Washington State Department of Transportation

Washington State Ferries

Seattle Multimodal Terminal at Colman Dock Project
Appendix A - Agency and Organization Scoping Comments
Spring 2012

1. U.S. Fish and Wildlife Service / National Marine Fisheries Service
2. U.S. Environmental Protection Agency
3. King County Ferry District
4. King County Department of Transportation
5. King County Department of Natural Resources and Parks – Wastewater Treatment Division
6. Kitsap County Board of Commissioners
7. Kitsap Transit
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11. Cascadia Center / Port of Port Townsend / Jefferson Transit / City of Port Townsend / Port of Kingston
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16. Washington State Major League Baseball Stadium Public Facilities District
17. People for Puget Sound
18. Marine Transportation Association of Kitsap
19. Transportation Choices Coalition
20. Seattle Mariners

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United States Fish and Wildlife Service

United States Department of Commerce
National Marine Fisheries Service

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In Reply Refer To:
USFWS Reference:
01EWFW00-2012-CPA-0096

Genevieve Rucki, P.E.
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Seattle, Washington 98121-3014

Dear Ms. Rucki:

This letter provides the U.S. Fish and Wildlife Service's (FWS) and the National Marine Fisheries Service's (NMFS, jointly the Services) comments on the Colman Dock project. We appreciate the opportunity to provide comments on this proposed action, and this letter transmits our recommendations under sections 7(a)(1) and 2(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), to use your authorities to promote the conservation of listed species and their habitats. We also make these recommendations based on our respective responsibilities under the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*), and in regards to the conservation of our trust resources.

The Federal Transit Administration, Federal Highway Administration, and Washington State Department of Transportation are proposing to conduct facility improvements at the ferry terminal on Colman Dock in Seattle, Washington. The agencies propose to replace elements of the deteriorated facility to continue providing safe, reliable, and effective vehicle and passenger ferry service. Project components include:

- Replacing existing creosote-treated timber piles and dock structure with a concrete trestle structure and steel or concrete piles,
- Replacing the terminal building,
- Upgrading terminal facilities to current codes and regulations, including the Americans with Disabilities Act,
- Enhancing terminal safety and operation efficiency by optimizing vehicular and pedestrian circulation,

- Improving pedestrian connections with transit services,
- Developing the terminal to meet Leadership in Energy and Environmental Design Silver criteria,
- Incorporating appropriate aquatic habitat mitigation,
- Coordinating and developing the project in a manner that does not preclude possible future development by the City of Seattle of a rooftop open space feature.

The project area is located on Seattle's central waterfront at Pier 52 in Elliott Bay. The project area is highly developed and urbanized. Along the central waterfront are numerous piers and overwater structures used as restaurants, motels, and other commercial and industrial businesses. Lingering effects of more than a century of human development, combined with numerous ongoing activities, contribute to the existing conditions. Land uses along the waterfront include residential and commercial development, governmental, recreational, tourist and industrial uses. These uses result in the discharge of industrial waste, stormwater runoff from impervious surfaces, contaminated sediments, and shoreline alterations, including the seawall and overwater piers.

The aquatic habitat around the project area is generally poor as a result of the extensive development found throughout the area. The area just south of Colman Dock is one of two locations along the seawall where a shallow, intertidal sandy beach is located. Sugar kelp (*Laminaria saccharina*) and sea lettuce (*Ulva fenestrata*) are the predominant aquatic vegetation at this location (Tetra Tech 2010). On the north side of Colman Dock, bull kelp (*Nereocystis luetkeana*) and sugar kelp are found in the open water.

Fish surveys are currently being conducted from Pier 48 to Pier 70 as part of the City of Seattle's Seawall Replacement Project. Preliminary results of the survey have found 16 species of fish (City of Seattle et al. 2011). Key observations to date include: 1) juvenile Chinook salmon rarely crossed over the shade line of the piers; 2) schools of Chinook salmon stayed in the same area for up to three hours, and 3) juvenile salmon were not observed under piers but did migrate along the outside of the piers.

The Services attended the February 7, 2012, Tribal and Agency Scoping Meeting on the project. During the project overview, it was stated that the project is a replacement of the existing facility and would not result in an increase in overwater structures over the existing condition. Approximately 45,500 square feet of overwater structure will be removed on the north side of Colman Dock and replaced with a new structure of equivalent size on the south side. Basic stormwater treatment will be provided to treat stormwater that currently enters Elliott Bay untreated. The small pier on the south side of Colman Dock used for the passenger only ferry may be removed resulting in a net decrease in overwater shading by approximately 6,000 square feet. At the meeting, it was stated that ferry service would be maintained during construction. This implies that the new ferry terminal would need to be completed before the existing facility could be demolished. If this is the case, there would be a period of time where there would be increased shading (approximately 45,500 square feet) during construction of the new facility.

No restoration or habitat mitigation activities are proposed. The open area that will become available with the removal of the 45,500 square feet of overwater structure on the north side will provide an area where potential habitat restoration activities could occur, but this is not part of the project.

The following listed species and designated critical habitat may be found in Elliott Bay and the project area. For the ESA section 7 consultation, an analysis is needed on project impacts, including beneficial effects, to these species and their critical habitat.

FWS Species:

Coastal-Puget Sound Bull Trout *(Salvelinus confluentus)*	Threatened
Coastal-Puget Sound Bull Trout Critical Habitat	
Marbled Murrelet *(Brachyramphus marmoratus)*	Threatened

NMFS Species:

Puget Sound Chinook Salmon *(Oncorhynchus tshawytscha)*	Threatened
Puget Sound Chinook Salmon Critical Habitat	
Puget Sound Steelhead *(Oncorhynchus mykiss)*	Threatened
Southern Resident Killer Whale *(Orcinus orca)*	Endangered
Southern Resident Killer Whale Critical Habitat	
Steller Sea Lion *(Eumetopias jubatus)*	Threatened
Boccacio *(Sebastes paucispinis)*	Endangered
Yelloweye Rockfish *(Sebastes ruberrimus)*	Endangered
Canary Rockfish *(Sebastes pinniger)*	Threatened

Species listing information, life history, and potential use of the project area is provided in Appendix A.

In analyzing the project and to provide recommendations for a design alternative to benefit the fish and wildlife resources, the Services reviewed the bull trout and Chinook salmon recovery plans (see Appendix B for relevant sections of the recovery plans). Both plans identified reasons for the decline of the species and provided recovery actions that would reduce threats to the species and provide habitat that can benefit all listed species.

To address recovery and improve habitat for listed species within Elliott Bay, the Services provide the following recommendations for the Colman Dock project:

1. Coordinate with the City of Seattle on the Seawall Replacement Project to provide an open migratory corridor for salmonids along the seawall. The Services provide the U.S. Army Corps of Engineers and the City of Seattle with a Fish and Wildlife Coordination Act Planning Aid Letter in December 2010. The Planning Aid Letter provided a recommendation for a stepped, seawall design to minimize impacts of a vertical seawall. The City of Seattle's current design is a vertical seawall setback 10 to 15 feet from its existing location. A cantilevered sidewalk with glass panels will cover the entire new habitat provided by setting back the seawall. The Services recommend that the Federal Transit Administration, Federal Highway Administration, and Washington State

Department of Transportation coordinate with the City of Seattle to design the project to provide open (not shaded by docks or structures) nearshore areas between the dock and the seawall for salmonid migration.

2. Significantly reduce the overall footprint of Colman Dock. This can be accomplished by providing a second level staging area over the existing concrete structure that was built in early 1990's. The current design of Colman Dock is to remove approximately 45,500 square feet on the north side and replace it with an equivalent sized structure on the south side. Providing a second level for vehicle staging and parking would reduce the size of the structure and will minimize potential project impacts of constructing a new overwater structure over one of the only shallow intertidal areas remaining along the seawall. This alternative would not preclude any possible future development by the City of Seattle of a rooftop open space as this would be adjacent to the terminal building that will be built on the second level.
3. Mitigate for the short-term increase in size of the overwater structure, that will occur to keep the ferry terminal operational during construction, and the long-term project impacts from the loss of existing shallow water area located to the south of Colman Dock.
4. Restore aquatic habitat around Colman Dock. Restoration activities could include installing habitat features such as a habitat bench, cobble reefs, substrate enhancement, and establishment of vegetation, if possible (bull kelp, eelgrass [*Zostera* sp.], etc.). These features could be installed along the south side of Colman Dock, or in the new open area on the north side provided by the removal of the existing ferry terminal.
5. Coordinate with the Services throughout the designing of the Colman Dock project to expedite the ESA section 7 consultation. Early coordination can (1) provide an opportunity for the Services to suggest conservation measures that can be incorporating into the project to avoid, reduce, or minimize potential adverse effects to listed species; (2) identify design alternatives that can benefit the recovery of listed species; and (3) provide technical assistance on specific species habitat requirements that could be incorporated into the project.

The Services appreciate the opportunity to provide early input into the project. We hope that the transportation agencies will include the recommendations provided above. If you have any questions about this letter or our joint responsibilities under these Acts, please contact Jim Muck at (206) 526-4740 or email jim.muck@noaa.gov.

Sincerely,

Ken Berg, Manager
Washington Fish and Wildlife Office
U.S. Fish and Wildlife Service

William W. Stelle, Jr.
Regional Administrator
NOAA – NMFS

cc:
Suquamish Tribe, Suquamish, WA (R. Brooks)

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Appendix A: Listed Species and Designated Critical Habitat Information within Elliott Bay

Coastal-Puget Sound Bull Trout

Bull trout were listed as threatened on November 1, 1999 (64 FR 58910). Bull trout populations exhibit 4 distinct life-history types: resident, fluvial, adfluvial, and anadromous. Resident, fluvial, and adfluvial forms exist throughout the range of the bull trout (Rieman and McIntyre 1993) and spend their entire life in freshwater. The only known anadromous form within the coterminous United States occurs in the Coastal-Puget Sound region (Volk 2000, Kraemer 1994, Mongillo 1993). For all life-history types, juveniles rear in tributary streams for 1 to 3 years before migrating downstream into a larger river, lake, or estuary and/or nearshore marine area to mature (Rieman and McIntyre 1993).

No studies describe the salinity tolerance of bull trout, but both subadult and adult bull trout can survive a wide range of salinities, varying from fresh to brackish to marine waters and can move between these areas with little or no delay for acclimation. Acoustic radio telemetry and habitat study projects indicates that bull trout in marine waters are most active at night and prefer deeper nearshore habitat rather than shallow nearshore habitat. Bull trout from different freshwater populations may overlap in their use of marine and estuarine waters. Although bull trout are likely to be found in nearshore marine waters year-round, the period of greatest use is March through July (Goetz and Jeanes 2004).

Anadromous bull trout forage and mature in the nearshore marine habitats on the Washington coast, Strait of Juan de Fuca, and in Puget Sound. In Puget Sound, the distribution of bull trout in nearshore waters likely correlates to the nearshore distribution of baitfish (WDFW 1999). It also appears that certain life-history stages may use different marine prey species. For example, the younger bull trout (age 1-3) that move to marine waters appear to select smaller prey items, such as shrimp. By age 4, the diet of anadromous bull trout has shifted largely to fish. Bull trout from Puget Sound prey on surf smelt, Pacific herring, Pacific sand lance, pink salmon smolts, chum salmon smolts, and a number of invertebrates (Kraemer 1994).

Puget Sound Bull Trout Critical Habitat

The FWS designated critical habitat for the Coastal-Puget Sound bull trout on September 26, 2005 (70 FR 56212). On October 18, 2010, the FWS revised the 2005 critical habitat designation (75 FR 63898) based on extensive review of the previous critical habitat proposals and designation, as well as new information received during the 2010 public review process. The final rule identified nine primary constituent elements (PCEs) essential for the conservation of bull trout.

For the marine nearshore areas, the inshore extent of critical habitat is the mean higher high waterline, including tidally influenced freshwater heads of estuaries. The offshore extent of critical habitat for marine nearshore areas is based on the extent of the photic zone (depth to which sunlight can penetrate to permit photosynthesis), which is about 33 ft (10 m).

Five of the nine PCEs of bull trout critical habitat are in Elliott Bay:

- PCE #2: Migration habitats with minimal physical, biological, or water quality impediments between spawning, rearing, overwintering, and freshwater and marine foraging habitats, including but not limited to permanent, partial, intermittent, or seasonal barriers.

- PCE #3: An abundant food base, including terrestrial organisms of riparian origin, aquatic macroinvertebrates, and forage fish.

- PCE #4: Complex river, stream, lake, reservoir, and marine shoreline aquatic environments, and processes that establish and maintain these aquatic environments, with features such as large wood, side channels, pools, undercut banks and unembedded substrates, to provide a variety of depths, gradients, velocities, and structure.

- PCE #5: Water temperatures ranging from 2 to 15 °C (36 to 59 °F), with adequate thermal refugia available for temperatures that exceed the upper end of this range. Specific temperatures within this range will depend on bull trout life-history stage and form; geography; elevation; diurnal and seasonal variation; shading, such as that provided by riparian habitat; streamflow; and local groundwater influence.

- PCE #8: Sufficient water quality and quantity such that normal reproduction, growth, and survival are not inhibited.

Marbled Murrelet

The marbled murrelet was federally listed as a threatened species in Washington, Oregon, and northern California effective September 28, 1992 (57 FR 45328). Critical habitat was designated on June 24, 1996 (61 FR 26256). The FWS did not include the marine environment in the critical habitat designation because other regulations protect the quality of marine foraging habitat and prey species. While clean water and food in the marine environment were identified as essential to the conservation of the murrelet, the primary threats to these elements are pollution, toxic spills, and degradation of prey habitat. Commercial and recreational fishing did not appear to be a threat to habitat at this time. Several laws specifically regulate activities that could result in pollution, toxic spills, or degradation of prey habitat in the marine environment and attempt to reduce the risk of such events.

The marbled murrelet is a small seabird that feeds primarily on fish and invertebrates in nearshore marine waters. Marbled murrelets spend most of their lives in the marine environment and come inland to nest, although they may scout for or visit potential nesting stands at any time of the year. Marbled murrelets have been recorded up to 50 miles (80 km) inland in Washington (Hamer and Cummins 1991).

Monitoring of marbled murrelet population trends and status has been conducted annually since 2000 under the effectiveness monitoring program of the Northwest Forest Plan. The survey results indicate that the population is declining throughout the range since 2000. The most significant decline is in Puget Sound (Conservation Zone 1 - which also includes the Straits of Juan de Fuca), where the mean average annual change in the number of marbled murrelets between 2001 and 2008 was minus 7.9 percent. Since 2004, data on nest success from radio telemetry and adult:juvenile ratios as an index of breeding success confirms that reproduction in Washington, Oregon, and California is too low to sustain populations of marbled murrelets.

No monitoring of marbled murrelets has been conducted in Elliott Bay. Elliott Bay is included in stratum 3 of the Conservation Zone 1 effectiveness monitoring which includes all of Puget Sound south of the San Juan Islands and Hood Canal. Five sites within stratum 3 are monitored yearly and bird densities for these sites are used throughout the stratum. Densities within stratum 3 ranged from 0.29 birds/km^2 in 2004 to 2.02 birds/km^2 in 2005. Mean density from 2004 through 2007 is 1.3 birds/km^2.

Marbled murrelets are not believed to use the marine waters of Elliott Bay. Elliott Bay is highly urbanized, has high barge and ferry traffic, and forage fish and their habitat is limited which makes the area generally unsuitable for marbled murrelets.

Puget Sound Chinook Salmon

Chinook salmon were designated as threatened on March 24, 1999 (64 FR 14307). The threatened status was reaffirmed on June 28, 2005 (70 FR 37160). In Puget Sound, nearshore marine waters are important for juvenile salmon rearing, growth and migration (Brennan et al. 2004, Mavros and Brennan 2001, Williams et al. 2001, Nelson et al. 2004). Nearshore areas also provide spawning habitat for forage fishes, which are important prey for older salmon. The nearshore environment in these action areas is used by various Chinook salmon stocks including the Snohomish River, Cedar River/Lake Washington, Green/Duwamish River, and Puyallup River stocks.

Studies on Chinook salmon use of Puget Sound have found that juveniles begin entering into estuaries and the nearshore in late January and early February (Williams et al. 2001). Peak migration into Puget Sound occurs in June and July (KCDNR 2001, Toft et al. 2003, Nelson et al. 2004). Juvenile Chinook salmon are found along the nearshore through October. Current evidence suggests that Chinook salmon may use the nearshore year-round. Mavros and Brennan (2001) sampled from the beginning of June through mid-August and captured Chinook salmon throughout the sampling period. Toft et al. (2004) sampled from mid-May through the first of August and captured Chinook salmon throughout. Beamish et al. (1998) sampled offshore water and captured Chinook salmon into September. Brennan et al. (2004) used beach seines to sample the nearshore of King County, and they caught Chinook salmon in October of 2001 and 2002, but densities were low.

King County sampled juvenile Chinook salmon in a variety of nearshore habitats ranging from Vashon Island to Picnic Point during May to October, 2001 and 2002. About 88% of 58 Chinook salmon originating from Soos Creek Hatchery in the Green/Duwamish River basin

migrated south after entering Puget Sound; few individuals were captured in nearshore waters of WRIA 8 (Brennan and Higgins 2004). In the Elliott Bay area, most juvenile Chinook salmon captured after June were from Puget Sound watersheds other than the Duwamish (Ruggerone et al. 2004). Nelson et al. (2004) reported that catch rates of juvenile Chinook salmon in Elliott Bay were considerably smaller than catch rates in the Duwamish estuary (RM 0 to RM 7), reflecting rapid dispersal along marine habitats.

Puget Sound Chinook Salmon Critical Habitat

NMFS designated critical habitat for Puget Sound Chinook salmon on September 2, 2005 (70 FR 52630). Critical habitat has been designated for the nearshore extending along the entire City of Seattle Puget Sound nearshore from extreme high water to a depth of 98 ft (30 m) relative to MLLW. One of the six PCEs of Chinook salmon critical habitat may be affected from the project:

- Nearshore marine areas free of obstruction with water quality and quantity conditions and forage, including aquatic invertebrates and fish, supporting growth and maturation; and natural cover such as submerged and overhanging large wood, aquatic vegetation, large rocks and boulders, and side channels.

Puget Sound Steelhead

Puget Sound steelhead were listed as threatened on May 11, 2007 (72 FR 26722). No critical habitat has been proposed at this time. *Oncorhynchus mykiss* exhibit a complex suite of life-history traits. Resident *O. mykiss*, commonly called rainbow trout, complete their lifecycle completely in freshwater. Anadromous *O. mykiss*, or steelhead, may reside in freshwater for up to 7 years before migrating to the ocean for 1 to 3 years. Under some circumstances, *O. mykiss* apparently yield offspring of the opposite life-history form (i.e., steelhead offspring become resident rainbow trout, and resident rainbow trout offspring become anadromous steelhead). In contrast with other species of Pacific salmon, *O. mykiss* are iteroparous, capable of repeat spawning.

Most steelhead juveniles reside in freshwater for 2 years before emigrating to marine habitats, with limited numbers emigrating as 1 or 3-year old smolts. Smoltification and seaward migration occur principally from April to mid-May (WDF et al. 1973). Two-year-old naturally produced smolts are usually 5 to 6 inches (140-160 mm) long (Wydoski and Whitney 2003, Burgner et al. 1992). The inshore migration pattern of steelhead in Puget Sound is not well understood; it is generally thought that steelhead smolts move quickly offshore (Hartt and Dell 1986).

Steelhead oceanic migration patterns are poorly understood. Evidence from tagging and genetic studies indicates that Puget Sound steelhead travel to the central North Pacific Ocean (French et al. 1975, Hartt and Dell 1986, Burgner et al. 1992). Puget Sound steelhead feed in the ocean for 1 to 3 years before returning to their natal stream to spawn. Typically, Puget Sound steelhead spend 2 years in the ocean.

Observations of steelhead are spotty and confined to nearshore habitats. Steelhead have been observed south of Elliott Point, off Golden Gardens, in Shilshole Bay, at Alki Point, and within Elliott Bay at the mouth of the Duwamish River (KCDNR 2001). In a recent study of the nearshore habitat in WRIAs 8 and 9 (including Vashon and Maury Islands in WRIA 9), 591 beach seine samples were collected in 2001 and 2002 (KCDNR 2001). Almost 34,000 salmonids were caught and of these, only 9 were steelhead (Brennan et al. 2004). These steelhead were captured from May through August with no steelhead caught in April, September, October, or December. Samples were not collected in November, or January through March.

Southern Resident Killer Whale

The Southern Resident (SR) killer whales Distinct Population Segment composed of J, K, and L pods was listed as endangered under the ESA on November 18, 2005 (70 FR 69903). The final rule listing SR killer whales as endangered identified several potential factors that may have resulted in the decline or may be limiting recovery of these whales, including: quantity and quality of prey, toxic chemicals which accumulate in top predators, and disturbance from sound and vessel traffic. The rule further identified oil spills as a potential risk factor for this species. The final recovery plan (73 FR 4176) also includes information on these potential threats to SR killer whales.

Southern Resident killer whales use different summer and winter habitats. All 3 Southern Resident pods regularly occur in the water of the Georgia Basin (the Strait of Georgia, Haro Strait, and the Strait of Juan de Fuca) during late spring, summer, and early fall (Heimlich-Boran 1988). The range of Southern Residents throughout the rest of the year is not well known. During the early fall, movements of Southern Residents, particularly J pod, expand to include Puget Sound (Krahn et al. 2002).

Killer whales frequent a variety of marine habitats with adequate prey resources and do not appear to be constrained by water depth, temperature, or salinity (Baird 2000). Killer whales tolerate a range of water temperatures, occurring from warm tropical seas to polar regions with ice floes and near-freezing waters. They occasionally enter brackish waters and rivers (Scheffer and Slipp 1948)

SR killer whales have been documented in the vicinity of Elliott Bay with varying frequency across the year. Most occurrences of killer whales have been documented from October through February. Little is known on the movement and reasons for killer whales to be within Puget Sound. The documented killer whales in the Puget Sound area have mostly been from J pod, but all pods can be found in Puget Sound. It is believed they come to the area for feeding.

Southern Resident Killer Whale Critical Habitat

NMFS designated critical habitat for the SR killer whale on November 29, 2006. Critical habitat boundaries for SR killer whales include 3 areas, 1 of which lies within Elliott Bay. This area, defined as Area 2, includes all of Puget Sound south of Deception Pass Bridge, the entrance to

Admiralty Inlet, and the Hood Canal Bridge. The extent of critical habitat includes all water greater than 20 ft (6.1m) relative to extreme high water. The PCEs for SR Killer whale's critical habitat and those found within Elliott Bay include:

- Water quality to support growth and development
- Prey species of sufficient quantity, quality, and availability to support individual growth, reproduction, and development, as well as overall population growth
- Passage conditions to allow for migration, resting, and foraging.

Steller Sea Lion

NMFS listed Steller sea lions as threatened on April 5, 1990 (55 FR 12645). In 1997, the North Pacific's population of Steller sea lions was separated into 2 DPSs:

- West of 144ºW longitude (near Cape Suckling, Alaska)
- The remainder of the United States.

The population west of 144ºW longitude was designated endangered on June 4, 1997 (62 FR 30772). The other DPS retained a threatened designation.

Critical habitat was designated on August 27, 1993, and includes all United States rookeries, major haul-outs in Alaska, horizontal and vertical buffer zones around these rookeries and haul-outs, and 3 aquatic foraging areas in North Pacific waters (58 FR 45269). No critical habitat is designated in Washington.

Steller sea lions occur year-round in Washington coastal waters, but no breeding rookeries have been identified in Washington waters. The number of Steller sea lions present in Puget Sound declines during the summer breeding season as sea lions return to rookeries in California, Oregon, British Columbia, and southeast Alaska. Most Steller sea lions are commonly observed in the Strait of Juan de Fuca and are occasionally found on navigation buoys in Puget Sound. No Steller sea lion haul-out sites exist along the City of Seattle shoreline. The closest haul-out is located on Toliva Shoals Buoy near Tacoma, Washington.

Rockfish – Boccacio, Yelloweye, and Canary

On April 23, 2009, three species of rockfish were proposed to be listed under the ESA (74 FR 10857). Bocaccio were proposed as endangered and yelloweye and canary rockfish were proposed as threatened. No critical habitat for any of the three species was proposed for designation at the time of listing. Bocaccio is comprised of three distinct population segments (DPS); northern coastal, southern coastal, and Puget Sound/Georgia Basin DPS. Yelloweye and canary rockfish are both comprised of two distinct population segments; coastal and Puget Sound/Georgia Basin DPS. Only the Puget Sound/Georgia Basin DPS of all three species were listed. The listings became effective on July 27, 2010.

The life-histories of the bocaccio, yelloweye rockfish, and canary rockfish include a larval and pelagic juvenile stage followed by a nearshore juvenile stage and sub-adult and adult stage. Much of the life-history and biological requirements for these three species is similar, with differences noted below.

Larval and Pelagic Juvenile Stage. Rockfish fertilize their eggs internally and the young are extruded as larvae. As larvae, rockfish generally occupy the upper portion of the water column and are often near the surface (Love et al., 2002). Larvae can make small local movements to pursue food immediately after birth (Tagal et al., 2002), but are nonetheless passively distributed with prevailing currents (NMFS, 2003). Larvae are often observed under free-floating algae, seagrass and detached kelp (Shaffer et al., 1995, Love et al., 2002). Unique oceanographic conditions within Puget Sound likely result in most larvae staying within the region where they are born rather than being dispersed to adjacent regions (Drake et al., 2009).

Nearshore Juvenile Stage. When bocaccio and canary rockfish reach sizes of 1.2 to 3.5 in (3 to 9 cm) or 3 to 6 months old, they settle onto shallow nearshore waters that support various kelp species (Love et al., 1991, Love et al., 2002). These habitats likely feature a beneficial mix of warmer temperatures, food, and refuge from predators (Love et al., 1991). Areas with floating and submerged kelp species support the highest densities of most juvenile rockfish (Carr 1983, Halderson and Richards 1987, Matthews, 1989, Hayden-Spear 2006). Unlike bocaccio and canary rockfish, juvenile yelloweye rockfish do not typically occupy intertidal waters (Love et al., 1991; Studebaker et al. 2009), but settle in 100 to 130 ft (30.5 to 39.6 m) of water near the upper depth range of adults (Yamanaka and Lacko 2001).

Sub-Adult and Adult. Subadult and adult yelloweye rockfish, canary rockfish and bocaccio typically utilize habitats with moderate to extreme steepness, complex bathymetry and rock and boulder-cobble complexes (Love et al., 2002). Within Puget Sound, each species has been documented in areas of high relief rocky and non-rocky substrates such as sand, mud and other unconsolidated sediments (Washington, 1977, Miller and Borton, 1980, WDFW unpublished data). Yelloweye rockfish remain near the bottom and have small home-ranges, while some canary rockfish and bocaccio have larger home ranges, move long distances, and spend time suspended in the water column (Love et al., 2002). Adults of each species are most commonly found deeper than 120 ft (36.6 m) (Love et al., 2002, Orr et al., 2000).

Yelloweye rockfish are one of the longest lived of the rockfishes, reaching more than 100 years of age, and reach 50 percent maturity at sizes around 15.7 to 19.7 in (40 to 50 cm) and ages of 15 to 20 years (Rosenthal et al., 1982, Yamanaka and Kronlund 1997). Maximum age of canary rockfish is at least 84 years (Love et al., 2002), although 60 to 75 years is more common (Caillet et al., 2000). They reach 50 percent maturity at sizes around 15.7 in (40 cm) and ages of 7 to 9. The maximum age of bocaccio is unknown, but may exceed 50 years, and they are first reproductively mature near age 6 (Love et al., 2002).

There is no single reliable historic or contemporary population estimate for yelloweye rockfish, canary rockfish or bocaccio within the DPSs (Drake et al., 2009). Despite this limitation, there is clear evidence each species' abundance has declined dramatically (Drake et al., 2009). The total rockfish population in the Puget Sound region is estimated to have declined around three percent

per year for the past several decades, which corresponds to an approximate 70 percent decline from the 1965 to 2007 time period (Drake et al., 2009). The decline of ESA-listed rockfish populations appears to be greater than the overall rockfish population (Drake et al., 2009).

Yelloweye rockfish and bocaccio have been documented within and near Elliott Bay (Washington 1977, WDFW unpublished data). Canary rockfish have been documented north of Elliott Bay, and each species have been reported by anglers in the Central Puget Sound in recent years (WDFW unpublished data).

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Appendix B: Sections of the Bull Trout and Chinook Salmon Recovery Plans specific to the marine nearshore and Elliott Bay:

The Bull Trout Recovery Plan for the Puget Sound Management Unit identifies residential development and urbanization as one of the major reasons for the decline in bull trout numbers (FWS 2004). The Recovery Plan states:

> Significant development and urbanization has occurred within portions of most core areas. The greatest impacts have been to lower mainstem river channels, estuarine, and nearshore marine habitats, but many subbasins in the lower part of major watersheds have been altered as well.
>
> More than 50 percent of the tidal flats and intertidal areas in major embayments of Puget Sound have been lost since 1850.
>
> Many estuarine and nearshore areas of Puget Sound have been filled or have had overwater structures installed to provide upland development sites for commercial/industrial, and to some extent residential, development.
>
> Significant portions of nearshore and shoreline habitats have also been altered with vertical or steeply sloping bulkheads and revetments to protect various developments and structures (e.g., railroads, piers) from wave-induced erosion, to stabilize banks and bluffs, to retain fill, and to create moorage for vessels. It has been estimated that one-third of Puget Sound's shoreline has been modified, with over half of the main basin of Puget Sound having been altered. Nearly 100 percent of the Duwamish estuary and Elliott Bay shoreline has been modified by some type of armoring. In areas where nearshore habitats currently remain intact or only partially modified, development continues to threaten these habitats. Functional estuarine and nearshore habitats are critical to anadromous bull trout for foraging and migration and to their prey species (e.g., herring, surf smelt, sandlance) for spawning, rearing, and migration.

The marine and estuarine habitat use by bull trout was identified in the bull trout recovery plan as a research need:

> Bull trout's complete use of estuarine and marine waters are unknown. The marine and estuarine residency period for bull trout is poorly understood, as are complete habitat preferences and complete foraging requirements.
>
> To adequately protect, conserve, and restore estuarine and marine habitats that can support bull trout, research is needed to determine the species' full range of habitat preferences (e.g., depth, salinity, bottom types, foraging habitats). Available information indicates bull trout use primarily nearshore waters, however this use may be biased due to the limitations of sampling in deeper more offshore locations…..It is critical to determine if there are other species, such as specific invertebrates or other estuarine and marine fish, that are also important forage items either in certain feeding areas or to particular bull

trout life stages. It is also crucial to better understand the relationship between these essential prey resources and the habitats which support their production and distribution. The processes which build and sustain nearshore habitats are highly susceptible to human impacts, such as bulkheads and other shoreline armoring, which separate beaches from the bluffs which feed them.

The following are specific recovery actions identified for the marine nearshore areas, especially Elliott Bay:

1.6 Identify impaired estuarine and nearshore marine habitats and implement actions to restore their appropriate functions.

1.6.1 Identify and remediate contaminant sites in estuarine and nearshore marine areas. Identify estuarine and nearshore marine sites with contaminated sediments and structures (e.g., treated wood piles) that pose a significant exposure risk to bull trout or their forage species, and address contaminant exposure by site capping or other remediation. High priority sites include those in close proximity to known and potential marine forage fish spawning areas and bull trout subadult and adult foraging habitats. High priority locations include Commencement Bay, Lower Duwamish and Elliott Bay, and Bellingham Bay.

1.6.2 Reduce impacts of development and transportation corridors along estuarine and marine shorelines. Reduce impacts along estuarine and marine shorelines by developing appropriate zoning restrictions and through acquisition of lands by Counties, land trusts, etc. Where feasible remove or reduce existing bank armoring (bulkheads and riprap), dikes, in-water and over-water structures (*e.g.*, pilings, docks) to restore or enhance altered shorelines and adjacent riparian areas. Avoid further development that will interfere with natural bluff and beach erosion processes, degrade vegetated intertidal habitats and forage fish spawning areas, or degrade nearshore riparian areas. Ensure measures are in place at all shoreline facilities that will avoid potential release of contaminants into marine waters. Highest priority areas for restoration include those in or in close proximity to known and potential marine forage fish spawning areas and bull trout subadult and adult foraging habitats, especially those directly linked to known core areas. Other high priority areas include nearshore habitats linking core habitats and foraging, migration, and overwintering habitats.

1.6.3 Restore or recreate intertidal foraging habitats in key areas. Restore or recreate intertidal habitat that has been previously altered or destroyed in estuaries and nearshore areas associated with core areas. Priority areas include Bellingham Bay, Lummi Bay, Samish Bay, Skagit Bay, Shilshole Bay, Elliott Bay, and Commencement Bay. Secondary priorities include estuarine areas or mouths of small anadromous salmon streams outside of core areas discharging into Puget Sound.

5.2 Conduct research evaluating relationships among bull trout distribution and abundance, bull trout habitat, and recovery actions.

5.2.2 Determine migratory pathways, patterns, and habitat preferences of anadromous bull trout in the Puget Sound Management Unit. Design and implement research efforts to determine full extent of anadromous bull trout migration patterns and use between core areas, foraging, migration and overwintering habitat areas (*e.g.*, Samish, lower Green), and within marine areas. Evaluate depth and other habitat preferences in estuarine and marine areas.

5.2.5 Determine extent of effects from contaminant exposure. Evaluate the significance of contaminant (*e.g.*, herbicides, pesticides, heavy metals, polyaromatic hydrocarbons, estrogenic compounds) exposure to bull trout in freshwater, estuarine, and marine habitats. Assess contaminant levels within individuals across age classes, evaluate lethal and sublethal effects and pathways of exposure, and assess potential overall effect to individual core areas. Also evaluate significance of contaminant exposure on their prey base, such as Cherry Point herring population. Current high priority areas include Bellingham Bay, Snohomish River estuary, Commencement Bay, and Duwamish River/Elliott Bay.

The Puget Sound Chinook Salmon Recovery Plan identifies habitat as a major factor affecting Chinook salmon populations. Specific text associated with habitat modifications identified in the Chinook Recovery Plan include (NMFS 2007):

> In heavily industrialized watersheds, such as the Duwamish, intertidal habitat has been eliminated by 98 percent.
>
> In addition to the high-intensity industrial and urban development at major river mouths in Puget Sound, intertidal and nearshore habitats throughout the Sound have been modified by shoreline armoring (e.g. construction of rock, concrete, and timber bulkheads or retaining walls). These modifications have a cumulative environmental impact that results in loss of riparian vegetation, obstruction of sediment movement along the shoreline, interference with wave action, and burial of upper beach areas. Although upper beach areas are not utilized directly by salmon, they are egg-laying grounds for species of smaller forage fish that salmon depend on.

Elliott Bay is located within two watersheds: Lake Washington/Cedar/Sammamish and the Green/Duwamish. The Chinook Recover Plan has specific technical recover criteria and goals for the different watersheds. Within the Lake Washington/Cedar/Sammamish watershed profile, it states (NMFS 2007b):

> There is a very limited amount of functioning nearshore and estuarine habitat available to Chinook. The lack of natural estuarine habitats due to the Ship Canal and the bank

armoring along the entire shoreline interrupts normal shore zone habitat forming processes and attributes which benefit Chinook.

The Green/Duwamish watershed profile also includes loss of habitat in the marine nearshore. The profile states (NMFS 2007c):

> Loss of habitat in marine nearshore rearing and migratory corridor — degradation or elimination of shallow-water habitats, such as mud flats, eelgrass, and kelp beds. Primary causes include shoreline armoring, dredging, filling, vegetation clearing, and overwater structures.

The Regional Salmon Recovery Strategies for Habitat, developed a specific strategy for estuaries, Puget Sound and the Pacific Ocean to address issues that are common to multiple watersheds or that were not adequately addressed within an individual water plan. This strategy identifies the following actions:

B. Restore processes and habitats in and near estuarine deltas where salmon populations first encounter tides and saltwater.

Strategy B3: In highly urbanized deltas, target short-term investments in actions that support ESU recovery by providing migratory corridors. Determine long-term restoration goal and subsequent strategies.

Puget Sound has two major deltas and shoreline areas where the primary support to the ESU is largely as a migratory corridor. This is because the underlying structure of the natal delta and shorelines has been lost or never existed (in the case of the current Lake Washington/Cedar/Sammamish watershed). There is also great technical uncertainty that processes could be restored or created, given the extent of the losses. Additionally, the cost to the region of fully recovering these estuaries, both in terms of restoration dollars and economic loss, is dramatic. Nevertheless, improvements in these areas are critical to move the Chinook populations that use these areas out of a high risk situation and to support other salmon populations that use the areas.

Action: Critical near-term actions in the Sammamish/Cedar and Green/Duwamish watersheds, are to preserve future opportunities, as they are very limited, and to develop a restoration strategy and set of actions in light of long-term goals. Over the longer term, implement actions consistent with the restoration strategy and overall goal.

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March 15, 2012

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Re: Seattle Multi-Modal Terminal at Colman Dock, Environmental Assessment – Scoping
(EPA Region 10 Project Number: 06-012-FHW).

Dear Mr. Drais, Mr. Jilek, and Ms. Rucki:

The U.S. Environmental Protection Agency (EPA) appreciates your invitation to offer scoping comments for the Seattle Multi-Modal Terminal Project at Colman Dock. We have reviewed the information package prepared for the February 7, 2012 Agency and Tribal Scoping Meeting and have visited the project website. In response to the previous Federal Register Notice of Intent to prepare an Environmental Impact Statement (EIS), the EPA submitted scoping comments in a letter dated May 18, 2006. We are incorporating those scoping comments by reference and have enclosed them for your use (Enclosure 1). We are also providing the following additional comments for your consideration during the development of the current Environmental Assessment (EA) in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

Sediment Quality and Management. We recommend that existing and/or potential sediment contamination be included among the issues to be addressed in the EA. Any available sediment quality data should be gathered and analyzed to determine whether contaminated sediments are present to determine potential environmental effects, and whether remediation is needed. For example, ferry propeller wash could expose contaminated buried sediments and cause re-suspension of contaminants. Dredging of the pier areas would require appropriate dredged materials management.

We have the following recommendations regarding sediment sampling, analysis, and management that may be conducted as part of this project:

- Indicate who is overseeing, authorizing, and reviewing sediment sampling, who is leading any clean-up that may be needed, and whether it is voluntary or required.
- Provide a copy of the Sampling and Analysis Plan (SAP), include a reference for it, and discuss the results. Disclose sampling methods, the number and locations of samples taken, supporting rationales, and whether the sampling represents an adequate characterization for construction purposes. For project design as well as liability reasons, determine what is present in the sediments at depth. If over-dredging and a structural cap are required to yield a clean surface, it is important to know how deep it will be necessary to excavate. Sediment results will dictate the dredging prism in terms of shape and volumes.
- Address the potential nature and extent of contaminant releases during project demolition activities, construction, operation, and maintenance and include appropriate short and long-term mitigation measures. The EA should discuss how contaminated sediments would be managed, and how design would be influenced to assure there would be no redistribution of contaminated sediments.
- Develop a Treated Creosote Timber Removal and Disposal Plan. The Plan should address management of adhered sediments as well. Include a SAP for sediment and soil that have come in contact with timber and piles and a dredged material management plan for sediments not associated with the pilings that will be dredged. Disclose how sediments will be controlled that could spread contaminants during construction, and commitments to perform these actions. We are enclosing a list of piling removal BMPs developed for contaminated sites that would help for that portion of project construction (Enclosure 2). Sediment transport modeling would also be useful if it is not feasible to control release and transport of sediments in certain areas of the construction site.

We also note that near the project area, there is an existing structural cap, installed to remediate contaminated sediments. It is important to be aware of this adjacent feature and address the potential for disturbing the cap as a result of project construction, operation, and maintenance activities. Any site clean-up activities should be coordinated with Washington Department of Ecology. If you have questions regarding sediments, contact Justine Barton in our office at (206)553-6051 or Jonathan Freedman at (206)553-0266.

Aquatic Habitat Mitigation. We are pleased that the project will incorporate aquatic habitat mitigation and understand that there will be coordination with the Alaska Way Viaduct and Seawall Replacement Project. We encourage the project proponents to work closely with resource agencies, tribes, and other environmental partners in the development of conceptual and actual mitigation plans with the goal of maximizing environmental benefits of the project as well as avoiding and minimizing impacts.

Air Quality. Emissions from project construction, maintenance, and multi-modal operations, which include ferries, buses, rail, and motorized passenger traffic, are of concern with respect to criteria air pollutants and air toxics, including diesel exhaust and particulates. The direct, indirect, and cumulative impacts of project related air emissions should be analyzed, disclosed, and mitigated.

The increased number and spatial density of transportation modes may result in emissions hotspots that need to be identified and mitigated. The EPA's Transportation Conformity Guidance for Quantitative

Hot-spot Analyses in PM2.5 and PM10 Nonattainment and Maintenance Areas at http://www.epa.gov/otaq/stateresources/transconf/policy/420p10001.pdf could be used to conduct analysis of diesel particulate matter and air toxics from the proposal.

To mitigate emissions from project construction we recommend strengthening efforts to address air toxics and diesel emissions by:

- visiting the Clean Construction USA website at http://www.epa.gov/otaq/diesel/construction/ for many examples of construction mitigation measures, case studies, and examples of institutional arrangements for implementing this mitigation;
- committing to a suite of air quality construction mitigation measures to avoid and minimize construction-related emissions to the extent possible; and
- including a commitment in the EIS to require, or provide contractor incentives to obtain, air quality construction mitigation measures to minimize construction-related emissions of air toxics and diesel particulates.

To mitigate ferry operation emissions, we recommend adopting applicable components of the Northwest Ports Clean Air Strategy, which is found at http://www.pscleanair.org/downloads/maritime/NW_Ports_Clean-AirStrategy_Final-01_22_2008.pdf. This is a strategy to reduce maritime and port-related emissions that affect air quality and climate change in the Pacific Northwest. The strategy suggests a range of practical actions that participants may choose from to achieve emission reduction targets. For example, use of improved ferry restraint systems would enable ferries to reduce throttle energy needed to remain stationary while docked for loading and unloading. Approximately 30% to 40% of ferry operating time is spent at 60% throttle setting at the dock. Reduced power needs would result in less fuel use and emissions.

Climate Change. The EIS should discuss the potential effect of the proposed action with respect to greenhouse gas emissions (GHGs) and climate change, and the potential effects of climate change on the proposed project. These results should be incorporated into project planning and design in order to mitigate GHG emissions (for example, see comments above regarding the Northwest Ports Clean Air Strategy and emissions reductions for project construction and operation), anticipate and adapt to climate-related changes and effects (such as, sea level rise, increased number and severity of storms), and contribute to public education about climate change and its consequences.

Thank you for the opportunity to offer comment for the Seattle Colman Dock Environmental Assessment. If you have questions, please contact me at (206)553-2966 or by electronic mail at somers.elaine@epa.gov.

Sincerely,

Elaine L. Somers
Environmental Review and Sediment Management Unit

Enclosure

Best Management Practices
For Pile Removal & Disposal

March 1, 2007

The purpose of the following Best Management Practices (BMPs) is to control turbidity and sediments re-entering the water column during pile removal, and prescribe debris capture and disposal of removed piles and debris.

BMP 1. Pile removal

A. Vibratory extraction is the preferred method of pile removal.

1) Crane operator shall be trained to remove pile slowly. This will minimize turbidity in the water column as well as sediment disturbance.

2) Operator to "Wake up" pile to break up bond with sediment.
   - Vibrate to break the skin friction bond between pile and soil.
   - Bond breaking avoids pulling out a large block of soil – possibly breaking off the pile in the process.
   - Usually there is little or no sediment attached to the skin of the pile during withdrawal. In some cases material may be attached to the pile tip, in line with the pile.

3) A major creosote release to the environment may occur if equipment (bucket, steel cable, vibratory hammer) pinches the creosoted piling below the water line. Therefore, the extraction equipment must be kept out of the water.

4) Piling must not be broken off intentionally by twisting, bending or other deformation. This practice has the potential for releasing creosote to the water column.

5) Work surface on barge deck or pier shall include a containment basin for pile and any sediment removed during pulling.

6) Basin may be constructed of durable plastic sheeting with sidewalls supported by hay bales or support structure to contain all sediment. Water run off can return to the waterway.

7) Work surface shall be cleaned by disposing of sediment or other residues along with cut-off piling as described in BMP 2C below.

8) Containment basin shall be removed and disposed in accordance with BMP 2C below or in another manner complying with applicable federal and state regulations.

9) Upon removal from substrate the pile shall be moved expeditiously from the water into the containment basin. The pile shall not be shaken, hosed-off, stripped or

scraped off, left hanging to drip or any other action intended to clean or remove adhering material from the pile.

B. Cutting will be necessary if the pile has broken off at or near the existing substrate so that it cannot be removed without excavation, or below the water line. Pile cutoff is an acceptable alternative if vibratory extraction or pulling is not feasible. Every attempt should be made, however, to completely remove the piling in its entirety before cutting. If a pile is broken or breaks above the mudline during vibratory extraction, one of the methods listed below should be used to cut the pile. Prior to commencement of the work the project engineer or contractor should assess the condition of the pilings. Contractor or project engineers need to create a log outlining the location and number of pilings that need to be cut and have this log available to the agencies upon request.

1) A chain should be used, if practical, to attempt to entirely remove the broken pile.

2) If the entire pile cannot be removed, the pile should be cut at or below the mudline by using a pneumatic underwater chainsaw. Project-specific requirements for cutoff should be set by the project engineer considering the mudline elevation and the presence of contaminants in the sediment. Generally, piling should be cut off at the mudline if sediments are contaminated and the mudline is subtidal, to minimize disturbance of the sediment. Piling should be cut off at least 1 foot below the mudline in intertidal areas where the work can be accomplished in the dry. Piling should be cut off at least 1 foot below the mudline in subtidal areas where the sediments are not contaminated. Repeated attempts to remove pile with a clamshell bucket (i.e., "grubbing") should not occur in contaminated sediments, or below the water line.

3) Piles shall be cut off at lowest practical tide condition and at slack water. This is intended to reduce turbidity due to reduced flow and short water column through which pile must be withdrawn.

4) If the piling is broken off below mudline greater than 1 foot, the piling may remain, provided it is located in deep subtidal waters. In intertidal and shallow subtidal areas, seasonal raising and lowering of the beach could expose the pilings above the mudline and leach out PAHs or other contaminants. In this case, the piling should be cut off at least two feet below the mudline if it is accidentally broken off during removal.

5) Depending on future use, the removal contractor should provide the location of the broken pile using GPS. This will be necessary as part of debris characterization should future dredging be a possibility in the area of piling removal.

BMP 2. Disposal of piling, sediment and construction residue

A. Pulled pile shall be placed in a containment basin to capture any adhering sediment. This should be done immediately after the pile is initially removed from the water.

1) Utilize basin set up on the barge deck or adjacent pier

2) Basin may be made of hay bales and durable plastic sheeting.

B. Piling shall be cut into 4' lengths with standard chainsaw.

C. Cut-up piling, sediments, construction residue and plastic sheeting from the containment basin shall be packed into a container. For disposal, ship to Rabanco/Seattle, Weyco facility at Longview Washington, or to another facility complying with federal and state regulations.

BMP 3. Pile replacement

A. Pile material

1) EPA prefers concrete piles for large structural replacements. Pilings made up of painted steel, unpainted steel, steel coated with epoxy-petroleum compound or plastic are also acceptable. Should untreated wood be used for fender piles then rub strips are recommended on the face of the wood.

2) ACZA treated timber piles may be used that comply with the Amendment to the Best Management Practices for the Use of Treated Wood in Aquatic Environments; USA Version – Revised April 17, 2002. Western Wood Preservers Institute. Rub strips are recommended if ACZA treated wood is to be used for fender piles. Coordination with WDFW is also recommended regarding metal leachability into the aquatic environment. When using ACZA, it is recommended that it be demonstrated that copper and arsenic levels in surrounding sediments be within the state SQS.

B. Vibratory hammer shall be used to drive piles. Work may be done from floating or land based construction equipment.

BMP 4. Debris capture in water

A. Floating surface boom shall be installed to capture floating surface debris. Debris is to be collected and disposed of along with cut-off piling as described in BMP 2C above.

BMP 5. Resuspension/Turbidity

A. Crane operator shall be trained to remove pile from sediment slowly.

B. Work shall be done in low water and low current.

C. Removed piles shall be placed in a containment facility.

D. Sediments spilled on work surfaces shall be contained and disposed of with the pile debris at permitted upland disposal site.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

May 18, 2006

Reply to
Attn Of: ETPA-088

Re: 06-012-FHW Seattle Ferry

Steve Saxton
Area Engineer
Federal Highway Administration
711 South Capitol Way, No 501
Olympia, WA 98501

Linda M. Gehrke
Acting Regional Administrator
Region 10, Federal Transit Administration
915 Second Avenue, Suite 3142
Seattle, WA 98174-1002

Dear Ms. Gehrke and Mr. Saxton:

The U.S. Environmental Protection Agency (EPA) has reviewed the Notice of Intent for the Washington State Ferries Seattle Ferry Terminal Project in Seattle, WA in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Thank you for the opportunity to provide comments at this stage of the environmental impact statement (EIS) development process.

Section 309, independent of NEPA, specifically directs the U.S. Environmental Protection Agency (EPA) to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures, we evaluate the document's adequacy in meeting NEPA requirements. We have enclosed a copy of *EPA's Section 309 Review: The Clean Air Act and NEPA*, which provides further elaboration of our EIS review responsibilities.

The scoping comments that follow are provided to inform the Federal Transit Administration (FTA) and the Federal Highways Administration (FHWA) of issues that EPA believes to be significant and warrant explicit treatment during the NEPA process. In providing these comments, it is our goal to have these issues addressed in the draft EIS.

We appreciate the opportunity to participate early in the planning process for this project and are available to discuss issues or answer questions that arise while you develop the draft EIS. Should you have any questions regarding our comments please contact Patricia Betts at (360) 407-6925 or by electronic mail at betts.patty@epa.gov.

Sincerely,

Christine B. Reichgott, Manager
NEPA Review Unit

Attachment

U.S. Environmental Protection Agency
Scoping Comments for
Seattle Ferry Terminal Project

Developing the Purpose and Need

Generally, the EIS should include a clear and concise statement of the underlying purpose and need for the proposed project, consistent with the implementing regulations for NEPA (see 40 CFR 1502.13). In presenting the purpose and need for the project, the EIS should reflect not only the NEPA lead agencies purpose, but also the broader public interest and need. Given the size of this project, a concise statement is of critical importance to setting up the analysis of alternatives, which could range from too tightly focused to too broad, depending on how the statement is written. The March 23, 2006 draft Purpose Statement could be more effective if the opening paragraph describes the overarching goal(s) that lead to the specific primary objectives..

We suggest the purpose and need include a primary objective to "accommodate and move passengers using a variety of travel modes, such as auto, foot, and bicycle". We believe this is an important objective and will result in valuable screening criteria for use in picking the range of alternatives and later for comparing the alternatives and developing mitigation.

Public transportation generally requires less infrastructure and causes fewer environmental impacts than travel that involves one car for each person. We recommend the purpose and need provide some emphasis/focus for solutions involving non-SOV travel such as, "increase the attractiveness of non-SOV travel, improve the ease of non-SOV travel". This has the benefit of serving a broader public interest and need, working towards a long term outcome that improves multi modal choices for travelers, and working on alternatives that will generally have fewer environmental impacts.

Other WSF Objectives - Controlling Fares through Non Fare-Box Revenues

We may not fully understand the rationale for the Washington State Ferries' objective to "control fares through non fare-box revenues" and to reduce the ferry use cost to passengers. Given our current understanding, we see some benefits to keeping the user cost linked to the project cost, unless there is an Environmental Justice issue or a specific broader public interest or need that you are trying to address. Our main concern is that there could be undesirable and unexpected consequences from reducing fares. For example, the transportation cost of "living far from work" would be subsidized, making these distant locations more affordable and desirable than they are now. This would enable and encourage (induce) more growth at those distant locations, accelerating the rate of growth so that planned capacity will not last as long and additional capacity would need to be provided. We believe this would likely be in the form of expanding the urban growth area (UGA) or increasing the density within the existing UGA. It may not be consistent with the current local comprehensive plans. The effects of expanding the UGA or increasing density within a UGA could then result in increased and unanticipated effects on the local communities, the built environment, and/or the natural environment. In light of these potential adverse effects, we believe it will be important to consider the possible unintended consequences of this type of strategy.

Selecting the Range of Alternatives

Important alternatives for serious consideration should include:

- An alternative that provides multiple levels of parking/holding over water in order to reduce/minimize the amount of overwater coverage.
- An alternative that moves the bulk of the overwater structure away from the shoreline into deeper water
- An alternative with as much of the facility on land as possible, including offices.

Alternative screening/evaluation criteria should include:

- Alternative's ability to serve the needs of multiple travel modes (auto, foot, bicycle)
- Alternative's infrastructure flexibility if projected travel mode (auto, foot, bicycle) ratios change
- Alternative's ability to provide passenger-only ferry service
- Alternative's ability to support and encourage less impacting modes of travel (non-SOV), including ferry transport for foot and bicycle passengers (potentially eliminating or delaying future expansion needs)
- Alternative's avoidance/minimization of over water/near shore infrastructure and facilities
- Alternative's avoidance/minimization of non-water dependent uses in the short term and long term
- Alternative's ability to restore the near shore area.
- Alternative's ability to provide opportunities for public access and recreation.
- Alternative's ability to support long term aquatic resource and ecosystem recovery goals.

We also recommend considering different scenarios for auto and passenger ratios. This would help describe a range of possible outcomes. It would be very helpful to the public and decision makers to understand the social and environmental implications if the division between user types is different.

We understand that the responsibility to run passenger-only ferries may be transferred to another agency. At this point, we are assuming there could be a need/value for passenger-only ferries at some point in the future. For the purposes of this EIS, we would like the alternatives to consider the need for passenger-only ferries. Passenger-only ferry options and how they would be managed should be included in the alternatives, as appropriate. If the NEPA lead agencies believe there is no need for passenger-only ferry service, neither now nor in the future, the EIS should discuss the rationale for this conclusion.

We understand alternatives that include a codevelopment component might not be consistent with existing state and local regulations. Such regulations would likely need amendments before they could be implemented. If these alternatives are considered reasonable under NEPA and SEPA, EPA recommends they be analyzed in the EIS prior to pursuing amendments to existing regulations. The EIS information about environmental and community impacts could provide decision makers with the important and necessary environmental information to be used when deciding whether to amend an existing regulation. It would also aid local jurisdictions in their consideration of the environmental impacts of their nonproject decisions such as amending a Shoreline Master Program, Comprehensive Plan, or Waterfront Plan.

Range of Effects/Impacts

NEPA calls for analysis of effects and impacts in a broad sense, addressing important issues that arise during scoping. Impacts from a project may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. There can be situations when adverse impacts occur even though regulations are met. For example, several air toxics are not regulated but are known to create a health risk. Therefore, it is important to consider impacts that may not be managed through existing regulations. The environmental analysis needs to evaluate and disclose the impacts from all emissions regardless of whether there is a regulation that manages those emissions. "Potential violation of Federal, State, or local law or requirements imposed for the protection of the environment" is but one of ten factors that should be considered in evaluating severity of impact (40 CFR 1508.27(b)).

Impacts to Air Quality

There is heightened concern for human health from projects that result in air toxics emissions and particulate matter from mobile sources, particularly diesel exhaust. The National Air Toxics Assessment, http://www.epa.gov/ttn/atw/nata, asserts that a large number of human epidemiology studies show increased lung cancer associated with diesel exhaust and significant potential for non-cancer health effects. Also the Control of Emissions of Hazardous Air Pollutants from Mobile Sources Final Rule (66 FR 17230, March 29, 2001) lists 21 compounds emitted from motor vehicles that are known or suspect to cause cancer or other serious health effects.

EPA recommends that the EIS disclose whether vehicular air toxics emissions would result from project construction, discuss the cancer and non-cancer health effects associated with air toxics and diesel particulate matter, and identify sensitive receptor populations and individuals that are likely to be exposed to these emissions. The EIS should then identify and commit to appropriate mitigation for the identified impacts.

Impacts to Water Quality

The project may include activities that have potential to degrade water quality. Infrastructure demolition; the construction of roads, parking areas, emergency vehicles roads, and a terminal building; and operation of a ferry facility can all alter water quality. Section 303(d) of the Clean Water Act (CWA) requires the State of Washington to identify those waterbodies which are not meeting or not likely to meet State water quality standards. The EIS must disclose which waterbodies may be impacted by the project, the nature of the potential impacts, and the specific pollutants likely to impact those waters. It should also report those water bodies potentially affected by the project that are listed on the State's current 303(d) list and whether Washington Department of Ecology has developed a water quality restoration plan (Total Maximum Daily Load) for the waterbodies and the pollutants of concern. If a Total Maximum Daily Load (TMDL) has not been established for those water bodies on the 303(d) list, then in the interim until one is established, the EIS must demonstrate that there will be no net degradation of water quality to these listed waters.

Antidegradation provisions of the CWA apply to water bodies where water quality standards are currently being met. This provision prohibits degrading water quality unless an analysis shows that important economic and social development necessitates degrading water quality. The EIS should explain how the antidegradation provisions would be met for the proposed project.

Impacts and Mitigation for Aquatic Resources

The proposed project (construction, operation, and maintenance) will likely impact aquatic resources: water quality (discussed above), open water habitats, nearshore subtidal and intertidal habitats, and shorelines.

The EIS should describe the current quality and potential capacity of habitat, its use by fish and wildlife on and near the proposed project area, and identify known fish corridors, migration routes, and areas of seasonal fish and wildlife (bird, marine mammal) congregation. Aquatic habitat descriptions should include habitat type, plant and animal species, functional values, and integrity.

These resources will experience varying degrees of impacts and alteration of their hydrologic functions, and project encroachment may degrade habitat for fish, other aquatic biota, and wildlife (e.g. marine mammals and birds). The EIS should evaluate effects on these species and populations from habitat removal and alteration, aquatic habitat fragmentation caused by infrastructure, land use, and management activities, and human activity. Effects on aquatic plant species and populations should be included. Impacts to aquatic resources should be evaluated in terms of the acreage to be impacted and by the functions they perform.

For any impacts that cannot be avoided through sitting and design, the EIS document should, at a minimum, describe the types, location, and estimated effectiveness of best management practices applied to minimize and mitigate impacts to aquatic resources.

It is possible the proposed activities will require a Clean Water Act Section 404 permit from the Army Corps of Engineers. For wetlands and other special aquatic sites, the Section 404(b)(1) guidelines establish a presumption that upland alternatives are available for non-water dependent activities. The 404(b)(1) guidelines require that impacts to aquatic resources be (1) avoided, (2) minimized, and (3) mitigated, in that sequence. The EIS should discuss in detail how planning efforts (and alternative selection) conform with Section 404(b)(1) guidelines sequencing and criteria. In other words, the lead agencies must show that they have avoided impacts to wetlands and other special aquatic sites to the maximum extent practicable. The EIS should discuss alternatives that would avoid wetlands and aquatic resource impacts from fill placement, water impoundment, construction, and other activities before proceeding to minimization/mitigation measures.

Habitat improvement goals (e.g. desired and possible marine/nearshore habitat functions and values in the project area) should be an important aspect of alternative screening, impact assessment, and mitigation effectiveness for this already heavily impacted area.

Understanding and Addressing Impacts to Endangered Species

Activities at the proposed location for the Seattle Ferry Terminal Project may impact endangered, threatened or candidate species listed under the Endangered Species Act (ESA) and their habitats, as well as state sensitive species. The EIS needs to discuss the direct, indirect and cumulative impacts on all threatened and endangered species and their habitat. Of particular concern are water quality standard requirements for ESA listed salmonids that may be impacted by the proposed project such as temperature, dissolved oxygen, and sediments. In addition, the EIS should describe the critical habitat for all ESA listed species, identify any impacts the proposed project will have on these species' critical habitat, and how it will meet all requirements under ESA.

Public Access and Recreation

This area is part of the Seattle shoreline which is an important area for public access and recreation. We understand this project will be coordinated with the City's waterfront planning process. It will be important to verify that alternatives do not conflict with the planning and to consider how the alternatives can support and work towards the goals of the plan. As part of that consideration, it will also be important to understand if the DEIS alternatives foreclose choices or encourage a particular waterfront outcome. If yes, the draft EIS should discuss and/or reference a discussion (if available) of any environmental effects associated with goals/outcomes precluded or encouraged.

Assessing Cumulative Impacts

It will be important to consider other projects in the area in terms of the timing for these projects, the resources impacted, and any geographic overlap of impact areas. For example, we suspect air quality, traffic, and business operation, at a minimum might be cumulatively impacted by construction of this project and the other projects. Once important cumulative construction impacts are understood, it will also be important for the project proponents to coordinate with other projects in the area, such as AWV, in order to mitigate those impacts

EPA has issued guidance on how we are to provide comments on the assessment of cumulative impacts, *Consideration of Cumulative Impacts in EPA Review of NEPA Documents*, which can be found on EPA's Office of Federal Activities home page at: http://www.epa.gov/compliance/resources/nepa.html. The guidance states that in order to assess the adequacy of the cumulative impacts assessment, five key areas should be considered. EPA will be using the five key areas as a basis for review of the cumulative effects analysis:

1. Identifies resources if any, that are being cumulatively impacted;
2. Determines the appropriate geographic (within natural ecological boundaries) area and the time period over which the effects have occurred and will occur;
3. Looks at all past, present, and reasonably foreseeable future actions that have affected, are affecting, or would affect resources of concern;
4. Describes a benchmark or baseline; and
5. Includes scientifically defensible threshold levels.

Include a Monitoring Program

As discussed above, the proposed project has the potential to impact air and water quality, marine life (e.g. seabirds, marine mammals, and plants), and habitat. Predicting the severity of these impacts and the effectiveness of mitigation measures is an imprecise science. We recommend that the project include a monitoring program designed to assess both impacts from the project and the effectiveness of measures utilized to mitigate such impacts. The EIS should describe such a monitoring program and how it will be used as an effective feedback mechanism for the proposed project.

Effective Public Participation and Environmental Justice

The EIS should disclose what efforts were taken to ensure effective public participation. In addition, if low income or people of color communities will be impacted by the proposed project, the EIS should disclose what efforts were taken to meet environmental justice requirements consistent with Executive Order (EO) 12898 (*Federal Actions to Address Environmental Justice in Minority and Low-Income Populations).* This should include the following.

- A description of the methodology and criteria utilized for identifying low income and people of color communities, the sources of data utilized for these analyses, and the references utilized for establishing the criteria.

- A comprehensive accounting of all impacts on low income and people of color, including (but not limited to) cumulative and indirect impacts, exposure pathways unique to the impacted communities, historic exposures, and impacts to cultural, historic and protected resources. In addition, the EIS needs to determine if the impacts to low income and people of color communities will be disproportionately higher than those on non-low income and non-people of color communities. For such a determination, the EIS must identify a reference community, provide a justification for utilizing this reference community, and include a discussion of the methodology for selecting the reference community.

The EIS must demonstrate that communities bearing disproportionately high and adverse effects have had meaningful input into the decisions being made about the project. The EIS needs to describe what was done to inform the communities about the project and the potential impacts in will have on their communities (notices, mailings, fact sheets, briefings, presentations, exhibits, tours, news releases, translations, newsletters, reports, community interviews, surveys, canvassing, telephone hotlines, question and answer sessions, stakeholder meetings, and on scene information), what input was received from the communities, and how that input was utilized in the decisions that were made regarding the project.

Consultation with Native American Tribes

If the proposed project has the potential to affect historical or traditional cultural places of importance to the area's Native American communities, the EIS needs to identify historic resources, and assure that treaty rights and privileges are addressed appropriately. If the proposed project will have impacts on Native Americans, the development of the EIS should be conducted in consultation with all affected tribal governments, consistent with Executive Order (EO) 13175 (*Consultation and Coordination with Indian Tribal Governments).* EO 13175 states that the U.S. government will continue to work with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, trust resources, and Indian tribal treaty and other rights. Documentation of these consultations should be included in the EIS. Consistent with the July 28, 1999 memorandum from the Council on Environmental Quality (CEQ) to Heads of Federal Agencies, we strongly urge the Corps to consider inviting affected Tribal governments to participate in the EIS development process as cooperating agencies. This would provide for the establishment of a mechanism for addressing intergovernmental issues throughout the EIS development process.

KING COUNTY
FERRY DISTRICT

516 Third Avenue | Room 1200 | Seattle, WA 98104
info@kingcountyferries.org | www.kingcountyferries.org

March 12, 2012

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121

SUBJECT: Scoping for Environmental Assessment
Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon:

Thank you for the opportunity to participate in the Environmental Assessment scoping process for the multimodal terminal at Colman Dock project. As one of the modes of transportation currently operating out of the existing area encompassed, and directly impacted by this project, the King County Ferry District is very interested in this project. As a ferry operator and public transportation provider we understand and respect the need to maintain, and replace aging facilities. However, we believe there are additional factors that must be fully considered and appropriately analyzed as Washington State Ferries (WSF), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) plan this project.

As a foundation for our comments, we believe Washington state established in RCW 36.57A.200 a public benefit area for the provision of passenger only ferry service. Important to this RCW and directly applicable to this proposed project concept is the legislative finding in Laws of 2003, c83 §201, which specifically states:

> "The legislature finds that passenger-only ferry service is a key element to the state's transportation system and that it is in the interest of the state to ensure provision of such services. The legislature further finds that diminished state transportation resources require that regional and local authorities be authorized to develop, operate, and fund needed services.
>
> The legislature recognizes that if the state eliminates passenger-only ferry service on one or more routes, it should provide an opportunity for locally sponsored service and the department of transportation should assist in this effort."

As providers of passenger only ferry service, we are fulfilling the state's identified interest and are delivering on a key element of the state's transportation system. We are deeply concerned, however, that the proposed project concept eliminates the Pier 50 passenger-only ferry terminal, and in so doing also eliminates a long established component of the transportation system without any consideration for, or mitigation of, the impacts to the multimodal transportation system, the communities impacted, or the environment.

This project, if implemented as proposed, will by design require the existing and potential passenger-only ferry operators to identify new locations, then design and construct new facilities to serve as a new public transportation hub on the downtown Seattle waterfront. Unfortunately, the project concept provides no consideration for the required upstream waterway usage changes, or the downstream land use changes, that must be identified and implemented. These types of changes will require coordination between the City of Seattle, operators of passenger-only ferry services, other connecting public transportation operators, and the multitude of property owners in the potentially affected areas. By displacing existing and planned passenger-only ferry service, this project will directly impact the multimodal transportation system and all of the intermodal connections. We believe these waterway, land use, and transportation impacts must be a part of this project's environmental evaluation.

The facilities at Pier 52, and adjoining Pier 50, represent a single passenger ferry destination, as part of a robust marine highway system. This waterborne highway system, although uniquely different from surface roadways, does have its own set of "rules of the road" and waterways management that are crucial to safe and effective marine navigation. The scheduling and safe navigation of ferries, both vehicle and passenger-only, is an important consideration of safe navigation and customer connections. The waters of Elliott Bay are bustling with marine traffic, with the Seattle waterfront iconic for its cultural and environmental significance, while representing a working waterway. If the passenger-only facility is to be eliminated, then the significance of the natural interactions between ferry functions, navigational safety in Elliot Bay, and the impact on the Seattle waterfront must be a part of this evaluation.

Of further concern is the long-term implication this project has on the development of a new over-water public transportation hub for passenger-only ferry service. The new configuration of the WSF vehicle ferry terminal and dock appears to utilize all of the existing overwater coverage, including that currently attributed to the passenger-only ferry terminal. The Puget Sound is long established as a protected body of water due to its ecological system and habitat for endangered and protected species. This complication of using all, or any portion, of the overwater coverage associated with Pier 50 would require additional environmental considerations and evaluations by whoever develops a new public transportation hub. And since this project proposes to displace an existing public transportation service, deemed an essential part of the state's transportation system, we believe these factors must also be fully considered and evaluated.

RCW 47.60.662 states:

> "The Washington state ferry system shall collaborate with new and potential passenger-only ferry service providers, as described in chapters 36.54, 36.57A, and 53.08 RCW, for terminal operations at its existing terminal facilities."

The project documentation states that WSF has been "consulting" with passenger only ferry service operators. We acknowledge that we were informed of WSF's decision, but find it important to stress that we were merely informed of their decision and not engaged in any meaningful discussion of solutions, alternatives, mitigation, or collaboration as called for in RCW 47.60.662. We fully understand our responsibility to contribute to the development of replacement facilities and the need to continue to work with all of our stakeholders and partners in the replacement of these essential public transportation facilities.

Very preliminary research performed since WSF's recent project notification indicates that there are few, if any, suitable locations along the Seattle waterfront that could accommodate the unique water and land-based needs of the passenger-only ferry function of one or multiple providers. This is true both in the short and long-term, even before any environmental impacts are assessed, and regardless of the availability of the funding needed to plan, design and construct a new passenger hub. As WSF and the state of Washington are very aware, the operation of passenger-only ferries is a challenging proposition. This project, as proposed, would deal a severe blow to the fledgling passenger-only ferry operators who are trying hard to provide a waterborne transportation alternative as part of a truly multimodal transportation network. Absent a plan that retains the passenger-only function as part of this project, this project could represent the demise of passenger-only ferry service on the Seattle waterfront. And as such these aspects of the proposed project should also be evaluated for their impacts to the land use and transportation system

Finally, we are concerned that the level of analysis proposed, an environmental assessment, may not be the appropriate forum to ensure an appropriately comprehensive evaluation of the proposed project's impacts. We note that project documentation indicates that a Finding of No Significant Impact (FONSI) is anticipated, and we are concerned that this anticipation is premature and may lead to inadequate analysis of the project's environmental impacts. Although identified as a preservation project, we believe the elimination of the passenger-only terminal at Pier 50 alone has significant adverse impacts to the people of Seattle and neighboring communities, the Seattle waterfront, the marine highway in Elliott Bay, and the environment.

In conclusion, the King County Ferry District understands the need for, and supports, the preservation of the multimodal terminal at Colman Dock. However, consistent with the commitment of the State legislature and the Governor of the state of Washington, this preservation work must at least consider the home of the passenger-only ferry operations as a key element of the transportation system and a part of the multimodal terminal. The King County Ferry District believes there is a project approach that would truly preserve the

multimodal nature of Colman Dock and stands ready to enter into a productive dialogue leading to a solution that does just that. Thank you again for offering us and the public this opportunity to comment on this project and its environmental scoping.

Sincerely,

Joe McDermott
Chair, King County Ferry District

Larry Gossett,
Vice-Chair, King County Ferry District

Kathy Lambert
Executive Committee Member, King County Ferry District

King County
Department of Transportation
Harold S. Taniguchi, *Director*
KSC-TR-0815
201 South Jackson Street
Seattle, WA 98104-3856
206.684.1481 TTY Relay: 711
www.kingcounty.gov/kcdot

March 15, 2012

Ms. Marsha Tolon
Washington State Ferries
2901 3rd Avenue, Suite 500
Seattle, WA 98121

Dear Ms. Tolon:

King County Department of Transportation is pleased to submit the following scoping comments on the Seattle Multimodal Terminal at Colman Dock Project Environmental Assessment (EA). These comments address a range of issues that are important to each transportation mode represented by King County.

King County supports the stated purpose of the proposed action to "preserve the Seattle Terminal's transportation service, providing safe, reliable and effective service for transit, general and commercial purpose transportation, high occupancy vehicles (vanpool/carpools), pedestrians, and bicyclists." We recognize the need to renovate this aging critical regional transportation infrastructure, and our comments below address the specific needs of ferry and transit passengers, vanpools, pedestrians and bicyclists affected by the proposed action.

The Seattle Multimodal Terminal Project is an important undertaking from a transportation and environmental standpoint, offering the opportunity to address multiple environmental requirements. In particular, the Washington State legislature has established statewide greenhouse gas emission reduction requirements (RCW 70.235.020) and vehicle miles traveled reduction goals (RCW 47.01.440). The greenhouse gas emissions requirements are to limit emissions to 1990 levels by 2020, to 25 percent below 1990 levels by 2035, and to 50 percent below 1990 levels by 2050. The vehicle miles traveled goals are to decrease annual per capita vehicle miles traveled by 18 percent by 2020, 30 percent by 2045, and 50 percent by 2050. The Puget Sound Regional Council (PSRC) incorporated these provisions into VISION 2040. In furtherance of these directives, King County Countywide Planning Policy EN-17 also directs the county and its cities to establish a countywide greenhouse gas emissions reduction target that exceeds the statewide reduction requirement.

In compliance with these aggressive state, regional and county mandates, King County Department of Transportation operates numerous programs to reduce the environmental impact of transportation. Metro Transit, water taxi passenger-only ferries, VanPool, VanShare, Bike Share and other county-supported non-motorized transportation modes all contribute to reducing vehicle trips and resulting traffic congestion and greenhouse gas emissions. Working with local transportation providers like Metro and the King County Ferry District to incorporate facilities for transit, passenger-only ferries, VanPool, VanShare, bicycles and pedestrians, presents the lead agencies a meaningful opportunity to mitigate transportation impacts and improve mobility while advancing the stated purpose of the proposed action.

Consistent with our goal to improve the value of the EA as a decision-making tool, the following comments address both short-term and long-term direct, indirect and cumulative impacts. As described in detail below and in the attached technical comments, we suggest additional considerations for the proposed action as well as considerations to help strengthen and clarify the analysis itself.

Passenger-only ferry operations

Our most pressing concern regarding this proposed action as currently planned is the exclusion of the passenger-only ferry dock from the multimodal terminal. Passenger-only ferry operations have been a longstanding and critical component of Colman Dock operations for many years. At the national level, passenger-only ferry service has received both legislative and financial support, demonstrated most definitively through the series of federal grants awarded to passenger-only ferry service operators throughout Puget Sound. At the state level, the Washington state legislature has determined that passenger-only ferry service is a key element to the state's transportation system. At the regional level, PSRC's adopted Transportation 2040 Plan supported preservation of existing passenger-only ferry routes and three additional cross-sound routes, all of which would be severely impacted by the loss of the existing passenger-only component of the multimodal terminal. Locally, Colman Dock is one of three designated multimodal hubs identified by the Seattle Transit Master Plan as "the centerpiece for regional intermodal connections" and "the city's most significant intermodal connection points." In summary, it is clear that passenger-only ferry service has broad support as a vital element of the transportation network in the Puget Sound region.

Because of this widespread support, King County believes ongoing and future passenger-only ferry operations must be addressed in the planning and redesign of the multimodal terminal. Furthermore, elimination of the passenger-only ferry facilities would likely result in significant direct adverse impacts on regional transportation along with indirect impacts on other elements of the environment that need to be addressed as part of project-level environmental analysis. Other options for passenger ferry facilities are either poorly served by transit, challenged by steep topography, or do not match current plans for the waterfront. It is our strong belief that keeping passenger ferry facilities near Colman Dock is the best solution for transit connections and the overall redesign of the Seattle waterfront.

Transit service and connections at Colman Dock

As mentioned, Colman Dock is one of three designated multimodal hubs identified in the City of Seattle Transit Master Plan. Transit service near Colman Dock provides vital connections for ferry and water taxi passengers into the downtown core, as well as other destinations, including Belltown, First Hill, the International District and access to light rail and bus connections throughout the county from the Downtown Seattle Transit Tunnel.

King County Metro currently operates two routes that directly serve Colman Dock – routes 16 and 66. These routes have over 550 daily boardings at the Alaskan Way and Marion Street stop near Colman Dock. This existing stop and layover zone on Alaskan Way at Marion must be preserved during and after construction to facilitate direct transit connections at Colman Dock.

Additional connections to transit service should also be preserved. Currently, ferry passengers can also connect to routes serving First Hill/Capitol Hill via the Marion Street pedestrian overpass. The project should consider proper wayfinding signage to identify bus and rail connections, both during and after construction, to facilitate a strong link between these modes.

In the future, transit connections at Colman Dock will be increasingly important. Once the SR 99 bored tunnel is complete, transit will use Alaskan Way to access the Third Avenue transit spine. Potential pathways include Marion and Columbia Streets, Main and Washington Streets or Jackson Street. In the Waterfront Seattle design process, the City of Seattle is also considering a transit plaza on Columbia Street and possibly extending transit service to Alaskan Way or Western Avenue from First Avenue via Columbia and Marion Streets. These additional investments would bring transit closer to Colman Dock where it can be better integrated with the ferry systems and provide increased options for ferry and water taxi passengers. The Colman Dock project should be consistent with the emerging designs for Metro's Southend Pathways project and the City of Seattle's Waterfront Seattle and Elliott Bay Seawall Projects.

Given these new pathways for transit, impacts to transit operations on Alaskan Way, Columbia and Marion Streets, Yesler Way and other key connections to the Third Avenue transit spine should be evaluated as part of the Colman Dock project. Traffic analysis needs to evaluate impacts from ferry queuing and ferry traffic congestion on these pathways both during construction and upon project completion.

The Central Waterfront will be the nexus of several projects in the coming years, including the SR 99 Bored Tunnel project, Waterfront Seattle, and the Elliott Bay Seawall project. The Seattle Multimodal Terminal at Colman Dock Project EA should evaluate potential impacts to transit service resulting from these concurrent construction periods and determine ways to best mitigate potential impacts.

Commuter vans and Rideshare at Colman Dock

We strongly support maximizing multimodal travel opportunities through Colman Dock minimizing the growth of single-occupant vehicle traffic, while encouraging HOV vehicle trips along with walk-on ridership for Washington State Ferries (WSF). Renovation of Colman Dock provides the opportunity to educate WSF customers on the benefit of ridesharing to increase vehicle passenger capacity and avoid loading congestion.

Vanpool and VanShare are strong markets for ferry passengers. Vanpool trips on WSF represent only one to two percent of current ferry vehicle traffic, but have potential for significant growth. It is important to ensure that adequate queuing and loading capacity for transit Vanpool vehicles is maintained. VanShare with its walk-on ferry trip requires overnight/weekend parking spaces close to the terminal. Presently these parking spaces are located in private garages close to the terminal. To facilitate growing walk-on ridership, consideration should be given to coordinate with the City of Seattle to increase proximate parking for VanShare vehicles enabling expansion of the program to take passengers to destinations with fewer transit options.

King County is also pursuing electric vehicles (EV's) to reduce fuel consumption, air pollution and greenhouse gas emissions. Metro Rideshare Operations has purchased 20 Nissan Leafs to pilot EV technology in a commuter application called "Metropool." King County is also coordinating the installation of charging stations at major employer sites and multimodal transportation hubs such as park-and-rides, train stations and ferry terminals. Two charging stations will be operational at the Fauntleroy Dock in the coming months. Consideration should be given to the installation of EV charging stations on or near Colman Dock.

Conclusion

A renovated Colman Dock needs to be a true multimodal hub, providing intermodal connections for walk-on ferry passengers, transit riders, rideshare and vanpool participants along with ferry traffic consistent with state, regional and local plans and policies. The best opportunity for this to occur is through collaborative, multi-stakeholder planning. As the region's largest provider of public transportation services, it is critical for King County Department of Transportation, along with our service partners at the King County Ferry District, City of Seattle, Port of Kitsap, Port of Kingston, Port of Port Townsend, Kitsap Transit, and PSRC to be included in planning for this project in a meaningful way. We look forward to participating with our service partners in round table discussions on these issues beginning later this month.

As supporters of this proposed action, we would like to help prevent significant adverse impacts to transportation or any other element of the environment. To achieve this, passenger-only ferry operations must continue to remain a part of the Multimodal Terminal Project and be addressed by this environmental analysis. We recognize that this could expand the scope of the project and are pursuing financial resources to contribute toward an environmental analysis that addresses all affected transportation modes.

We hope our comments will be helpful in preparing the environmental analysis. We are open and committed to working with the lead agencies in pursuit of creative solutions to the challenges posed by this important project. Please contact Ron Posthuma, Assistant Director, King County Department of Transportation, at ron.posthuma@kingcounty.com or by phone, at 206-684-1007 to coordinate project planning as well as for additional information or clarification on any of these issues.

Sincerely,

Harold S. Taniguchi, Director
King County Department of Transportation

cc: Laurie Brown, Deputy Director, King County Department of Transportation (KCDOT)
Ron Posthuma, Assistant Director, KCDOT
Chris Arkills, Transportation Policy Advisor, King County Executive Office
Joe McDermott, Chair, King County Ferry District
Peter Hahn, Director, Seattle Department of Transportation
Marshall Foster, Director of Planning, Seattle Department of Planning and Development
Richard F. Krochalis, Regional Administrator, FTA Region X
Charles Howard, Director of Transportation Planning, Puget Sound Regional Council

Attachments:

- Technical comments on alternatives and elements of the environment
- 2011 VanShare Mode Split data

King County
Department of Natural Resources and Parks
Wastewater Treatment Division
King Street Center, KSC-NR-0500
201 South Jackson Street
Seattle, WA 98104-3855

March 13, 2012

Washington State Ferries
Attention: Marsha Tolon
WSF Project Environmental Manager
2901 3rd Avenue, Suite 500
Seattle, WA 98121

Dear Ms. Tolon:

The King County Department of Natural Resources and Parks, Wastewater Treatment Division (WTD) is pleased to submit the following scoping comments on the Seattle Multimodal Terminal at Colman Dock Project Environmental Assessment (EA). These comments address specific issues that are important to WTD.

Consistent with our goal to improve the value of the EA as a decision-making tool, the following comments address both indirect and cumulative impacts from contaminated sediment on the south side of the existing terminal. As described in detail below, we suggest additional considerations for the proposed action.

King County supports the stated purpose of the proposed action to "preserve the Seattle Terminal's transportation service, providing safe, reliable and effective service for transit, general and commercial purpose transportation, high occupancy vehicles (vanpool/carpools), pedestrians, and bicyclists." We recognize the need to renovate this aging critical regional transportation infrastructure.

The King Street combined sewer overflow (CSO) Regulator Station is located at 499 Alaskan Way South and is covered by WTD's National Pollutant Discharge Elimination System (NPDES) Permit (WA-002918-1). The outfall for this CSO discharges into Elliott Bay at Pier 48. This outfall is located under the northeast edge of the pier, and about half of the pipe is exposed at extreme low tides. A City of Seattle storm drain (South Washington Street) also discharges into the same general area. King County currently proposes to implement CSO control at King Street by 2030.

WTD is also proposing a sediment remediation project at this site. The King Street sediment remediation project is a high priority site on the Department of Ecology's contaminated site list and is scheduled for construction in 2015. The site consists of approximately 15 acres and the

volume of contaminated sediments is roughly 250,000 cubic yards and extends under the current ferry terminal structures. Chemicals of potential concern identified at the site include metals (including lead, mercury, silver, and zinc), bis (2-ethylhexyl) phthalate, and polycyclic aromatic hydrocarbons.

The Washington State Ferry system purchased Pier 48 from the Port of Seattle in July 2008 for the purpose of removing the overwater structure as compensatory mitigation for the proposed expansion of Colman Dock. The current proposal for restoration work at Colman Dock does not include the removal of Pier 48. Removal of the pier is important to the remediation of the sediment surrounding it.

Removal of existing structures and replacement of structure on the south side of the ferry terminal as proposed would impact the sediment in this area by spreading contamination. The scope of the EA should include an evaluation of the current proposal with partial cleanup of the contaminated sediment, in addition to evaluating the impacts of full remediation of the 15 acres between Pier 48 and the Colman Dock. Removal of Pier 48 should be included as part of the current proposal, and the EA should evaluate the benefits and impacts of removing the pier and the impacts of leaving the structure in place.

Please contact Greg Bush, Environmental Compliance Manager, at greg.bush@kingcounty.gov or by phone, at 206-684-1164 to coordinate project planning and for additional information about or clarification of any of these issues.

We would also like to work with the state to better understand the specifics of existing contamination in and around the piers, and previous commitments to the clean up process. Please contact Jeff Stern at 206-263-6447 to discuss these issues.

We hope our comments will be helpful in preparing the environmental analysis and are open to working with the lead agencies in pursuit of creative solutions to the challenges posed by this important project.

Sincerely,

Pam Elardo, P.E.
Director

KITSAP COUNTY BOARD OF COMMISSIONERS

Efficient, accessible and effective county services

March 5, 2012

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121

SUBJECT: Scoping for Environmental Assessment
Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon:

Thank you for the opportunity to participate in the Environmental Assessment scoping process for the multimodal terminal at Colman Dock project. The Kitsap County Board of Commissioners recognizes the importance of renovations for public safety and improvements to develop a more efficient ferry system. However, we believe the project will have unacceptable impacts on passenger-only ferry service.

Passenger-only service is an essential component of the multi-faceted transportation network in Washington and the loss of these services would impact transit throughout the region. The project currently proposes to relocate passenger ferry services in 2015, but completely fails to acknowledge the difficulties associated with this change.

Preliminary research indicates that there are few, if any, suitable locations along the Seattle waterfront that could accommodate the unique water and land-based needs of the passenger-only ferry function of one or multiple providers. This is true both in the short and long-term, even before any environmental impact is assessed, and regardless of the availability of the funding needed to plan, design and construct a new passenger hub.

This project, as proposed, would deal a severe blow to the fledgling passenger-only ferry operators who are trying hard to provide a waterborne transportation alternative as part of a truly multimodal transportation network. Absent a plan that retains the passenger-only function seamlessly, this project could represent the demise of passenger-only ferry service on the Seattle waterfront.

The Kitsap Board of Commissioners believes that a lack of collaboration with important local organizations like the Port of Kingston, the King County Ferry District and Kitsap Transit, will seriously harm the dynamic transportation system in Puget Sound. Renovating Colman Dock is necessary, but the current plan disregards the complexities of our transportation system and the important synergy that passenger-only ferry service provides.

We have two requests with respect to the scoping for the environmental assessment:

Explicitly address impacts on passenger ferries. The current Washington State Ferries proposal for Colman Dock will eliminate the existing passenger ferry dock at Pier 50, with no provision for how its

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From: Olalla (253) 851-4147 • Bainbridge Island (206) 842-2061
www.kitsapgov.com

functions might be replaced. The Legislature has clearly voiced the importance of passenger ferries and directed WSF to collaborate with providers. Although WSF has no obligation to pay for these replacement facilities, the proposed action at Colman Dock will directly impact existing (and future) passenger ferry service. For this reason, we believe the loss of dock access needs to be explicitly covered in the EA.

Collaborate now. The Washington State Ferries has legislative direction to collaborate with passenger ferry service providers. The WSF must constructively work with and bring the current and future passenger ferry service providers into the decision-making process regarding the future of a passenger ferry dock at or in proximity to Colman Dock. We believe the Washington State Ferries should use the design and environmental review process to collaborate with these ferry service providers to develop a mutually agreed upon approach for relocating the passenger ferry dock. Timing is critical, so this work should begin immediately to reach a joint decision early enough to avoid interruption of passenger ferry service.

We welcome the opportunity to assist in facilitating discussions on behalf of Kitsap County ferry service and riders on this important topic. Feel free to reach out to us if you have any questions or concerns regarding our position. Thank you very much for inviting our perspective and for your consideration of it.

Sincerely,

Robert Gelder, Chair Charlotte Garrido Josh Brown

Kitsap Transit

March 15, 2012

Marsha Tolon
Washington State Ferries
2901 3rd Avenue, Suite 500
Seattle, WA 98121
Submitted via email at TolonM@wsdot.wa.gov

SUBJECT: Scoping for Environmental Assessment
Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon,

Kitsap Transit strongly supports the response letter put forward by King County Ferry District Chair Joe McDermott, urging Washington State Ferries to fully consider the needs of present and potential Regional Passenger-only ferry (POF) providers in its process.

In addition, Kitsap Transit stands ready to participate in the joint POF agency process suggested in Mr. McDermott's letter. Kitsap Transit proposes that such a formal multi-government effort falls under the sponsorship and sanction of the Puget Sound Regional Council (PSRC) as a part of continuing the efforts initiated by the 2008 PSRC Regional POF Plan.

Sincerely,

John W. Clauson
Executive Director

60 Washington Avenue • Suite 200 • Bremerton, Washington 98337
Phone: 360.479.6962 • FAX: 360.377.7086 • Website: www.kitsaptransit.org

Puget Sound Regional Council
PSRC

March 12, 2012

Marsha Tolon
Washington State Ferries
2901 3rd Avenue, Suite 500
Seattle, WA 98121

Re: Scoping for Environmental Assessment -- Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon:

Thank you for the opportunity to participate in the Environmental Assessment scoping process for the multimodal terminal at Colman Dock project. PSRC would like you to consider the following comments as you finalize the work scope and proceed with the Environmental Assessment.

Colman Dock is one of the region's most important gateways. It serves many functions, including transportation, economic development, and tourism. We understand the critical importance of maintaining and preserving the region's busiest ferry terminal. Our transportation plan – Transportation 2040 – "commits, as a top priority, to funding the maintenance, preservation, and operation of our existing infrastructure in a safe and usable state." We strongly support the Colman Dock project and look forward to continuing our long and positive working relationship with WSF as the project unfolds.

Our remaining comments concern the accommodation of passenger-only ferries on the Seattle waterfront. RCW 36.57A.200 provides clear direction in support of passenger-only ferries and retains a role for WSF. The RCW (2003 c83 §201) includes the following findings:

> *The legislature finds that passenger-only ferry service is a key element to the state's transportation system and that it is in the interest of the state to ensure provision of such services. The legislature further finds that diminished state transportation resources require that regional and local authorities be authorized to develop, operate, and fund needed services.*
>
> *The legislature recognizes that if the state eliminates passenger-only ferry service on one or more routes, it should provide an opportunity for locally sponsored service and the department of transportation should assist in this effort.*

In addition, RCW 47.60.662 states:

> *The Washington state ferry system shall collaborate with new and potential passenger-only ferry service providers, as described in chapters 36.54, 36.57A, and 53.08 RCW, for terminal operations at its existing terminal facilities.*

The current Washington State Ferries proposal for Colman Dock will eliminate the existing passenger ferry dock at Pier 50, with no provision for how the dock and its functions might be replaced. The Legislature, in the above-cited RCWs, has clearly voiced the importance of passenger ferries and directed WSF to collaborate with providers. Washington State Ferries can use the design and environmental review process to collaborate with the region and current and future passenger ferry service providers to develop a mutually agreed upon approach for relocating the passenger ferry dock.

Transportation 2040 is the region's long-range multimodal transportation plan. Transportation 2040 defines passenger ferries as high-capacity transit, making these terminals, vessels, and routes regionally significant:

> *The region's ferry system is both a marine highway and a high-capacity transit system. It functions as a vehicle-carrying marine highway that moves people and goods across Puget Sound and as a high-capacity transit system moving thousands of passengers in a single vessel....Ferry terminals provide an important link between the ferry route and the landside transportation system on both sides of Puget Sound.*

The elimination of the passenger ferry dock at Pier 50 will have significant impacts on a regionally significant transportation facility, including the important synergy of having the larger vehicle/passenger ferries and the passenger-only ferries dock in close proximity. These impacts can be fully disclosed and vetted in the public review process. As WSF moves forward on the Colman Dock project, please consider the following.

Explicitly address impacts on passenger ferries. The Colman Dock project, as proposed by WSF, removes the Pier 50 passenger ferry dock and would require existing operators to locate a new site and either lease or construct new facilities to serve their customers. Although WSF has no obligation to pay for these replacement facilities, the proposed action at Colman Dock will directly impact existing (and potential future) passenger ferry service. The loss of the dock can be explicitly covered in the EA.

Continue to collaborate. PSRC supports the work already underway by KCFD and others to address the region's short-term and long-term passenger ferry needs. We understand you have already begun to collaborate with passenger ferry service providers in fulfillment of legislative direction. We hope this will continue. Washington State Ferries can constructively work with and bring the current and future passenger ferry service providers into the decision-making process regarding the future of a passenger ferry dock at or in proximity to Colman Dock. Timing is critical; this work can begin immediately to reach a joint decision early enough to avoid interruption of passenger ferry service.

Capture the multi-modal opportunities. The project creates opportunities to improve bus access at Colman Dock, thereby enhancing intermodal connections between ferries and transit services in downtown Seattle. These opportunities don't often present themselves. The Colman Dock project team can identify and assess potential enhancements to ferry-transit connections as part of the Colman Dock project and capture this work in the Environmental Assessment. We don't need to look very far for inspiration -- Kitsap Transit is one of the better national models for coordinating ferries and transit service.

Thank you for offering this chance to voice our thoughts.

Sincerely,

Charlie Howard
Transportation Planning Director

cc: Commissioner Josh Brown, Kitsap County
Mayor Patty Lent, City of Bremerton
Councilmember Joe McDermott, Metropolitan King County Council
Commissioner Pete DeBoer, Port of Kingston
John Clauson, Executive Director, Kitsap Transit
Larry Crockett, Executive Director, Port of Port Townsend
Steve Pearce, AWVSRP Central Waterfront Project Manager, City of Seattle DOT
Bob Drewel, Executive Director, PSRC

Port of Seattle

P.O. Box 1209
Seattle, WA 98111-1209
Tel: (206) 787-3000

www.portseattle.org

DATE: March 14, 2012

TO: Genevieve Rucki, Washington State Ferries,
Washington State Department of Transportation

Elizabeth Faulkner, Project Communications, Colman Dock Project, Washington State Department of Transportation

FROM: Christine Wolf, Seaport Transportation Program
Geo. Blomberg, Seaport Environmental Programs

SUBJECT: Seattle Multimodal Terminal at Colman Dock Project
Project scope comments

The port welcomed the opportunity to attend the 2-7-12 Tribal and Agency Scoping Meeting, hosted by Washington State Ferries, Washington State Department of Transportation. In addition, the port is grateful to have received additional project information from WSDOT and WSF staff during a 2-9-12 meeting at the port's offices. The preliminary project information is useful and the port admires the straight-forward and open approach to project planning and design instigated by WSF.

Please consider the following notes in response to the WSF request for scoping comments.

Environmental resources: WSF indicates that the proposed changes at Colman Dock will be reviewed as a "rebuild/replacement project". The port agrees with this approach, in light of WSF statements that no net change in dock area, number of vessel slips, and vehicle holding capacity is planned at present. It will be important, nevertheless, for environmental review to include detailed evaluation of piling and fill removal actions, storm water treatment measures, potential disruption of existing protective sediment cap areas, and cultural/historic resources affected by the project. The proposed project will be highly visible and steps to avoid and minimize potential adverse effects on adjacent publicly-owned properties will require careful analysis. In particular, avoiding off-site movement of contaminated sediments will be essential.

The proposal includes removal of a substantial area of piling and over-water structure. This provides an opportunity to evaluate net aquatic area benefits due to the removal actions. Obtaining detailed information in this area of the Seattle shoreline will assist the present project as well as aid future WSF projects and similar actions proposed by other

government entities and private development sponsors. In addition, information compiled assessing in-water work periods and the potential for revising work periods will be critical to the Colman Dock project and helpful to other development sponsors.

Transportation effects: The proposed project will include complex phasing to accommodate continuing WSF operations at Colman Dock and to minimize potential cumulative disruption of the project area, due to the Alaskan Way Viaduct Replacement Project and the seawall replacement project. It will be essential to evaluate potential construction related reductions in cargo service and labor access to marine industrial locations south of Colman dock, including the port's Terminal 46 marine cargo facility.

Transportation evaluations relating to the proposed facility should also include the following information:

- The information provided to date is very limited with regard to the disposition of space on the new terminal, and the functionality of the future internal circulation system. The environmental analysis should validate the notion that the restructured terminal will improve movement and circulation of vehicles, bicycles and pedestrians on the dock itself.
- Preliminary plans include substantial on-site space dedicated to future commercial development. Would using that space for additional vehicle storage help reduce Colman Dock's traffic impacts off the terminal?
- Documentation provided to date indicates that the amount of on-dock storage and the configuration of the driveways will stay the same. We hope that the transportation analysis will address any changes in the impact on the surrounding roadway system that are due to the internal changes to traffic flow on the dock.
- The transportation analysis should also reflect recent and known future changes to the off-terminal vehicle storage capacity due to other projects, and the impacts of implementation of a reservation system to determine whether maintaining the current amount of on-dock vehicle storage and the surrounding transportation system can handle the surges that may be generated by the future reservation system.

The port looks forward to forthcoming detailed evaluations for the Seattle Multimodal Terminal at Colman Dock Project. The proposed project includes many elements similar to marine industrial shoreline and aquatic area development actions proposed and

to marine industrial shoreline and aquatic area development actions proposed and implemented by the port. The Colman Dock project is an excellent opportunity to share and benefit from new information, evaluation techniques, and approaches to common issues.

PORT OF KINGSTON

February 27, 2012

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121

SUBJECT: Scoping for Environmental Assessment
Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon:

Thank you for the opportunity to participate in the Environmental Assessment scoping process for the multimodal terminal at Colman Dock project. As one of the modes of transportation currently operating out of the existing area encompassed, and directly impacted, by this project, the Port of Kingston is very interested in this project. As a ferry operator and public transportation provider we understand and respect the need to maintain, and replace aging facilities. However, we believe there are additional factors that must be fully considered and appropriately analyzed as Washington State Ferries (WSF), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) plan this project.

As a foundation for our comments, we believe Washington state established in RCW 36.57A.200 a public benefit area for the provision of passenger only ferry service. Important to this RCW and directly applicable to this proposed project concept is the finding 2003 c83 §201, which specifically states:

> "The legislature finds that passenger-only ferry service is a key element to the state's transportation system and that it is in the interest of the state to ensure provision of such services. The legislature further finds that diminished state transportation resources require that regional and local authorities be authorized to develop, operate, and fund needed services.
>
> The legislature recognizes that if the state eliminates passenger-only ferry service on one or more routes, it should provide an opportunity for locally sponsored service and the department of transportation should assist in this effort."

As providers of passenger only ferry service, we are fulfilling the state's identified interest and are delivering on a key element of the state's transportation system. We are deeply concerned, however, that the proposed project concept eliminates the Pier 50 passenger-only ferry terminal, and in so doing also eliminates a long established component of the transportation system without any consideration for, or mitigation of, the impacts to the multimodal transportation system, the communities impacted, or the environment.

This project, if implemented as proposed, will by design require the existing and potential passenger-only ferry operators to identify new locations, then design and construct new facilities to serve as a new public transportation hub on the downtown Seattle waterfront. Unfortunately, the project concept provides no consideration for the required upstream waterway usage changes, or the downstream land use changes, that must be identified and implemented. These types of changes will require coordination between the City of Seattle, operators of passenger-only ferry services, other connecting public transportation operators, and the multitude of property owners in the potentially affected areas. By displacing existing and planned passenger-only ferry service, this project will directly impact the multimodal transportation system and all of the intermodal connections. We believe these waterway and land use, and transportation, impacts must be a part of this project evaluation.

The facilities at Pier 52, and adjoining Pier 50, represent a single passenger ferry destination, as part of a robust marine highway system. This waterborne highway system, although uniquely different from surface roadways, does have its own set of "rules of the road" and waterways management that are crucial to safe and effective marine navigation. The scheduling and safe navigation of ferries, both vehicle and passenger-only, is an important consideration of safe navigation and customer connections. The waters of Elliott Bay are bustling with marine traffic, with the Seattle waterfront iconic for its cultural and environmental significance, while representing a working waterway. If the passenger-only facility is to be eliminated, then the significance of the natural interactions between ferry functions, navigational safety in Elliot Bay, and the impact on the Seattle waterfront must be a part of this evaluation.

Of further concern is the long-term implication this project has on the development of a new over-water public transportation hub for passenger-only ferry service. The new configuration of the WSF vehicle ferry terminal and dock appears to utilize all of the existing overwater coverage, including that currently attributed to the passenger-only ferry terminal. The Puget Sound is long established as a protected body of water due to its ecological system and habitat for endangered and protected species. This complication of using all, or any portion, of the overwater coverage associated with Pier 50 would require additional environmental considerations and evaluations by whoever develops a new public transportation hub. And since this project proposes to displace an existing public transportation service, deemed an essential part of the state's transportation system, we believe these factors must also be fully considered and evaluated.

RCW 47.60.662 states:

> "The Washington state ferry system shall collaborate with new and potential passenger-only ferry service providers, as described in chapters 36.54, 36.57A, and 53.08 RCW, for terminal operations at its existing terminal facilities."

The project documentation states that WSF has been "consulting" with passenger only ferry service operators. We acknowledge that we were informed of WSF's decision, but find it important to stress that we were merely informed of their decision and not engaged in any meaningful discussion of solutions, alternatives, mitigation, or collaboration as called for in RCW 47.60.662. We fully understand our responsibility to contribute to the development of replacement facilities and the need to continue to work with all of our stakeholders and partners in the replacement of these essential public transportation facilities.

Very preliminary research performed since WSF's recent project notification indicates that there are few, if any, suitable locations along the Seattle waterfront that could accommodate the unique water and land-based needs of the passenger-only ferry function of one or multiple providers. This is true both in the short and long-term, even before any environmental impact is assessed, and regardless of the availability of the funding needed to plan, design and construct a new passenger hub. As WSF and the state of Washington are very aware, the operation of passenger-only ferries is a challenging proposition. This project, as proposed, would deal a severe blow to the fledgling passenger-only ferry operators who are trying hard to provide a waterborne transportation alternative as part of a truly multimodal transportation network. Absent a plan that retains the passenger-only function as part of this project, this project could represent the demise of passenger-only ferry service on the Seattle waterfront.

In conclusion, the Port of Kingston understands the need for, and supports, the preservation of the multimodal terminal at Colman Dock. However, consistent with the commitment of the State legislature and the Governor of the state of Washington, this preservation work must at least consider the home of the passenger-only ferry operations as a key element of the transportation system and a part of the multimodal terminal. The Port of Kingston believes there is a project approach that would truly preserve the multimodal nature of Colman Dock and stands ready to enter into a productive dialogue leading to a solution that does just that. Thank you again for offering us and the public this opportunity to comment on this project and its environmental scoping.

Sincerely,

Marc Bissonnette
Port of Kingston
Commissioner

Pete DeBoer
Port of Kingston
Commissioner

Walt Elliott
Port of Kingston
Commissioner

March 15, 2012

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121

SUBJECT: Scoping for Environmental Assessment
Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon:

As community leaders from Kitsap and Jefferson counties, we appreciate the opportunity to participate in the Environmental Assessment scoping process for the multi-modal terminal at Colman Dock. Our economic diversity, housing affordability and tourism opportunities are linked to a robust marine transportation system across Puget Sound and Colman Dock represents the premier east west gateway.

We endorse the position of King County Ferry District chair Joe McDermott in his communication to you urging the consideration of a home for passenger ferry operations in the preservation and restoration project for Colman Dock. In addition to the needs of the King County Ferry District, the Port of Kingston provides daily service on SoundRunner and there are federal capital investments in vessels and future plans for service from Port Townsend and Bremerton. Long term consideration for up to eight berthing sites should be included in the scoping process for the immediate area in and around Colman Dock.

We agree with the citations of RCW 36.57A.200 by Councilmember McDermott of a public benefit area for the provision of passenger only service;

> "The legislature finds that passenger-only ferry service is a key element to the state's transportation system and that it is in the interest of the state to ensure provision of such services. The legislature further finds that diminished state transportation resources require that regional and local authorities be authorized to develop, operate, and fund needed services."

And with RCW 47.60.662 which states:

"The Washington state ferry system shall collaborate with new and potential passenger-only ferry service providers, as described in chapters 36.54, 36.57A, and 53.08 RCW, for terminal operations at its existing terminal facilities."

At a January passenger only ferry forum sponsored by the Cascadia Center and hosted by WSDOT Ferries Division Assistant Secretary David Moseley, there was considerable discussion between public and private ferry operators, WSF and the City of Seattle staff on connecting passenger only ferry service with local and regional transit, shoreside parking and access to sporting, entertainment and cultural venues.

For local residents from and visitors to our west side communities, Colman Dock has served as an historic portal to Seattle and the region from the days of the Mosquito Fleet to the current fleet of low wake, technologically advanced, fuel efficient and environmentally sound passenger only ferries. Waterborne transit is critical to a regional, multi-modal system and our west side economy and environment depends on its continued accommodation.

Sincerely,

Bruce Agnew
Director, Cascadia Center for Regional Development

Larry Crockett
Executive Director, Port of Port Townsend

Mayor
City of Port Townsend

Tammi Rupert
General Manager
Jefferson Transit Authority

Port Commissioner
Port of Kingston

cc:
Governor Gregoire
WSDOT Secretary Paula Hammond
WSDOT Assistant Secretary David Moseley
Senator Mary Margaret Haugen
Rep. Judy Clibborn
King County Executive Dow Constantine
King County Councilmember Joe McDermott
Seattle Mayor Mike McGinn
Seattle City Council member Richard Conlin
Federal Transit Regional Administrator Rich Krochalis
Puget Sound Regional Council President Josh Brown
Puget Sound Regional Council Director Robert Drewel

City of Seattle

March 28, 2012

David Moseley
Assistant Secretary of Transportation
Washington State Ferries
2901 Third Avenue Suite 500
Seattle, WA 98121-3014

RE: Seattle Multimodal Terminal at Colman Dock Project

Dear Assistant Secretary Moseley:

As you embark on the critical replacement of the aging and vulnerable portions of Washington State Ferries' (WSF) downtown Seattle terminal at Colman Dock, we are concerned that WSF's plans could lead to the elimination of facilities for King County and other passenger-only ferries in the planned reconstruction. Moreover we are concerned that there is no provision for how the passenger-ferry dock and its functions might be replaced.

Colman Dock is a critical part of the regional transportation system delivering thousands of walk-on passengers to Downtown Seattle every day, making a significant contribution to a sustainable and economically healthy Downtown. Passenger-only ferries are an important and growing part of the regional transportation system, providing direct over-water connections not provided by WSF and allowing many commuters relatively quick and easy access to downtown Seattle without adding more vehicle trips to the overburdened regional road network. Increased access to downtown and the waterfront through passenger- only ferries is also a key element in the emerging vision for the new Seattle waterfront.

The Colman Dock replacement project presents a significant opportunity to not only improve the facility as a transportation hub but to also create a special place on the new downtown waterfront that works well for ferry users and contributes to a vibrant urban waterfront.

The City has designated Colman Dock one of three transportation hubs in downtown Seattle (the others being King Street Station and Westlake) to bring together various transit modes and other transportation services, and provide convenient and attractive pedestrian connections between modes and nearby destinations. The Waterfront Seattle project is proceeding with design concepts that include the implementation of the Colman Dock Hub. A single public ferry facility also allows sharing of passenger facilities such as restrooms, and lowers overall operating costs.

The elimination of the passenger-ferry dock at Pier 50 would undermine the simplicity and passenger convenience of having the larger vehicle/passenger-ferries and the passenger-only ferries dock in close proximity. In addition, removal of the existing passenger ferry service at Pier 50 would result in significant impacts on our downtown transportation system, displacing an established transit service and forcing more downtown, peak-period commuters from West Seattle and Vashon Island to shift to other modes.

We recognize that several years ago the State legislature directed Washington State Ferries to cease providing passenger-only ferry service. However it also directed that WSF assist in the provision of passenger-ferry service by other operators. Specifically RCW 47.60.662 states:

> *The Washington state ferry system shall collaborate with new and potential passenger-only ferry service providers, as described in chapters 36.54, 36.57A, and 53.08 RCW, for terminal operations at its existing terminal facilities.*

While we understand the very real financial challenges faced by the state ferry system, we believe that effective regional partnerships can and should be developed to provide for continuation of passenger-only ferry service at Colman Dock. Further, the City of Seattle's position is that passenger-ferry facilities are a higher priority than other functions demanding space at the dock, such as vehicle holding areas and employee parking.

The Mayor and City Council propose that WSF, the City of Seattle, King County, PSRC and other passenger ferry operators begin conversations immediately to develop a mutually agreed upon approach for providing passenger-ferry docking facilities at Colman Dock. We understand that the King County Ferry District has financial resources it can leverage to help with a solution. Timing is critical; this work must begin immediately to reach a joint decision early enough to avoid interruption of passenger-ferry service.

More immediately, it is critical that WSF: 1) add preservation of passenger-only ferry service to the Purpose and Need Statement prepared for the environmental review process; and 2) add a high quality and functional passenger-only ferry dock to the proposed project design, or create an additional alternative within the environmental process that includes passenger-ferry facilities. In either case reserving some of the existing over-water coverage for the passenger ferry only facility is a critical and necessary step.

We thank you for this opportunity to provide input and urge you to be in contact with the Seattle Department of Transportation as the environmental assessment proceeds. Goran Sparrman, the SDOT Deputy Director who is managing the Department's work on waterfront redevelopment has agreed to be the City's contact on this issue. He can be reached at 206.684.3121 or Goran.Sparrman@Seattle.gov.

Sincerely,

Mike McGinn
Mayor

Sally J. Clark
President, City Council

Tom Rasmussen

Sally Bagshaw

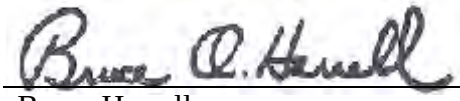
Transportation Chair

Tim Burgess
Councilmember

Councilmember

Richard Conlin
Councilmember

Jean Godden
Councilmember



Bruce Harrell
Councilmember

Nick Licata
Councilmember

Mike O'Brien
Councilmember

cc: Paula Hammond, Secretary of Transportation
Joe McDermott, King County Ferry District Chair
Dow Constantine, King County Executive
Peter Hahn, SDOT Director
King County Council
Sen. Sharon Nelson, 34th District
Rep. Joe Fitzgibbon, 34th District

City of Seattle
Seattle Department of Transportation
Seattle Department of Planning and Development
Peter Hahn, Director
Diane Sugimura, Director

March 15, 2012

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121

SUBJECT: City of Seattle Comments on Notice of Scoping for Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon:

Thank you for the opportunity to provide comments on the environmental scoping process for the multimodal terminal at Colman Dock Project.

The Colman Dock ferry terminal is an important gateway to Seattle and its location on Seattle's central waterfront contributes to the long term economic vitality of Seattle's Center City. As Washington State Ferries invests in preservation of the Colman Dock terminal it is important that this key transportation hub be designed to meet future riders' needs in a way that is consistent with the emerging vision for the Central Waterfront as a vibrant, pedestrian friendly place.

The City appreciates the Ferry System's willingness to advance the Colman Dock project in a manner that would allow, as a separate project, development of public access and open space that is under consideration in the City's Waterfront Seattle design process for the Central Waterfront. At the same time the City has significant concerns about two major elements of the proposed Colman Dock project in addition to other more detailed scoping comments.

The first of these is the proposed elimination of facilities for King County and other passenger-only ferries in the planned reconstruction, with no provision for how the passenger ferry dock and its functions might be replaced. The second is the overall scope and character of the proposed project which is inconsistent with the dynamic and exciting urban waterfront the City is planning with the need to replace the Alaskan Way Viaduct and Elliott Bay Seawall.

Passenger-only Ferries

Colman Dock is a critical part of the regional transportation system, delivering thousands of walk-on passengers to Seattle every day, making a significant contribution to a sustainable and economically healthy Downtown.

Continuing to accommodate passenger-only ferry service and facilities at Colman Dock is extremely important from both transportation and waterfront development perspectives. Passenger-only ferries are an important and growing part of the regional transportation system, providing direct over-water connections not provided by WSF and allowing many commuters relatively quick and direct access to downtown Seattle without adding more vehicle trips to the overburdened regional road network. Increased access to the Downtown and waterfront through passenger ferries is also a key element in the emerging vision for the new waterfront.

The elimination of the passenger ferry dock at Pier 50 will undermine the efficiency and passenger convenience of having the larger vehicle/passenger ferries and the passenger-only ferries dock in close proximity and immediately adjacent to existing and planned METRO transit linking to major in-city destinations such as First Hill. In addition, removal of the existing passenger ferry service at Pier 50 would result in significant impacts on our downtown transportation system, displacing an established transit service and forcing more downtown, peak-period commuters from West Seattle and Vashon Island to shift to other modes.

Furthermore, a number of years ago the City designated Colman Dock one of three transportation hubs in downtown Seattle (the others being King Street Station and Westlake) to bring together various transit modes and other transportation services, and to provide convenient and attractive pedestrian connections between modes and to key nearby destinations. The Waterfront Seattle project is proceeding with design concepts that include the implementation of the Colman Dock Hub. A single public ferry facility also allows sharing of passenger facilities such as restrooms, and lowers overall operating costs.

We recognize that several years ago the State legislature directed Washington State Ferries to cease providing passenger-only ferry service. However it also directed that WSF assist in the provision of passenger ferry service by other operators. Specifically RCW 47.60.662 states:

> *The Washington state ferry system shall collaborate with new and potential passenger-only ferry service providers, as described in chapters 36.54, 36.57A, and 53.08 RCW, for terminal operations at its existing terminal facilities.*

While we understand the very real financial challenges faced by the ferry system, we believe that effective regional partnerships can and should be developed to provide for continuation of passenger-only ferry service at Colman Dock. Further, the City of Seattle's position is that passenger ferry facilities are a higher priority than other functions demanding space at the dock, such as vehicle holding areas and employee parking.

The City proposes that the State immediately begin working with the City, King County, PSRC and other passenger ferry operators to find ways to continue passenger-only ferry service at Colman Dock. We understand that the King County Ferry District has financial resources to bring to the table that can contribute to a solution.

To this end, the City requests that WSF add preservation of passenger-only ferry service to the Purpose and Need Statement regardless of whether WSF operates those services. The Purpose and Need statement should specifically list passenger-only ferries as one of the modes being currently served by Colman Dock.

Further, a high-quality and functional passenger-only ferry dock should be included in project design, or an additional alternative should be added that includes passenger ferry facilities. In either case reserving some of the existing over-water coverage for the passenger ferry only facility is a critical and necessary step. The facility should accommodate both passenger-only services that currently exist and those that are planned for the near future.

Should passenger only ferries not be included in an alternative, the environmental review process should fully address the transportation and related impacts of WSF not providing for a passenger-only ferry facility at Colman Dock.

Building and Site Design/Street-Facing Uses

The Colman Dock project presents a significant opportunity not only to improve the ferry terminal as a transportation hub, but also to create a special place on the new Downtown waterfront that works well for ferry users and contributes to a vibrant urban waterfront. The current proposed design of the terminal which locates passenger facilities in a bare bones building away from the street at the end of long ramps and bridges, and fronts Alaskan Way with surface employee parking and vehicle holding areas, is a significant step backwards from the existing terminal design.

Colman Dock is unique within the ferry system in that it is the only WSF terminal located in a dense downtown area, served by multiple routes and characterized by very high numbers of walk on passengers on both vehicle ferries and passenger-only boats. To maintain high levels of use by walk on passengers and minimize vehicle trips, the ferry terminal must be designed to be functional, convenient and attractive for walk on passengers as well as add to the pedestrian environment along the street. The ferry terminal should be an exciting and attractive place on the new waterfront with the character of great transportation terminals in other cities. Waterfront Seattle proposes that the terminal have an active urban edge along Alaskan Way with a covered gallery that would provide a similar vibrancy and quality of the great European train stations (see attached rendering).

To reflect this priority an additional bullet should be added to the Purpose and Need Statement:

- Designing a facility that is well integrated with the active, pedestrian-oriented public environment envisioned for the waterfront.

The proposed design for the terminal erodes rather than improves the passenger experience at the dock, requiring passengers to walk long distances on ramps and bridges located over large areas of vehicle queuing in order to reach the terminal building. The architecture of the building is more in keeping with terminal environments in low density parts of Puget Sound and fails to take advantage of the site on the downtown waterfront of the biggest and densest city in the region.

City policy encourages the provision of active, street-facing uses in the downtown to activate the street environment and provide a safe pedestrian walking environment. The current pedestrian environment along the Alaskan Way frontage of Colman Dock includes a retail frontage with uses that support pedestrian use of the street. The Project should at a minimum include preservation of the existing retail uses facing the street; one or more alternatives should include a more extensive retail façade consistent with the Waterfront Seattle draft Framework Plan. We recognize that the retail space may be built and operated by entities other than WSF, but the retail space should be included as part of the project undergoing environmental review.

View Corridors

Under Visual Quality the project should assess the impacts of the proposed new terminal building on views of Elliott Bay and beyond. The document should address how view corridors required in the City's Shoreline Master Program will be provided.

Shoreline Public Access including Prior Permit Conditions

The project must provide public access to the shoreline consistent with the requirement of the Seattle Shoreline Master Program. Prior City of Seattle Master Use Permit (MUP) conditions related to public access have not been implemented for the Colman Dock site.

In 1991 WSDOT received Master Use Permit (MUP) # 658726 from the City which provided a Shoreline Substantial Development Permit to expand and remodel the existing Colman Dock Ferry Terminal. As a condition to this MUP, WSDOT was required to provide a "Public Access Plan" and complete improvements to public access over-water to meet the standards of the City's Shoreline Master Plan, including significant new public access area at the north end of Colman Dock, amenities and interpretive signage (See MUP 658726, condition 1). To our knowledge none of these public access improvements have been provided.

The current project will in all likelihood require a new Shoreline Permit. In anticipation of that, the project should be amended to include public access improvements consistent in scope with these prior MUP conditions. The specific scope of these improvements should be consistent with the draft Concept Design for Waterfront Seattle, which calls for improved public access between Colman Dock and Fire Station 5 in the form of a small plaza and waterfront steps, referred to as "Firehouse Slip."

Employee Parking

The project should evaluate relocating employee parking to nearby upland sites. Parking is not a preferred use overwater. This would allow over water coverage to be reduced or the limited dock space to be allocated to vehicle queuing to minimize traffic impacts on city streets.

Transportation Plans

The Colman Dock multimodal hub needs to serve travel needs in a way that is consistent and supportive of City transportation and land use plans and policies, such as the Central Waterfront Plan, Transit Master Plan, Bicycle Master Plan, and Pedestrian Master Plan. In addition, WSF's project should be consistent with recommendations from WSF's Long-Range Plan, Puget Sound Regional Council's Passenger-Only Ferry Study, and King County Ferry District's operating and capital investment plans, which the City generally supports.

Traffic Analysis

Traffic analysis for this project needs to be closely coordinated with traffic analysis for other adjacent projects including: the Waterfront Seattle, Elliott Bay Seawall and AWV replacement projects, King County Ferry District's and other passenger-only ferry service providers' service development plans, and SDOT's Center City transportation planning efforts.

The environmental assessment should include the project's transportation demand management activities and investments to support the proposed Colman Dock design changes. Colman Dock will continue to have significant traffic impacts on City streets and the new surface Alaskan Way. Currently during peak periods the dock has insufficient capacity to accommodate queuing vehicles and queues form on Alaskan Way south of the dock. In future Alaskan Way will change to take on the additional function of replacing the AWV downtown ramps at Columbia and Seneca Streets and ramp connections to Northwest Seattle at Elliott and Western. The new Alaskan Way will need to provide a reliable route to and through downtown that is not blocked by queuing ferry traffic. An assessment of traffic impacts associated with ferry vehicle queuing on the city street system should be included in the environmental document.

While the City intends to work closely with WSF, WSDOT and others to design a new Alaskan Way that works well for all users, including pedestrians, bicycles and vehicles arriving or departing from Colman Dock, WSF needs to evaluate TDM measures that will reduce impacts of queuing ferry traffic on City streets. This should include measures such as implementing a reservations system; implementing variable pricing at peak periods to spread demand to off-peak periods; and implementing real time information systems that communicate that upcoming sailings are sold out and that users should choose other options.

Pedestrian and Bicycle Access

Alternatives considered should provide for safe, convenient and pleasant bicycle and pedestrian access to ferries that avoids conflicts with vehicles.

Air Quality

This element should be added as an element of the environmental review and addressed in all alternatives.

Construction

The proposed construction timing of the project overlaps with the proposed construction schedule of the Elliott Bay Seawall and Waterfront Seattle projects between 2015 and 2019. The project should be sequenced in a manner that avoids conflicts with the City's Elliott Bay Seawall and Waterfront Seattle project construction. In particular the reduced vehicle holding area will increase traffic impacts on city streets at the same time that construction activity is occurring on Alaskan Way.

The environmental review should evaluate the cumulative construction period impacts of the projects, particularly the impacts on city streets (traffic operations, pedestrian environment, on-street parking and loading).

Project phasing should be addressed in all alternatives. This is essential for construction coordination with other projects, including the Alaskan Way Viaduct (AWV) and Seawall replacement projects, and to understand how the project will be operated and managed during a phased construction process.

Elliott Bay Seawall

The design should ensure that encroachments on the City-owned and maintained Elliott Bay Seawall are removed and that the structural design for the facility is compatible with design of the City's seawall.

Sea Level Rise

Washington State Ferries should consider the projected impacts of climate change on the project including sea level rise and increased frequency and magnitude of storm events in designing the project to maximize the longevity and function of the project under anticipated future climate conditions.

WSF should also consider projected sea level rise, storm event, and precipitation impacts on the shoreline and near shore habitat to enhance the resilience of these natural systems

Stormwater

The document should discuss how stormwater will be treated so that it does not impact Elliott Bay. There are a large number of vehicles that can contribute pollutants to the pier during loading, unloading and staging. The project should ensure that pollutants are contained and treated in stormwater runoff and that any runoff from the pier has improved water quality.

Seattle Public Utilities operates an active outfall for both combined sewer overflows and stormwater beneath the adjacent Fire Station 5 at Madison Street. If the project includes any planned enhancements for the dock immediately south of the fire station, the location of the outfalls should be considered.

Habitat and Ecosystems

Overwater coverage restricts aquatic productivity and alters salmon behavior and available habitat. Analysis of the project should evaluate options that reduce the size of the dock and/or reduce coverage of the shoreline edge.

Shading, both from the overwater coverage, and from any buildings on the dock, especially those with multiple stories, will increase the impact to aquatic habitats, species distribution, and salmon migration behavior. In discussing the effectiveness of proposed habitat enhancements/mitigation, the analysis should include a shading study that makes clear the effect of mass and height of proposed structure on light available to aquatic habitat.

Shading impacts and ways to reduce those impacts (e.g., grating, transparent panels, under pier lighting techniques, moving the dock offshore and other features that allow light penetration underneath the dock) should be addressed in the analysis.

Propeller wash from the ferries can have damaging impacts to fish, invertebrates, plants and other sea life. The analysis should include how the ferry activity will affect sea life on and around the dock, as well as how ferry propeller wash may affect the effectiveness of any environmental mitigation actions.

In discussing the effect of propeller wash and other ferry operations on nearby habitat, the analysis should discuss how these impacts may change depending on tidal elevation at the time.

The area just to the south of Colman Dock contains some shallow water habitat, which is rare along the Seattle waterfront. The analysis should describe how the project will protect this area from damage from any impacts caused by the ferry operation including overwater coverage and propeller wash. This area may be substantially improved as part of restoration or mitigation actions therefore avoiding impacting this area is essential.

The project should expand upon and not degrade the Elliott Bay Seawall Project's juvenile salmon migration corridor and nearshore ecosystem restoration elements.

The redevelopment project offers great opportunities for seawall and shallow habitat improvements. We encourage the project to take advantage of the chance to make a net improvement in the project area for aquatic habitat and to incorporate restoration elements to the Colman Dock project that are consistent with the restoration activities that will take place as part of the draft concept design for Waterfront Seattle and the seawall replacement project.

Any mitigation and habitat enhancement actions should be monitored before and after to document changes in habitat and the species using that habitat. This information will be critical for effective mitigation and improvement actions along the Seattle waterfront in the future.

The analysis should address what water quality improvements or impacts are expected from removing the treated timber structure now in contact with the water.

Fire Station 5

Consider the impacts of removing the north pier area on operations at Fire Station 5. Demolition of the north pier area and work on Slip 3 will need to be coordinated with the Seattle Fire Department to ensure construction does not adversely impact emergency response for the Fire Boats.

Evaluate construction strategies that minimize impacts on emergency response at Fire Station 5, especially in relation to traffic operations on Alaskan Way.

Evaluate impacts of any relocation of passenger ferries to the north end of the dock on fire boat operations.

Again, we appreciate the opportunity to provide comments on the environmental scoping process for the multimodal terminal at Colman Dock Project, and look forward to continuing to work in partnership with WSDOT and WSF to improve Colman Dock as part of a revitalized waterfront. If you have additional questions for the City please contact Steve Pearce in SDOT (206 684-8371).

Sincerely,

Peter Hahn, Director
Seattle Department of Transportation

Diane M. Sugimura, Director
Seattle Department of Planning and Development

Attachment

Hello,

I would like to reiterate the comments I made at the scoping meeting on February 7, 2012. I am concerned that the Washington Street Boat Landing was not included in the project APE, given that it is listed on the National Register of Historic Places and it is possible that construction will impact this historic resources in some way. Also, it is important that other organizations be included as consulting parties as a part of the Section 106 process- including the City of Seattle Historic Preservation Officer, Historic Seattle, and the Washington Trust for Historic Preservation, as well as the Alliance for Pioneer Square.

Thank you,

Sarah Sodt

Landmarks Preservation Board Coordinator

Seattle Department of Neighborhoods
700 5th Avenue, Suite 1700

Seattle, WA 98124

206.615.1786

sarah.sodt@seattle.gov

From: Nashem, Genna [mailto:Genna.Nashem@seattle.gov]
Sent: Wed 3/14/2012 1:00 PM
To: Sodt, Sarah; Faulkner, Elizabeth (Consultant)
Subject: RE: Seattle Multimodal Terminal Project: Scoping Comments

I would like to echo Sarah's comments.

Thank you.

Genna Nashem

Pioneer Square Preservation District

Department of Neighborhoods

206-684-0227

http://www.seattle.gov/neighborhoods/preservation/pioneersquare.htm

From: Sodt, Sarah
Sent: Wednesday, March 14, 2012 11:56 AM
To: FaulknE@wsdot.wa.gov
Cc: Nashem, Genna
Subject: Seattle Multimodal Terminal Project: Scoping Comments

WASHINGTON STATE
MAJOR LEAGUE BASEBALL STADIUM
PUBLIC FACILITIES DISTRICT
110 Edgar Martinez Drive South
Seattle, WA 98134

Mail: P.O. Box 94445
Seattle, WA 98124
Tel: (206) 664-3076
Fax: (206) 664-3194

March 15, 2012

Washington State Ferries (WSF)
Attention: Marsha Tolon
WSF Project Environmental Manager
2901 3rd Avenue, Suite 500
Seattle, WA 98121

Re: Comments on Scope of Environmental Review

Dear Responsible Official:

The Washington State Major League Baseball Stadium Public Facilities District (PFD) appreciates the opportunity to comment on the scope of the environmental review for the Seattle Multimodal Terminal at Colman Dock Project (Colman Dock Project). As you may know, the PFD is the public entity that developed and owns the ballpark known as Safeco Field. The PFD is responsible for overseeing this public asset and for ensuring that the public's investment in the ballpark is not compromised.

While we recognize that the work areas for the Colman Dock Project are not located adjacent to Safeco Field, we remain concerned about potential impacts from the project on our facilities, our fans, and our tenant, the Seattle Mariners. Accordingly, we would like to make the following comments about the scope of the environmental review:

First, we are deeply concerned about the loss of the passenger-only ferry component from this multimodal facility. We appreciate that operation of the passenger-only service will be incompatible with certain aspects of project construction, but we believe that the ultimate replacement of passenger-only service should be an *integral part* of the final project design. Colman Dock is currently among the most highly used multimodal facilities in the city, and it would be extremely short-sighted to not accommodate passenger-only service as an element of the reconstructed facility. We believe that the purpose and need statement for the project should be revised to incorporate the replacement of passenger-only ferry service at Colman Dock as a project objective.

Second, we are pleased that a broad list of environmental resources has been identified for study in the environmental process. Without appropriate environmental review, careful project design, and appropriate mitigation measures, the Colman Dock Project could have significant adverse impacts on our facilities, baseball fans, and other users of the ballpark. We support an environmental process that evaluates the full range of environmental resources.

Third, the PFD is very concerned about the traffic and transportation impacts that construction of the Colman Dock Project may have on access to and from the ballpark for our Cross-Sound fans and patrons. We understand that much of the project work will occur in the footprint of the existing facilities, but we are concerned about the impact that this construction will have on our fan's continued ability to use Colman Dock during project construction. We appreciate that WSF is committed to keeping the ferry terminal fully operational during construction, and our fans will hold you to that commitment. Because construction of this project will take many years to complete, and because construction impacts may be significant if not appropriately mitigated, we urge WSF and its project partners to evaluate carefully construction impacts and appropriate mitigation measures in a separate section of the environmental review.

Fourth, the PFD is concerned about pedestrian and fan safety and the impact of the Colman Dock Project on pedestrian access to and from the ballpark. Hundreds of baseball fans access Safeco Field on game days via the WSF's Colman dock, including its passenger-only services. Maintaining safe pedestrian access from the ferry terminal to Safeco Field throughout project construction will be vital to minimizing project impacts. We ask that pedestrian access and safety be separately analyzed as part of the transportation section of the environmental review.

Fifth, traffic circulation, vehicle access, and pedestrian access are vital to the continued operation and success of Safeco Field. We understand from the public scoping meeting and agency handouts that the EA will thoroughly examine traffic impacts as part of the transportation analysis. We ask that event traffic conditions be considered as part of the transportation analysis to ensure that "worst case" traffic impacts are evaluated.

Sixth, there has been a significant loss of on-street and off-street parking in the neighborhood caused by various WSDOT and SDOT projects, including the Alaskan Way Viaduct Replacement Project. This loss of parking has a ripple effect that impacts local businesses. The Colman Dock project should ensure that employee parking is replaced onsite, or if off-site parking is provided, appropriate mitigation should be implemented for the loss of parking that would otherwise be available to the neighborhoods.

Seventh, we are concerned about the cumulative traffic, transportation, and other construction impacts the Colman Dock Project will have in concert with the many other on-going public and private construction projects in the neighborhood. We urged you to include a well-developed discussion of cumulative impacts in the environmental analysis. Public projects likely to occur at the same time include the Alaskan Way Viaduct Replacement Project (including South End, South Portal, Central Waterfront, and North Portal improvements), the City's Seawall Replacement Project, the Central Waterfront Redevelopment (including Alaskan Way surface

street replacement), and other SDOT and WSDOT projects in the vicinity. Private projects include the redevelopment of the North Lot of Century Link Field, the continued redevelopment of the Home Plate Parking Lot at First Avenue S. and S. Atlantic Street, and a host of other projects in the Pioneer Square, International District and SODO areas.

A cumulative impacts analysis should thoughtfully consider the timing of all of these projects and the opportunity for imposing some common mitigation measures that reduce otherwise potentially significant impacts (e.g., from construction truck/haul traffic). Absent careful analysis and appropriate mitigation, these cumulative impacts could be significant.

Finally, we would like to renew our commitment to work with WSF and its project partners regarding mitigation planning for implementing this major project. As a spectator sports facility and pedestrian venue, the continued success of Safeco Field turns in large part on our baseball fans' and patrons' ability to access our facility. We understand that facility access may be affected during Colman Dock Project construction for some of our fans, but we believe that if we work together on mitigation planning, the impacts of construction can be reduced. We look forward to seeing a detailed analysis of potential mitigation measures in the draft environmental documents, and we will provide comments and suggestions to you throughout the environmental review process.

We also note that our tenant, the Seattle Mariners, will submit a separate comment letter. The PFD joins in the concerns and issues raised by the team.

Again, we appreciate the opportunity to comment, and we look forward to working with the WSF and the consultant team as this important project proceeds. If you have any questions, please call our Executive Director, Kevin Callan, at (206) 664-3076 or (206) 767-7800.

Sincerely,

Charley Royer, Board Chair

Cc: Via Email
Elizabeth Faulkner, WSF, Project Communications
PFD Board Members
Kevin Callan, Executive Director
Tom Backer, Legal Counsel
Bart Waldman, Seattle Mariners
Susan Ranf, Seattle Mariners

March 15, 2012

Genevieve Rucki
Marsha Tolon
Washington State Ferries
2901 3rd Avenue, Suite 500
Seattle, WA 98121
Via: FaulknE@wsdot.wa.gov, RuckiG@wsdot.wa.gov

Re: Scoping for replacement of the Seattle Multimodal Terminal at Colman Dock Project

Dear Ms. Tolon and Ms. Rucki,

We are writing to comment on the Scoping for replacement of the *Seattle Multimodal Terminal at Colman Dock Project.*

People for Puget Sound is a nonprofit, citizens' organization whose mission is to protect and restore the health of Puget Sound and the Northwest Straits.

This project includes the environmental benefits of removing large numbers of creosote-treated timber piles from Elliott Bay, improved treatment for stormwater runoff, and an opened up area of shoreline and nearshore habitat where the north holding area is located today.

Our comments follow:

- **Sediment cleanup.** Contaminated sediment in the area of the terminal must be addressed. At the time that the pilings are replaced is the ideal time to cleanup any remaining contamination at the project site. It will be much more cost effective to do this cleanup as part of this project than to defer to the future.

- **Maintaining passenger-only ferries**. We support keeping the passenger-only ferries at Colman Dock. This is a key transit hub for the city and it does not make sense to force the passenger-only ferries to move to another location on the waterfront.

- **Preparing for waterfront redevelopment.** Preliminary ideas have already been presented and within the timeline for this project fleshed out plans will be available for Seattle's central waterfront. Please ensure that the Colman project is designed in such a way that additional components can easily be incorporated as conceived for a great new waterfront for both people and wildlife.

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- **Stormwater.** We would like to see WSDOT take a leadership role and go beyond the minimum requirements to prevent pollution and treat stormwater pollution as part of this project. This is an opportunity for innovation.

- **Reservation system.** In order to reduce pollution, reduce congestion and holding capacity on Alaskan Way, and to reduce the need for as much overwater coverage, we strongly support the implementation of a reservation system for ferry users.

Thank you for your consideration. You can reach me at (206) 382-7007 (X172) or htrim@pugetsound.org.

Sincerely,

Heather Trim
Director of Policy

March 9, 2012

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121
E-mail: FaulknE@wsdot.wa.gov

Subject: Scoping for Environmental Assessment
Seattle Multimodal Terminal at Colman Dock

Dear Ms. Tolon;

Thank you for the opportunity to comment on the Environmental Assessment scoping process for the multimodal terminal at Colman Dock. The Marine Transportation Association of Kitsap (MTAK) has advocated for several years for cross sound passenger ferry service between ports on the west side of Puget Sound and downtown Seattle. We believe that cross sound passenger ferry service is an environmentally sound and efficient option for connecting communities across the Puget Sound and is the missing critical link in the marine highway system. We applaud your efforts to maintain and re-vitalize the terminal at Colman Dock. However, we wish to proclaim our support for the inclusion of passenger only landing facilities within the proposed footprint for the new Colman Dock.

The current Colman Dock passenger only facility at Pier 50 is serving three routes and will likely be serving a fourth route later this year when Kitsap Transit begins testing the performance of the recently built low wake prototype passenger only ferry with regular service between Bremerton and Seattle. We are concerned that the Colman Dock multimodal terminal, as currently proposed, eliminates terminal facilities for passenger only ferries at Colman Dock. Co-location of both vehicle and passenger ferry landing facilities at Colman Dock is essential in the development of an accessible multi-modal terminal on the Seattle waterfront. Further, there is a potential for disruption of passenger only ferry service if planning for both vehicle and passenger only passenger ferry facilities is not coordinated and concurrent.

We urge you to reassess your project to incorporate passenger only ferry facilities as a pivotal element of the Colman Dock multimodal terminal project. We fervently believe that Colman Dock must evolve into a marine transportation hub for Puget Sound, delivering people, not cars, to and from the many employment, recreation and cultural opportunities in Seattle.

Best Regards,

Walt Draper

Walt Draper
President, Marine Transportation Association of Kitsap

Marine Transportation Association of Kitsap
P.O. Box 29 ~ Bremerton, Washington 98337
www.MTAK.org

From: Andrew Austin [mailto:Andrew@transportationchoices.org]
Sent: Thursday, March 15, 2012 11:57 AM
To: Faulkner, Elizabeth (Consultant)
Cc: Andrew@transportationchoices.org
Subject: Transportation Chocies officail public comment on Colman Dock Project

Washington State Ferries
Attention: Marsha Tolon
2901 3rd Avenue, Suite 500
Seattle, WA 98121

Ms. Marsha Tolon,

Transportation Choices Coalition is a non-for-profit education and policy organization that advocates for more transportation choices in Washington State. We believe every citizen should have the opportunity to walk, bike, or take transit in Washington State if they choose to.

The Colman Dock is a critical multi-modal transportation hub for Seattle and the state as a whole. With existing (and planned increases in) passenger ferries, bus service, and future waterfront redevelopment, the vision and future of Colman Dock is more important than ever. From our offices in the Colman building we see firsthand, the thousands of pedestrians that pour onto the streets of Downtown Seattle every day from the Washington State and King County ferries.

From the early days of Washington's private mosquito passenger ferry fleet, to today's popular Vashon and West Seattle passenger ferry service, to the future routes to Port Townsend, Keystone and Bremerton, passenger ferries have and continue to be a crucial part of the transportation system in Washington State. Passenger ferries truly are a bus on water and increase sustainable transportation options to thousands of individuals in our region. Additionally, the Washington State auto ferries, particularly at Colman Dock, also serve an important role of water-transit with thousands of pedestrian passengers entering Downtown Seattle every single day through their passenger decks. To treat the Colman Dock retrofit project as only a car-ferry terminal would be a grave mistake. We must plan for the future; a future that demands co-located passenger ferries, world-class bike and pedestrian facilities, and easy transit connections at Colman Dock. Colman Dock should continue to be a multimodal hub that all users can be proud to call home. The retrofit project should not only address traffic concerns, but also multi-modal needs, which should be at the center of any discussion, not as an afterthought.

We strongly encourage WSF to work with local jurisdictions and a variety of voices and user groups in the redesign of Colman Dock and terminal. Furthermore, we believe passenger ferries should have a permanent home a Colman Dock. To move them elsewhere would be poor policy, cause extra costs and delays in service for passenger ferry providers, and be illogical to the everyday passenger ferry user.

Please create a retrofitted Colman Dock and terminal in a way that our whole community and all of its users can be proud of. We encourage you to rebuild a Colman in a way that creates a permanent home for passenger ferries, builds work class bike, pedestrian, and transit connections, as well as addressing basic retrofits needs.

Sincerely,

Rob Johnson
Executive Director
Transportation Choices

March 16, 2012

Washington State Ferries (WSF)
Attention: Marsha Tolon
WSF Project Environmental Manager
2901 3rd Avenue, Suite 500
Seattle, WA 98121

Re: Scoping Comments

Dear Marsha:

The Seattle Mariners appreciate the opportunity to comment on the scope of the environmental review for the Colman Dock Project.

While Safeco Field is somewhat removed from the vicinity of the ferry terminal, we do have concerns regarding both the construction phase of the project and the permanent impacts to baseball fans.

1) The proposed loss of passenger-only ferry service at Colman Dock was an unwelcome surprise. This issue must be revisited and passenger-only service restored to the design for Colman Dock. Geographical separation of vehicle and passenger-only service will create confusion for passengers. Passenger-only service should be co-located to maximize travel options and minimize confusion. A passenger-only terminal located farther north on the waterfront would not be attractive to event patrons. The current distance to Colman Dock from Safeco Field is approximately ¾ mile, a distance that is barely walkable for many people, especially young children and senior citizens. Moving the passenger-only service any farther north would be an untenable access situation for many event attendees. We believe that the purpose and need statement for the project should be revised to incorporate the replacement of passenger-only ferry service at Colman Dock as a project objective.

2) We are very concerned about the cumulative impacts of commencing another large infrastructure project during the period of the Seawall Replacement Project and the SR99 Bored Tunnel Project. We are already experiencing severe and unanticipated impacts from the existing SR99 project. Commencing another major project without intense review that includes developing a complete understanding of the compounding impacts of an additional major project, or without careful project design or appropriate mitigation, would result in untenable impacts on the ballpark and baseball fans. We must have a full

and complete environmental process that evaluates the project impacts, including those cumulative impacts stated above and specifically as they relate to the major event facilities.

3) While the Colman Dock Project is not directly redesigning access routes to the facility, we have great concern about pedestrian safety and access especially as it pertains to baseball fans. Historically the numbers of fans using ferry service has ranged from a few hundred per game to several thousand. Providing a safe, reasonably direct and well-maintained route is very important and we ask that pedestrian access and safety be analyzed thoroughly, and safety and access issues adequately addressed.

4) Ferry holding lane traffic backups on holiday weekends have been a historic concern for the Mariners, with traffic going to the old holding lanes under the viaduct sometimes backing up onto Royal Brougham and back as far as 4th Avenue and I-90. While this would go unnoticed on a non-game day, the impacts on game days were severe and disruptive to the traffic control plan for the ballpark. Consequently it is critical for the traffic analysis to consider impacts on game days and especially on holiday weekends since ferry traffic continues to be directed to Edgar Martinez Drive as the route to Colman Dock and the proposed new holding lanes. Failure to understand and mitigate the impacts of intense ferry traffic loads on the streets that also serve the ballpark would only exacerbate an already extremely adverse traffic situation.

The Mariners are committed to work with WSF to ensure a positive outcome for both WSF and Safeco Field. The continued success of Safeco Field relies in large part on baseball fans' ability to access our facility. By working collaboratively on mitigation planning we can avoid pitfalls and reduce the impacts on our mutual customers. We look forward to seeing a detailed analysis of potential mitigation measures in the draft environmental documents, and we will continue to provide comments and suggestions to you throughout the review process.

Again, we appreciate the opportunity to comment, and we look forward to working with the WSF as this important project proceeds. If you have any questions, please call me at 206-346-4236.

Sincerely,

Susan K. Ranf
Director of Transportation

Cc: Kevin Callan, PFD Executive Director
Tom Backer, PFD Legal Counsel
Bart Waldman, Seattle Mariners