



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

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Ms. Angela Freudenstein
Environmental Manager
Washington State Department of Transportation
Alaskan Way Viaduct Replacement Project SDEIS
999 Third Avenue, Suite 2424
Seattle, WA 98104-4109

APR 26 2011

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WSDOT Doc. Control

Dear Ms. Freudenstein:

The U.S. Department of the Interior (Department) has reviewed the Federal Highway Administration's (FHWA) State Route 99 Alaskan Way Viaduct Replacement Project, Second Supplemental Draft Environmental Impact Statement (SDEIS) and Section 4(f) Evaluation, and offers the following comments.

The Department agrees that the existing Alaskan Way Viaduct State Route 99 was damaged in the 2001 Nisqually earthquake and needs to be replaced. The SDEIS analyzes the bored tunnel replacement alternative and compares its effects to the cut-and-cover tunnel and elevated structure alternatives evaluated in a 2006 SDEIS. According to the SDEIS, each of the proposed alternatives would require the use of Section 4(f) resources. The bored tunnel alternative has been identified as the preferred alternative.

F-005-001 Section 4(f) of the Department of Transportation Act

Section 4(f) of the U.S. Department of Transportation Act of 1966 prohibits the use of land from publicly owned parks, recreation areas, wildlife or waterfowl refuges, or historic sites for any federally funded transportation program, unless it is determined that there is no feasible and prudent alternative to using such land and the project includes all possible planning to minimize harm to the land resulting from its use. In this instance, no wildlife or waterfowl refuges will be impacted. However, a number of publically owned parks, recreation areas, and historic sites will be impacted by the project. The Department agrees there is no prudent and feasible way to avoid the "use" of Section 4(f) resources with any of the proposed alternatives. Because of this, the Department offers several comments and suggestions for consideration.

- **Public Parks and Recreation Lands**

The Department agrees that the bored tunnel alternative will benefit parks and recreational resources by removing the existing viaduct, improving connections between elements of the Seattle's park and recreation system, and creating a new trail for pedestrians and bicyclists to enjoy. However, the Department realizes that the construction and demolition activities outlined in the SDEIS will likely result in increased

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The letter from FHWA responding to this comment letter can be found in Appendix U, Correspondence.

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noise and vibration, reductions in visual quality, and access restrictions to public parks and recreation lands at various times during the project. Therefore, we request plans and measures be developed to minimize these impacts before the project begins.

- Historic Sites

In addition to the protections for historic properties found in Section 4(f), Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effects of their undertakings on historic properties. Historic properties in this instance include both standing structures and archaeological resources. The Department defers to the Washington State Department of Transportation (WSDOT), FHWA, Department of Archeology and Historic Preservation, Advisory Council on Historic Preservation, affected tribes, the city of Seattle, and other interested parties (such as the Pioneer Square Preservation Board and the Seattle Landmarks Preservation Board), to develop the Memorandum of Agreement (MOA) and any requirements contained therein related to the Viaduct.

The Department recommends the MOA be completed and attached to the Final Environmental Impact Statement when it is released for comment. We ask that special consideration be given to the National Historic Landmarks (NHL) within the project area. Section 110(f) of the NHPA requires Federal agencies, "to the maximum extent possible," develop plans and actions to minimize harm to NHL's prior to any undertaking. The Pioneer Building, the Iron Pergola, and the Totem pole located on 1st Avenue and Yesler Way, are considered NHL's, and the Department requests every effort be made to preserve the historic character of these landmarks.

Additionally, the SDEIS states that construction of the bored tunnel is anticipated to cause a severe adverse effect to the Western Building to the extent the building may need to be demolished. The Polson Building may also experience extensive structural damage during construction. Both buildings are contributing buildings to the Pioneer Square National Historic District, and thus every effort should be made prior to and during construction to avoid structural damage to these, and the other twelve buildings within the Pioneer Square Historic District listed in the SDEIS.

Section 6(f) of the Land and Water Conservation Fund Act

The Department has identified two parks in the project area that are protected by Section 6(f) of the Land and Water Conservation Fund Act – Blake Island State Park and Elliot Bay Park. It appears as if there will not be impacts on the Blake Island State Park sufficient to result in a 6(f) conversion. However, it does appear that there may be temporary and/or access impacts to the Elliot Bay Park that could result in a 6(f) conversion. Because impacts do not have to be direct or permanent to result in a conversion of an outdoor recreation resource, we would like the potential impacts to Elliot Bay Park to be assessed. We encourage WSDOT to work closely with

F-005-001 | the Washington State Recreation and Conservation Office and the Department as the project develops. (Note: The 6(f) protected section of Elliot Bay Park is owned by the Washington Department of Natural Resources, and not the Port of Seattle, as indicated on WSDOT's chart.)

Thank you for the opportunity to provide comments. For questions concerning Section 4(f), please contact Sharon Powell, NPS, at 206-220-4090, sharon_powell@partner.nps.gov. For questions concerning Section 6(f), please contact Heather Ramsay, Project Manager, at 206-220-4123, heather_ramsay@nps.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Willie R. Taylor". The signature is fluid and cursive, with the first name "Willie" and last name "Taylor" clearly distinguishable.

Willie R. Taylor, Director
Office of Environmental Policy
and Compliance