



September 22, 2006

Kate Stenberg
WSDOT, Environmental Manager
Alaskan Way Viaduct and Seawall Replacement Project
999 Third Ave, Suite 2424
Seattle, WA 98104
Via E-mail: awvsdeiscomments@wsdot.wa.gov

Re: Alaskan Way Viaduct and Seawall Replacement Project - Supplemental Draft Environmental Impact Statement

Dear Ms. Stenberg,

Thank you for the opportunity to comment on the *Alaskan Way Viaduct and Seawall Replacement Project Supplemental Draft Environmental Impact Statement (SEIS)* dated July 2006.

People For Puget Sound is a nonprofit, citizens' organization whose mission is to protect and restore Puget Sound and the Northwest Straits, including a specific goal to protect and restore the 2,000 miles of Puget Sound shoreline by 2015.

People For Puget Sound's overall goal for the viaduct/seawall replacement is the creation of great waterfront for both people and wildlife. We have a number of specific goals that will help make Seattle the first environmentally sensitive urban waterfront in the world:

C-055-001

- *A continuous fish migration corridor along the waterfront for juvenile salmon and other species.* Two to twelve million juvenile salmon exit the Duwamish River annually. Many of them migrate along the waterfront on their way out to the Pacific Ocean. These juvenile fish need shallow water areas, food, resting places and respite from predators. Artificial and natural means of fish passage and habitat should be provided for them.

C-055-002

- *30% habitat for the central waterfront.* In order to provide a minimum amount of habitat in Elliott Bay, which is the estuary of the Duwamish/Green Watershed, we advocate for the construction and restoration of at least 30% habitat in each shoreline segment of the bay.

C-055-003

- *Opportunities for the public to touch, feel, and sense the water.* Areas where people can get down the level of the water, such as beaches, will allow the public to feel connected to Elliott Bay and Puget Sound. In addition, the Seattle Aquarium and others could develop environmental educational experiences at the water's edge at created coves, tidepools, and beaches.

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C-055-001

The extensive shoreline modifications along the Seattle waterfront are a result of the historic industrial and commercial activities occurring in the area, and these activities will continue to be the primary uses of the waterfront under all the build alternatives. While the Seattle waterfront is currently highly modified, with limited shallow water habitat and extensive overwater structures, salmon and other species continue to access and utilize the available habitat. In addition, there is extensive shallow water beach habitat around Elliott Bay, providing an array of alternative forage, resting, and protection functions for these species.

If the preferred Bored Tunnel Alternative is selected, replacement of the seawall would occur under a separate project, the Elliott Bay Seawall Project, led by the City of Seattle. If the Elevated Structure Alternative or Cut-and-Cover Tunnel Alternative is selected, the proposed seawall replacement process would occur entirely landward of the existing seawall, resulting in no changes to the existing nearshore habitat.

The project will include some in-water work to provide temporary access during the construction process. Therefore, project biologists and engineers coordinated with the resource agencies and other interested parties to address the fish habitat concerns along the Seattle waterfront, and identify potential mitigation opportunities for specific project impacts. The City of Seattle is currently evaluating the effectiveness of several different habitat enhancement panels, which could be attached to the seawall face to increase and improve aquatic habitat conditions along the waterfront.

C-055-002

The project engineers and biologists have coordinated with the resource agencies and interested parties to identify appropriate mitigation for project-related impacts to aquatic habitat along the central waterfront. We anticipate that this collaboration will result in full and appropriate

C-055-004

- **Clean water and sediment.** It is imperative that Seattle clean up both the water and the sediment/soil in the waterfront area. The nearshore of the central waterfront is now designated as critical habitat for endangered Chinook salmon and bull trout. In addition to habitat, these areas need to be cleaned up so that they can be removed from the state's list of impaired waterbodies (303(d) List).

We previously submitted comments on the project's DEIS. Additional comments based on the SEIS (review of the SEIS and 11 of the appendices) as well as the current Viaduct/Seawall replacement public process follow:

C-055-005

1. **Urgency.** The current viaduct structure is aged and damaged and must be torn down. The city and state need to make a decision quickly for public safety and because delays contribute to larger costs (increasing concrete and steel costs, for examples). The seawall is in bad shape. Further delays will lead to increased costs for *any* of the selected options. We urge that the state and city move quickly to raise funds and finalize plans.

C-055-006

2. **Transit.** Transit projects are critical for the success for the new waterfront. The SEIS does show a *dramatic* increase in plans for transit. This is a huge deficit.

C-055-007

3. **Consideration of other alternatives.** Other transportation solutions such as improving I-5, a bore tunnel, a smaller cut and cover tunnel, and a no replacement option that integrates *traffic* into the downtown grid have been seriously proposed. These options have been discounted by viaduct/seawall project staff without a full vetting through a public process. The lack of full discussion has already caused roadblocks (and thus delay) to the resolution of final choice. In many places these alternatives have been addressed as options that the "project partners decided..." should be rejected. Because the public has not been fully engaged in the process, more delays will likely occur. We urge the project staff to more fully provide opportunities for genuine and full discussion of all options. In addition, the *full* costs and benefits, including long term environmental costs and benefits, should be described.

C-055-008

4. **Seawall replacement.** We object to the basically uniform seawall replacement method that is described in the SEIS. To reach the goal of continuous fish migration corridor and 30% habitat, a more diverse set of options should be described for seawall replacement, including areas where the wall is set back, terraced, and where jetty walls, pocket beaches and larger beaches are incorporated into a more innovative set of solutions.

C-055-009

5. **Stormwater treatment.** Clean water is critical for an environmentally sensitive waterfront. The SEIS does not include a list of proposed BMPs for stormwater treatment and *management*, as we requested in our previous letter. How can we evaluate the adequacy of the DEIS/SEIS without specific proposed actions to review?

mitigation for such project impacts. This mitigation is expected to improve fish habitat conditions in the area, and when combined with other independent restoration projects (completed, in progress or expected to occur in the near future), will help to reach the 30 percent restoration goal for the waterfront segment.

C-055-003

Neither beach creation nor direct contact with the water will likely be part of the project. Note that, if the preferred Bored Tunnel Alternative is selected, the City of Seattle would lead a project to replace the Elliott Bay Seawall.

C-055-004

This project will reduce water quality impacts to Elliott Bay through the proposed stormwater management approach which will treat a portion of the currently untreated stormwater from the project area with water quality BMPs that meet the basic requirements, as defined in the 2005 Ecology Manual. There are no project commitments to remediate contaminated sediment/soil in Elliott Bay; however, contaminated sediment will be removed where necessary to install the new seawall. The contaminated sediment will be disposed of at an approved off-site facility.

C-055-005

The lead agencies fully agree the need for improvements is urgent and are endeavoring to move the project ahead expeditiously.

C-055-006

The construction mitigation measures include funding for some increased bus service in the West Seattle, Ballard/Uptown, and Aurora Avenue corridors during the initial portions of the construction period, as well as a bus travel time monitoring system. This mitigation program will

- C-055-010** | 6. **Overwater coverage.** The SEIS identifies two areas where structures will be created that overhang the water: the new overhanging sidewalk and the Washington Street Boat Landing in the Pier 48 area. These two projects are not replacement (i.e., are grandfathered in) for existing overhangs because these are new projects in new locations. Therefore, we strongly object to these. Overwater coverage, especially in shallow water areas, must be minimized.
- C-055-011** | 7. **Inadequate mitigation.** Updated mitigation measures are provided in the SEIS for many resources such as historical structures and social services but not for Fish, Aquatic Resources and Water Quality. In addition, adequate mitigation is not described for businesses that will be seriously impacted by construction.
- C-055-012** | 8. **Pier 48.** The SEIS describes plans to purchase Pier 48 but offers no evidence that Port of Seattle has *agreed* to the sale. This uncertainty is a serious concern given that much of the proposed plan depends on that purchase.
- C-055-013** | 9. **4(f) resources.** Why was Elliott Bay not listed as 4(f) resource?
- C-055-014** | 10. **Minimally described information.** We would like to see electronic copies of the following reports which ideally would have been included as appendices to this SEIS:
- a. August 2005: SPU's "Drainage and Wastewater Feasibility Study for the Alaskan Way Viaduct/Seawall Final Report"
 - b. 2005: Geotechnical and Environmental Data Report (Shannon and Wilson)
- C-055-015** | 11. **Ultrafine particles.** Recent studies of air pollution near major highways in other areas of the *country* show serious human health problems associated with ultrafine particles. WSDOT should include information and mitigation related to the elevated levels of ultrafine particles associated with this transportation project.
- C-055-016** | 12. **Contaminated groundwater, sediment and soil.** According to previous documents as well as Appendix U of the SEIS, the area proposed for construction is a toxic stew of contaminants. These areas must be thoroughly cleaned up as part of this project. Of particular concern is contaminated groundwater that flows into Elliott Bay. The SEIS does not address how these contaminated groundwater plumes will be addressed so that contaminated flows are stopped and also so that the construction project does not further concentrate/channelize flows and make the problem worse.
- C-055-017** | 13. **Additional documentation.** On page 15, in Appendix R (Fisheries, Wildlife and Habitat Discipline Report), the report states "No new site-specific information identifying *salmon* resources of the project areas has been identified since the Draft EIS was prepared..." There have been, however, a number of studies performed as part of the new Seattle Art Museum Sculpture Garden project and these should have been included and described.

also include information about travel alternatives and incentives to encourage use of transit, carpool, and vanpool programs. Refer to Chapter 8 Mitigation of the Final EIS for more information.

C-055-007

All of the alternatives suggested by this comment, and many others, have been considered during the course of project development. We respectfully disagree that the public has not been engaged or given the opportunity to understand and discuss these choices. There have been literally hundreds of presentations to community groups and dozens of public meetings where information has been freely shared and choices openly discussed. Further discussion of alternatives that have already been carefully considered would cause project delay. As stated above in paragraph one of your letter (C-055-005), the project is addressing an urgent need and delay will only increase costs and possible failure in a seismic event.

C-055-008

For the preferred Bored Tunnel Alternative, the seawall would be replaced under a separate project, the Elliott Bay Seawall Project, led by the City of Seattle. For the Elevated Structure Alternative and Cut-and-Cover Tunnel Alternative, it would be necessary to replace the seawall in approximately its current location because of the physical space constraints due to both the transportation functions and the existing underground utilities in the corridor. In the central waterfront, even with a wide right-of-way, the combined width of the tunnel and corridors for the extensive utility infrastructure do not afford any substantive left-over space. On the north waterfront, where the right-of-way is narrower, the surface transportation uses, which include a streetcar, wide sidewalks, bike paths, four lanes of traffic, and parking, leave no extra space to allow for setting back the seawall.

There are other projects planned for the waterfront, and the City is

C-055-018

Disappointingly, our concerns that we outlined in previous comments have largely not been addressed in this SEIS. Further, the SEIS does not provide forward-looking sustainable features that we expect from a project in Seattle – a national leader in sustainability. Areas that could have been addressed in more innovative and aggressive ways include air vents from the tunnel, habitat along the water’s edge, transit solutions, etc. Given the amount of money spent on design as well as special studies related to the viaduct and seawall replacement project, we would like to have seen more money devoted to sustainable solutions. Given that the waterfront is now designated as critical habitat for endangered Chinook salmon and bull trout we would like to see a more proactive approach devoted to providing real improvements along the water’s edge related to habitat and clean water.

C-055-019

Please add People For to the project’s distribution list, under “Business/Trade/Other Organizations.” Thank you for your consideration of our comments. I can be reached at (206) 382-7007 X215 if you have any questions or concerns.

Sincerely,

Heather Trim
Urban Bays Coordinator

working to provide guidance and policy for those projects to implement additional improvements of the kinds you have mentioned, where feasible. For example, the September 2006 Central Waterfront Master Parks Plan Final EIS from the Seattle Parks Department includes new beaches outboard of the seawall.

C-055-009

Stormwater will be managed in accordance with the applicable stormwater management regulations as described in the Final EIS. Specific BMPs will be identified during the design phase of the project.

C-055-010

In the 2006 Supplemental Draft EIS, only the Elevated Structure Alternative created new overwater coverage. The surface street design for the Elevated Structure Alternative has been revised between Pier 48 and Colman Dock, and there is no longer a new overhanging sidewalk. Both the Cut-and-Cover Tunnel and Elevated Structure Alternatives would replace the Washington Street Boat landing in a similar location and continue to shade Elliott Bay as it does today. Under the preferred Bored Tunnel Alternative, the configuration of the Alaskan Way surface street and the Washington Street Boat Landing would be a part of the Central Waterfront Project, a separate project led by the City of Seattle.

C-055-011

The Final EIS contains more mitigation measures for many areas of the environment. These mitigation measures have been developed with substantial input from people and businesses from the affected areas and are included in Chapter 8.

C-055-012

After publication of the 2006 Supplemental Draft EIS, the Port of Seattle

agreed to the purchase of Pier 48. WSDOT purchased the property in August 2008.

C-055-013

Section 4(f) as provided in 49 USC 303(c) refers to the “use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance.” Elliott Bay is a body of water that provides for a wide range of uses and ecological functions, including navigation, recreation, and habitat for to fish and wildlife, but it is not a public park, recreation area, or wildlife refuge and is therefore not regulated as a Section 4(f) facility.

C-055-014

Your request was filled via public disclosure request on February 21, 2007, and March 22, 2007.

C-055-015

Clean Air Fine Particle Rule is an EPA action designating areas with air quality that does not meet the health-based standards established in 1997 for fine particle pollution. Fine particles are particulate matter 2.5 micrometers in diameter and smaller and are also referred to as PM2.5. Currently, the Puget Sound region is in attainment for PM2.5.

Appendix M, Air Discipline Report, of the Final EIS presents potential project effects and mitigation measures with regard to particulate matter.

C-055-016

The project is not intended to thoroughly cleanup the waterfront. Investigations will be conducted to identify contamination during the design phase to plan for protection of project workers and the public during construction and to provide information necessary to make the

design protective of the environment (e.g., avoiding creation of preferential pathways and spreading of contamination, implementing engineering controls, etc.). Information from the investigations would also be available to responsible property owners and/or Ecology, so that they might plan for and implement remediation. The build alternatives will reduce the amount and/or mobility of contaminants along the waterfront. Soil improvement techniques (deep soil mixing and/or jet grouting) will reduce the mobility of contaminants in situ and where excavation occurs, the project will identify and remove contaminants that exceed regulatory criteria whenever they are encountered.

C-055-017

Thank you for this suggestion. Information from this project has been considered in the Final EIS Appendix N, Wildlife, Fish and Vegetation Discipline Report.

C-055-018

Many of the specific items listed in this comment are not part of this project and are being addressed through other agencies. The City of Seattle's Central Waterfront Project continues to examine a variety of ways in which habitat can be improved along the central waterfront. The seawall improvements planned as part of the Elliott Bay Seawall Replacement Project are compatible with and do not preclude these enhancements. Similarly, King County Metro, Sound Transit, and other transit agencies have been closely engaged in the planning process to ensure improvements provided by this project support their long-range plans. Also, note that the Bored Tunnel Alternative does not require air vents.

C-055-019

You will be added to the distribution list for the Final Environmental Impact Statement.