Appendix B

Project Commitments

1 PROJECT COMMITMENTS

Project commitments include complying with applicable state, federal, and local permits and approvals that WSDOT must obtain prior to initiating construction; performance standards incorporated into final design; best management practices (BMPs); and mitigation measures developed to address specific impacts. Pursuant to 23 CFR 771.109(d), WSDOT will ensure that all environmental mitigation measures listed in the Final EIS and this ROD are implemented unless it receives concurrence from the FTA to modify or delete such mitigation.

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
1.0 Transportation			
1.1	Transportation – intersection level of service	Long-term	The SR 525/88th Street SW intersection and the SR 525/5th Street intersection are projected to operate below City of Mukilteo standards by the year 2040. WSDOT will work with the City of Mukilteo to develop agreements that define the specific improvements needed to reduce delay at these intersections and identify the proportion of WSF responsibility based on ferry traffic growth.
1.2	Transportation – transit	Long-term	To minimize the increase in transit travel times and walking distances, WSDOT will work with the City of Mukilteo, Sound Transit, Everett Transit, and Community Transit to determine whether additional bus stops on the First Street extension would reduce travel times and walking distances without compromising safety and to coordinate transit signal priority at intersections along First Street.
1.3	Transportation	Construction	WSDOT will develop a construction traffic control plan to minimize traffic disruptions to local streets, property owners, and businesses. The plan will incorporate input from the affected community (residents, commuters, businesses, consumers, etc.).
1.4	Transportation – access and parking	Construction	WSDOT will work with the City of Mukilteo and Sound Transit to identify additional temporary parking and also develop construction staging and access plans to minimize temporary access and parking disruptions at Mukilteo Station.
2.0 Land Use and Economics			
2.1	Land Use and Economics – acquisition	Long-term	WSDOT will compensate at fair market value for property and property rights acquired, and provide relocation assistance for displacement in accordance with applicable federal and state regulations.
2.2	Land Use and Economics – shoreline environment	Long-term	WSDOT will ensure the project complies with relevant Shoreline Management Plan criteria. If necessary, WSDOT will work with the City of Mukilteo during final design to either modify the project to meet Shoreline Management Plan criteria or obtain an exemption from the criteria.
2.3	Land Use and Economics – general	Long-term	WSDOT will work with the City of Mukilteo to confirm and implement the specific measures to minimize impacts on adjacent land uses through final design, permitting, and outreach to the affected property owners.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
2.4	Land Use and Economics – timing	Construction	WSDOT will plan construction timing of key elements that disrupt business access for seasons or times of day when business peak operations will be less disrupted.
2.5	Land Use and Economics – detour routes	Construction	WSDOT will clearly mark any detour routes to access businesses and existing public access areas.
2.6	Land Use and Economics – parking	Construction	WSDOT will provide temporary construction period parking on parcels acquired for the project, as practicable.
2.7	Land Use and Economics – access	Construction	WSDOT will design temporary access routes in coordination with nearby property owners to minimize potential conflicts to the extent practicable.
2.8	Land Use and Economics – public and business outreach	Construction	WSDOT will provide public information and business outreach that includes assisting businesses in planning deliveries and other essential support activities around construction times, and informing the public that businesses are open during construction.
3.0 Noise and Vibration			
3.1	Noise and Vibration – general	Construction	To limit noise effects on the nearby residential community south of the project site, WSDOT will limit activities that generate high noise levels, such as demolition activities and pile driving, to follow a pre-approved schedule as defined by construction permits required by the City of Mukilteo.
3.2	Noise and Vibration – construction staging	Construction	To minimize the duration of high noise levels, WSDOT will stage construction activities to occur simultaneously, if possible.
3.3	Noise and Vibration – minimization measures	Construction	WSDOT will implement noise minimization measures to meet regulatory or permitted noise levels. Examples of potential noise minimization measures include the following: using effective vehicle mufflers, engine intake silencers, and engine enclosures; shutting off equipment when not in use; locating activities away from noise-sensitive receivers when possible; placing portable noise barriers around stationary equipment, such as a concrete crushing plant; and reducing the use of specific equipment, such as jack hammers, by using hydraulic tools instead. Additional measures may be employed if needed to meet regulatory or permitted noise levels.
3.4	Noise and Vibration – National Oceanic and Atmospheric Administration (NOAA) Mukilteo Research Station	Construction	WSDOT will minimize the impacts of construction vibration at the NOAA Mukilteo Research Station. It will coordinate with NOAA in developing pre-construction vibration minimization plans. It will also comply with construction permits required by the City of Mukilteo. Vibration minimization measures will require WSDOT to: • Use static rollers instead of vibratory rollers, when feasible.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
			• Coordinate and schedule any vibratory rolling or impact pile-driving activities with the NOAA facility to minimize disruption. • Monitor the foundation vibration at the NOAA facility during vibratory rolling or impact driving within 500 feet to avoid exceeding the Institute of Environmental Science (IES) criteria for laboratory equipment. If the criteria are exceeded, WSDOT will work with NOAA to resolve the issue. • Coordinate with NOAA to identify any other potential vibration-sensitive activities or research that could occur during the construction period, and identify measures during final design and pre-construction to minimize disruption or interference with research activities.
3.5	Noise and Vibration – cumulative effects minimization	Construction	WSDOT will minimize potential cumulative noise effects associated with construction of the Preferred Alternative and the planned expansion of the NOAA facility by coordinating concurrent construction activities and mitigation with NOAA to the extent practicable.
4.0 Visual Quality			
4.1	Visual Quality – context sensitive design	Long-term	WSDOT will apply a context-sensitive design approach to soften view impacts of large expanses of paved area. To reduce visual impacts from the south, landscaping will include native vegetation and, if feasible, trees with substantial canopy size.
4.2	Visual Quality – context sensitive design	Long-term	WSDOT will incorporate cultural design elements into the project as defined in the project's Section 106 Memorandum of Agreement (MOA).
4.3	Visual Quality – light and glare	Long-term	WSDOT will minimize the height of supports for light standards to reduce glare impacts.
4.4	Visual Quality – light and glare	Long-term	WSDOT will install shielding luminaires on all lights to limit horizontal and vertical diffusion of glare.
4.5	Visual Quality – coordination	Long-term	WSDOT will coordinate with the City of Mukilteo, Sound Transit, and others on design themes such as lighting specifications and surface elements (e.g., sidewalk and crosswalk treatments).

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
5.0 Social Environment and Environmental Justice			
5.1	Social Environment and Environmental Justice – fishing pier and moorage	Long-term	WSDOT will replace the Port of Everett fishing pier and seasonal day moorage to the east of the new multimodal center (or an alternate location that is mutually agreeable to the Port, City of Mukilteo, and affected tribes). The pier will be replaced before removing the existing fishing pier and moorage. WSDOT will coordinate the replacement of the existing fishing pier and moorage with the City, Port of Everett and pier users to avoid pier removal impacts.
5.2	Social Environment and Environmental Justice – tribal fisheries	Long-term	To mitigate impacts to treaty-protected fishing rights, FTA and WSDOT have conducted government-to-government consultations with affected tribes. WSDOT will implement agreed-upon mitigation measures.
5.3	Social Environment and Environmental Justice – public outreach	Construction	WSDOT will develop and implement a project communication and public awareness program that will describe the changes occurring on the Mukilteo waterfront and inform the public that local businesses are open and accessible during construction.
5.4	Social Environment and Environmental Justice – public outreach	Construction	WSDOT will provide notice of proposed construction activities and timing to the public, all local service providers, and schools within the immediate vicinity of the project site.
5.5	Social Environment and Environmental Justice – coordination	Construction	If other projects in the waterfront area are under construction at the same time (e.g., Port of Everett, Sound Transit, NOAA), WSDOT will coordinate its construction activities with the other project sponsors to minimize community impacts.
5.6	Social Environment and Environmental Justice – waste management	Construction	WSDOT will reduce the amount of material hauled off site and decrease truck traffic on roadways by recycling demolition debris on site to the extent practicable.
6.0 Cultural Resources			
6.1	Cultural Resources – general	Long-term/ Construction	FTA and WSDOT will resolve adverse impacts on historic properties as described in and required by the Section 106 MOA. See Appendix D for the complete Section 106 MOA.
6.2	Cultural Resources – general	Long-term/ Construction	FTA will retain responsibility for complying with all federal requirements pertaining to direct government-to-government consultation with interested and affected Indian tribes. FTA will honor the request of any Indian tribes listed as a Consulting Party in the Section 106 MOA for direct government-to-government consultation regarding the project.

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
6.3	Cultural Resources – general	Long-term/ Construction	FTA and WSDOT will keep sensitive cultural resources information confidential to the extent permitted by federal and state law.
6.4	Cultural Resources – general	Long-term/ Construction	Activities carried out pursuant to the Section 106 MOA will meet the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 FR § 44716 as revised) as well as existing standards and guidelines for historic preservation activities established by the State Historic Preservation Officer (SHPO).
6.5	Cultural Resources – general	Long-term/ Construction	FTA and WSDOT will ensure all work carried out under the Section 106 MOA is conducted by or under the direct supervision of a person or persons meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR § 61).
6.6	Cultural Resources – general	Long-term/ Construction	WSDOT will prepare and implement the resource management documents identified in the Section 106 MOA. The documents include: • Design Criteria for Cultural Elements; • Archaeological Resources Management Plan; and, • Inadvertent Discovery Plan. These documents will be based on 60% project design to be more effective tools for resource management. WSDOT will complete the resource management documents prior to construction and with sufficient time to ensure meaningful consultation with interested and affected tribes and other interested consulting parties. WSDOT will consult with Section 106 MOA Signatory and Concurring Parties at the first and final draft review of all resource management documents with a 30-day review period for comments. The project will proceed with the final document(s) in the absence of written comment within each respective 30-day comment period.
6.7	Cultural Resources – context-sensitive design solutions	Long-term	Recognizing the continuing importance of the project area to tribes as a place of gathering for over a thousand years and the site of the signing of the Point Elliott Treaty of 1855, WSDOT will ensure that the design of the project is compatible with the historical and cultural significance of that event. In consultation with interested and affected tribes and other interested consulting parties, WSDOT will prepare the Design Criteria for Cultural Elements resource management document to ensure the project design is compatible with the historical and cultural significance of the project site. Design of the project will utilize context-sensitive solutions to incorporate significant historical and cultural themes or events related to the Treaty of Point Elliott as outlined in the Design Criteria for Cultural Elements reference document.

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
			The Design Criteria for Cultural Elements reference document may address, but is not limited to, the following elements: • Traditional motifs and objects, and narrative content; • Building and facility design, such as landscaping, materials, and form; • Commemorative signs, drawings, and photography; and, • Public educational displays.
6.8	Cultural Resources – Mukilteo Shoreline Site	Long-term	WSDOT will avoid excavation within the known vertical and horizontal limits of the Mukilteo Shoreline Site (45SN393) with intact archaeological/stratigraphic context. WSDOT will redesign any elements of the project that would otherwise require such excavation in order to avoid such impacts. If direct excavation impacts cannot be avoided to the Mukilteo Shoreline Site (45SN393) following all feasible avoidance planning and redesign, such impacts will only occur with an Amendment to the Section 106 MOA executed by all Signatory and Concurring Parties that specifically allows it.
6.9	Cultural Resources – Mukilteo Shoreline Site	Long-term	WSDOT will leave existing concrete and asphalt in place and place sufficient engineered fill to protect and/or encapsulate areas of the Mukilteo Shoreline Site (45SN393). WSDOT may remove existing concrete and asphalt in order to install utilities or match existing grade only in areas where construction would occur outside of the known horizontal and vertical limits of the intact site.
6.10	Cultural Resources – Mukilteo Shoreline Site	Construction	Recognizing the significance that interested and affected tribes place on archaeological deposits and cultural resources regardless of their intact archaeological/stratigraphic context, WSDOT will monitor excavations within areas known to contain previously disturbed portions of the Mukilteo Shoreline Site (45SN393). WSDOT will include specific provisions within the Management Plan to address monitoring and inadvertent discoveries within previously disturbed areas.
6.11	Cultural Resources – Mukilteo Shoreline Site	Long-term	WSDOT will make available design plans and documents to SHPO and interested and affected tribes, which demonstrate that the placement of engineered fill, stormwater facilities, utilities, or other Project elements will not compromise the existing condition of the areas of the Mukilteo Shoreline Site (45SN393) with intact archaeological/stratigraphic context.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
6.12	Cultural Resources – Mukilteo Shoreline Site	Long-term	WSDOT will implement design measures to protect the Mukilteo Shoreline Site (45SN393) from adverse effects related to a broken water main. These measures will include using pipe made of durable, long-lasting material (such as ductile iron) for water mains and installing the pipe in a welded steel casing above the Mukilteo Shoreline Site, or equally effective alternative measures.
6.13	Cultural Resources – Archaeological Resources Management Plan	Construction	WSDOT will prepare an Archaeological Resources Management Plan to guide the actions of WSDOT and resource professionals during implementation of the project. The Management Plan will include the following: • Description of the project based upon 60% design plans to include clarification of the extent of ground-disturbing actions, engineered fill parameters and other avoidance measures, and design parameters that have the potential to affect intact archaeological resources. • Archaeological research design reflecting the information contained in the *Mukilteo Multimodal Project Draft EIS Cultural Resources Discipline Report*, and including research goals and relevant context domains. It will describe appropriate archaeological data recovery and monitoring methods and their application to the extant resources. • Curation plan and protocols addressing the collection and permanent curation of all significant archaeological materials recovered during data recovery, monitoring, or testing. The permanent curation facility will be identified in consultation with the SHPO, interested and affected tribes, and consulting parties, and meet the requirements of 36 CFR § 79 and the USAF-developed historic preservation covenant for the Mukilteo Tank Farm property. The Burke Museum will serve as the temporary curation facility for any materials recovered until the Signatory and Concurring Parties finalize agreement regarding permanent curation. • Data recovery plan to mitigate impacts to Old Mukilteo Townsite (45SN404), including treatment of overburden, in situ archaeological features, in situ artifacts and stratigraphic data, and artifacts in secondary context. • Archaeological monitoring plan to guide actions during construction activities, including criteria for appropriate field evaluation of identified or possible artifacts and features, and data recovery treatments of significant resources. • Criteria for potential conditions or discoveries during project construction that will require further consultation by FTA and WSDOT with the SHPO, interested and affected tribes, and consulting parties.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
			• A plan specific to the potential recovery of human remains to guide personnel and construction actions in the event of the discovery of human remains or potential human remains on the project site. This plan will require personnel trained in human osteology to be involved in the identification and recovery of human remains. This plan will comply with RCW 27.44, RCW 68.50, and RCW 68.60; ACHP's Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects; and, requirements of the USAF-developed historic preservation covenant for the Mukilteo Tank Farm property.
6.14	Cultural Resources – Archaeological Resources Management Plan	Construction	WSDOT will disseminate the findings of the archaeological investigations conducted under the Management Plan to the public by measures developed in consultation with the SHPO, interested and affected tribes, and other consulting parties. Such dissemination may be through, but is not limited to: • Non-technical report of findings appropriate for a public audience distributed through WSDOT, Mukilteo Historical Society, Historic Everett, or Snohomish County Historic Preservation Commission, or a museum operated by a consulting tribe; • Photography of excavations suitable for public distribution, excluding photography of Native American human remains or cultural resources; and, • Public display of historic artifacts in a location to be determined in the Management Plan.
6.15	Cultural Resources – additional investigative testing	Long-term	FTA and WSDOT will consult with the SHPO and interested tribes if additional investigative archaeological testing is needed to confirm the absence or presence of intact archaeological site deposits to guide continuing project design. If any design changes or amendments are made to the undertaking that have the potential to cause effects to historic properties outside the current project footprint, including staging, access, or environmental or other mitigation, WSDOT will conduct a cultural resources assessment, as required by 36 CFR § 800, to identify and evaluate potential effects upon historic properties, and will consult with the SHPO, interested and affected tribes, and other consulting parties to resolve any adverse effects. If additional investigative testing is conducted prior to the completion and implementation of the Management Plan, all cultural material recovered will be temporarily stored at the Burke Museum or other curation facility approved by the Washington SHPO in accordance with 36 CFR Part 79 and tribal consultation. All such stored material will be permanently curated at the permanent curation facility identified in the Management Plan.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
6.16	Cultural Resources – tribal monitoring	Construction	At the request of interested and affected tribes, WSDOT will ensure access for any one or more of the tribes to participate directly in project archaeological monitoring activities.
6.17	Cultural Resources – inadvertent discovery	Construction	WSDOT, in consultation with the SHPO, interested and affected tribes, and other consulting parties, will prepare an Inadvertent Discovery Plan (IDP) that specifies notification responsibilities and actions to be taken in the event that human remains or resources other than those identified by previous studies or the Management Plan are found during project construction. This plan will comply with RCW 27.44, RCW 68.50, and RCW 68.60; ACHP's Policy Statement Regarding Treatment of Burial Sites, Human Remains and Funerary Objects; and requirements of the USAF-developed historic preservation covenant for the Mukilteo Tank Farm property. To the extent inadvertent discoveries of archaeological or cultural resources indicate there may be additional or unanticipated adverse effects from the project, WSDOT will consult with the SHPO, interested tribe, and other consulting parties regarding further actions necessary to identify, avoid, minimize or mitigate the additional effects in compliance with the National Historic Preservation Act (36 CFR 800.13(b)).
6.18	Cultural Resources – Section 106 MOA compliance	Construction	WSDOT will ensure that provisions and stipulations of this Agreement are included, as appropriate, in contracting, procurement, and construction documents. In consultation with interested and affected tribes, WSDOT will ensure notification and training of construction site managers, foremen, and other key construction personnel occur prior to construction. Training will include explanation of the IDP and relevant construction provisions of the Agreement resource management documents. WSDOT will consult with interested and affected tribes prior to contracting with cultural resources consultants that may be necessary to carry out the provisions and stipulations of this Agreement.
7.0 Air Quality			
7.1	Air Quality	Construction	WSDOT will develop and implement a construction management plan that include measures or construction specifications to minimize fugitive dust emissions by incorporating mitigation measures specified in the *Guide to Handling Fugitive Dust from Construction Projects* (Associated General Contractors of Washington 1997).

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
8.0 Hazardous Materials			
8.1	Hazardous Materials – Hazardous Materials Management Plan	Long-term	WSDOT will prepare a project-specific Hazardous Materials Management Plan developed in consultation with the Washington State Department of Ecology (Ecology). The Hazardous Materials Management Plan will: • Identify measures for dredging and disposal of contaminated sediments, as well as capping, armoring, or otherwise minimizing the potential for migration due to wave action, currents, or propeller scour. Many of these activities will be defined through the Dredged Material Management Program (DMMP) process and other state and federal water quality and aquatic lands permitting and management programs. • Include measures that ensure compliance with applicable permits as they relate to potential pollutants, toxics, and hazardous materials. • Identify remediation measures that will be implemented to remove contamination prior to constructing stormwater facilities in contaminated areas if WSDOT cannot avoid placing the stormwater facilities in those areas in order to comply with stormwater permits or other permit requirements. These remediation measures will address any contaminated soil beneath and downgradient of the stormwater facilities to prevent the spread of contamination into Possession Sound.
8.2	Hazardous Materials – Hazardous Materials Management Plan	Construction	The Hazardous Materials Management Plan will address construction impacts as well as long-term operational impacts. Provisions will require WSDOT to: • Include state requirements for appropriately trained hazardous waste operations and response personnel. • Include a site-specific health and safety component regarding contaminated material exposure and personal protective equipment. • Define site-specific measures to minimize exposure to contaminants through both airborne and direct contact routes. • Plan for appropriate procedures and space to stockpile graded and excavated soil that shows evidence of being contaminated or that is to be disposed off site. • Identify the presence of hazardous materials and determine appropriate management procedures through pre-demolition surveys of any structures to be removed. • Characterize the granular asphalt bedding material beneath the bottom pad of each steel tank bottom

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
			located on the Mukilteo Tank Farm within the project area for disposal and handling purposes. • Require careful removal of the granular asphalt bedding material beneath the bottom pad of each welded steel tank bottom that is removed for project construction. • Require characterization of soil in any areas where project excavation might encounter petroleum or groundwater contamination, and definition of management and remediation measures if any contaminated soil is identified. • Remove, manage, and dispose of residual petroleum products and petroleum-contaminated soil that is encountered in accordance with applicable regulations. Any wells requiring abandonment will need to be abandoned by a licensed well driller in accordance with state regulations. • Decommission any remaining storage tanks on site according to tank decommissioning and site assessment regulations.
8.3	Hazardous Materials – Spill Prevention, Control and Countermeasure Plan	Construction	WSDOT will use the WSF Spill Prevention, Control and Countermeasure Plan (SPCC) to guide the agency response to spills or leaks that may occur during project construction. The spill prevention plan will include measures to protect sensitive receptors, describe any pre-existing contamination and contaminant sources, and identify equipment and work practices to prevent the release of contamination.
8.4	Hazardous Materials – Spill Prevention, Control and Countermeasure Plan	Long-term	WSDOT will use the WSF Spill Prevention, Control and Countermeasure Plan (SPCC) to guide the agency response to spills or leaks that may occur during project operation.
8.5	Hazardous Materials – Temporary Erosion and Sediment Control Plan	Construction	The Temporary Erosion and Sediment Control Plan (TESC) is designed to contain and minimize sediment transport from upland construction areas. WSDOT will use the WSF TESC to guide placement or construction of temporary erosion barriers or the implementation of erosion control measures during project construction. The TESC will include measures to protect sensitive receptors, describe any pre-existing contamination and contaminant sources, and identify equipment and work practices to prevent the release of contamination through erosion or sediment transport.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
8.6	Hazardous Materials – Creosote-Treated Timber Removal and Disposal Plan	Construction	WSDOT will use a site-specific Creosote-Treated Timber Removal and Disposal Plan to address how piles and adhered sediments will be removed, managed, and disposed of in accordance with state laws and regulations. WSDOT will coordinate with the U.S. Environmental Protection Agency (EPA), Ecology, Washington State Department of Natural Resources (DNR), and others to develop and employ BMPs for creosote timber removal. WSDOT will also prohibit the reuse of these timbers.
8.7	Hazardous Materials – Groundwater Management Plan	Construction	WSDOT will use a site-specific Groundwater Management Plan to address contaminated groundwater. The plan will require groundwater characterization in locations where excavations will encounter groundwater, where infiltration or stormwater ponds will be located, or where the infiltration or stormwater pond location is downgradient from any contaminated soil areas.
8.8	Hazardous Materials – contaminated sediment management and disposal	Construction	WSDOT will manage and dispose of contaminated sediment in accordance with applicable permits and regulations. The DMMP process and related permits, such as the Section 401 Water Quality Certification, will define construction as well as post-construction requirements regulating sediment management and disposal. WSDOT will prepare a DMMP-approved dredge material characterization to identify contaminants of concern within the dredge prism. Consistent with project permits WSDOT will implement BMPs during dredging to minimize sediment transport and increased turbidity. Anticipated BMPs include: • Controlling the speed of the dredging bucket. • Controlling the depth of the dredging bucket "bites." • Using an enclosed dredging bucket. • Monitoring water quality (turbidity and chemical analyses) during dredging and taking appropriate action if limits are exceeded. • Defining periods when dredge activity will be allowed (i.e., within the approved in-water work windows for endangered species). The DMMP's dredge material Suitability Determination will be based on the site's dredge material characterization. The DMMP's decision will determine if the dredge material is suitable for open-water disposal at a site already permitted by the DMMP agencies, or disposal at an approved upland facility. BMPs and DMMP-approved methodology will be used for open-water disposal of dredge material, and/or upland disposal, as appropriate. The amount of sediment to be disposed of, transport method, and the disposal locations will be documented in a Dredging and Disposal Quality Control Plan. WSDOT will conduct testing to determine if contaminated sediments are present at depths that will be exposed after dredging. If contamination exceeds applicable regulatory

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
			criteria, WSDOT will work with permitting agencies to develop protective measures to reduce the potential for transport of contaminated sediment, consistent with project permits and regulatory requirements.
8.9	Hazardous Materials – contaminated sediment management	Long-term	WSDOT will work with the DMMP to define post-dredge sediment surface cap construction and associated long-term monitoring requirements, as needed, if the post-dredge surface is contaminated and the DMMP requires a cap over the dredge prism surface.
8.10	Hazardous Materials – water quality	Construction	WSDOT will monitor water quality and stop construction work immediately and evaluate additional BMP measures if surface water quality standards are exceeded during construction period water quality monitoring. Additional BMPs may include the use of silt curtains, sheet pile enclosures, removable dams, silt screens, or pneumatic (bubble) curtains.
9.0 Energy and Climate Change			
9.1	Energy and Climate Change – general	Long-term	WSDOT will design the ferry terminal to achieve Leadership in Energy and Environmental Design (LEED) Silver certification.
9.2	Energy and Climate Change – general	Construction	WSDOT will require the contractor to limit equipment idling, encourage carpooling of construction workers, locate staging areas near work sites, and encourage delivery of materials during off-peak hours to allow trucks to travel to the site with less congestion and at fuel-efficient speeds.
9.3	Energy and Climate Change – climate change	Long-term	WSDOT will design the project to perform under the variable conditions expected as a result of climate change as outlined in the state's latest integrated climate response strategy, *Preparing for a Changing Climate* (Ecology 2012). WSDOT will incorporate the state's latest guidance on climate change into the project's final design.
10.0 Geology			
10.1	Geology – geologic hazards	Long-term	WSDOT will design the project to protect against impacts due to landslides (onshore and offshore), steep-cut slopes, soil liquefaction, other seismic risks, and settlement.
10.2	Geology – critical area regulations	Long-term	WSDOT will comply with City of Mukilteo critical area regulations addressing risks from landslides, steep slope failures, erosion, seismic events, liquefaction, tsunamis, and flooding.
10.3	Geology – grading and excavation	Construction	WSDOT will adhere to applicable local regulations regarding grading and excavation.

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
11.0 Water Resources			
11.1	Water Resources – climate change	Long-term	WSDOT will design the project to minimize the potential for water-related impacts due to climate change, and will consider measures such as: • Enlarging drainage facilities, such as conveyance pipes, to handle increased rainfall runoff and provide storage for additional stormwater volumes resulting from water backing up due to sea level rise, where appropriate. • Designing upland stormwater systems to minimize potential flooding due to projected increases in precipitation and sea level, if appropriate. • Evaluating flap gates to prevent saltwater from backing up into enclosed drainages.
11.2	Water Resources – stormwater	Long-term	WSDOT will incorporate appropriate stormwater treatment measures in the project design to minimize potential stormwater impacts. The stormwater treatment measures will be consistent with permits and approvals issued for the project by regulatory agencies.
11.3	Water Resources – turbidity and wave action impacts	Construction	WSDOT will implement measures to reduce turbidity and wave action impacts on the shoreline during pier removal (which could include cutting off the piles at ground elevation and collecting and treating construction stormwater), in addition to complying with the project's applicable permitting conditions.
11.4	Water Resources – in-water work	Construction	WSDOT will conduct all in-water work during the period allowed by the Washington Department of Fish and Wildlife (WDFW) Hydraulic Project Approval (HPA). In-water work will be further restricted for certain activities as specified in permits and approvals received from regulatory agencies.
11.5	Water Resources – general	Construction	WSDOT will develop and implement plans to minimize impacts from construction activities and incorporate the plans into construction contracts, including: • Turbidity Control Plan—designed to contain sediments in the nearshore areas for over-water work and for activities such as pile-driving, beachhead work, and other activities below the high water level. • Temporary Erosion and Sediment Control Plan—designed to contain and minimize sediment transport from upland construction areas. Disturbed areas will be minimized, protected from erosion, and covered during periods of inactivity that occur prior to final stabilization. Staging of grading operations will be defined and scheduled to minimize the amount of exposed soil at one time. BMPs intended to minimize sediment transport will be identified, marked on project plan sheets, and installed prior to

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No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
			construction activities within the general area of work. Watering may be used to control fugitive dust. • Spill Prevention, Control and Countermeasures Plan—designed to reduce the potential for accidental spills, minimize their quantity, provide direction for containment, and clean up any materials that could cause pollution to water resources and surrounding environments. Maintenance and operation requirements for equipment and vehicles will be prescribed, on-site spill response materials identified, secondary containment called out, other BMPs for spills discussed, and response, training procedures, and adaptive management processes specified. • Dewatering Plan—designed to prevent groundwater contamination and to ensure appropriate treatment of water removed during dewatering. • Dredging and Disposal Quality Control Plan—designed to manage the disposal of dredged sediments and minimize potential environmental impacts from dredging and disposal activities. The plan requires regulatory agency approval and will identify the amount of sediment to be disposed of, transport method, and the disposal locations.
	Water Resources – water quality	Construction	In order to protect the water quality of Possession Sound, WSDOT will implement the following BMPs, or their functional equivalent: • Using a floating containment boom surrounding all in-water work areas. • Scheduling installation of drainage outfall work during periods of low tide to avoid inundation of excavated areas and to reduce turbidity. • Filling holes left by removed piles with clean sand and gravel.
12.0 Ecosystems			
12.1	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will remove all creosote-treated piles and over-water coverage at the existing terminal site and at the Tank Farm Pier to offset the impacts of new or replacement structures. The removal of the Tank Farm Pier will also offset the loss of marine nearshore habitat.
12.2	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will use concrete or steel piles to minimize maintenance activities that can disturb aquatic ecosystems.
12.3	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will minimize shading by incorporating best available technology to increase natural light under new over-water structures, to the extent practicable, considering relevant design and safety standards.

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
12.4	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will provide landscaping using native plants to compensate for affected urban and mixed-use habitats.
12.5	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will collect and convey stormwater generated by the over-water coverage of the dock to onshore water quality treatment facilities to minimize the potential for water quality impacts in Possession Sound.
12.6	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will comply with commitments developed through consultations with National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) in compliance with the Endangered Species Act (ESA), the Magnuson-Stevens Fisheries Conservation and Management Act (Magnuson-Stevens Act), and the Marine Mammal Protection Act (MMPA).
12.7	Ecosystems – fish, marine mammals, and other aquatic species	Long-term	WSDOT will meet the permit requirements of local, state, and federal agencies with jurisdiction over aquatic lands and shoreline areas; these permits include commonly applied mitigation measures or BMPs as well as project-specific mitigation requirements.
12.8	Ecosystems – sediments	Long-term	As part of the project's design and permitting process, WSDOT will further characterize the newly exposed sediment surface to determine if contaminated sediments are present at depths that will be exposed after dredging as part of the project's design and permitting processes. WSDOT will consult with the permitting agencies to determine if a cap or other measures are needed to reduce the potential for erosion and transport of contaminated sediment.
12.9	Ecosystems – regulatory compliance	Construction	WSDOT will implement BMPs and other measures to avoid or minimize impacts on ecosystem resources from construction activities as required by local, state, and federal regulations.
12.10	Ecosystems – in-water work	Construction	WSDOT will minimize noise impacts by scheduling in-water work to avoid critical periods in the life cycles of protected species and their habitats; monitoring marine mammal and bird presence before and during construction; and using techniques that reduce noise generation.
12.11	Ecosystems – Migratory Bird Treaty Act	Construction	In compliance with the requirements of the Migratory Bird Treaty Act, WSDOT will minimize impacts to migratory birds by timing vegetation removal appropriately to avoid primary nesting periods, conducting pre-construction surveys for nesting species, removing noxious weeds, and revegetating those areas and other disturbed areas with native species.

Table B-1. Project Commitments

No.	Resource/Significant Impact Topic	Long-Term/ Construction	Mitigation
12.12	Ecosystems – general construction impacts	Construction	WSDOT will implement the practices identified throughout these Mitigation Commitments to reduce construction impacts that could be harmful to ecosystems and wildlife. As described elsewhere, WSDOT will: • Develop and implement an approved Construction Stormwater Pollution Prevention Plan, which will serve as the overall stormwater mitigation plan and will include each of the following plans: Temporary Erosion and Sediment Control Plan; Spill Prevention, Control and Countermeasures Plan; Concrete Containment and Disposal Plan; and Fugitive Dust Plan. • Select and use construction equipment and techniques to minimize surface impacts, noise, and disturbance to or transport of bottom sediments. • Select and implement BMPs to properly prevent pollutants from entering the water due to construction activities or pile removal. • Adhere to the conditions specified in dredging and sediment disposal permits, National Pollutant Discharge Elimination System (NPDES) permits, and related construction and water quality permits. • Monitor and use adaptive management strategies if problems are identified. • Carry out other commitments identified in this ROD.
13.0 Public Services and Utilities			
13.1	Public Services and Utilities – emergency response	Long-term/ Construction	WSDOT will prepare an Emergency Response Plan in coordination with emergency responders. This plan will address construction and operation safety issues and include response procedures for emergencies.
13.2	Public Services and Utilities – relocations	Long-term/ Construction	WSDOT will coordinate with local water, stormwater, and sewer districts regarding potential relocations of utility infrastructure. In the case of off-site interruptions in service, customers will be given advance notice. All utility relocations will adhere to the requirements described in the Section 106 MOA (see Appendix D). Where utility relocations are necessary in public rights-of-way, utility objects will be placed outside of applicable control zones—areas WSDOT maintains around roadways to minimize risk of roadwork damaging utility objects. If it is not possible to locate utilities outside of control zones, mitigation measures will be applied in compliance with the WSDOT *Utilities Manual* (WSDOT 2013) and in coordination with the City of Mukilteo.