



CHAPTER 9 - EIS COMMENTS AND RESPONSES

What is in Chapter 9?

This chapter discusses the comments received during public comment periods for the Alaskan Way Viaduct Replacement Project 2004 Draft EIS, 2006 Supplemental Draft EIS, and 2010 Supplemental Draft EIS. This chapter also presents the lead agencies' general approach to reviewing and responding to these comments. All the comments received and the lead agencies' formal responses are included in Appendix S and Appendix T of this Final EIS.

1 How did the public comment on the 2004 Draft, 2006 Supplemental Draft, and 2010 Supplemental Draft EISs?

As required by the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA), each published Draft Environmental Impact Statement (EIS) had a public comment period when the public, agencies, and interested tribes were given an opportunity to provide comments on the document. Each comment period was at least 45 days long. The dates that the EISs were issued and the first day of the comment period for each EIS are shown below:

- Draft EIS – March 31, 2004
- Supplemental Draft EIS – July 28, 2006
- Supplemental Draft EIS – October 29, 2010

Copies of the EISs were distributed to agencies, tribes, libraries, and members of the public, including elected officials and community organizations. The environmental documents were also available online at the project website for review and comment.

Public hearings and open houses were conducted during the comment period for each EIS. At the public hearings, both oral and written comments were accepted. The hearing dates and locations are listed below:

2004 Draft EIS

- April 27, 2004 – Downtown Seattle
- April 28, 2004 – West Seattle
- April 29, 2004 – North Seattle

2006 Supplemental Draft EIS

- September 7, 2006 – Downtown Seattle
- September 12, 2006 – West Seattle
- September 13, 2006 – Ballard
- September 14, 2006 – Downtown Seattle

2010 Supplemental Draft EIS

- November 16, 2010 – West Seattle
- November 17, 2010 – Ballard
- November 18, 2010 – Downtown Seattle

Comments were also accepted through e-mail, regular postal mail, and on comment forms distributed by mail and available at the public hearings.

2 How many comments were received?

All public, agency, and tribal comments received during the public comment periods and lead agency's responses are provided in Appendix S, 2004 Draft EIS and 2006 Supplemental Draft EIS Comments and Responses, and Appendix T, 2010 Supplemental Draft EIS Comments and Responses.

The number of submitted items (e.g., letters, e-mails, comment forms, oral transcripts) received for each EIS during the public comment periods are presented in Exhibit 9-1.

**Exhibit 9-1
Number of Submitted Items**

Type of Commenter	2004 Draft EIS	2006 Supplemental Draft EIS	2010 Supplemental Draft EIS
Federal Agency	4	5	5
State Agency	5	1	2
Local Agency	11	7	7
Tribe	2	0	0
Community Organization	46	13	25
Business	18	4	5
Hearing Transcript	38	17	11
Individual	546	131	158
Total	670	178	213

Each submitted item (e.g., letter from an agency) was delineated into individual comments by topic. The result was more than 3,200 comments for all the EISs.

3 What happened to the comments received on the 2004 Draft and 2006 Supplemental Draft EIS?

The lead agencies have read and responded to all comments received on the 2004 Draft EIS and 2006 Supplemental Draft EIS. In some cases, comments are addressed by sections in the EIS that have been revised. In other cases, the responses refer the commenter to existing text that addresses the concern.

The project has evolved considerably since the publication of these two environmental documents; some of the comments refer to project components that are no longer being considered, or the comments do not reflect the project's current definition. Because the project has

Appendix A, Public Involvement Discipline Report

Appendix A discusses public outreach and involvement activities leading up to and during construction of the project.

Appendix S, 2004 Draft EIS and 2006 Supplemental Draft EIS Comments and Responses

Appendix T, 2010 Supplemental Draft EIS Comments and Responses

Appendices S and T contain all comments received and lead agency responses.

changed over the past several years, a good portion of these comments are out of date. For a comment that is outdated, the responses generally provide a project update and locations of current project information that relates to the comment. Specific responses are provided when the comment references a component of the project that is current and evaluated in the Final EIS.

Many of the comments received on the 2004 Draft EIS helped the lead agencies to refine the proposed build alternatives. Examples are provided below:

- Elimination of Battery Street Flyover Detour – There were numerous comments about the detrimental effects from the Battery Street Flyover Detour proposed in the 2004 Draft EIS. The lead agencies considered these objections and took a closer look at the detour. As the design for the Cut-and-Cover Tunnel and Elevated Structure Alternatives moved forward, the Battery Street Flyover detour was eliminated.
- Consideration of Construction Plans – The 2004 Draft EIS considered only one construction plan, and many people asked the lead agencies to consider more than one, primarily to see if there was a feasible way to build the project in a shorter amount of time. In response, the 2006 Supplemental Draft EIS evaluated three different construction plans to give people an idea of what could be done to alter the duration of construction. Since then, the construction approach for each build alternative has been further refined and is presented in Chapter 3 of this Final EIS.
- Addition of a Tunnel Lid – A lid was incorporated into the design of the 2006 Cut-and-Cover Tunnel Alternative in part due to the numerous comments on the 2004 Draft EIS requesting the lead agencies to consider a lid in the Pike Place/Belltown area. The current design for this lid structure is described in Chapter 3 of this Final EIS as a component of the Cut-and-Cover Tunnel Alternative.

From the many comments on the 2006 Supplemental Draft EIS, the lead agencies identified two key themes:

- There is widespread concern about the duration and intensity of effects from construction. Members of the public, business owners, and government agency officials all were interested in finding better ways to avoid and minimize the extensive construction effects that were anticipated.
- The public has comments and questions about other concepts not considered as build alternatives in the EIS. These concepts include retrofitting, other types of elevated structures, and surface street concepts.

These themes, other 2006 comments, and the project events that have taken place since then contributed to the Bored Tunnel Alternative analyzed in the 2010 Supplemental Draft EIS and the build alternatives analyzed in this Final EIS.

4 What did the lead agencies learn from the comments received on the 2010 Supplemental Draft EIS, and how did they respond?

The lead agencies reviewed all of the comments received during the 2010 Supplemental Draft EIS comment period. As needed, some factual corrections and language clarifications were made to this Final EIS. The lead agencies prepared formal responses for all the comments received, and they are presented in Appendix S, 2004 Draft EIS and 2006 Supplemental Draft EIS Comments and Responses, and Appendix T, 2010 Supplemental Draft EIS Comments and Responses.

For the 2010 Supplemental Draft EIS, the lead agencies identified almost 20 different topic categories that received 10 or more comments. This indicates that the interests and concerns surrounding this project vary greatly. Many comments were statements of either support of or opposition to the project or particular alternatives; some focused on the redevelopment of the waterfront once the existing viaduct is removed; and others expressed concerns about the effects of the project to historic

buildings in the project area. Some of the categories that received the most comments are discussed below:

Alternatives

These comments include statements suggesting that more work should be done to identify other possible alternatives or to further refine or modify the current build alternatives. Some comments question the revised purpose and need statement and identification of the Bored Tunnel Alternative as the preferred alternative; others indicate concern that building a bored tunnel is too risky. Several commenters want the surface and transit hybrid scenario evaluated as one of the build alternatives.

The lead agencies have studied a wide range of possible viaduct replacement options as documented in the 2004 Draft EIS, the 2006 Supplemental Draft EIS, the 2010 Supplemental Draft EIS, and this Final EIS in Chapter 2. The alternatives development process has been subject to extensive public review. In addition, due to continued interest from some individuals and groups in a surface and transit hybrid concept, the lead agencies evaluated transportation effects of a surface and transit hybrid to test the rationale for screening it out; see Chapter 2, Questions 6 and 7 for this discussion.

Many comments indicate people's support of the Bored Tunnel Alternative and the open waterfront that this alternative would provide. Along with support that a preferred alternative had been identified, many commenters expressed a desire for the project to start construction as soon as possible.

The Bored Tunnel Alternative has been identified as the preferred alternative because it best meets the project's stated purposes and needs, and it has received support from diverse interests. Specifically, the Bored Tunnel Alternative avoids substantial closure of SR 99 during construction, and it can be built in a shorter period than the other build alternatives.

The bored tunnel will be built to meet current seismic safety standards. Tunnel design includes improving

relatively soft, liquefiable soils found near the south tunnel portal. In addition, the alignment of the bored tunnel through the central waterfront area runs under First Avenue through soil that is more compact than the soil found adjacent to the Elliott Bay Seawall.

Tolling

The possibility of tolling the viaduct's replacement facility has become one of the main areas of interest of this project. The lead agencies received many comments focused on tolling. There are comments that speak about traffic effects of tolling as drivers attempt to avoid the toll by diverting onto adjacent surface streets. Other comments express the opinion that tolling the viaduct should be part of a regional tolling strategy. Comments about the cost of the toll were also received. In general, the tolling comments request that the lead agencies provide more information about how the toll would be implemented and what its associated potential effects would be.

The general response to tolling comments is that this Final EIS evaluates all of the build alternatives with tolls or without tolls. WSDOT will be working with the Seattle Department of Transportation and other agencies to refine and optimize how to toll the facility in a manner that minimizes traffic diversion to city streets. A Tolling Advisory Committee has been formed to monitor and provide input to the decision-making process (as described in Chapter 8, Question 1).

Project Costs

Among the common financial comments, there are many comments about the potential for cost overruns and concern about who would pay for them. Other comments question building a costly tunnel given the state's current economic crisis. Questions about the project's funding plan are also expressed.

The lead agencies' response to these comments is that they are taking steps to manage the risks and prevent cost overruns. The Bored Tunnel Alternative is estimated to cost \$1,960 million. Extensive planning and analysis has

been completed to minimize the potential for cost overruns, and contingencies are included in the project's cost estimates.

The Washington State Legislature authorized funding to replace the Alaskan Way Viaduct in 2009 (RCW 47.01.402). WSDOT is authorized to obligate \$2.8 billion for the project. In order to fund this obligation, the legislation identified two sources of funding: state funding of \$2.4 billion and toll funding of \$400 million. In the absence of toll funding, new or reprioritized federal, state, or local funding sources would be necessary.

Construction

Many people commented on the long construction period required for this project. In general, people are concerned with the negative effects of construction (traffic, noise, and lack of access, for instance) on businesses and residents. There is concern that some businesses would not be able to survive the economic disruption during project construction.

In response, it is acknowledged that the construction period for this project would be relatively long, but the lead agencies are committed to implementing mitigation measures to address construction-related effects, as discussed in Chapter 8. A major benefit of the Bored Tunnel Alternative is that it has the shortest, least disruptive construction plan of all the build alternatives. With this alternative, only a several-week closure would be required to connect SR 99 with the new bored tunnel and ramps. The result would be less intense construction effects to nearby businesses and residents, and fewer traffic-related effects, as fewer road closures and detours would be necessary.

Transportation

Capacity and Access

Many people commented on each alternative's capacity and questioned the new facility's ability to accommodate all the projected traffic. Other comments in this category are concerned with the alternatives' ability to provide access to the downtown core, or the effects of increased

traffic in the areas near the tunnel portals, such as pedestrian-oriented Pioneer Square. In addition, several of the comments in this category are from transit agencies asking the lead agencies to more fully discuss transportation operations related to capacity, access, and transit operations.

In response, one of the several purposes identified in the project's purpose and need statement (Chapter 1, Question 5) is to provide capacity for automobiles, freight, and transit to move people and goods efficiently to and through downtown Seattle. All of the build alternatives were evaluated against this purpose, and they meet it to varying degrees.

The lead agencies know that public transit will continue to be an important component of transportation in the project corridor. Chapter 5 presents information on transportation operations along major transit corridors, and Chapter 8 discusses mitigation for effects related to tolling.

Parking

The temporary and permanent loss of parking spaces along the central waterfront is also a topic of concern for those who provided comments. The parking spaces underneath the existing viaduct are an amenity that many are concerned about losing. The availability of parking during construction for events in the stadium area is also a concern.

In response, the lead agencies recognize that businesses along the central waterfront, Western Avenue, and Pioneer Square rely on the short-term parking in the area. The City of Seattle Department of Transportation, in coordination with the project, has conducted parking studies as part of the process to develop mitigation strategies and better manage the city's parking resources. The City of Seattle Department of Transportation's studies identified a number of strategies to offset the loss of short-term parking in this area, including providing new or leased parking and working to increase utilization of existing parking.