

Appendix K

Draft EIS Comments and Responses



K. DRAFT EIS COMMENTS AND RESPONSES

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United States Department of the Interior

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March 12, 2012

Paul W. Krueger
Project Environmental Manager
Washington State Dept. of Transportation
Ferries Division
2901 3rd Avenue, Ste. 500
Seattle, Washington 98121

Dear Mr. Krueger:

F-001-001

The Department of the Interior (Department) has reviewed the Department of Transportation (DOT), Federal Transit Administration (FTA) and Washington State Department of Transportation (WSDOT), Draft Environmental Impact Statement (DEIS), Mukilteo Multimodal Project, Snohomish County, WA. The Department offers the following comments for use in the development of the Final Environmental Impact Statement (FEIS).

The proposed project is located on the shoreline of Puget Sound, where federally-listed bull trout (*Salvelinus confluentus*) and marbled murrelets (*Brachyramphus marmoratus*) occur. Both species are listed as threatened. Additionally, the project vicinity provides habitat for numerous migratory birds, interjurisdictional fish, and other marine resources.

In reviewing the DEIS, the Department's primary concern centers around protection and enhancement of habitats utilized by marbled murrelets. The project vicinity provides year-round foraging habitat for marbled murrelets and they occur with some regularity in the area. The marbled murrelet continues to experience significant declines throughout its range, and in particular, in Washington. Over the past ten years, the species' population has declined by approximately 50% in the state. As such, we are encouraged that the proposed project may present some potential benefits to murrelet foraging habitat. However, based on the information provided in the DEIS, the proposed project presents several pathways for exposure to a variety of stressors. Therefore, the Department provides these comments with the intent of informing the development and selection of alternatives such that impacts to this declining species are avoided.

F-001-001

Thank you for identifying your primary concern centering around the protection of habitats for marbled murrelets, and for identifying issues related to other species and habitats. The Final EIS includes the Biological Assessment prepared by WSDOT and FTA, addressing threatened and endangered species, and the resulting Biological Opinion issued by the Services.

Potential Stressors to Marbled Murrelets from the Proposed Project

- F-001-002** | 1) Shoreline and nearshore habitat modification which may affect prey base and exposure to disturbance; 2) exposure to contaminants from past activities at the site; 3) exposure to contaminants from operation and maintenance of the ferry terminal and associated roads and parking facilities; and 4) exposure to contaminants from dredging associated with construction and/or maintenance of facilities. These are addressed in more detail below.

Shoreline and Nearshore Habitat Modification

- F-001-003** | Based on the information provided in the DEIS, it appears that the proposed project provides an opportunity for restoration and/or enhancement of shoreline habitats that support important marine resources. The build alternatives presented in the DEIS include varying levels of shoreline modification that will result, directly or indirectly, from removal of existing structures and/or construction of new facilities. The Department recommends that the project proponents seek alternatives that result in restoration of natural nearshore processes and that minimize the need for shoreline armoring, overwater structure, and dredging.

Exposure to Contaminants from Past Activities at the Site

- F-001-004** | Each of the build alternatives encounter contaminated materials to varying degrees. Marbled murrelets can be exposed to contaminants directly (when foraging) and indirectly (through the food chain). The Department recommends that the project proponents seek alternatives that minimize the long term risk of murrelet exposure to contaminants and fully analyze the potentially detrimental effects of resuspending leached creosote from old timber structures, dredging, removal or relocation of contaminated soils and substrates, and interaction between stormwater treatment methodologies and soil and groundwater contaminants.

Exposure to Contaminants from Operation of Proposed Facilities

- F-001-005** | The operation of the ferry terminal and associated roads and parking areas presents a pathway for contaminants to enter marine waters where both bull trout and murrelets forage. The Department recommends that the project proponents design stormwater treatment systems with the intent of successfully treating stormwater so biological effect thresholds are not exceeded. Further, we note with concern that some of the proposed stormwater infiltration facilities could be located in areas where contaminants might still be present. Design of stormwater infiltration facilities should be done such that future discharge will be free of contaminants to a degree that biological resources are not detrimentally impacted by either dissolved metals contained in runoff or contaminants from past activities at the site. Additionally, the Department recommends that the project proponents design and select alternatives that minimize the amount of new impervious surface and which maximize the use of Low Impacts designs.

Exposure to Contaminants from Dredging

- F-001-006** | The Department recommends that the project proponents design and select alternatives that reduce the potential for exposure to contaminants from dredging. Consideration should be given

F-001-002

The stressors identified have been further discussed in the Final EIS section 4.12, Ecosystems, the Ecosystems Discipline Report, and the Biological Assessment and Biological Opinion documents. Please see the responses to your more detailed comments below.

F-001-003

WSDOT and FTA appreciate the suggestions related to selecting alternatives that provide opportunities to improve shoreline and nearshore habitat. The Preferred Alternative, a modified version of the Elliot Point 2 Alternative, is the build alternative with the smallest amount of overwater cover. In addition, the Preferred Alternative will remove the Mukilteo Tank Farm Pier and associated creosote-treated timber piles, as well as the existing ferry terminal, reducing overwater cover by about three acres. Part of an existing berm will also be dredged. Removal of the pier will also allow for more natural transport of sediment along the shoreline. WSDOT found that the Preferred Alternative provided the best balance of benefits including the opportunity to remove the Tank Farm Pier.

F-001-004

The Final EIS includes additional analysis of this issue in the Biological Assessment (Appendix L to the Final EIS); in section 4.8, Hazardous Materials, and the Hazardous Materials Discipline Report; and in section 4.11, Water Resources. The Preferred Alternative will remove the Tank Farm Pier and existing terminal, and associated creosote-treated timber piles and decking, eliminating a potential source of contamination in the environment. Piles will be removed to prevent resuspension of creosote. A plan will be developed to address creosote-treated timber removal and BMPs will be implemented to minimize the spread of sediments and broken pilings during pile removal (Draft EIS p. 4-130, 4-170 and Final EIS sections 4.8 and 4.11.4).

F-001-006 | to evaluating the amount of maintenance dredging that will be required for each alternative and to the specific contaminants that could be resuspended with each build alternative.

Section 4(f) Evaluation Comments

F-001-007 | The Department cannot concur at this time that there are no feasible and prudent alternatives to the proposed use of 4(f) properties and that all measures have been taken to minimize harm to these properties because the Section 4(f) Evaluation is in preliminary draft form only and there is no preferred alternative identified. We encourage continued consultation with DAHP and recommend that copies of agreement documents be included in future documentation.

For questions regarding the fish and wildlife comments, please contact Ms. Emily J. Teachout, USFWS, Transportation Planning Branch Team Lead and Fish and Wildlife Biologist at (360)753-9583 or emily_teachout@fws.gov. For questions regarding the Section 4(f) Evaluation comments, please contact Alan Schmierer, Regional Environmental Coordinator, Pacific West Regional Office, National Park Service at (510) 817-1441 or alan_schmierer@nps.gov. If you have any other questions, please contact me at (503) 326-2489.

Thank you for the opportunity to review this document.

Sincerely,



Allison O'Brien
Regional Environmental Officer

cc:

FTA-Region 10 (Daniel Drais, 915 Second Avenue, Suite 3142, Seattle, WA 98174)
SHPO-WA (Allyson.Brooks@dahp.wa.gov)

The project will dredge a navigation channel through a sediment mound that has accumulated underneath the Tank Farm Pier. Initial testing of the sediments revealed locations with levels of contamination above dredge disposal limits. Any contaminated sediments will be handled and disposed of appropriately to prevent the potential resuspension of contaminated material in Possession Sound (see Final EIS sections 4.8.4 and 4.8.7 for Hazardous Materials and 4.11.4 and 4.11.7 for Water Resources). Dredging will only occur during construction and will not be necessary during project operation.

The Biological Assessment for the project also provided a detailed description of stormwater treatment for the project and evaluated the potential for pollutants in stormwater to exceed the biological effect thresholds.

F-001-005

As noted above, final design and permitting will confirm the details of stormwater treatment facilities for the project, but the project anticipates enhanced stormwater treatment that removes greater levels of dissolved metals from stormwater runoff than basic treatment for the majority of the site. The Biological Assessment for the project also provided a detailed description of stormwater treatment for the project and evaluated the potential for pollutants in stormwater to exceed the biological effect thresholds.

Stormwater facilities will be designed to avoid potentially contaminated soils and groundwater. Additional testing for contaminated materials on the Tank Farm property will take place prior to construction. Construction activities in areas with potential hazardous materials are discussed in Final EIS section 4.8. Any contaminated material encountered during construction will be handled and disposed of according to applicable permits and regulations.

Low-Impact Development measures will continue to be considered during Final Design.

F-001-006

Dredging for the project is described above in the response to comment F-001-004. Dredging will only occur during construction, and any contaminated materials within the dredge prism will be disposed of according to applicable permits and regulations. Maintenance dredging will not be required.

F-001-007

Thank you for your comments. WSDOT and FTA have continued Section 4(f) coordination with the Department of the Interior to prepare the Final EIS and the Final Section 4(f) evaluation. The final Section 4(f) Evaluation is Appendix I of the Final EIS. WSDOT and FTA coordinated with parties with jurisdiction over Section 4(f) resources in conducting this evaluation. The Final Section 4(f) Evaluation includes copies of coordination and other supporting documents.



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March 12, 2012

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Mr. Paul W. Krueger
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Re Mukilteo Multi-Modal Project Draft Environmental Impact Statement
(EPA Region 10 Project Number: 06-009-FTA).

Dear Mr. Drais and Mr. Krueger:

F-002-001

The U.S. Environmental Protection Agency (EPA) has reviewed the Mukilteo Multimodal Project Draft Environmental Impact Statement (DEIS). We are submitting comments in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The Federal Transit Administration (FTA) and Washington State Ferries (WSF) propose improvements to facilities, operations, safety, and security at the mainland terminus of the Mukilteo-Clinton ferry route. The project area lies within the city limits of both Mukilteo and Everett, Washington. The EIS analyzes four alternatives: No Build, Existing Site Improvements, Elliot Point 1, and Elliot Point 2. Both the No Build and Existing Site alternatives would continue to use the current site of the ferry terminal; Elliot Point 1 and 2 alternatives would move the ferry terminal slightly eastward to the U.S. Air Force Mukilteo Tank Farm property, thereby redeveloping a site that has undergone remedial clean up of hazardous materials but which yet contains residual contaminants onsite. All alternatives would affect existing cultural/historical/archeological sites within the project area to varying degrees. No preferred alternative has been identified.

We support the proposed project and appreciate that it has the potential to produce a number of environmental benefits. Our comments are intended to highlight these opportunities and to encourage project proponents to fully pursue them in designing and selecting a preferred alternative. We also offer comment and technical assistance intended to help minimize the project's environmental impacts from construction and operations. Our concerns include:

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F-002-001

Thank you for providing your comments, EIS rating, and suggestions for WSDOT and FTA to consider in developing this project and its Final EIS. We address your concerns in the following responses to Enclosure 1 - Detailed Comments on the Mukilteo Multimodal Project Draft EIS. WSDOT and FTA considered EPA's comments when identifying a modified version of the Elliot Point 2 Alternative as the Preferred Alternative. The Final EIS has been updated with additional information on mitigation measures for the Preferred Alternative, including design and avoidance measures incorporated to avoid or minimize impacts, and other measures to minimize or offset the severity of impacts that cannot be avoided.

F-002-001

- a possible need to clean up residual contamination on the Tank Farm property, and related concerns for water and aquatic habitat quality in Possession Sound and project area streams,
- dispersion of contaminants, noise, and other construction related impacts to marine species, including impacts to threatened, endangered, and other sensitive fish and wildlife species;
- the need for information regarding ferry emissions and mitigation in the air quality analysis, and to examine the potential for elevated concentrations of diesel and other emissions in the project area that may affect people, particularly ferry workers.

In accord with the above, we are rating the DEIS as EC-2, Environmental Concerns, Insufficient Information. Enclosed with this letter are (1) our detailed comments and recommendations on the DEIS; (2) our detailed review and comments on the Sediment Sampling and Analysis Plan (SAP); and (3) an explanation of the EIS rating system.

We appreciate the opportunity to participate in the Mukilteo Multimodal Project, and look forward to the benefits it would provide to the regional transportation system and quality of life. If you have questions or would like to discuss these comments, please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov, or you may contact Elaine Somers of my staff at (206) 553-2966 or by electronic mail at somers.elaine@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosures

Enclosure 1
Detailed Comments on the
Mukilteo Multimodal Project Draft EIS

F-002-002

Preferred Alternative

The DEIS presents a good range of alternatives, identifies features that best meet the project purpose and need, and highlights environmental benefits, but does not identify a preferred alternative. We believe the most sustainable solution for meeting regional transportation needs would both minimize environmental impacts and maximize environmental benefits. A preferred alternative design could potentially combine elements of two alternatives to achieve such an outcome.

The preferred alternative would ideally:

- Best meet the transportation project purpose and need;
- Clean up existing/remaining contamination on the project site;
- Minimize over-water footprint and impervious surface, and avoid floodplain areas;
- Move non-water dependent land uses, such as parking lots, further away from the shoreline;
- Restore functional shoreline habitat on Possession Sound and provide, with appropriate restrictions/setback, a pedestrian promenade;
- Daylight Japanese Creek;
- Increase the area of the Tank Farm property that would be redeveloped to provide transportation, community, and environmental benefits;
- Maximize use of Low Impact Development techniques to capture and treat stormwater;
- Ensure that stormwater infiltration occurs only where surface and sub-surface conditions are free of contamination;
- Minimize impacts to water quality, aquatic habitats, and species in project design and construction, including but not limited to those listed as Federal or State endangered, threatened, candidate, or sensitive species;
- Minimize emissions of all transportation and construction related air pollutants, including greenhouse gas emissions; and
- Enhance the awareness, appreciation, and respect for tribal cultural and natural resources and project area historical resources.

We think that a well designed preferred alternative could potentially achieve most or all of the above. For example, the Elliot Point 2 Alternative appears to encompass the majority of these features, with the notable exception of daylighting Japanese Creek, which is a component only of the Elliot Point 1 Alternative (however, it appears the City of Mukilteo plans to daylight the Creek at the Possession Sound shoreline regardless of the alternative chosen, DEIS p. 4-188). By extending the Elliot Point 2 site further east to incorporate more of the Tank Farm site, it may be feasible to incorporate the daylighting of Japanese Creek and also move the non-water dependent parking, holding areas, and other paved features further from the shoreline. This could provide room for shoreline restoration, a pedestrian promenade, and a site dedicated to acknowledge and commemorate the tribal cultural and historical significance of Point Elliot. This alternative modification is mentioned in the DEIS (p. 4-25). Additional areas of the Tank Farm could be used to meet parking needs for the multimodal facility. (For two of the

3

F-002-002

Thank you for providing EPA's perspective on how the various attributes of the alternatives affect environmental performance. WSDOT and its partner agencies used a similar process to help identify the Preferred Alternative, which included a number of design modifications and refinements to help improve overall environmental performance. Additional information on the refinements is provided in Chapter 2 of the Final EIS. Many of EPA's suggested best management practices, low impact development approaches, and other impact minimization measures have also been incorporated either as project assumptions or as measures to be considered as final design and permitting phases of the project continue. The only suggested element not incorporated was an extension east to include the daylighting of Japanese Creek; the project instead was seeking the most compact footprint possible to allow the Port, the City of Mukilteo and others to explore opportunities to create open space or other uses on the remaining tank farm property and waterfront area.

F-002-002

three action alternatives, available parking spaces would decrease; the Elliot Point 1 Alternative would increase parking by only three spaces.)

Recommendation: Further explore and consider incorporating an alternative design that extends further east, which would result in redevelopment of a greater portion of the Tank Farm brownfield site, incorporate daylighting of Japanese Creek, and enable shoreline restoration, pedestrian promenade, a cultural/historical commemorative site, and needed parking. Incorporate as many as possible of the above listed features in the preferred alternative. Apply context sensitive design.

Hazardous Materials, Water Quality, and Aquatic Habitats

F-002-003

We appreciate that the DEIS addresses mitigation for impacts due to removal of petroleum distribution facilities, creosote-treated timber and piles, contaminated sediment or dredged sediment; grading or excavating contaminated soil, contaminated groundwater management, and construction of stormwater facilities in contaminated areas; and for noting the environmental benefits of cleaning up project area contamination. However, we have concerns that the clean up may be limited to removing the above ground structures and placing fill over potentially contaminated soils in the project area, particularly at the Tank Farm site. While capping the surface is sometimes deemed the best solution in order to avoid disturbing contaminated soils, we would encourage project proponents to work closely with Ecology and others to re-examine the residual contamination on the Tank Farm and other potentially contaminated project area sites that may be affected, and consider the long-term benefits of removing the contaminants.

Possession Sound and project area streams are water quality impaired for a variety of parameters, including toxic compounds. Contaminated soils may be a present or future source of polluted seepage to groundwater, surface water, and the shoreline, potentially affecting fish, birds, and other wildlife, including threatened and endangered species.

Recommendation: Re-examine residual contamination at the project site, particularly the Tank Farm site, using site assessment tools and consulting as necessary with Ecology, the Tribes, NOAA-NMFS, USFWS, and other interested/affected resource agencies and entities, so that remedial actions that best restore long-term ecological and human health in the project area will be taken.

Sediment Analysis and Management

F-002-004

We appreciate the opportunity to review and comment on the Sediment Sampling and Analysis Plan (SAP), which was developed in support of the NEPA analysis. The sampling should inform the refining of alternatives. We note that some samples might not go deep enough to properly characterize the newly exposed dredged surface. If characterizing these deeper sediments would inform cost analyses and selection among the alternatives, we believe the sampling should be done now. We would recommend obtaining cores two feet below the bottom of the dredge prism and taking separate analyses from that lower portion.

F-002-003

While some locations with residual concentrations in excess of the site's approved clean up levels have been found, WSDOT's plan for the site is intended to balance the potential benefits of removal of contaminants with the need to avoid construction within known archaeological sites. WSDOT has also responded to public comments encouraging the most compact footprint achievable, which leaves larger areas of the Mukilteo Tank Farm property available for other uses. The Final EIS provides additional details about WSDOT's commitments to work with Ecology to determine a plan for managing hazardous materials within the areas to be developed for the Preferred Alternative. It is important to note that the Air Force's environmental research and documents, including previous agreements with Ecology for cleanup, as well as WSDOT's investigation and analysis that include additional sediment sampling and characterization, have not revealed high levels of contamination that pose risks to ecosystems or endangered species. However, the Final EIS continues to identify mitigation measures addressing impacts considering the potential for contamination to remain.

F-002-004

Some of the sediment sampling depths did extend into the areas within the dredge prism, and are near the depth of the project's excavation. While this is not the full extent of sampling that would be needed for a permitted action, it was designed to help inform the EIS's discussion of potential impacts and management measures that may be required. The range of analytes examined also included chemicals used in munitions, and no detectable levels were found. The Final EIS also includes the final Sediment Sampling and Analysis report, which EPA reviewed and commented on during the Final EIS preparation process. As the Final EIS reports, the array of samples taken did not show high levels of contamination or reasons to suspect that sediments at deeper levels would have substantially different chemistry. WSDOT will obtain permits

F-002-004

The SAP, which provides a good site history, reveals that munitions were handled at the fuel dock area. This may require a different assessment. It might involve a dive survey, detection and consideration of either isolation or detonation and removal. Lead and ammonium nitrate are some of the likely potential residues from exploded ordnance.

As stated in the SAP, the sampling effort has been tailored to help inform the selection and design of alternatives, and has not been coordinated as part of permitting, which would require interagency coordination via the Dredged Material Management Office (DMMO - Seattle District Corps). When a preferred alternative is identified, the sediment information obtained will help inform additional sediment sampling and characterization that would likely be required as part of the permitting process for that specific alternative. Our comments on the SAP are provided in the interest of making the sediment characterization information as useable as possible for the future, and to further inform the potential use of the Tank Farm site.

Further analysis and disclosure of short and long-term sediment management effects on water quality, aquatic habitats and biota should be included in the Final EIS and will be required at the permitting stage. We believe that the long-term benefits of removing creosote pilings would outweigh the short-term impacts associated with their removal. We also believe that Best Management Practices (BMPs) and permit conditions would go a long way to substantially reduce ecological risks associated with creosote piling removal. We have previously provided such BMPs to FTA and WSF with our prior comments on the proposed project.

Our specific comments on the WSF Mukilteo Multimodal Sediment Sampling and Analysis Plan, dated December 2011, are included in Enclosure 2. If there are any questions regarding these comments, please contact Justine Barton at (206)553-6051 or Jonathan Freedman at (206)553-0266.

Stormwater

F-002-005

The DEIS discusses the use of vaults to retain, treat, and release stormwater, as well as bioretention facilities, which are expected to be more effective than vaults. An added benefit of removing onsite contaminants would be the ability to make greater use of storm water management measures that maintain some natural ecological functions such as bioretention, infiltration, and application of low impact development (LID) techniques. In particular, the areas of pavement needed for the multimodal facility could potentially be hardened using pervious pavers or pavements, while site design could incorporate green pockets, such as rain gardens, and other LID features. The EPA has recently launched a new Green Infrastructure Website at <http://water.epa.gov/infrastructure/greeninfrastructure>, a "one-stop shop" that offers a wealth of publications and tools as well as the latest research on green infrastructure.

Recommendation: Incorporate LID features in site design to the greatest extent possible and visit the EPA Green Infrastructure website for information.

for dredging and dredge disposal, and will abide by the permit requirements. In fact, many of the anticipated mitigation measures and Best Management Practices have already been incorporated within the Final EIS's analysis of the dredging, pile removal, and other sediment-disturbing activities that will be conducted. WSDOT has also advanced the planning for the additional sampling and testing that will be required for the project's permitting phases. The Final EIS's Hazardous Materials Discipline Report provides an extended discussion of the sediment sampling in conjunction with the proposed dredging activities.

F-002-005

Thank you for your suggestions regarding the use of low impact development /green stormwater infrastructure on the Mukilteo Multimodal Project. These and other measures are noted as potential stormwater management measures and will continue to be considered during final design, including for buildings within the facility. The Preferred Alternative provides several opportunities to take advantage of low impact development principles, although the presence of archaeological sites and locations with potentially contaminated soils may preclude some measures. As described in section 4.11, Water Resources, of the Final EIS drainage systems for new pollutant-generating impervious surfaces could potentially utilize bioretention facilities or comparable facilities to treat runoff from areas subject to vehicular traffic.

Although the possibility of encountering hazardous materials may limit the use of bioretention and infiltration, it may be possible to line or design them in a way to prevent suspension and transport of pollutants in the soil. The Final EIS Hazardous Materials Discipline Report and Final EIS section 4.8, Hazardous Materials, provides additional details. During final design, WSDOT will also consider the use of porous paving where applicable.

F-002-006 | **Air Quality**

Analysis of Impacts. The DEIS does not discuss emissions from ferries and it is unclear whether or not ferry emissions are included in the cumulative effects analysis. The EIS should discuss if and how the ferry emissions are accounted for. In order to have a full understanding of potential impacts on air quality, it would be helpful to characterize how the combined diesel emissions from ferries, trains, buses, and ferry traffic at the multimodal facility may compare with offsite locations, apart from or in addition to determining potential standards violations. Please also include information about the potential exposure of ferry workers at toll booths and loading docks to prolonged elevated levels of diesel and other vehicular emissions.

Recommendation: Include the above information in the Final EIS

F-002-007 |

Mitigation. We expect that WSF is already taking steps to reduce ferry fuel consumption and emissions. In support of such efforts, we recommend, as per our previous comments, adoption of components of the NW Ports Clean Air Strategy, which includes the following mitigation recommendations for Harbor and Commercial vessels:

- Implement engine retrofits, where feasible.
- Pilot post-combustion control/after treatment technologies.
- Develop an agreement between PSCAA and WSF to significantly reduce fuel consumption through the use of Composite restraint systems, fuel sensors, and other efficiency technologies:

Recommendation: Adopt appropriate mitigation measures and include commitments in the Final EIS.

Noise Impacts to Aquatic Species

F-002-008 |

The Elliot Point 2 Alternative would minimize the number of new piles that must be installed, and the DEIS provides a good list of potential mitigation measures to minimize the noise impacts to marine species from project construction. We recommend that project proponents work closely with NOAA-NMFS and USFWS to devise the best possible mitigation plan to ameliorate noise impacts to aquatic species and birds.

Recommendation: Include a plan as described above in the Final EIS

F-002-006

The proposed project will change the location of the ferry, but the number of ferry vessels will remain the same as today. The cumulative effects of the ferry emissions will also remain the same as today or get better over time as newer ferry vessels have cleaner emissions. The same is true for vehicles waiting for the ferry. In the worst-case scenario, about 20 percent of the vehicles will idle while waiting for the ferry. These emissions will be reduced as vehicles become cleaner over time, which will reduce the potential exposure to emissions for ferry workers at the toll booths and loading dock. Section 4.7, Air Quality, of the Final EIS has been revised to include this information.

F-002-007

WSDOT's decision about ferry operations and fleet or vessel improvements are made on a systems basis. While WSDOT is continuing to improve the environmental performance of the system, the suggested measures are not related to a specific impact due to this project and therefore have not been incorporated as mitigation commitments. However, WSDOT is open to continued discussions with the PSCAA on these and other measures.

F-002-008

The Final EIS provides additional analysis and discussion of noise impacts to aquatic species, as discussed in section 4.12.4, Ecosystems construction impacts. The project will comply with any minimization measures developed during consultation with NOAA Fisheries Service and USFWS in compliance with the ESA, the Magnuson-Stevens Act, and Marine Mammal Protection Act. The EIS process has included coordination with NOAA Fisheries and USFWS and resulted in the Biological Assessment included in the Final EIS, which addressed noise in additional detail, leading to the Biological Opinion by the services. The measures identified in the Biological Opinion will be included in the Record of Decision. The project would also meet the permit

Enclosure 2

EPA Comments on the WSF Mukilteo Multimodal Sediment Sampling and Analysis Plan
December 2011

1. Page 1-7, line 1. While there were data gaps in the characterization as noted, a figure is needed to show the twenty-three 2003 sampling locations. Indicate whether they are in the vicinity of the current proposed sampling.
2. Page 2-1, lines 23-24. Please reference the updated "DMMP Guideline Chemistry Values" table, (including SLs, BTs and MLs), updated June 2011, when referencing the User's Manual.
3. Page 2-1, line 32. Please provide a brief explanation as to whether TBT and dioxins/furans will be included as special chemicals at this site for this round and provide the rationale based on past uses at the site.
4. Page 2-5, line 2. As a goal, all vibracore sampling locations, cores should be taken as close as possible to the pier face in order to represent the areas under the pier at depth as much as possible.
5. Page 2-5, line 9. The SAP needs a sample compositing table outlining exactly what parts/segments from each core from Figure 2-1 and Table 2-1 will go into each composite analysis. Indicate why V1 is a 6' core and whether it is because the bathymetry is different in that location. See comment #6 below.
6. Figure 2-1 should include current bathymetry contour lines, which can at times help with positioning core sampling locations, and ensuring long enough cores have been taken to represent both potential dredged material and the new exposed surface. Indicate whether the depths are consistent the full length of the pier.
7. Page 2-6, lines 11-12. It appears that sampling for dioxin/furans will occur, however, the sediment will be archived and analysis will not be done immediately. Explain how the decision to run these analyses will be made. Should PCBs be found in the samples at levels over the SL or SQS, it is possible dioxin/furan analyses would be required during permitting unless this chemical is removed as a concern via testing this round. If there is no reason to believe they are present, and then comment #3 above helps to address this issue for now. If it is possible dioxins/furans will be run on these samples, the reference "*Revised Supplemental Information on Polychlorinated Dioxins and Furans (PCDD/F) For Use in Preparing Quality Assurance Project Plan (QAPP)*", dated November 8, 2010, must be incorporated by reference in this SAP, and the details therein used for the reports related to dioxins/furans. This reference may be found on the Seattle District DMMO website.
8. Table 2-2. As addressed in comment #3 above, if TBT is not a chemical of concern (COC) and documentation is provided of past site use that indicates it unlikely, then remove this COC from your list. If it is a possible COC, prepare this SAP for taking interstitial water samples for TBT.
9. Table 2-2 should include BTs for comparison and indicate that the units are dry weight where correct. Also, a table with current SQS and CSL values should be included, with appropriate units.

requirements of local, state, and federal agencies with jurisdiction over aquatic lands and shoreline areas; these permits typically include commonly applied mitigation measures or BMPs as well as project-specific mitigation requirements, including for noise.

Noise impacts would be minimized and mitigated to the extent possible. Measures would include scheduling in-water work during appropriate wildlife windows, monitoring for marine mammal and selected bird presence before and during construction, using installation techniques such as vibratory hammers instead of impact pile driving to reduce noise generation whenever possible, using lower level warning sounds and ramping up noise to warn wildlife of pending noise increases, and using bubble curtains or other devices to attenuate unavoidable noise generation as appropriate.

F-002-009

Thank you for providing comments on the sediment sampling plan. Although the plan was not part of the published Draft EIS, its resulting Sediment Sampling and Analysis Report has been included with the Final EIS. WSDOT and FTA considered EPA's comments before finalizing the plan.

10. Page 3-1, line 18. We reiterate comment # 4 above. Vibracores (originals and any that are shifted due to sampling problems) should be as close to the pier face as debris and safety allow.
11. Page 3-6, lines 11-13. Indicate what percent recovery will be acceptable.
12. Page 3-6, lines 27-28. This section mentions four diver coring locations under the Tank Farm Pier and one location under the existing Ferry Terminal (which conflicts with text on p. 2-2 and Figure 2-1). Please reconcile these. Also, a station taken in the footprint of the new alignment at the Existing Ferry Terminal Site would help to obtain information on sediments likely to be displaced by construction at the Existing Terminal Site. A table as recommended in comment #5 above would help to prevent confusion.
13. Page 3-9, lines 3-5. Please provide more explanation of how this determination will be made during core processing. Indicate what core material represents what section of the dredge prism (and underlying new surface material). Explain how compaction, friction/plugging, and core loss will be accounted for.
14. Page 3-11, line 8. The total of "15 samples" should be clear and consistent with the new table (per comment #5 above).
15. Page 3-12 Table 3-1 and lines 3-9. This sampling protocol does not appear to provide adequate differentiation among samples (among the composited surface samples from the vibracores, for example). At a minimum, there should be a station identifier included in the chain. Please clarify how each sample will be identified.
16. Page 4-1, Table 4-1 and text, e.g., line 10. The text states mercury samples will be frozen, but the table indicates 0-6°C. Make Table 4-1 consistent with Table 5-1 in the DMMP User's Manual. This SAP table appears to have been pulled together or truncated. Indicate why the column for temperature is called "preservative". Other examples: 0-6°C instead of 4°C? Dioxins/furans holding time refer to 40 days to analyze instead of 30 days?
17. Page 4-2, Table 4-1 continued. This part of the table seems to duplicate the previous page in places and is perhaps a table-merge gone wrong. All values and footnotes should be checked. Also, please provide a reference for the nitroaromatics and nitramines details.
18. Page 5-1, lines 3-6. Please reference the revised June 2011 list for Chemicals of Concern. State that samples for dioxin/furans will be archived.
19. Page 5-2, Table 5-1. Include TBT only if it will be sampled.
20. Page 6-1, Table 6-1. Please compare and ensure this table is consistent with the DMMP User Manual, Table 6-4.
21. Page 6-1, line 17. If dioxin/furan is run, a Stage 4 validation is highly recommended. See dioxin guidance per comment #7 above.
22. Page 7-2, line 8. Provide tables including all SMS and DMMP levels (with appropriate units) for comparison with analyses (including DMMP BT).

Enclosure 3
U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action*

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment . February, 1987.



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE

Northwest Fisheries Science Center
 2725 Montlake Blvd E.
 Seattle, WA 98112

March 12, 2012

Mr. Paul W. Krueger
 Project Environmental Manager
 WSDOT Environmental Services Office – Mega Projects
 2901 3rd Ave Suite 500
 Seattle, WA 98121-3014

Re: NWFSC Comments Mukilteo DEIS

Mr. Krueger:

F-003-001 We have reviewed the Mukilteo Multimodal Project Draft EIS – January 2012. Thank you for the opportunity to provide comments.

We are appreciative of the time and effort by your staff and you to inform us of your plans and intentions. We also appreciate your consideration in selecting for review, designs that allow a bit of spacing between the ferry terminal and the NWFSC Mukilteo laboratory.

Although we have some concerns that will need to be addressed, we believe that there are reasonable solutions available and that they can be addressed successfully as we work together. We are optimistic our respective needs can be advanced, as neighbors, at Mukilteo and we can both fully meet our respective missions.

We believe that some additional information is necessary to adequately understand the likely impact on the NWFSC laboratory, staff and operations and to determine what will be necessary to allow the NWFSC to continue its operations. All of the options, with the exception of the No-Build Alternative, have potential construction and operational impacts on the NWFSC laboratory. In particular, additional data about water currents and wind patterns prevalent at the site would help to inform the on going discussion about impacts to the NWFSC.

While we have offered specific comments to each of the relevant sections of the Draft EIS, I would especially call your attention to our comments in Section 4.0 (“Other comments”). Although there are other concerns as well, the potential impact on the quality and characteristics of the seawater supply is central to our comments. Since much of the work we do involves maintaining marine animals in a controlled environment, and the seawater intake at Mukilteo is the source of that environment, any potential changes to the seawater in the area of the intake are of great concern to NWFSC.



F-003-001

Thank you for your comments on the Mukilteo Multimodal Project's Draft EIS, and for participating in discussions with WSDOT and FTA to resolve your concerns about potential impacts to the lab. WSDOT and FTA look forward to continued coordination with NOAA and the Northwest Fisheries Science Center's (NWFSC) Mukilteo Research Station as the project moves forward.

Chapter 4 of the Final EIS contains an updated discussion of environmental impacts and mitigation for the Preferred Alternative (a modified version of Elliot Point 2), including additional information about impacts to water quality in the vicinity of the lab and its intake systems. WSDOT and FTA have also provided additional technical documents to NOAA at a meeting on November 20, 2012. These included (among others) the results of detailed hydrodynamic modeling that looked at long-term water quality effects due to waves, wind, propeller action and currents; an assessment of water quality impacts during construction; and the results of sediment sampling in offshore areas that the project will disturb. This information indicates that the Preferred Alternative, which would have a dock closer to the lab than Elliot Point 1 but further than the existing dock, would be unlikely to create water quality impacts that would affect NOAA's saltwater intake. The Final EIS has further details on WSDOT's mitigation commitments to avoid impacts to NOAA's operations, which include coordinating with NOAA during final design, permitting and construction phases. Many of the areas of concern to NOAA are subject to specific permits from the City of Mukilteo and others, and this provides an additional opportunity for WSDOT to involve NOAA in project development as permit-required conditions and controls are defined. As you may know, WSDOT's mitigation commitments will be detailed in and made conditions of any Record of Decision that FTA issues for the project. Your detailed comments are addressed in the following responses.

F-003-001 Fortunately, it is likely that there are other satisfactory locations in the immediate area of the NWFSC Mukilteo laboratory for the seawater intake if it becomes necessary to relocate it. We are confident that, working together, we can get to an outcome that is successful for both of our organizations.

Our concerns about Elliot Point Alternative 1 and 2 are essentially the same. We expect, that by reason of the proposed new docking site for Alternative 1 being located further from the Laboratory than Alternative 2, the overall construction and operational impacts on the laboratory will be less for Alternative 1. However, before we reach that conclusion we consider that more information and discussion is needed. We also see impacts from the Existing Sites Improvements Alternative that will need to be more fully understood and be carefully managed, should this alternative be selected.

Summaries of our areas of concern for each option are as follows:

1.0 Existing Sites Improvements Alternative.

Construction impacts:

F-003-002 *In Puget Sound*

We anticipate possible diminishment of water quality for the NWFSC laboratory salt water supply from in-water deconstruction and construction impacts and would like more consideration of this issue.

On land

We anticipate diminished access to and from the NWFSC Laboratory and less on-street parking so this needs further consideration. The NWFSC tows vessels on trailers from the site using pick-up trucks. Street design will need to accommodate the need for long vehicles and trailer combinations.

We expect negative noise, vibration and air quality impacts to the laboratory, staff and scientific operations from removal of old Ferry pier and replacement. The full extent of this impact will depend on detailed planning, yet to be completed, with respect to this proposed activity. Studies related to the NWFSC property do not sufficiently explain the likely impacts.

Operational Impacts:

In Puget Sound

F-003-003 We expect the proposed change in ferry dock re-orientation to the shoreline will result in a change to the propeller wash pattern and likely erosion and then deposition of fine sediments and other materials compared to the no change option and which could diminish intake water quality for the Laboratory, so we would like further consideration of this issue.

F-003-002

As discussed in section 4.11 of the Final EIS, water quality at the saltwater intake system for the NOAA Mukilteo Research Station is not expected to be affected by major construction activities, such as demolition of the existing terminal, or the construction of a new terminal under any build alternative, including the Existing Site Improvement Alternative. WSDOT will coordinate with NOAA in construction planning and permitting to define in detail the procedures and measures that could be used to avoid impacting the quality of the saltwater intake and related laboratory activities. Mitigation options could include testing the intake quality, coordinated scheduling of construction activities with saltwater intake times, or using alternative sources for clean saltwater during the periods of highest activity. The Final EIS contains additional details on mitigation commitments for the project. Although these are focused on the Preferred Alternative, they would be applicable to all alternatives.

Compared to the Elliot Point alternatives, the Existing Site Improvements Alternative would involve more changes to the local street network, more construction in areas closer to NOAA, and more impacts to general public parking, but WSDOT would maintain NOAA's ability to access the site for all street vehicles, including long vehicles and trailer combinations.

Construction activities for all alternatives, including the Existing Site Improvements, would generate noise and vibration, typically during daytime hours. As presented in section 4.3 of the Final EIS, there will be general construction noise and vibration impacts during activities such as demolition, pile driving and road construction. Although at times the construction noise would be noticeable to people in the immediate vicinity, our analysis concluded that noise and vibration levels will not exceed federal annoyance criteria under any alternative.

F-003-003

Vessel traffic could be more directly over the NWFSC salt-water intake and may negatively impact the intake water supply.

On land

We expect diminished access to and from the NWFSC Laboratory with less on-street parking at the NWFSC Laboratory. A change in traffic pattern is also proposed with Front Street becoming one way and other traffic movement changes and we do not fully understand the impacts. These concerns need further consideration.

2.0 Elliot Point 1 Alternative

Construction impacts:

F-003-004

In Puget Sound

Removal of the existing Tank Farm Pier. There is concern about contamination to the seawater pumped to the NWFSC Lab and mitigation measures are not sufficiently developed. We anticipate negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations from in water aspects of the Tank Farm Pier removal. The full extent of this impact will depend on detailed construction planning, yet to be completed, with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts.

New ferry dock construction. There is concern about contamination to the seawater pumped to the NWFSC Lab from in water construction and mitigation measures are not sufficiently developed. We anticipate negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations for new construction. The full extent of this impact will depend on detailed planning, yet to be completed with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts.

On land

Changes in access to and from the NWFSC Laboratory are proposed along with a change to on street parking, which we do not fully understand from the DEIS and wish to discuss.

We anticipate some negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations for the on-land components of removal of the existing Tank Farm Pier and new construction. The full extent of this impact will depend on detailed planning, yet to be completed with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts.

It is not known how construction changes to storm water run off will affect the NWFSC property – which will be lower than the planned development, and it is not known what impact there will be on the NWFSC salt water source.

To determine impacts associated with air quality, the Final EIS analyzed intersections throughout the vicinity, including areas where new intersections would be created by the project; no locations would exceed levels allowed under national air quality standards under any alternative. During construction, there may be some temporary, localized impacts to air quality under any alternative, as identified in section 4.7 of the Final EIS. To minimize these impacts, WSDOT will implement a variety of mitigation measures described in the Final EIS. In addition, WSDOT will continue to coordinate with NOAA through final design, permitting and construction of the selected alternative to avoid noise, vibration or air quality impacts to NOAA's operations.

F-003-003

WSDOT has conducted detailed analysis of potential water quality impacts for all alternatives, as documented in the *Hydrodynamic and Sediment Transport Modeling Study* (Coast & Harbor 2013), which is a reference document to the Final EIS. The modeling study concluded that none of the alternatives would result in wave action, scour, or sediment transport or other impacts that would meaningfully alter water quality in the study area. NOAA's water intake site was included in this analysis. NOAA staff have had the opportunity to review this document and we believe they are generally in accord with its conclusions.

The Existing Site Improvements Alternative would remove current on-street parking spaces near the Mukilteo ferry terminal, but parking supply in the area would have a net increase. Please refer to section 3.3.5 of the Final EIS for additional information about parking.

F-003-004

As noted above in F-003-002, WSDOT recognizes the critical importance of maintaining the quality of the saltwater supply to the Mukilteo Research Station during construction of the Mukilteo Multimodal Project.

F-003-004 | Likely changes to property security management will be needed as a result of construction in nearby and neighboring property use so we also need to discuss planned security measures fences etc for the terminal site.

Construction lighting may interfere with ongoing experiments with live animals and will need to be considered.

Operational Impacts:

F-003-005 | *In Puget Sound*

Change in Ferry docking location will result in the establishment of a new propeller wash environment with the potential to impact the salt water supply. Short term and long term operational impacts are likely to be different, because in the short term the Ferries will create a new pattern of scour. In addition a change in the paths to and from the dock that the Ferries will use will has the potential to impact the NWFSC intake.

On land

Likely changes in access - to and from the NWFSC Laboratory need to be more fully understood and discussed.

We anticipate negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations related to new ferry terminal operations. The full extent of this impact will depend on detailed planning, yet to be completed, with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts. Diminishment of air quality is a particular concern – we are not clear on how cumulative impacts to air quality from vehicular, ferry and train traffic has been evaluated.

It is not known how changes to storm water run off will affect the NWFSC property – which will be lower than the planned development, and it is not known what impact there will be on the NWFSC salt water source.

Likely changes to property security management will be needed as a result of changes in use of nearby and neighboring property use so we also need to discuss planned security measures fences etc for operation of the terminal site.

3.0 Elliot Point 2 Alternative

Construction impacts:

F-003-006 | *In Puget Sound*

Removal of the existing Tank Farm Pier. There is concern about contamination to the seawater pumped to the NWFSC Lab and mitigation measures are not sufficiently developed.

With the Elliot Point Alternatives, including either Elliot Point 1 or the Preferred Alternative (a modified version of Elliot Point 2), the removal of the tank farm pier would result in more in-water construction activities than the Existing Site Improvement Alternative, but offers more long-term benefits. The Final EIS describes mitigation measures and the permitting process that will define detailed measures to protect water quality during over- and in-water work for any of the alternatives. For example, permits will require a Turbidity Control Plan and a Dredged Materials Disposal Plan. The Final EIS sections 4.11 Water Resources and 4.8 Hazardous Materials have further details. WSDOT's mitigation measures also include direct coordination with NOAA to define detailed measures and procedures to avoid impacting laboratory activities and the saltwater intake system. Section 4.11 also updates the project's commitments to manage stormwater in accordance with applicable permit requirements, which would improve conditions compared to the largely untreated stormwater entering the Sound today via culverts on and adjacent to NOAA's facility. No long- term impacts to water quality are anticipated. See also F-003-002 and F-003-003 for additional discussion.

Most of the construction for the Elliot Point 1 Alternative would be farther from NOAA than the Existing Site Improvements Alternative, and impacts related to noise, traffic, and parking would be temporary and primarily related to the demolition of the existing terminal. WSDOT would maintain NOAA's ability to access the site for all street vehicles, including long vehicles and trailer combinations.

The noise impact analysis conducted for the project's operations considered nearby sensitive receptors as well as ambient noise conditions. None of the alternatives would have noise levels that could cause impacts (as defined by FTA and FHWA criteria that establish the levels that would be disturbing or disruptive to people, particularly when they are sleeping, but also for people carrying on normal activities in

F-003-006

We anticipate negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations from in water aspects of the Tank Farm Pier removal. The full extent of this impact will depend on detailed construction planning, yet to be completed, with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts.

New ferry dock construction. There is concern about contamination to the seawater pumped to the NWFSC Lab from in water construction and mitigation measures are not sufficiently developed. We anticipate negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations for new construction. The full extent of this impact will depend on detailed planning, yet to be completed with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts.

Construction lighting may interfere with ongoing experiments with live animals and will need to be considered.

On land

Changes in access to and from the NWFSC Laboratory are proposed along with a change to on street parking, which we do not fully understand from the DEIS and wish to discuss.

We anticipate some negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations for the on-land components of removal of the existing Tank Farm Pier and new construction. The full extent of this impact will depend on detailed planning, yet to be completed with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts.

It is not known how construction changes to storm water run off will affect the NWFSC property – which will be lower than the planned development, and it is not known what impact there will be on the NWFSC salt water source.

Likely changes to property security management will be needed as a result of construction in nearby and neighboring property use so we also need to discuss planned security measures fences etc for the terminal site.

Construction lighting may interfere with ongoing experiments with live animals and will need to be considered.

Operational Impacts:

F-003-007

In Puget Sound

Change in Ferry docking location will result in the establishment of a new propeller wash environment with the potential to impact the water supply. Short term and long term operational impacts are likely to be different, because in the short term the Ferries will create

work or home environments). Noise levels otherwise would be similar to, or lower than, they are today for all alternatives.

There would be no changes that would require different security measures at the NOAA facilities for the Elliot Point 1 Alternative or any of the other alternatives. Existing fencing and site access controls would be either left in place or replaced by construction fencing around active construction in areas adjacent to NOAA's property. Construction lighting would be managed to avoid glare or spillover into adjacent properties, including residential areas to the south and west, which would also reduce the potential for lighting impacts to NOAA's facility or its laboratory work.

F-003-005

As noted in the comments above and discussed in the Final EIS, the *Hydrodynamic and Sediment Transport Modeling Study* (Coast & Harbor 2013) completed for the proposed alternatives determined that the maximum bottom velocities for the ferries would not create ongoing scour, and no meaningful changes to water quality or sediment quality conditions are expected.

The project does not propose changes to NOAA's access or the streets currently serving the facility under either Elliot Point alternative. The development of a new roadway with a new intersection at SR 525 serving ferry traffic should help reduce existing access constraints to the facility caused by the existing ferry terminal operations.

Final EIS sections 4.3 Noise and Vibration and 4.7 Air Quality conclude that the project will not have long-term impacts associated with noise, vibration or air quality during operation of the new ferry terminal for any alternative. WSDOT will coordinate with NOAA during final design, permitting and construction of the selected alternative to minimize impacts to NOAA's operations.

F-003-007

a new pattern of scour. In addition a change in the paths to and from the dock that the Ferries will use will has the potential to impact the NWFSC intake.

On land

Likely changes in access - to and from the NWFSC Laboratory need to be more fully understood and discussed.

We anticipate negative noise, vibration and air quality impacts to the Laboratory staff and the scientific operations related to new ferry terminal operations. The full extent of this impact will depend on detailed planning, yet to be completed, with respect to this proposed activity. Studies related to the NWFSC laboratory do not sufficiently explain the likely impacts. Diminishment of air quality is a particular concern – we are not clear on how cumulative impacts to air quality from vehicular, ferry and train traffic has been evaluated.

It is not known how changes to storm water run off will affect the NWFSC property – which will be lower than the planned development, and it is not known what impact there will be on the NWFSC salt water source.

Likely changes to property security management will be needed as a result of changes in use of nearby and neighboring property use so we also need to discuss planned security measures fences etc for operation of the terminal site.

Operational lighting may interfere with ongoing experiments with live animals and will need to be considered.

4.0 Other Comments

F-003-008

4.1 The NWFSC Mukilteo Seawater Source

The seawater source for marine research studies is pumped from a subsurface pipe inlet offshore from the laboratory facility. The intake is at a depth of 60' and approximately 100' beyond the end of the NOAA pier.

The system supplies up to 350 gallons of sand-filtered water per minute. The water delivered has relatively constant properties over the course of the year, with temperatures ranging from about 8 to 13°C, and salinity from 28 to 32 parts per thousand. The water is delivered to tanks that vary in capacity from about 30 to 3,000 gallons and may be heated or chilled, as needed in some laboratories. The water has been certified for use in toxicity bioassay work, and major public and private water-quality scientists and is also used as a source of reference water for analyses.

A high volume of high quality seawater is critically important to these research studies because it determines quality assurance and quality control in experiments with live animals in the tanks. Water from the site is also transported to other sites for experimental work.

As mentioned above, Final EIS section 4.11 Water Resources describes WSDOT's commitments to manage stormwater during construction and operation; the same standards would apply to all alternatives. See F-003-002, F-003-003. and F-003-004 for additional discussion.

There would be no changes that would require different security measures at the NOAA facilities, as the ferry terminal would include fencing around its developed area. NOAA's existing site fencing and access controls would be either left in place, or replaced with new fencing if they are adjacent to areas developed by the Mukilteo Multimodal Project. The project would also improve visibility and security conditions in the area. Although the ferry terminal and multimodal facilities would be on the opposite side of the NOAA facility, there would be no changes in the overall characteristics of operation that would require different security measures for NOAA at its facilities. It is more likely that the infrastructure improvements and ferry terminal security systems, including fencing and lighting, would improve visibility and security conditions in the surrounding areas, which would benefit the NOAA facility. Operating lighting would still be shielded to avoid spillover impacts into residential areas or other properties, including NOAA's facilities, and should not impact laboratory tests.

F-003-006

Please see response F-003-004, which addresses these construction related issues and concerns in detail. The project's mitigation approach described in the Final EIS by environmental topic defines commitments to coordinate with NOAA during construction planning, permitting and during construction to avoid impacts. This includes potential impacts to the saltwater intake system and other construction impacts to laboratory operations due to changes in traffic, parking, noise, vibration, or visual impacts. As noted in the previous comment as well, section 4.11 of the Final EIS updates the project's commitments to manage stormwater

F-003-008

There are several ways that ferry landings and departures from the proposed multimodal facilities may alter the water quality. These are influenced by the direction of flow of surface waters east of Elliot Point.

It is our general understanding that fresh water input from several river systems causes surface water to flow predominantly from east to west near Elliot Point. However, there is no information in the EIS on the local current environment at the surface or at depth.

We therefore consider that there should be a more detailed analysis and documentation of the currents at the site and in relation to your proposed activities. This would provide foundation for more fully understanding likely impacts and any needed mitigation action.

Potential seawater impacts may include the following:

- Turbulence from propeller backwash will cause intermittent mixing of surface water and subsurface water, disturbing the existing pycnocline (stratified seawater/freshwater boundary) near the seawater intake for the laboratory. This will affect both the chemical characteristics of the water and the temperature of the water. If these effects extend into the immediate area of the intake, there will be an overall reduction in seawater quality and may render the water unfit for research purposes.
- The churning of surface waters that occurs when the motion of the propellers is reversed during slowing and maneuvering aerates the surface waters and may lead to super saturation of dissolved gasses in localized areas. Supersaturation can cause gas bubble disease in fish, a non-infectious, physically-induced trauma in which small bubbles form in the gills, fins, and eyes of the animal, resulting in tissue damage. Fry, which are frequently used in research projects at the laboratory, are especially vulnerable.
- Sediment suspension or contaminants from pier removal or from construction in the water or on land can lead to filter clogging problems or contamination of water used in the experiments.
- The proposed project is likely to increase the concentration of grease, oil, and metallic compounds from cars in surface water runoff. Unless this runoff is prevented from entering the sound, there is the potential for this contamination to affect the quality of the laboratory's saltwater supply. In addition, antifouling compounds from the project and the vessels associated with it may introduce background contamination to the water source that influences quality control in experiments.

F-003-009

4.2 Air quality

We cannot determine if ambient air quality monitoring was completed to develop a baseline; if cumulative impact of automobile, ferry and train traffic and construction equipment was considered and if a wind direction and strength analysis was a part of the evaluation.

runoff during construction and longer term. Also, FTA will incorporate required mitigation measures as conditions of any Record of Decision it issues.

F-003-007

Responses F-003-002 and F-003-005 address these operational concerns with information that is applicable to the Preferred Alternative. As discussed previously, WSDOT is committed to on-going coordination with NOAA through final design, permitting and construction of the selected alternative to avoid impacts to NOAA's operations.

F-003-008

Please see F-003-002 for a discussion on potential impacts to NOAA's saltwater intake. As with other areas of concern, WSDOT is committed to on-going coordination with NOAA through final design, permitting and construction of the selected alternative to avoid impacts to NOAA's operations.

The Final EIS also has additional information on the long term water quality effects due to stormwater; the project will be improving stormwater facilities to meet applicable permitting standards. WSDOT will coordinate with NOAA during final design and permitting, when more details about the specific facilities and treatments will be available. Based on information from NOAA, which indicates that the saltwater intake quality has remained consistently high even during major storm events with the existing unimproved system that has outfalls at and near the NOAA facility, WSDOT does not anticipate saltwater intake impacts with a facility that is upgraded to meet the more stringent stormwater permitting requirements that will apply to the project.

F-003-009

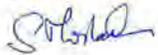
The proposed project will change the location of the ferry, but the

F-003-009 | Because we are close to the site we are concerned that traffic queues "may result in short term periods of high vehicle emissions and elevated CO2 concentrations." It is also not clear what the cumulative effect will be of adding in emissions from trains and ferries. While air quality data has been gathered from intersections we are not sure that this is the same as gathering data from ferry lines because vehicles in ferry lines would be idling and stationary for a longer time than at an intersection. We are also concerned with air quality during construction.

F-003-010 | 4.3 Light Management
Light management and glare is considered briefly in the DEIS at p4-48. Consideration is needed of the impact of new lighting on the growing environments for live animals at the NOAA site.

F-003-011 | 4.4 Water Resources
Specific information on the local water currents would help to inform consideration of in-water impacts from construction and operations. While the filters at the NWFSC lab may remove some fine sediments, they are not designed to remove contaminants and if they clog from fine sediment the research would be compromised. In other words a short-term or temporary construction impact could have a long-term impact on scientific work.

Thanks,



Stewart Toshach
Director
Operations, Management and Information Division
NWFSC

number of ferry vessels and autos will remain similar to what they are today. The cumulative effects of the ferries' emissions will also remain at least as good as they are today with a cleaner fleet over time. WSDOT did not conduct ambient air quality monitoring because there are established interagency protocols and methods in place for addressing localized air quality impacts for transportation projects, including existing air quality monitoring systems throughout the region. WSDOT determined the project will meet air quality conformity through the use of a very conservative model to predict future concentrations for carbon monoxide (CO). The baseline or background concentration used in the model was 3 ppm for CO, which is approximately double the existing CO concentration in the Mukilteo area. The project looked at CO because the Mukilteo area is within a CO maintenance area. As noted in section 4.7 of the Final EIS, Air quality throughout the central Puget Sound region has stayed steady for some measures, while others have improved over the last 5 years. Cleaner cars, industries, and consumer products have contributed to cleaner air throughout the United States, including in the central Puget Sound region, and this trend is likely to continue.

About 20 percent of the vehicles are typically idling while waiting for the ferry, and the model anticipates these levels in its worst-case scenario. The predominant wind direction in this area is from the southwest in the summer and northwest in the winter. This would mean that emissions from the new terminal location would typically be dispersed away from the NOAA facility.

Programs and trends, such as stricter vehicle emission standards for newer cars and gradual replacement of older and more polluting vehicles (including trains) with newer and cleaner engines, are expected to continue to reduce vehicle emissions in the immediate area. In addition, voluntary programs such as the Puget Sound Clean Air Agency's Diesel Solutions Program, in which Washington State Ferries has participated

by switching its fleet to low-sulfur diesel and biodiesel, would further reduce emissions.

During construction, fugitive dust may be generated by activities that involve the movement or disturbance of soils such as excavation and demolition. Also, air pollutants would be emitted from construction vehicles traveling to and from the construction site, as well as vehicles and construction equipment operating onsite. However, impacts will be minimal and temporary. Mitigation measures and best management practices will be in place as described in section 4.7 of the Final EIS.

F-003-010

Directional lighting will be used to minimize light spillage beyond the footprint of the trestle and transfer span. WSDOT and FTA will coordinate with NOAA to address concerns about lighting during construction to avoid impacts to biological research activities or specimens at the NOAA site. Detailed construction plans will not be complete until after the environmental process concludes, but lighting and other facility details would be subject to permitting processes, including with the City of Mukilteo, and WSDOT has committed to coordinating with NOAA during final design, permitting and during construction to help address these concerns.

F-003-011

WSDOT and FTA met with NOAA to discuss the underlying issues related to NOAA's need to protect the water quality of its saltwater intake systems, and we recognize the importance of the system to your operations. WSDOT is committed to coordinating with NOAA during final design, permitting and construction to minimize potential impacts to NOAA's operations. The detailed responses above on construction impacts further describe the measures WSDOT has identified to avoid impacts to the system during the construction period.

Comments on Draft Environmental Impact Statement
Mukilteo Multimodal Project

By
Daniel Strandy
Director, Project Planning & Management – Western Region
Office of the Chief Administrative Officer
National Oceanic & Atmospheric Administration

- F-004-001** | S.4.3 Elliot Point 1 Alternative: This alternative calls for the dredging of a 400 feet wide channel to a depth of 26 feet, from current depth of 14 – 17 feet. How much dredge material will be removed? What process will be used to mitigate down gradient migration of sediments? NOAA is concerned with potential impacts to its seawater intake west of the proposed new ferry terminal. Much of the sediments are known to be contaminated. How will the project mitigate the migration of contaminated dredge materials west of the proposed site?
- F-004-002** | S.4.4 Elliot Point 2 Alternative: This alternative calls for the dredging of a 500 feet wide channel to a depth of 26 feet. How much dredge material will be removed? What process will be used to mitigate down gradient migration of sediments? NOAA is even more concerned with potential impacts to its seawater intake west of the proposed new ferry terminal as it would be closer to the NOAA seawater intake than the Elliot Point 1 Alternative. Much of the sediments are known to be contaminated. How will the project mitigate the migration of contaminated dredge materials west of the proposed site?
- F-004-003** | S.5.1 Ferry Terminal Operations – Connections to Transit: Will proposed roadway site improvements ensure NOAA has uninterrupted access to its lab facility and adequate parking for staff? This is not clear in the document and must be assured.
- F-004-004** | S.6 Environmental Impacts – Table S-2 Summary of Impacts by Alternative: Elliot Point 1 and Elliot Point 2 alternatives involve considerable dredging. This is not sufficiently reflected in this table. How much material will be removed for each alternative? What are the specific construction effects? Further detail is needed in this section.
- F-004-005** | S.6.7 Hazardous Materials: There is no mention of the impacts from dredging potentially contaminated sediments under the Tank Farm Pier. Although any impacts would be more temporary in nature, they should be delineated in the EIS document.
- F-004-006** | S.6.10 Water Resources: What are the short term impacts with removal of potentially contaminated sediments?
- F-004-007** | S.6.11 Ecosystems: Recommend adding “potentially contaminated sediment removal” as temporarily impacting water quality.
- F-004-008** | Table S-7 Key Environmental Differences: Recommend adding the estimated volume of dredge material to be removed for the Elliot Point 1 and Elliot Point 2 Alternatives.

F-004-001

The area expected to be dredged for the Preferred Alternative (Elliot Point 2) is estimated at 48,000 square feet, which could result in as much as 19,500 cubic yards of dredged material. The area would be similar in size for the Elliot Point 1 Alternative. Mitigation for impacts due to removal of contaminated sediment or dredged sediment is discussed in section 4.8 of the Final EIS.

A Turbidity Control Plan and Dredged Materials Disposal Plan would be developed and implemented as described in section 4.11.7 of the Final EIS to protect water quality during activities such as dredging. These plans are being developed in consultation with the NOAA Mukilteo Research Station. WSDOT will manage and dispose of contaminated sediment in accordance with applicable permits and regulations, including the preparation of a Sediment Evacuation, Sampling, and Disposal Plan and a Dredged Materials Disposal Plan. These measures will eliminate or reduce the migration of contaminated sediments during project construction.

F-004-002

Please see the response to comment F-004-001 above.

F-004-003

Permanent access to the the laboratory would likely improve with the Preferred Alternative because Front Street would not be used for ferry access. Front Street is anticipated to remain open during construction, except for short temporary closures which would likely occur at night. This would reduce or eliminate access impacts to the NOAA Mukilteo Research Station.

The Preferred Alternative would reconfigure some of the parking near Front Street, Park Avenue, and First Street. Overall the number of parking spaces for the Preferred Alternative is expected to increase

by about 28 spaces. Additional information about parking can be found in section 3.3.5 of the Final EIS.

F-004-004

Please see response to comment F-004-001 above.

F-004-005

Section 4.8.4 of the Final EIS discusses the potential to encounter contaminated materials while dredging and section 4.8.7 presents potential mitigation measures in the event that contaminated dredged materials are encountered. A Turbidity Control Plan and Dredged Materials Disposal Plan would be developed and implemented as described in section 4.11.7 of the Final EIS to protect water quality during over-water work and activities such as pile removal, pile driving, beachhead work, and other activities below the ordinary high water level. WSDOT would ensure that the project is monitored and inspected for compliance with these plans. In addition, best management practices would be selected specifically to protect water quality during over-water work and activities below the ordinary high water level.

F-004-006

Additional details on the construction impacts to water resources and sediment are discussed in the Final EIS section 4.11.4 (Water Quality Construction Impacts), section 4.8.4 (Hazardous Materials Construction Impacts), the Hazardous Materials Technical Report, and the Hydrodynamic and Sediment Transport Modeling Study (Coast & Harbor 2012). These sections also discuss the permitting process and anticipated conditions for the project. A Turbidity Control Plan and Dredged Materials Disposal Plan would be developed and implemented as described in section 4.11.7. The removal of the Tank Farm Pier and its support piles would result in nearshore turbidity plumes, but the