



October 18, 2024

*Via email*

Susan Fletcher  
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Regional Administrator  
Federal Transit Administration, Region 10

Lauren Swift  
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Central Corridor Environmental and Business Operations Manager  
Sound Transit

Dear Ms. Fletcher and Ms. Swift,

The City of Seattle (City) has reviewed the West Seattle Link Extension (WSLE) Final Environmental Impact Statement (FEIS) published on September 20, 2024, and appreciates Sound Transit's review and responses to the City's comments on the Administrative Draft Environmental Impact Statement (ADEIS) and Draft Environmental Impact Statement (DEIS). The City enthusiastically supports the WSLE project and the Preferred Alternative identified in the FEIS. As a cooperating agency under the National Environmental Policy Act (NEPA), an agency with jurisdiction under the State Environmental Policy Act (SEPA), and an Authority Having Jurisdiction (AHJ), and in support of our 2018 Partnering Agreement with Sound Transit, the City takes this opportunity to provide comments on the FEIS.

Sound Transit must satisfy all applicable federal, state, and local environmental regulations—including the City's codes, regulations, policies, and permitting requirements, including SEPA.<sup>1</sup> Consistent with the Partnership Agreement Section 6.1, and City and State SEPA law, the City intends to use and rely on Sound Transit's WSLE FEIS and Record of Decision (ROD) to satisfy the City's SEPA responsibilities.<sup>2</sup> The City retains its legal authority under SMC 25.05.600(C) to require further environmental analysis and impose additional mitigation during permitting if necessary for the City to comply with its own laws and with SEPA.<sup>3</sup>

Some project details and impacts were not known at the time of the WSLE FEIS. After the Sound Transit Board selects the project to be built, engineering, design, and mitigation measures will be refined. "Specific mitigation measures would be developed during the final design, and permitting phases and process would be coordinated with [the City]."<sup>4</sup> Sound Transit has committed to coordinate with the City "throughout the development of the West Seattle Link Extension Final EIS, final design and construction."<sup>5</sup> The City and Sound Transit will continue to work together to ensure the project and

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<sup>1</sup> See, e.g., WSLE FEIS at ES-27, 4-2, 7-7 (Table 7-1); Sound Transit Resolution R2024-11 (System Expansion Project Scope and Betterments Policy) at § 2.4.1, § 2.4.2.

<sup>2</sup> See SMC 25.05.600 (when to use existing environmental documents); WAC 197-11-600 (same).

<sup>3</sup> The WSLE FEIS may not fulfill the City's SEPA responsibilities when (1) there are substantial project changes likely to have adverse environmental impacts, (2) new information indicates a probable significant adverse material impact, (3) the City's DEIS comments were not fully addressed, (4) the FEIS does not address a Seattle SEPA factor, or (5) a project component does not comply with City requirements. SMC 25.05.600(C).

<sup>4</sup> See, e.g., WSLE FEIS at 7-5 (Table 7-1).

<sup>5</sup> See WSLE FEIS Appendix O.2.2: Response to City Comments (multiple); see also WSLE FEIS at 4.9-9 (tree removal), 4.15-3 (utilities), 7-13 (station access, construction management plans).

proposed mitigation meets current City laws, regulations, and policies. The mitigation that the City imposes during permitting may be different and more specific than that articulated in the WSLE FEIS.<sup>6</sup> Areas requiring ongoing attention where the City must apply or amend governing codes and regulations that apply to Sound Transit's light rail project include noise code, tree loss mitigation, and guideway treatment as pollution generating under stormwater regulations. All City-imposed conditions and mitigation will be reasonable and proportionate to the project's specific, adverse environmental impacts; consistent with the City's codes, regulations, policies, and permitting requirements; and therefore not be a betterment under Sound Transit's recently updated Scope Control and Betterments Policy.<sup>7</sup>

## Areas of Continued City-Sound Transit Collaboration

The City provides the following comments to highlight areas requiring ongoing collaboration to reach resolution as the project moves to final design and permitting. With these comments, the City is not requesting changes to the WSLE FEIS or the ROD; however, the City will apply its codes, regulations, policies, and permitting requirements and will require project impacts to be analyzed and mitigated through final design and permitting. The City reaffirms its strong commitment to advance the project through code amendments, permitting, construction, and final delivery. The City reserves the right to supplement these comments in the future if further review of the WSLE FEIS reveals additional concerns.

### 1. Racial Equity And Environmental Justice

The City is committed to supporting Sound Transit in achieving our shared goal of advancing equitable outcomes with our programs and investments in accordance with the City's Race and Social Justice Initiative and the requirements of Title VI of the Civil Rights Act of 1964. The City remains concerned about project impacts to Black, Indigenous, People of Color (BIPOC) communities, low-income communities, and other communities who have been historically marginalized. While WSLE will bring significant benefits and the "distribution of [environmental] impacts to minority and low-income populations would be similar to the distribution of impacts to the general population,"<sup>8</sup> environmental impacts on individuals and communities will be experienced differently given the unique needs and situations of who is impacted. As WSLE moves forward into final design, the City encourages Sound Transit to continue to engage environmental justice communities in conversations around impacts and mitigation to ensure equitable outcomes across the many communities who have been historically marginalized for decades by transportation decisions and government planning. The City offers our continued partnership with Sound Transit to develop and implement the Racial Equity Toolkit (RET); apply the outcomes of the RET; and conduct robust, inclusive community engagement for both WSLE and the Ballard Link Extension (BLE) projects.

### 2. Construction

The City is concerned about the WSLE project's construction impacts, the sequencing of construction activity, anticipated and unanticipated cumulative impacts from Sound Transit and other construction projects Citywide, and construction impacts on Environmental Justice communities (particularly the

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<sup>6</sup> See, e.g., WSLE FEIS at ES-27, 7-5 (Table 7-1).

<sup>7</sup> See Sound Transit Resolution R2024-11 (System Expansion Project Scope and Betterments Policy).

<sup>8</sup> WSLE FEIS Appendix G: Environmental Justice at Table 5-2 (multiple).

Delridge corridor). As such, the City appreciates Sound Transit’s commitment to creating Construction Access and Traffic Management Plans, Maintenance of Traffic Plans, Construction Management Plans, Construction Transit Operations Plans, and Construction Worker Parking Plans.<sup>9</sup> The City will work closely with Sound Transit to ensure these plans include significant details and adhere to City standards and requirements.<sup>10</sup>

The City has reviewed Sound Transit’s high-level construction scenarios and transportation-related mitigation measures, including “mitigation measures that are being considered for specific locations” in Appendix I: Mitigation Plan.<sup>11</sup> The City has concerns about aspects of the proposed construction scenarios, particularly the potential for simultaneous arterial and local roadway closures and timing the SODO Busway closure prior to other 4<sup>th</sup> Avenue South construction. The City’s permitting authority includes applying its SEPA policy goals to “minimize or prevent adverse traffic impacts that would undermine the stability, safety, and/or character of a neighborhood or surrounding areas.”<sup>12</sup> The City will consider the circulation and flow of all modes across the transportation system including vehicles, buses, cyclists and pedestrians; collisions; and safety when it evaluates the plans and construction scenarios.<sup>13</sup>

Sound Transit and the City must work together to minimize closures, develop detours for impacted travelers across all modes to the City’s Minimum Acceptable Mobility Standards, and ensure 24/7 emergency access for Seattle Police and Seattle Fire Departments. Early coordination on construction scenarios, proposed mitigation, and plans to ensure compliance with City regulations and policies is critical to permit streamlining and processing.<sup>14</sup> The final construction scenarios, mitigation measures, and plans approved by the City may differ from those presented in the WSLE FEIS. As project design and permitting moves forward, (1) the City requests that the Duwamish Trail Connection from W Marginal Way to the West Seattle Bridge on SW Marginal Place be rerouted during construction and (2) the City will apply its updated 2024 Seattle Traffic Control Manual.<sup>15</sup>

### 3. TRANSPORTATION

There will be numerous permanent impacts on the City’s traffic and transportation environment, including impacts to current and future transit services, local and arterial streets, parking, pedestrian and bicycle facilities, freight, and safety. WSLE project impacts to the City transportation network must comply with the City’s permitting requirements, including the specific policies, procedures, and guidance.<sup>16</sup> The City and Sound Transit have worked together on transportation issues through the Preliminary Permitting Plan and pre-permitting conversations and will continue to work together to

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<sup>9</sup> See WSLE FEIS at 3-85, 3-88, 3-89, 4.3-22.

<sup>10</sup> See e.g., FHA Manual on Uniform Traffic Control Devices for Streets and Highways (referenced in WSLE FEIS at 3-85), Seattle Traffic Control Manual (updated in 2024), City’s Minimum Acceptable Mobility Standards, SDOT Director’s Rule 01-2017 Right-of-Way Opening and Restoration Rule.

<sup>11</sup> See, e.g., WSLE FEIS Appendix I: Mitigation Plan at I-9.

<sup>12</sup> See SMC 25.05.675.R.2.a.

<sup>13</sup> See SMC 25.05.444.B.3; SMC 25.05.675.R.2.b.

<sup>14</sup> WSLE FEIS Appendix I: Mitigation Plan at I-1.

<sup>15</sup> Available at

[https://www.seattle.gov/documents/Departments/SDOT/About/DocumentLibrary/2024\\_Traffic\\_Control\\_Manual.pdf](https://www.seattle.gov/documents/Departments/SDOT/About/DocumentLibrary/2024_Traffic_Control_Manual.pdf).

<sup>16</sup> See SDOT Director’s Rule 01-2017 Right-of-Way Opening and Restoration Rule, SDOT’s Right-of-Way Improvements Manual, City of Seattle Standard Plans and Specifications, SDOT Director’s Rule 10-2015 Pedestrian Mobility In and Around Work Zones, and SDOT 2024 Traffic Control Manual for In-Street Work.

balance safety and equity as the design progresses. The City's strategies and priorities to address safety and equity include reducing vehicle speeds to increase safety, making safety investments where fatal and serious injury collisions occur most often or are at a higher risk of occurring, providing adequate space for people accessing and waiting for transit, providing safer routes to transit, and making all journeys safer. The City highlights three areas where safety concerns require further design refinement:

- **Permanent closure of SODO Busway.** Sound Transit's proposed closure of the SODO Busway and permanent detour of all transit trips to 4<sup>th</sup> Avenue South is an adverse impact that includes increased pedestrian activity on this freight corridor. Collaboration on mitigation measures is ongoing. The City's pedestrian and multimodal safety analysis have informed the proposed mitigation (e.g., different road channelization, increased sidewalk widths) and is grounded in the City's SEPA substantive authority for traffic and transportation<sup>17</sup> and SDOT's Vision Zero commitment. Further, the City is conducting a pavement deterioration analysis to determine the impact of the significant increase in buses to 4<sup>th</sup> Avenue South paving. The City will continue to work with Sound Transit and King County Metro on design-specific mitigation related to construction and operations for the permanent closure of the SODO Busway.<sup>18</sup> The City encourages Sound Transit and King County Metro to explore moving nonrevenue transit trips off 4<sup>th</sup> Avenue South and evaluate a new signal or other traffic modifications to facilitate the movement of nonrevenue buses off 4<sup>th</sup> Avenue South.
- **Freight Crossings in Public Right of Way.** Seattle is a City of the First Class and is the responsible agency to discuss and negotiate with railroads (BNSF and UP) regarding crossing additions or alterations in or along public right of way within the City Limits. Sound Transit must include the City in communications with the railroads regarding rail crossings (whether at-grade or grade-separated) that are in public right of way.
- **Station Footprint at 35<sup>th</sup> Ave SW and Fautleroy Way SW.** In the WSLE FEIS, Sound Transit proposed an Avalon station design that extends into the existing operational footprint of 35<sup>th</sup> Ave SW and Fautleroy Way SW ROW, displacing the northbound travel lane which accommodates significant AM peak period traffic volumes, including freight, and raising pedestrian safety concerns.<sup>19</sup> The City acknowledges this design will evolve and looks forward to continued coordination on design refinements at this critical intersection.

#### 4. ACQUISITIONS, DISPLACEMENTS, AND RELOCATIONS: BUSINESSES AND RESIDENTS

Sound Transit's Preferred Alternative minimizes residential and business impacts, including impacts to maritime businesses.<sup>20</sup> Sound Transit provides robust mitigation to residential and business property owners and tenants in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and Sound Transit's Real Property Acquisition and Relocation Policy, Procedures, and Guidelines.<sup>21</sup> The City understands Sound Transit's commitment to treat owners uniformly and equitably as required under State and Federal law and Sound Transit policies. The impacts of displacement vary by each individual business and family that is displaced by this project, and their needs for relocation and for support will each be different.

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<sup>17</sup> SMC 25.05.675.R (SEPA Traffic and transportation), SMC 25.05.444.B.3 (built environment transportation elements).

<sup>18</sup> WSLE FEIS at 3-23, 3-28, 3-87, Appendix O.2.2: Response to City Comments Attachment A Comment 1113.

<sup>19</sup> See WSLE FEIS Appendix J: Conceptual Design Drawings (e.g., Part 2, page W05-ASP500).

<sup>20</sup> WSLE FEIS at 4.3-11 to 4.3-14 (maritime industry impacts).

<sup>21</sup> WSLE FEIS at 4.14-14.

Numerous City stakeholders—including business and residential property owners and tenants—have communicated their serious concerns about project impacts. As Sound Transit moves forward in the process, the City encourages Sound Transit to consider the following approaches.

- Sound Transit should continue to engage property owners, homeowners, and business and residential tenants with up-to-date information on project impacts to their interests.
- Sound Transit should proactively share transparent information about acquisition and relocation as soon as possible. Sound Transit’s communication should be clear about Sound Transit’s process, timeline, level, and type of financial assistance.
- Sound Transit should continue to engage environmental justice communities in conversations around mitigation to ensure equitable outcomes across the many communities who have been historically marginalized for decades by transportation decisions and government planning.
- Sound Transit should provide robust mitigation for residential and business temporary and permanent displacements that is developed through direct engagement with affected owners and tenants; tailored to the unique, individual characteristics of the displaced resident or business; and focused on communities experiencing severe disruption during construction and minority and low-income individuals and communities.
- For **residents**, relocation efforts should consider place-based social connections; distance from schools, employment, and important social services; the Delridge community; and opportunities for residents to remain in the same community.
- For **businesses**, mitigation measures can include early consultation, avoiding displacement when possible, and assistance to nearby businesses that experience finance loss and challenges during extended construction timeframes. The City encourages Sound Transit to contact and communicate with existing business organizations and associations in directly impacted neighborhoods, including the City’s Business Improvement Areas (BIAs), and tailor mitigation to their operational needs and client behaviors. The City’s Office of Economic Development is available to facilitate introductions between Sound Transit and neighborhood organizations.
- For **marine-dependent businesses**, there could be permanent significant and unavoidable adverse impacts with ripple effects on other maritime related businesses.<sup>22</sup> Some location-dependent facilities may not be able to be relocated. Sound Transit should offer comprehensive mitigation that addresses the unique challenges facing location-dependent businesses.

## 5. ACQUISITIONS, DISPLACEMENTS, AND RELOCATIONS: CITY ASSETS

The City highlights two City properties that will be impacted by WSLE and where project design and associated impact and mitigation conversations are ongoing: Seattle City Light South Service Center and Fire Station 14. Given the importance of these City assets; the short timeframe between the Sound Transit Board’s adoption of the project, final design, and the start of construction; and the need for City Council approval for any real property transactions; the City encourages Sound Transit to prioritize agreement with the City and implementation of mitigation to ensure the real property transactions do not delay Sound Transit’s WSLE construction timeline.

- **Seattle City Light South Service Center.** Following a site visit and ongoing discussions, the City and Sound Transit have collectively recognized that impacts from the proposed guideway column, guideway, and construction staging on Seattle City Light’s South Service Center property will impede general site circulation and ingress and egress to the site. The WSLE project will likely require

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<sup>22</sup> WSLE FEIS at 6-20.

permanent relocation of the City vehicle repair facility (Building B), fueling station, and apprenticeship training facility. Sound Transit and the City are actively addressing these complex site issues together.

- **Fire Station 14.** The WSLE FEIS Preferred Alternative DUW-1a shows a partial acquisition of Fire Station 14 and potential onsite construction;<sup>23</sup> Sound Transit and the City are actively addressing potential site impacts. Construction impacts could potentially include disruption to critical site utilities, which would impact Fire Station 14 and Seattle Fire Department operations. Mitigation measures should ensure that construction activities do not impede station operations or increase response times.

## 6. NOISE AND VIBRATION IMPACTS AND MITIGATION

In the WSLE FEIS, Sound Transit applied Federal Transit Administration (FTA) noise standards to establish impacts and the required mitigation for operational sound levels. FTA's standards are different and not comparable to the City's noise policy limits<sup>24</sup> or the Washington standards in the Washington Administrative Code. The City's noise code policy is to minimize the exposure of community members to the dangers of excessive noise and to protect, promote, and preserve the public health and safety. The City and Sound Transit have been and should continue to work together to understand if the FEIS-identified impacts and mitigation in the Duwamish and Delridge corridors will comply with City policy. Sound Transit will apply for construction noise variances when proposed construction does not comply with exterior sound limits of SMC 25.08; that permitting process will require a detailed noise impact analysis, including consideration of cumulative noise impacts.

The City appreciates Sound Transit's improvements in the noise and vibration analysis between the WSBLE DEIS and WSLE FEIS. As Sound Transit moves into final design, the City remains concerned about construction and operational noise and vibration impacts near sensitive, unique, and historic buildings, including Fire Stations 14 and 36. Preferred Alternative DUW-1a—which includes elevated structures, crossovers, curves, and potential wheel squeal noise—poses heightened noise and vibration impacts and is estimated to have severe impacts on Fire Station 14.<sup>25</sup> Fire Stations 14 and 36—and all Seattle fire stations—are staffed by personnel working 24-hour shifts 24-hours/day and 7-days/week. Construction and operation noise and vibration effects to the stations must not exceed acceptable thresholds for nearby residential uses so that fire stations can fully and effectively continue to operate. The City requests that Sound Transit work with the City to determine the potential need for sound insulation or other mitigation at Fire Station 14.

The City asks to be actively involved in Sound Transit's noise and vibration analysis update during and after final design, and in the development of Sound Transit's proposed Noise Control Plan. The Plan should address both construction and operation impacts with a focus on sensitive, unique and historic buildings (including Fire Stations 14 and 36). Plan elements should include: (1) site-specific baseline analyses; (2) site-specific field noise and vibration measurements for receivers likely to experience moderate and severe impacts; (3) continuous construction monitoring; (4) protocols and contingency plans if actual noise and vibration surpass allowed limits; (5) cumulative noise impacts; and (6) robust, site-specific measures to mitigate moderate and severe impacts at the source (e.g., low impact frogs, increased thickness of concrete under track, etc.), pathway (sound walls), and receiver (e.g., double

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<sup>23</sup> WSLE FEIS at 4.14-10, Appendix L4.1: Acquisitions, Displacements, and Relocations at L4.1-3, Figure L4.1-5b.

<sup>24</sup> SMC 25.08.

<sup>25</sup> WSLE FEIS at 4.7-13.

pane windows, sound insulation and sound absorbing materials, weatherstripping). Finally, the City encourages Sound Transit to engage community on Plan mitigation measures and to create clear communication channels with community during construction.

## 7. WATER RESOURCES

Sound Transit's WSLE FEIS designates guideways as non-pollution-generating.<sup>26</sup> The Washington Department of Ecology's (Ecology) 2024-2029 Stormwater NPDES permit classifies Light Rail runoff as pollution-generating. While Sound Transit has appealed this determination to the Pollution Control Hearings Board, the City is obligated to follow Ecology's guidelines and will apply the City's current 2021 Stormwater Code's treatment of guideways (railways) as pollution generating to the WSLE project.<sup>27</sup> The City will update (as allowed by law) the Seattle Stormwater Code if Ecology changes its position.

## 8. ECOSYSTEMS

Longfellow Creek and Pigeon Point are in Environmentally Critical Areas (ECA), and the project will need to comply with the City's governing codes and regulations for such development when Sound Transit seeks a permit for project work in these ECAs.<sup>28</sup> Longfellow Creek is an ECA fish and wildlife conservation area that includes riparian corridors, wetlands, and flood prone areas. Sound Transit's WSLE FEIS discusses Longfellow Creek,<sup>29</sup> and states direct impacts to the creek will be avoided.<sup>30</sup> Sound Transit and the City have had ongoing conversations about project impacts, potential designs, and restoration concepts not reflected in the FEIS. As proposed restoration concepts at Longfellow Creek are further explored and final design is refined, the City will continue to consider short- and long-term impacts to Longfellow Creek, exploring whether Sound Transit's mitigation could allow for future City creek restoration, and mitigation of construction-related permanent loss of forest canopy and riparian vegetation.

The light rail transit facility located at Pigeon Point is within an ECA steep slope erosion hazard area, wetlands, and wildlife habitat conservation area (Great Blue Heron Rookery and the Duwamish Greenbelt). Sound Transit's final design must comply with local code requirements<sup>31</sup> and should achieve the following goals: complete stabilization of the ECA landslide-prone areas during construction and operation;<sup>32</sup> tree retention and replacement;<sup>33</sup> drainage design that minimizes soil erosion; and minimized impacts to Heron and the residential properties at the top of the slope.

The City has multiple tree regulations that apply to tree impacts from the WSLE project.<sup>34</sup> The City appreciates Sound Transit's effort to create a Tree and Vegetation Management and Protection Plan for

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<sup>26</sup> WSLE FEIS at 4.8-7 & n.1.

<sup>27</sup> SMC 22.801.170P.

<sup>28</sup> See, e.g., SMC 25.09.

<sup>29</sup> See, e.g., WSLE FEIS Appendix I: Mitigation Plan at I-22, I-23.

<sup>30</sup> WSLE FEIS at ES-20.

<sup>31</sup> See, e.g., Environmentally Critical Areas Code SMC 25.09, Grading Code SMC 22.170, Stormwater Code 22.800-808, and Seattle Building Code.

<sup>32</sup> SMC 25.09.012.A, SMC 25.09.080.

<sup>33</sup> SMC 25.09.065.B.

<sup>34</sup> 2023 One Seattle Tree Plan Executive Order; Tree and Vegetation Management in Public Spaces (SMC 15.43), Environmentally Critical Areas Ordinance (SMC 25.09), and Shoreline Overlay District (SMC 23.60A), and additional local municipal code changes since the WSLE Draft EIS was published, such as the Tree Protection Ordinance (SMC 25.11) and the Maritime and Industrial Lands Ordinance (SMC 23.50A).

WSLE. The City will collaborate with Sound Transit to ensure that plan fulfills the policy and regulatory commitments to its community members; maximizes tree preservation and planting within the project limits; mitigates tree canopy loss by planting trees in city parks, greenspaces, public lands, and rights of way; restores the ecological functions of the ECAs above; and prioritizes tree planting in neighborhoods that currently lack tree canopy.

## 9. GEOLOGY AND SOILS

Ground stabilization measures, pile driving, adjacent excavation, concrete pavement breaking and dewatering carry a significant risk of causing ground movement, typically settlement. Settlement can cause damage to SPU assets (e.g., underground pipes). In addition to Sound Transit's proposed "settlement monitoring program,"<sup>35</sup> the City asks that, as the project progresses into permitting, Sound Transit develop and share a Settlement Monitoring and Mitigation Plan to ensure that City assets, including underground utilities, are protected during construction and during operation.

## 10. UTILITIES

Since the WSLE DEIS was published, Seattle Public Utilities (SPU) has become more concerned about stray current impacts on underground infrastructure. For example, Sound Transit's recent 2023 maintenance included replacement of at-grade tracks at Royal Brougham to lessen stray current impacts at that location. Sound Transit has committed to "minimize or avoid the effect of stray currents on neighboring facilities by incorporating best management practices appropriate for the project."<sup>36</sup> The City requests Sound Transit collaboration to develop and adopt protective and specific measures for SPU's buried metallic infrastructure to ensure that stray current impacts do not reduce the service life of SPU assets.

WSLE impacts at Seattle City Light's (SCL) South Service Center (SSC) pose significant challenges and risk to SCL's operations.<sup>37</sup> The SSC is SCL's primary service center and is operational twenty-four (24) hours a day, seven days a week. The onsite vehicle repair facility is the only current service location for SCL's unique vehicles. WSLE impacts at the SSC (column location, construction staging footprint, specific vehicles accessing the repair facility) will render the repair facility temporarily or permanently inaccessible, which will significantly decrease levels of service necessary for safe and reliable electric service. The City believes that impacts at SSC severely affect the reliability and operations of SCL's essential public service: providing reliable electricity to the City of Seattle and its surrounding service territory. Sound Transit and the City need to continue to work together to address the need for full functionality of SSC operations. If further design refinements indicate that Seattle's utility services are impacted due to project activities at the SSC, Sound Transit is responsible to fully mitigate those impacts.

## 11. PUBLIC SERVICES, SAFETY AND SECURITY

The City is concerned about (1) WSLE construction impacts to City services and (2) ensuring Seattle Fire Department (SFD) and the Seattle Police Department (SPD) have access to Sound Transit light rail

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<sup>35</sup> WSLE FEIS at 4.11-8.

<sup>36</sup> WSLE FEIS at 4.13-3.

<sup>37</sup> The City raised the SSC in its DEIS comments, but little information about impacts to the site was known at that time. See Appendix O.2.2: Response to City Comments Attachment A Comment 1417.

facilities during construction and operations to respond to emergencies. The SFD and the SPD both look forward to coordinating with Sound Transit “before and during construction to maintain reliable emergency access and alternative plans or routes to minimize delays in response times.”<sup>38</sup> Mitigation measures must ensure construction activities do not impede SFD and SPD response or increase response times.

Sound Transit has committed to working closely with SPD on a project-specific safety and security management plan that would meet all federal, state, and local requirements; developing strategies to prevent and respond to potential threats to public safety; and designing stations with Crime Prevention Through Environmental Design (CPTED) measures.<sup>39</sup> The City requests that Sound Transit commence “consultation with police and public safety services throughout the design process to minimize risk”<sup>40</sup> and to coordinate on access to stations, effective communication pathways, and SPD’s CPTED recommendations to improve safety.

## 12. PARKS AND RECREATIONAL RESOURCES AND SECTION 4(F)

The City has agreed that the taking of over three acres at Pigeon Point will result in a *de minimis* impact under Section 4(f) as long as Sound Transit and the City agree on replacement parkland that meets the City’s requirements under Seattle Ordinance 118477 (Initiative 42).<sup>41</sup> The City and Sound Transit have not reached agreement on replacement property “of equivalent or better size, value, location and usefulness in the vicinity, serving the same community and the same park purposes;” however, the City has communicated conditions for the parkland exchanges.<sup>42</sup> The City urges Sound Transit to continue working closely with the City to acquire appropriate replacement parkland and provide sufficient time for public engagement and City Council approval.

## 13. CUMULATIVE IMPACTS

The City acknowledges that Sound Transit’s WSLE FEIS Chapter 5 and Appendix K (Present and Future Development, Transportation, and Public Works Projects in the Study Area) identify multiple Sound Transit and other projects throughout our dense and dynamic City. There are a multitude of known and unknown activities that will occur simultaneously and across the City during affect WSLE construction—including e.g., Seattle 2026 FIFA World Cup and King County’s Mouth of Duwamish Combined Sewer Overflow (MDCSO) Program in SODO. The City encourages Sound Transit to continue to assess cumulative impacts and refine its mitigation planning to minimize impacts on the circulation and flow of all modes across the transportation system including vehicles, buses, cyclists and pedestrians, and affected businesses and City stakeholders.

## 14. SECTION 106 DRAFT PROGRAMMATIC AGREEMENT

The City has been actively participating as a consulting party in Section 106 consultation with Sound Transit and FTA, and previously provided comments on the Section 106 Draft Programmatic Agreement

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<sup>38</sup> WSLE FEIS at 4.14-14.

<sup>39</sup> WSLE FEIS at 4.14-7 to 4.14-9.

<sup>40</sup> WSLE FEIS at 4.14-9.

<sup>41</sup> See WSLE FEIS at 4.17-1, 4.17-21.

<sup>42</sup> See WSLE FEIS at 4.17-1, 4.17-21, 4.18-11; WSLE FEIS Appendix H: Final Section 4(f) Evaluation, Attachment H.2, Attachment 1 (City’s Concurrence).

included in WSLE FEIS Attachment N.5G. The City looks forward to reviewing the next iteration of the Section 106 Draft Programmatic Agreement through the ongoing Section 106 consultation process.

## 15. CITY'S COMMITMENT TO THIRD-PARTY FINANCING

In March 2023, the City committed to share financial responsibility for the additional cost of certain *Board directed scope elements* beyond a Sound Transit alternative that is affordable in the ST3 realigned financial plan. The City and King County articulated a joint commitment of up to \$400 million in additional funding for the WSLE and BLE projects. Since then, cost estimates for WSLE have increased significantly. The WSLE FEIS suggests that the City might share responsibility for these general cost increases.<sup>43</sup> The City's third-party funding position is consistent with Draft Resolution 2024-22: "Sound Transit will advance discussions with the City of Seattle and King County to further analyze costs, funding sources and develop a funding agreement related to certain *Board directed scope elements*."

In closing, the City supports the Preferred Alternative identified in the WSLE FEIS and looks forward to working closely with Sound Transit on this transformational light rail project.

Sincerely,

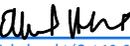
  
Jill Macik (Oct 18, 2024 12:23 PDT)

10/18/2024

Signature

Date

Jill Macik, SEPA Responsible Official, Department of Transportation, City of Seattle

  
Elliot Helmbrecht (Oct 18, 2024 14:31 EDT)

10/18/2024

Signature

Date

Elliot Helmbrecht, ST3 Designated Representative, City of Seattle

cc:

Mayor Bruce Harrell

Deputy Mayor Adiam Emery

Seattle City Council Member Dan Strauss

Greg Spotts, Director, SDOT

Elizabeth Sheldon, Chief Infrastructure Officer, SDOT

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CJ Holt, ST3 Program Manager, SDOT

Amy Chasanov, ST3 Mitigation and Concurrence Manager, SDOT

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<sup>43</sup> See WSLE FEIS "Areas of Continued Controversy" at ES-31, 6-21.