



April 28, 2022

Lauren Swift
Central Corridor Environmental Manager
Sound Transit

(Sent via email)

Dear Ms. Swift,

The West Seattle and Ballard Link Extensions (WSBLE) project is the largest infrastructure investment in Seattle's history. The project brings tremendous transformative opportunity to further City and regional goals to expand equitable access to residential and job centers, support thriving neighborhoods and economic prosperity, and encourage sustainable and climate-friendly transportation choices. However, as its many miles of new light rail track and multiple stations are constructed through existing Seattle neighborhoods, WSBLE also brings the real potential for significant temporary and permanent adverse impacts to Seattle residents and all users of the City's transportation network.

The DEIS is a critical early juncture to evaluate project alternatives so that future project decisions may optimize long-term benefits and outcomes, while ensuring that we avoid, minimize, and mitigate adverse project impacts. The City commends Sound Transit for its enormous and time-consuming effort to develop an environmental document for a light-rail project of this scale through a largely built-out city, including coordination with participating and cooperating agencies and the Tribes. As a Cooperating Agency under NEPA and an Agency of Jurisdiction under SEPA, and in support of our 2018 Partnering Agreement with Sound Transit, the City submits formal comments from the DEIS review with primary goals to:

- Help advance the best possible project that maximizes benefits, minimizes impact and harm, and best meets local community and regional interests.
- Ensure the environmental review process adequately evaluates project impacts and proposes appropriate mitigation measures to provide community members and policymakers with a clear understanding of project choices and trade-offs.
- Raise any potential conflicts or concerns related to City codes, regulations, or Director's rules, or related to adequate mitigation for project impacts, that could impede streamlined permitting and construction of the eventual project.

A City team of nearly 100 subject matter experts from 15¹ City departments contributed to the review of the WSBLE DEIS. The City's formal DEIS comments are compiled in *Attachment A: City Consolidated Comments* and summarized in the sections and attachments below.

¹ Review staff from 15+ City departments included: City Budget Office, Department of Construction and Inspections, Department of Neighborhoods, Department of Transportation, Finance and Administrative Services, Office of Civil Rights, Office of Economic Development, Office of Emergency Management, Office of Housing, Office of Planning and Community Development, Office of Sustainability and the Environment, Seattle Center, Seattle City Light, Seattle Fire Department, Seattle Parks and Recreation, Seattle Police Department, Seattle Public Library, and Seattle Public Utilities.

KEY DEIS FINDINGS

Racial equity and Environmental Justice

Sound Transit and the City have partnered since 2018 to develop a project-wide multi-year equity analysis using the City's Racial Equity Toolkit (RET). The RET furthers the City's and Sound Transit's shared goal to advance equitable outcomes for communities of color, particularly the RET-identified communities of Chinatown-International District and Delridge. While separate from the DEIS, the RET aims to inform key project analysis, milestones, and decisions—including the DEIS Environmental Justice (EJ) analysis, the formal analysis required by federal regulation developed to ensure equitable distribution of project benefits and avoid disparate impacts to communities of color and low-income populations.

With the RET analysis and process in mind, the City's DEIS review found the EJ analysis incomplete for measuring and mitigating impacts and benefits to minority and low-income populations. The City strongly disagrees with conclusions in the EJ analysis that the project has adequate offsetting benefits, and/or mitigation that the project would not result in high and adverse effects on environmental justice populations. The City requests a more complete evaluation in the FEIS to fully understand and avoid, minimize, or adequately mitigate the project impacts on EJ populations. Absent this complete evaluation, it is difficult to confirm a Preferred Alternative in RET communities.

In this overdue era of racial equity reckoning, the City believes it is critical that we go above past practice to advance equitable outcomes. See *Attachment B: Racial Equity Toolkit and Environmental Justice* for discussion and additional examples of how Sound Transit can strengthen the EJ analysis for the FEIS through additional analysis, expanded methodology, and the development of a mitigation plan to address potential adverse impacts. The City is committed to supporting this additional analysis through ongoing partnership with Sound Transit and continued development of the RET.

Compliance

The City of Seattle is responsible for issuing local permits for the WSBLE project. The City and Sound Transit share the goal to streamline the WSBLE project permit process. The City cannot permit the project if it does not comply with City codes, rules, plans, and regulations. In addition, where City code would not otherwise ensure mitigation for impacts, the City's substantive SEPA authority allows the City to condition or deny project permits to mitigate impacts based on adopted SEPA policies, plans, rules, and regulations. The DEIS demonstrates several instances in which compliance with local regulations is unclear, and raises additional concerns that, if not adequately addressed and resolved in the FEIS, will likely result in additional analysis and mitigation at the time of permitting. For example:

- **Stormwater.** Seattle Public Utilities (SPU) cannot permit the project as shown in the DEIS designs because the proposed alignments do not comply with regulations for stormwater management related to guideways. Sound Transit asserts that guideways are non-pollution-generating surface. This is incorrect; the Washington State Department of Ecology (Ecology) has judged guideways to be pollution-generating surfaces. Unless Ecology revises that determination based on new data, the project must meet the City's Stormwater Code (SMC 22.800-22.808).

- **Geology and soils.** The Prospect Street portal, Smith Cove Station site, and alignments along the west side of Queen Anne are in Environmentally Critical Areas (ECA), defined by steep slope and potential slide areas. These project components will likely require considerable efforts to provide complete stabilization to protect the facility from landslides emanating from the ECA Steep Slope Area.
- **ADA guidelines.** Evaluation of accessibility conditions around the station areas does not include detailed assessment of curb ramps and sidewalk conditions (including slope, pavement irregularities, obstructions, widths) that may be noncompliant with ADA guidelines. Additional analysis and mitigation may be needed at the time of permitting if these are not adequately addressed in the FEIS.

These compliance issues must be resolved and documented in the FEIS to avoid potential cost and delay in the project permitting process. See *Attachment C: Compliance* for additional examples and discussion of these compliance issues.

Impacts

It is essential for the environmental review to accurately evaluate potential project impacts to inform appropriate mitigation measures and understanding of alternatives and their trade-offs. While the DEIS provides a tremendous amount of information, the City finds that many sections of the DEIS are missing key information and analysis necessary to understand the full complement of project impacts. Without this information it is difficult to fully compare alternatives and develop appropriate mitigation. We also found several areas where we did not agree with the methodology or assumptions used to evaluate impacts. For example:

- **Missing information/analysis: Business displacement.** Impacts to minority-owned businesses and employees, particularly BIPOC businesses and employees, have not been fully evaluated throughout the corridor.
- **Missing information/analysis: Visual quality and aesthetics.** Impacts to specific public views of natural and human made features along SEPA corridors and of historic landmarks have not been fully evaluated.
- **Methodology: Transportation.** Many standards and conditions—such as speed limits, pedestrian level of service data, and transit boarding numbers—used for assumptions have changed since the DEIS was written. The FEIS analyses should reflect updates to these assumptions.
- **Methodology: Design/safety.** The standards for Seattle Fault and earthquake parameters are changing and the FEIS should use most current standards.

See *Attachment D: Methodology and Analytics* for a discussion of areas where additional information is needed, and examples of analyses with assumptions or methodologies with which the City disagrees.

In addition, there are numerous instances throughout the DEIS where the City finds that the analysis underestimates or omits the extent of project impacts and/or proposes insufficient mitigation to address impacts. For example:

- **Transportation.** The City finds that the DEIS does not adequately assess the impacts of full or partial closures to arterials during construction. The analyses largely focus on congestion

impacts, and underestimate the need for reduced vehicle trips, compelling the public to change behavior during the construction period and SDOT operations to actively manage construction impacts throughout construction of the project. In addition, the focus on peak-time impacts fails to fully assess impacts to freight mobility which often rely on non-peak travel times. The insufficient capture of these potential construction impacts impedes the understanding of whether mitigation measures will adequately address impacts, which in turn, limits evaluation of alternatives when construction impacts are an important factor. See *Attachment E: Transportation Impacts* for additional examples and a broader discussion of transportation impacts and mitigation.

- **City assets and properties.** The DEIS does not fully document potential impacts to City assets and properties—including buildings, utility and transportation infrastructure, and parks and open space—making it difficult to understand completely the trade-offs between project alternatives and identify appropriate mitigation actions. Many impacts will require acquisition in fee or by easement, utility relocation, right-of-way use through street use permitting, or other legal conveyance—all processes that take substantial time, and in many cases City Council action. Impacts to City assets and properties should be fully examined in the FEIS to prevent later delays to the project. See *Attachment F: City Assets and Properties* for additional examples and a broader discussion of impacts and mitigation related to City assets and properties.
- **Section 4(f) Impacts.** The Section 4(f) analysis performed by Sound Transit lacks necessary specificity and detail on the scope, duration, and mitigation of impacts to parks and park facilities, certain historic resources, and Seattle Center for any of the alternatives. Seattle Parks and Recreation (SPR) and Seattle Center cannot concur as to whether project impacts are de minimis under Section 4(f) without this additional analysis, including adequate demonstration of completed planning to minimize harm to SPR properties and Seattle Center. See *Attachment G: Section 4(f) Impacts* for additional examples and a broader discussion of impacts and mitigation to parks, recreational spaces, and wildlife habitat.
- **Section 106 Impacts.** The DEIS does not sufficiently assess the construction and permanent visual, physical, and operational impacts of the WSBLE project on historic resources. A thorough understanding and analysis of these impacts (effects) is necessary to meaningfully compare alternatives, inform a decision on a Preferred Alternative, and avoid costly conflicts and limited mitigation opportunities. Successful Section 106 consultation depends on the City having this information to evaluate impacts and trade-offs. See *Attachment H: Historic and Archaeological Resources/Section 106* for additional examples and a broader discussion of impacts and mitigation to historic, cultural, and archaeological resources.
- **Business and residential displacement.** The DEIS does not sufficiently examine the full range of impacts to businesses and residents, including loss of community cultural identity and cohesion resulting from displacements and changes in land use. Expanded evaluation is necessary to fully inform strategies to avoid, minimize, and mitigate these project impacts. See *Attachment I: Business and Residential Displacement* for additional examples and a broader discussion of impacts and mitigation for displacement.

In addition to the Attachments highlighted above, see the City's formal comments in *Attachment A: City Consolidated Comments* for examples of additional analysis and mitigation needed to address potential project impacts.

Mitigation

NEPA requires consideration of direct, indirect, and cumulative impacts of a project on the environment and development of potential measures to mitigate adverse environmental effects. Typically, a DEIS describes options for mitigation, while an FEIS includes the decisions on mitigation that would be implemented. However, we found the DEIS to be lacking in consistent and clear mitigation for the potential adverse project impacts, many of which may be unmitigable. Without adequate proposed mitigation, it is not possible to understand the full impact of the project, differences in alternatives, and potential permitting concerns. For example:

- **Business displacement.** Several WSLBE alternatives would impact businesses that are highly location-dependent and may not have relocation options if displaced. For example, many maritime businesses rely on access to shorelines, intermodal infrastructure, and industrial lands. Many businesses in the Chinatown-International District rely on the community's regional draw as a cultural hub. The DEIS does not make clear how to mitigate impacts, especially displacement, of these location-dependent businesses.
- **Streetcar impacts.** All WSBLE alternatives would have varying impacts on the Seattle streetcar network. The streetcar cannot be easily rerouted or curtailed without major capital work and associated environmental documentation. This might include installation of temporary tracks, turnbacks, and switches, to maintain access to the fleet and maintenance facilities at Charles Street (FHS) and 318 Fairview (SLU) and provide for safety during such operations. The DEIS does not detail the modifications to the streetcar system that will be needed to provide for continued, if disconnected, service.
- **Environmental impacts.** Several WSBLE alternatives would have impacts to Environmentally Critical Areas or other environmentally sensitive areas that could result in significant tree loss, wildlife habitat degradation, and steep slope and potential landslide area destabilization. The DEIS does not demonstrate how—or in some cases, whether—these impacts can be sufficiently avoided, minimized, or mitigated.

Constructing a light rail system through existing communities in a built-out city will necessarily cause impacts. Sound Transit must work with community members, the City, and other stakeholders and partners to develop a mitigation plan with sufficient detail in advance of the FEIS to inform actions on a Project to be Built and FTA Record of Decision, and to avoid future delays to project permitting. See *Attachment J: Mitigation* for additional examples and a broader discussion related to mitigation.

Comparison of alternatives

A core purpose of the environmental review is to provide information necessary to understand and compare potential project impacts to inform the selection of a Preferred Alternative and the eventual Project to Be Built. In our review of the DEIS, we find that in most segments, the analysis provides important information to support this comparison. However, in several places the City finds that absent a more complete impacts analysis and mitigation proposal, there is not sufficient information to confirm or modify a Preferred Alternative for the FEIS.

Chinatown-International District. The CID-1a/b alternative options at 4th Avenue South would require multiple road closures in a constrained section of the south Downtown transportation grid, significantly impacting local access and regional mobility networks during an 8 to 11-year construction period. They

would also require significant additional costs associated with the replacement of the 4th Avenue S bridge and elements of connection to the Midtown Station. The CID-2a/b alternative options at 5th Avenue South would cause significant disruption in the heart of the Chinatown-International community, including the displacement of up to 19 location-sensitive businesses in the corridor that may not have relocation options. The City finds that without an understanding of how—and whether—these impacts could be mitigated it is not possible to fully understand the trade-offs. Furthermore, due to the vocal concerns from residents and organizations from this RET-identified community, the City believes before an action on a Preferred Alternative there should be additional community process and analysis on how to avoid/minimize impacts, advance RET outcomes, and address historic harm. See *Attachment B* for additional discussion.

South Interbay and the north portal of the downtown tunnel. The large, elevated guideway structures of the SIB-1 and SIB-2 alternatives would weave across Elliott Way three times between the Republican portal and the Smith Cove station. It is unclear how the project would mitigate the resulting construction and permanent transportation impacts and visual quality impacts or how it would comply with local noise regulations. Meanwhile, both the SIB-2 and SIB-3 alternatives would encroach on steep slope and slide-prone Environmentally Critical Areas of the Queen Anne greenbelt and would also present noise regulation compliance concerns.

Seattle Center. For the Seattle Center station, the City is not only a project reviewer and regulator, but also the primary property owner and landlord to the many arts and cultural resident organizations that call the 74-acre campus home. The City has many concerns with the impacts associated with both the DT-1 and DT-2 alternatives, including:

- Impacts to protected features, including legacy trees, historic assets, and recreation space.
- Temporary and permanent noise and vibration impacts to sensitive cultural venues including performance halls and recording studios.
- Displacement affecting resident organizations and the long-term performance of the campus.
- Impacts to historic assets, including the Northwest Rooms, International Plaza, and Cornish Playhouse.
- Transportation and access impacts affecting events and operations for years.

Development of a full mitigation plan as part of the FEIS will be necessary to fully understand the trade-offs of these alternatives. See *Attachment K: Seattle Center* and *Exhibits 1, 2, and 3*, for a broader discussion of impacts and mitigation related to Seattle Center campus, resident organizations, and the surrounding community, and a comparison of Seattle Center station alternatives.

ADDITIONAL CONSIDERATIONS

In addition to the comments highlighted above and detailed in *Attachment A* regarding the analysis and mitigation of potential project impacts and comparison of DEIS alternatives, the City also found that the DEIS information and concurrent project discussions of refinements to the DEIS alternatives has informed comments, discussed below, regarding future planning to optimize station access and transit integration, refinements to the DEIS alternatives, and third-party funding.

Planning for station access and transit integration

WSBLE stations will create new neighborhood mobility patterns as people access new stations on foot, bicycles, and other transit modes. Siting and designing stations for safe non-motorized access and seamless bus-rail integration is necessary for passenger safety, user experience, and overall ridership, and an essential step toward the City's Vision Zero goals to end traffic fatalities and serious injuries. The DEIS analysis reveals that some alternatives do not optimize access and bus integration. If unaddressed in early project planning, there will be added costs and impacts—in time, dollars, ridership, and human safety—later to the project. It is imperative that in the next phase of station planning and preliminary engineering, Sound Transit, the City, King County Metro, and other agencies work with community to ensure that we design—or in some cases, *refine*—stations to include essential components for safe station access and seamless transit integration. See *Attachment E* for a discussion of access and integration concerns in the context of transportation impacts and mitigation and *Attachment L* for a broader discussion of access and integration and the importance of upcoming station planning work.

Third-party funding

The City recognizes that some WSBLE alternatives may ultimately require funding partnerships with third-party agencies or organizations. Once critical factors such as project impacts, mitigation costs, and projected revenue are better understood and key decisions have been made to complete the FEIS and establish the Project To Be Built, the City intends to work jointly with Sound Transit and other partners explore third-party funding options.

Refinements to the DEIS alternatives

During the DEIS period, Sound Transit introduced additional refinements that strive to reduce costs, avoid impacts, reduce risk, or achieve other benefits to the system would reduce project costs. The City supports examination of refinements that would provide meaningful benefits to the local communities and the broader transit system and its riders, including: mix-and-match refinements that would allow greater flexibility to choose segment alternatives that provide the greatest benefit or fewest impacts; refinements to stations or station entrances that would improve safe non-motorized station access; and refinements that would help avoid, minimize, or mitigate adverse project impacts. As with the current DEIS alternatives, any refinements will need appropriate environmental review to inform their consideration.

NEXT STEPS

To advance the project to the FEIS—as well as to reach subsequent necessary project milestones of the FTA Record of Decision, the City Council ordinance adopting the Project to be Built and amending the Transitway Agreement, and eventual project permitting—it is critical that Sound Transit work with the City, community members, and other stakeholders and local and regional partners, to ensure that the issues raised in the DEIS process are adequately resolved. These steps will necessarily include:

- **Board action on a Preferred Alternative.** Mayor Bruce Harrell and the City Council intend to put forward a Joint Council resolution that articulates a City position on a WSBLE Preferred Alternative for study in the FEIS, as well as additional bodies of work to support ongoing planning and environmental review.

- **Development of the FEIS.** Between the DEIS and the FEIS, the City staff team will work with Sound Transit staff to carry out the following necessary work to support the FEIS analysis:
 - *Technical comment resolution.* The City commits to a process for issue resolution with technical teams, including responses to technical comments, assistance with additional analyses, and continued development of design refinements.
 - *Mitigation planning.* The City commits to supporting a joint process to develop appropriate mitigation measures and strategies to inform a comprehensive mitigation plan for potential project impacts in the FEIS.

Relationship to permitting

The City has and retains substantive SEPA authority to the full extent provided in applicable statutes, codes and regulations, including but not limited to SMC 25.05.660, SMC 25.05.665, SMC 25.05.670, and SMC 25.05.675. The City’s DEIS review found many issues that, if not adequately addressed and resolved in the FEIS, will likely result in additional analysis and mitigation at the time of permitting. These comments include, but are not limited to:

- Transportation impact examples that have no clear code path to mitigation
- Accessibility conditions in the station context where existence of curb ramps and other sidewalk conditions (slope, pavement irregularities, obstructions, widths) may be noncompliant with ADA guidelines
- Unclear mitigation for pedestrian facilities that may be temporarily or permanently impacted by placement of columns associated with right-of-way elevated guideway segments

Other examples may be found in the City’s detailed comments in *Attachment A*. To avoid delays in the permitting phase, it is critically important that Sound Transit work with community members, the City, and other stakeholders and partners to develop a mitigation plan with sufficient detail in advance of the FEIS to inform actions on a Project to be Built and FTA Record of Decision.


Meaningful community engagement

The City appreciates Sound Transit’s commitment to community engagement, and the extensive effort its staff has made to engage with communities along the entire WSBL alignment during the DEIS Comment Period. Continuing this intensive engagement effort will be key as the environmental work advances—including the Board action on a Preferred Alternative, development of a mitigation plan and other analysis and issue resolution in advance of the FEIS, and exploration of refinements to the DEIS alternatives. All these steps must be carried out in partnership with community through sustained and robust two-way engagement. It is critical the engagement be transparent by sharing out what Sound Transit is hearing from community and stakeholders, as well as how the agency is applying engagement findings to project decisions. Furthermore, methods of engagement should be tailored for different communities; what will work for Downtown or Seattle Center might not work in Chinatown-International District or Delridge.

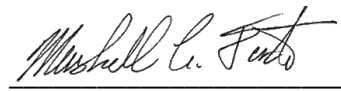
The City will continue to offer its resources and assistance to ST in this effort. See *Attachment M: Community Engagement* for further discussion of community engagement opportunities. We look forward to partnering in this engagement work, through both the FEIS development process and the update to the Racial Equity Toolkit.

In closing, the City remains a strong supporter of the WSBLE project and partner to Sound Transit on its planning, permitting, and eventual service delivery. We are committed to working with Sound Transit, community members, and other partners before the FEIS to ensure appropriate resolution on these outstanding issues.

Sincerely,


[Kristen Simpson \(Apr 28, 2022 12:21 PDT\)](#)

Kristen Simpson, Interim Director, Department of Transportation, City of Seattle



Marshall Foster, ST3 Designated Representative, Office of the Waterfront and Civic Projects, City of Seattle

Attachments

- Attachment A: City Consolidated Comments
- Attachment B: Racial Equity Toolkit and Environmental Justice
- Attachment C: Compliance
- Attachment D: Methodology and Analytics
- Attachment E: Transportation Impacts
- Attachment F: City Assets and Properties Impacts
- Attachment G: Section 4(f) Impacts
- Attachment H: Historic and Archeological Resources/Section 106
- Attachment I: Business and Residential Displacement
- Attachment J: Mitigation
- Attachment K: Seattle Center
- Attachment L: Planning for Station Access and Transit Integration
- Attachment M: Community Engagement
- Exhibit 1: Event uses throughout Seattle Center campus and facilities in a typical year
- Exhibit 2: Event-related curbside loading uses on streets near the Seattle Center campus
- Exhibit 3: WSBLE DEIS Noise and Vibration Review Report for Seattle Center

CC:

- Seattle Mayor Bruce Harrell
- Seattle City Council President Debora Juarez
- Seattle City Councilmember Lisa Herbold
- Seattle City Councilmember Andrew Lewis
- Seattle City Councilmember Tammy Morales
- Seattle City Councilmember Teresa Mosqueda
- Seattle City Councilmember Sara Nelson

Seattle City Councilmember Alex Pedersen
Seattle City Councilmember Kshama Sawant
Seattle City Councilmember Dan Strauss
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Julie Dingley, City Budget Office
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Derrick Wheeler-Smith, Office of Civil Rights
Christopher Williams, Parks and Recreation
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