their own, and they need this parking, free of flooding, regraded and resurfaced. The parking is also widely used by other Eastlake residents and businesses.

Repairing the pathway offers opportunity. The flooding seems to have caused the walkway to sink, and it will need to be built up again. Doing so offers an opportunity to improve the walkway from what was built in 1997. The 2009 Cheshiahud Lake Union Loop [Master Plan](#) (p. 51) recommends that the pedestrian walkway on this block be “widened and better graded with special paving.” We urge that an improved design for the walkway on this block be developed with full involvement by the community and adjacent businesses.

City has failed United States Seafoods. It is unfortunate that City government's failure in the original design of this public right-of-way and failure at timely correction have victimized United States Seafoods, a valued Eastlake business and leader in the fishing industry. The flooding makes it difficult for the company to access its property, and could be damaging the foundations of its buildings and paved areas.

United States Seafoods has spent untold amounts of time and money in years of trying to convince City officials to do what they should have done without prompting—to act, and act quickly. The flooding, damage, and risk to the public would be more had United States Seafoods not been regularly pumping the City's wastewater into the lone nearby City catch basin and had it not taken other safety measures. The City owes the company thanks, an apology, possibly some compensation—and most importantly, RESULTS.

Conclusion. Please recognize the urgency of this flooding problem and the increasing damage in the following ways: (1) acknowledge that it is a City problem whose solution requires a prompt and probably large investment of City funds; (2) design, fund, and construct soon a permanent solution to the flooding; (3) restore the Cheshiahud Lake Union Loop pathway, the adjacent plantings, and the public parking to their former safety, convenience, and attractiveness; and (4) in doing so, collaborate with our community and businesses to a degree we have not yet seen.

Sincerely,



Christopher K. Leman, President
Eastlake Community Council
info@eastlakeseattle.org
<http://eastlakeseattle.org>
(206) 322-5463

cc: Seattle Department of Parks and Recreation
Seattle Office of Economic Development
Feet First
United States Seafoods
Lake Union Drydock