



May 19, 2025

TO: Statewide Real Estate Services and Mega Programs

FROM: Robin Curl, Property Management Program Manager

SUBJECT: 2025-02-RES Park and Ride Disposal/Closure Requirements

The purpose of the memorandum is to establish a new policy describing the requirements of closing or disposing of a park and ride facility.

**Background.**

Under state law, the Washington State Department of Transportation (WSDOT) may determine that real property owned by WSDOT and under its jurisdiction is no longer required for transportation purposes and, if it is in the public interest to do so, WSDOT may sell or exchange it under RCW 47.12.063 or other applicable enabling authority.

Under federal law, 23 CFR 710.409(a), excess real property outside or within the approved right-of-way limits or other project limits may be sold or conveyed to a public entity or private party. Approval by the Federal Highway Administration (FHWA) is required for disposal of excess real property unless otherwise provided by federal regulation or in the FHWA-WSDOT Stewardship/Oversight Agreement.

Park and ride facility requirements are found in [23 U.S.C. 137](#) and [23 CFR 810.106](#). Under 23 CFR 810.106(a)(6), FHWA must receive assurance from the State that the facility will remain in public ownership as long as the facility is needed and that any change in ownership shall have prior FHWA approval.

23 U.S.C 137 (note)<sup>1</sup> provides that: “A State transportation agency may relinquish park-and-ride lot facilities or portions of park-and-ride lot facilities to a local government agency for **highway purposes** if authorized to do so under State law if the agreement providing for the relinquishment provides that “(1) rights-of-way on the Interstate System will remain available for future highway improvements; and “(2) modifications to the facilities that could impair the highway or interfere with the free and safe flow of traffic are subject to the approval of the Secretary [of Transportation].”

---

<sup>1</sup>[Pub. L. 114–94, div. A, title I, §1423, Dec. 4, 2015, 129 Stat. 1425](#)

## **Disposal/Closure of Park and Ride Facilities**

Prior to closing and/or disposing of a park and ride facility WSDOT must consider all approved uses of the facility and evaluate if and how these services will be provided if the facility is closed or disposed of. Consult the environmental documents to determine the original purpose of the facility. Review all subsequent agreements executed since the facility was originally acquired. The following are considerations as part of this evaluation:

- After considering the requirement for parking spaces from the environmental documents, perform a traffic count to determine current utilization.
  - If the facility is underutilized for parking, can changes be made to improve utilization (e.g. improve security, sanitation, etc.)
  - If the facility is closed or disposed of, how will the public currently using the facility for park and ride parking be accommodated? Are there alternative locations nearby that could accommodate this need?
- Does the facility include other services such as electric vehicle charging stations? How were those stations funded?
  - Federal Transit Administration (FTA) funding.
  - Federal Highway Administration (FHWA) funding.
- Perform an assessment to determine the utilization of the charging stations. If the facility is closed or disposed of, how will the loss of charging services be accommodated?
- Are agreements in place to utilize the facility as a staging point for evacuations? If so, how will this service be accommodated if the facility is closed or disposed of?
- Are there current public transit services that use the facility? If so, what are WSDOT's obligations (if any) to the transit agency?
- What funding source was used to acquire the facility? Are there any additional requirements to consider due to those funding sources, including but not limited to:
  - FTA
  - Congestion Mitigation and Air Quality (CMAQ) funding.
  - FHWA
  - Any other funding not listed above.

In addition to the items above related to the authorized purpose and use of the facility, the following should also be considered:

- Work with WSDOT's Rail, Freight, and Ports Division to evaluate opportunities to convert the facility into a truck rest facility (semitruck parking).
- Explore options for converting the facility into a transit-owned park and ride facility.

- Assess if closure of the facility will trigger closure of other facilities.
- Consider what the future potential land use for the property will be and evaluate how this will impact highway operations.

After completing the above assessment, WSDOT shall determine if it is appropriate to close or dispose of the facility. If WSDOT determines that disposal is appropriate, the standard disposal process shall be followed, including the items shown below:

1. Provide public notice and allow for public input regarding the closure of the facility.
2. A disposal triggers NEPA, NEPA documentation or the Environmental Checklist must be attached to the disposal review to assess the impacts of closing the facility and the elimination of the parking stalls.
3. Analyze whether mitigation is required to compensate for loss of the use of the facility. Potential mitigation examples include repayment of federal share; no repayment of federal share; expansion of a nearby facility; and/or construction of a new facility along the interstate in the general area.

Should WSDOT determine the facility can be disposed of or transferred for continued park and ride purposes, WSDOT must follow the standard disposal process through the region's real estate office. The facility can be disposed of for either fair market value or for less than fair market value in consideration of continuity in use.

Should the facility be disposed of for fair market value, no restrictions are placed on the property.

If the facility is sold at a reduced value in consideration of the park and ride and stall count requirements, the conveyance document shall contain a mandatory stall count and a reversionary clause stating that in the event the property ceases to be used for continued park and ride purposes, title reverts to, and vests in, WSDOT.

Any additional restrictions on the facility must be documented in writing either in the conveyance document or by agreement.

This is a new policy which will be included in the Right of Way Manual M 26-01. Headquarters is in the process of updating the appropriate chapter of the Right of Way Manual to reflect this new policy.