

From : Pete Delaunay [mailto:pete@delaunay.com]
Sent: Monday, April 12, 2010 4:49 PM
To: SR 520 Bridge SDEIS
Cc: 'Anne Preston'; 'wendy delaunay'; 'trish gasparich'; 'lynn rovig'; 'Torri Canda'; 'stacey hammond'; 'the jennings'
Subject: SR 520 DEIS Comment
Importance: High

**Portage Bayshore Association,
2524 Boyer Ave. E. -- Seattle, Washington 98102
www.portagebayshore.org**

April 12, 2010

TO: WSDOT – SR 520 DEIS
FR: Pete DeLaunay, President, Portage Bayshore Condominium HOA

RE: Opposition to WSDOT SR 520 DEIS and Construction Option A

C-013-001

The Bayshore property is located in the Portage Bayshore neighborhood of Seattle -- and just south of the existing Portage Bay viaduct -- on Boyer Ave. E. The Bayshore property is a community of 24 condominium units and 30 moorage slips, 15 of which are located under the building which extends over the water. The building's foundation/marina footings were installed when the building and marina was constructed in 1958. SR 520 construction will disrupt our property for several years. I am writing on behalf of condo and moorage slip owners to raise concerns about several topics not adequately addressed in the DEIS:

C-013-002

1. Noise Mitigation - The Bayshore property is well within 300 feet of the construction corridor at the Portage Bay viaduct. We request construction processes for noise mitigation during construction. **And bridge deck evaluation of 'quiet pavement' on the bridge vs. I-405 test; and use of sound walls on the sides of the Portage Bay viaduct.**

C-013-003

2. Bayshore Property Impacts: We request digital video of our current structure and mitigation for damage for dust/air quality from bridge removal as well as vibration on the Bayshore construction footprint/ pilings and the impact on the foundation and marina moorings.

C-013-004

3. Bayshore Marina Impact/ Access: The Bayshore property includes 30 moorage slips – just southwest of the existing SR 520 viaduct that accommodate recreational, non liveaboard, boats from 24ft to 40ft in length. We request mitigation of financial impacts and marina access.

C-013-005

4. Parking/Boyer Ave. Disruption: The Bayshore property owners and renters will be

C-013-001

Since the SDEIS was published, FHWA and WSDOT have developed a Preferred Alternative that is similar to Option A, but includes design refinements that respond to community and stakeholder comments on the alternatives and design options analyzed in the SDEIS. The modifications included in the Preferred Alternative are intended to respond to community and stakeholder concerns about the design options presented in the SDEIS. The Final EIS describes the environmental consequences and benefits of the Preferred Alternative, during both construction and operation of future transportation facility. WSDOT will continue to work with communities affected by the project, through the design and permitting processes, including the Portage Bayshore Association, to minimize, avoid, and/or mitigate construction and operation effects.

C-013-002

The Preferred Alternative includes a number of noise reduction strategies to manage noise in the SR 520 corridor, such as 4-foot concrete traffic barriers with noise-absorptive coating and a reduced speed limit on the Portage Bay Bridge. With these measures included, the number of residences where noise levels would exceed the FHWA noise abatement criteria would be reduced compared to the No Build Alternative. The Preferred Alternative does not include noise walls as mitigation in the Portage Bay area because either alone or included with these other noise-reducing elements, they are not feasible solutions according to FHWA and WSDOT noise mitigation criteria.

Quieter concrete pavement is included as a design feature for Option A, Option K, and the Preferred Alternative; however, because it is not an FHWA-approved mitigation measure and because future pavement surface conditions cannot be determined with certainty, it is not included in the noise model for the project.

- C-013-005** | impacted by parking, congestion and potential closures of Boyer Ave. With Delmar closed for 9-12 months, increased. We request mitigation of Boyer Ave. traffic impacts from heavy equipment.
- C-013-006** | 5. State Environmental Policy Act intentions: We request consideration of reclamation of the South Portage Bay environment. Original SR 520 construction affected the bay in many ways: silt build up, water quality, shoreline, native species, native plants, and salmon habitat. Reclaiming South Portage Bay with removal of silt, invasive plant life, restoration of shoreline (see www.fabnia.org) and better recreational access will provide an important dimension to Seattle's urban quality of life.
- Thank you for your attention and response to the issues we have raised on behalf of 40 owners who respectfully request your vigilance to mitigate impacts of the SR 520 project fairly.
- C-013-007** | We believe WSDOT is biased, as we believe local officials and agencies of government are under pressure from business interests anxious for mass cross-lake transit at any cost. Thus WSDOT has controlled the release of information only favorable to the least costly option.
- C-013-008** | Option A does not have the "broad-based support from local communities" that WSDOT asserts. The legislative workgroup's recommendation to put 7 lanes across Portage Bay, ignores our neighborhoods, and the Seattle City Council's resolution that calls for no more than 6 lanes.
- C-013-009** | Option A ignores our concerns to mitigate highway noise. Although WSDOT convened an expert panel on noise, there is no provision in Option A for any noise-abatement systems.
- C-013-010** | Option A adds a second drawbridge across the Montlake cut, destroying homes (some of which may be historic). And it fails to improve transit speed or reliability and overloads the intersections on either side. WSDOT's own analysis predicts the volume of traffic able to cross the cut will not increase beyond what can cross it even if we do nothing at all.
- C-013-011** | Option A ignores years of cooperative work with WSDOT to build a 21st century highway vs. just laying concrete at any environmental or health expense.
- As a result hundreds of SR 520 adjacent neighborhood households are now unalterably opposed to the current proposals.
- In conclusion, we urge you to respect Seattle's Portage Bay urban environment that integrates fragile shorelines, eagles, herons, beavers, salmon and perch with dense residential Seattle neighborhoods. Should our urban environment be

The Noise Discipline Report Addendum (Attachment 7 to the Final EIS) provides further information on noise effects and mitigation measures. Evaluating and managing noise related to construction is an ongoing process for WSDOT that only ends when construction ends. WSDOT will obtain a noise variance prior to start of any work expected to occur outside of the hours established by the City of Seattle.

C-013-003

Proposed measures to avoid or minimize air quality effects during construction are described in Section 6.8 of the Final EIS. WSDOT will develop a construction vibration monitoring plan for the project as needed. The plan would outline procedures for monitoring construction vibrations near sensitive properties and structures to avoid or limit damage during construction. Monitored activities could include pile driving, vibratory sheet installation, soil compacting, and other construction activities that have the potential to cause high levels of vibration. Adjacent land uses that could be affected by construction noise and vibration are discussed in the Noise Discipline Report Addendum (Attachment 7 to the Final EIS) and in Chapter 6 of the Final EIS.

C-013-004

WSDOT is committed to the preservation of existing moorage, floating homes, and boating services in Portage Bay, and exposing the community to least amount of construction activity as possible. Construction in Portage Bay will result in temporary reduction of the current moorage supply in Portage Bay and the region. A few moorage slips at Queen City Yacht Club and the Portage Bayshore Condominiums adjacent to the work bridges will be removed for the duration of construction. During the 63-month construction period for the Portage Bay Bridge, access to and from private moorage at the Bayshore Condominiums along the south end of Portage Bay would be limited. Construction work bridges would be designed to provide adequate clearance, but at times, to ensure public safety, access under

C-013-011

treated differently than old growth timber, rivers and streams, or endangered species?

We advocate 'building SR 520 right' this time. We seek a construction solution for a safer more efficient SR 520 bridge that respects our urban environment with quiet pavement, park like lids and mitigation of noise, dust, vibration, congestion and the impact of heavy equipment and traffic redirection in our urban neighborhoods. .

WSDOT A+ recommendation fails us. Noise, disruption, and a design that adds to the blight that most communities hope to reduce or eliminate. We urge you and the Seattle City Council to insist on a construction plan that genuinely mitigates noise and construction with a design that respects our urban residential environment.

the bridges would not be possible. Boats would also not be allowed to pass under the Portage Bay Bridge during demolition activities. WSDOT will work with private boat owners at the south end of Portage Bay to ensure access or find alternate moorage. This moorage will be returned to its current location once the 6-year construction period is over. However, with the Preferred Alternative, following completion of construction access to the finger piers on the north side of the Bayshore Condominium dock would require passage between bridge support columns with approximately 17 feet of clearance. The column located near the last finger pier slip on the north side of the condominium dock would limit the size and type of boat that could be moored in that slip. Vessels moored on the outer end of the dock may need to be positioned so that they do not extend beyond the north end of the finger pier. Please see the Recreation Discipline Report Addendum and the Land Use, Economics, and Relocations Discipline Report Addendum (Attachment 7 to the Final EIS) for more information regarding project effects on moorage and neighborhoods.

C-013-005

Construction assumptions developed for the project identify major freeways such as I-5, SR 520, and I-405 as primary haul routes intended to carry most project truck traffic. However, there will be times when city streets will need to be used as secondary haul routes. Secondary haul routes for the SR 520, I-5 to Medina project were identified based on criteria such as shortest off-highway mileage, and providing access to locations needed for construction where direct highway access is unavailable.

The EIS analysis considers local street routes as possible haul routes for the purposes of estimating and disclosing effects that could occur.

Since publication of the SDEIS, WSDOT has refined potential haul routes to avoid using non-arterial neighborhood streets. However, Boyer

Avenue (north of East Lynn Street) is still identified as a potential haul route. This route could average 25 trucks per day and could have intermittent peaks of up to 560 trucks per day throughout construction. Local jurisdictions can limit the use of non-arterial streets for truck traffic; therefore, efforts were made to identify designated arterial streets for potential use as haul routes. Local jurisdictions will determine final haul routes for those actions and activities that require a street use or other jurisdictional permit. The permit process typically takes place during the final design phase and prior to construction.

The closure of Delmar Drive as described in the SDEIS would not occur under the Preferred Alternative. With the Preferred Alternative, Delmar Drive would be shifted onto a portion of the new lid while the existing bridge is removed and reconstructed, which should reduce the congestion expected with previous options. The transportation effects posed by the Preferred Alternative during construction have been refined and reported in more detail in Chapter 10 of the Final Transportation Discipline Report (Attachment 7 to the Final EIS).

C-013-006

It is not within the scope of the project, nor is it required by NEPA or SEPA, for WSDOT to mitigate effects from the existing SR 520 bridge. WSDOT will however, mitigate for effects that result from the net construction and operation of the Preferred Alternative. Current federal, state, and local environmental regulations hold greater standards for mitigation measures of operational and construction effects for resources such as fish and wildlife habitat than when the existing SR 520 bridge was built. Please see the Ecosystems Discipline Report Addendum (Attachment 7 to the Final EIS). Additionally, WSDOT, in coordination with the appropriate resource agencies, has prepared Conceptual Mitigation Plans for Wetlands and Aquatic Resources (Attachment 9 to the Final EIS) to document mitigation commitments, such as the selection of mitigation sites.

As design development progresses, WSDOT will continue to define mitigation measures appropriate for the effects posed by the project through coordination with affected communities, as well as through the applicable federal, state, and local agencies during the permitting and approval process.

C-013-007

The transportation analysis conducted for the SDEIS and the assumptions used were consistent with industry standards, NEPA requirements, the regional planning process, and FHWA traffic analysis guidelines for evaluating and comparing existing and future transportation project alternatives. The analysis showed that the project's purpose of improving the movement of people and goods across SR 520 would be met with the 6-Lane Alternative. The transportation analysis in Section 5.1 of the SDEIS (pages 5-1 through 5-32) describes the future (2030) vehicle and person demand projected for the corridor and determines how much of that demand can be met with the 6-Lane Alternative in comparison to the No Build Alternative. It also addresses freeway congestion and travel times for both eastbound and westbound general purpose and HOV traffic. Results of the analysis indicate that the 6-Lane Alternative would serve more vehicle and person trips than the No Build Alternative, and that travel times for both general purpose and HOV trips would be reduced. Thus, the 6-Lane Alternative would improve mobility for people and goods compared to No Build.

Since publication of the SDEIS, FHWA and WSDOT have identified a Preferred Alternative that is similar to Option A, but refines the design to further improve future traffic operations in the corridor, as well as minimize potential impacts. Because of this, the transportation analysis has been updated in the Final EIS to reflect more current assumptions. The results continue to indicate that the Preferred Alternative would improve mobility over the No Build Alternative. See Chapters 5 and 6 of the Final Transportation Discipline Report in Attachment 7 to the Final

EIS.

WSDOT has worked collaboratively with Sound Transit and King County Metro Transit to fulfill the intent of state legislature regarding accommodating transit connections and planning for effective and efficient coordination of bus services and light rail services throughout the SR 520 corridor, as required by RCW 47.01.408 and RCW 47.01.410). Further, in early 2010, the Washington State Legislature passed and Governor Gregoire signed Engrossed Substitute Senate Bill (ESSB) 6392. ESSB 6392 directs WSDOT to work collaboratively with the City of Seattle, University of Washington, and regional agencies including King County Metro Transit, Sound Transit, and other stakeholders to consider design refinements and transit connections within the Preferred Alternative. The ESSB 6392 workgroups process has helped inform the design of the Preferred Alternative evaluated in the Final EIS, and the workgroups recommendations will continue to inform the project as further design development occurs.

C-013-008

WSDOT has worked with Seattle neighborhoods for more than 12 years to develop a design for the west side of SR 520. Unfortunately, not all community groups have agreed to any one alternative for the project or design option for the Montlake area. However, in response to agency and public comments, the auxiliary lane included in Option A has been replaced with a managed shoulder under the Preferred Alternative.

C-013-009

Please see the response to Comment C-013-002.

C-013-010

The addition of a second Montlake bridge provides more capacity and allows for the addition of HOV lanes on Montlake Boulevard between SR

520 and the Montlake Bridge. These improvements provide transit reliability and travel time benefits. Please see the Final Transportation Discipline Report, Chapter 8 for descriptions and exhibits of transit travel times on the local streets within the Montlake interchange area with the Preferred Alternative.

C-013-011

The Preferred Alternative evaluated in this Final EIS responds to input from stakeholders throughout the region including members of the general public, jurisdictions, transit agencies, the Governor, Legislature, tribes, and state and federal regulators. The decision-making process for this project has lasted over 10 years and has incorporated extensive participation from stakeholder groups, communities, and the public. See the Agency Coordination and Public Involvement Discipline Report and Addendum (Attachment 7 to the Final EIS) for further information.

The project would not “just lay concrete at any environmental or health expense” as characterized by the comment. It would complete the HOV lane system in the corridor and add a bicycle/pedestrian lane to the corridor. The project would not add general purpose lanes. Once completed, the SR 520, I-5 to Medina project will improve mobility, access, neighborhood connectivity, bicycle and pedestrian connectivity, air quality, water quality, and noise conditions in the project area. The NEPA documents contain analyses that are consistent with the level of detail required by NEPA and with applicable federal, state, and local laws and regulations. Protecting human health is one of the reasons behind many of the studies conducted in the preparation of an EIS. The NEPA analyses conducted for the project include but are not limited to the study of both construction and operation effects on neighborhoods, wildlife habitat (including urban species), noise, air quality, and water resources in the Portage Bay area. Ecosystems analysts looked for the occurrence of wildlife and wildlife habitat up to 0.25 miles from the proposed project alignment, and for bald eagles

within 1 mile of the proposed project alignment. There are no listed species within the project area. However, construction of the project could affect non-listed wildlife and their habitat. Many of the animals that occur adjacent to the highway corridor are accustomed to living in urban areas and may not be disturbed by construction-related activity and habitat alteration. Individuals that are more sensitive to disturbance would be displaced to other areas of suitable habitat. This is discussed in the wildlife section of the Ecosystems Discipline Report Addendum (Attachment 7 to the Final EIS). Chapters 5 and 6 of the SDEIS and Final EIS, and the discipline reports and addenda in Attachment 7 to the SDEIS and Final EIS provide further information on the analyses that were conducted and their findings.