PWC
PEOPLE'S WATERFRONT COALITION
CITIZENS FOR A HIGHWAY-FREE SHORE

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Dear Ms. Freudenstein, Mr. Paananen and Mr. Hahn,

This letter is to provide comments on draft environmental impact statement for the Alaskan Way Viaduct Replacement Project. The People's Waterfront Coalition is very interested in a sustainable, forward-looking transportation solution that protects the opportunity for Seattle's new waterfront. We have been active participants in this discussion for 6 years, including serving on the 2008 Viaduct Replacement Stakeholder Advisory Committee.

Concerns have been grouped into eleven categories. There are specific requests for action in each category, and a summary of more comprehensive requests for action at the end.

1. Access into downtown is a vital function of the Alaskan Way Viaduct. Solutions must provide good access. The preferred alternative does not.
A primary use of the current viaduct is to access downtown; 42% of trips are coming and going to downtown neighborhoods. Downtown Seattle is a center for jobs and commerce, perhaps the core economic engine for Washington State. Analysis in the 2008 stakeholder process showed that 80% of trips on the viaduct are short trips that start and end within Seattle city limits. This EIS should identify local mobility and access to downtown as a goal, and evaluate alternatives based on their ability to provide this.

The usage of the viaduct has not been described accurately in this DEIS. The importance of the viaduct for local access for people and freight has been understated in the assumptions and criteria, and usage of the viaduct as a through-route has been exaggerated. Consequently the analysis doesn't give decision-makers an accurate portrayal of the challenge.

The DEIS says in Ch 1pg 4 that the viaduct carries 20-25% of traffic traveling through downtown. What is the source for this claim? 90,000 - 110,000 trips a day travel on the viaduct currently, depending on exact location. When compared to a total of 1,670,000 trips to and through Seattle, the viaduct carries less than 7% of traffic. The exaggeration of importance for bypass trips in this DEIS, and the disregard for local access and mobility, misrepresents the basic challenge and creates an inaccurate analysis.

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Action: Mobility and access into downtown Seattle should be included as an integral goal and evaluation measure. **Additional transit service at significantly higher levels should be included** as part of the bored tunnel alternative in this DEIS.

2. Traffic impacts to local streets caused by the preferred alternative are unacceptable. Especially for the Pioneer Square Historic District.

Currently, the viaduct offers seven on and off ramps to provide access to downtown Seattle neighborhoods, spread from the stadium area to Belltown. (Ch 4 pg 74) The tunnel alternative reduces this to one highway interchange, located adjacent to the Pioneer Square Historic District. This configuration concentrates all the traffic going between SR-99 and downtown Seattle on only a few streets.

Without tolling, this DEIS states that 50,000 cars a day are expected to use the southern interchange ramps (Ch 5 pg 104). It says that 29,000 of current SR-99 users will shift to City streets (Ch 2 pg 19).

If tolling is implemented (Ch 9), as required by the funding plan for the tunnel alternative**, an *additional* 40,000 to 45,000 cars are expected to divert to city streets.**

The Pioneer Square Historic District is already inundated with car traffic during events at Safeco Field, the Stadium Exhibition Center, and Qwest Field for over one hundred days a year, with a significant number of these happening during the week at rush hour. How will this additional traffic, somewhere between 50,000 and 80,000 trips a day (with tolling), generated by the southern interchange be accommodated on event days?

After analyzing the traffic impacts on surface streets that would result from tolling, the conclusion is that "These effects would not be acceptable as part of a long term tolling solution." (Ch 9, pg 214) No alternative is suggested other than to say another alternative is needed.

After analyzing tolling impacts on transit riders (Ch 9, pg 215) the conclusion again is that "These effects would not be acceptable as part of a long term tolling solution."

The existing street grid in this area is not well connected, and there are not many viable routes for drivers. Some of the streets are narrow, historic, physically fragile, and pedestrian oriented, and not suitable for use as access roads to a highway interchange.

Predictions for the waterfront Alaskan Way are also alarming. The SDEIS traffic projections reveal that 35,000 cars a day will use the new Alaskan Way in this area. While it is possible to design a quality street that carries this volume, attracting this volume of new traffic to the new waterfront runs counter to Seattle's vision for this site.

Action: This DEIS must describe in more detail the traffic volumes that are expected on specific streets around the southern interchange for the preferred alternative. How many cars and trucks will use Alaskan Way, First Ave, Second Ave, Fourth Ave? How many more cars would be added to each of the streets if tolling is implemented and 40,000 to 45,000 vehicles from SR-99 choose to avoid the toll?

The DEIS must describe what street revisions WSDOT will implement to make room for all these vehicles, and what are the impacts of these so-called street improvements.

Does WSDOT plan to remove on-street parking, or any of the mature and cherished London Plane trees in the Historic District? Will these changes affect the access to and viability of retail? How will

the planned revisions affect the pedestrian character of the streets, and their viability for biking and walking? Are these historic streets, built on fill and supported by 100 year old areaways and retaining walls, physically capable of carrying these increased traffic volumes? Pioneer Square is hoping to reconnect to the new waterfront park, and re-establish its presence as a waterfront neighborhood; how will the proposed widening and increased traffic volumes on the new Alaskan Way affect these hopes?

What solutions are being considered to avoid burdening Historic District streets and the waterfront with an influx of traffic generated by the interchange? What solutions are offered to reduce congestion for local delivery trucks? For instance, additional transit service to and from downtown, or routing SR-99 bound traffic away from the Historic District, investing in improvements to I-5 to shift through-trips there, relocating the interchange further away from Pioneer Square, and demand management should be analyzed for their usefulness in protecting Pioneer Square from this influx of car traffic.

Note: Concerns about the heavy concentration of traffic on Pioneer Square streets caused by the tunnel's interchange have been raised repeatedly by neighborhood stewards for over a year. Is a viable solution even possible? Either there is a plan for reengineering streets to accommodate these much higher volumes, which should be described in this DEIS, or it is impossible to solve this problem without ruining Pioneer Square streets. Withholding this information from decision-makers obscures what might be the most egregious impacts of the tunnel alternative.

3. **The significant traffic impacts of tolling are ignored**. When tolling is included in the traffic modeling, the preferred alternative loses so many users that it effectively doesn't meet the statement of purpose and need.

The DEIS states (Ch 9 Pg 205) "As currently defined, the Bored Tunnel Alternative does not include tolls." The analysis in the entire document (except for Ch 9), including travel times, traffic volumes, greenhouse gas emissions, and stormwater runoff all assume that there will be no tolling on the project. However, tolling revenue is a necessary part of the basic funding plan, and use of tolling will dramatically affects tunnel usage and impacts.

The non-tolled tunnel sends 29,000 of the viaducts cars and trucks to city streets. The tolled tunnel sends an additional 40,000 to 45,000 vehicles to city streets. **This causes 74,000 new trips outside the tunnel, and 41,000 inside the tunnel. The preferred alternative, at $3.1 billion cost, only serves about 1/3 of the transportation challenge, and offers no solutions for 2/3 of travelers.**

As this preferred alternative is described, the negative impacts to local mobility for people and freight are egregious. When the diversion effects of tolling are included, these negative impacts are intolerable.

> **Action:** Tolling must be included in the modeling and analysis throughout this DEIS to clarify the impacts. Without it, this DEIS creates an inaccurate depiction of the very utility of the tunnel, as well as traffic and environmental impacts of toll diversion. A mitigation plan must be developed to show how WSDOT will prevent, resolve, or mitigate the unacceptable detriments to the functioning of Seattle's local transportation system.

4**. The preferred alternative causes alarming physical risks to Historic Resources – Pioneer Square Historic District and buildings. The viaduct replacement project must guarantee protection from harm.**

Boring a tunnel next to Seattle's historic neighborhood, with its historic buildings, fragile and brittle infrastructure, high water table, and unstable soils, is a steep engineering challenge. This DEIS describes the risks of digging and boring in this location (Ch 5 pg 126), possible damage to 12 historic structures (Ch 2 pg 31), and possible collapse or dramatic damage to two buildings (Ch 6 pg 142) because of difficulty controlling soil loss or preventing over-excavations or sinkholes.

The DEIS says this of the Western and Polson buildings, both 'contributing' buildings in the Pioneer Square Historic District: "Mitigation measures to protect the buildings may not prevent the need for demolition to avoid the possibility of collapse."

It says twelve buildings within the Pioneer Square Historic District or listed on the National Register of Historic Places – including the Historic Federal Building -- may be affected by settlement, structures could crack, and utilities may be disrupted or damaged. While the DEIS states measures will be implemented to avoid or minimize damage, it mentions that unavoidable damage might still occur with the preferred alternative.

> **Action: WSDOT must provide more information on how and when damage is likely to occur, and fully describe what they will do to prevent, repair, or mitigate damage.** What damage could soil settlement from tunnel boring cause, specifically? Is WSDOT planning to purchase and demolish any of these buildings? What is the likelihood of unavoidable damage to the fourteen buildings at risk? Will residents and users of those buildings be at risk of harm?

WSDOT will not know if there is an adverse effect to an at-risk building due to their boring activities until they start tunneling under it.

> **Action: To ensure protection of the at-risk buildings cited in the DEIS, WSDOT should do 3-D laser scans before, during and after construction.** This technology represents current best practice in historic preservation, and is being used widely. The before scan will show existing cracks and the tilt of the walls, etc. During-construction scans will monitor the cracks and tilts, and if any significant movement is detected, the project should halt and do something to stop the problem. A post-construction scan would show if any damage occurred so that WSDOT knows to repair it. And exterior laser scan should also be done for all buildings along the proposed route.

Will Pioneer Square's unique but delicate areaways and historic underground be put at risk?

> Action: **WSDOT must provide more information on how and when damage is likely to occur, and fully describe what they will do to prevent, repair, or mitigate damage.** What buildings specifically need to have their supporting soil improved with jet grout? What impacts will that have on the use of underground floors? What sidewalks will be closed, what streets will be closed, what basements will be altered, what areaways will be temporarily or permanently affected by implementation of this preventative measure?

Some of the 'solutions' proposed to prevent structural damage actually exacerbate other problems.

Given that water table is quite close to the surface, there is risk that the solidification of soils -- due to tunnel walls, retained cuts at the portals, and the injection of jet grout under buildings -- might alter natural water flows, create a water barrier, and cause water to back up in the Pioneer Square Historic District. (Ch 5 pg 127.)

> **Action**: **WSDOT must provide more information on how and when damage is likely to occur with the preferred alternative, and fully describe what they will do to prevent damage or**

safety risk to building users. What exactly is the risk of potentially submerging subsurface structures? What structures are vulnerable? Will decayed and fragile underground water and sewage infrastructure be at risk of failing if the ground becomes over-saturated due to altered water flows? What is the risk of basements flooding? Many of these basements are occupied, either by active retail or other business uses. Many are part of the historic underground, which is a popular visitor attraction, and occupied at times by hundreds of people. **What will WSDOT do to protect against flooding events and guarantee safety?**

Pioneer Square Historic District is listed in the National Register of Historic Places. Why is it not being protected via Section 4(f)?

Action: This DEIS should provide Pioneer Square Historic District full protection under section 4(f). It should identify and evaluate alternatives that avoid the possible harms to the streetscape, the buildings, and the underground that together comprise the unique quality of this district.

5. **The Statement of Purpose and Need was recently rewritten with narrower language to exclude viable and cost effective alternatives, and favor the preferred alternative.**

The range of alternatives to be considered flows from the statement of purpose and need. However, in this current draft, the statement of purpose and need was rewritten into a much narrower definition. The **statement of purpose and need** (Ch 1 pg 4) should continue to use the long- established definition for this project, 'mobility for people and freight', not redefine the target as vehicle 'capacity.' The statement of purpose and need from the 2006 SDEIS should be kept: "The project will maintain or improve mobility, accessibility, and traffic safety for people and goods along the existing Alaskan Way Viaduct Corridor."

By using the term capacity instead of mobility, solutions that include **transit, demand management, or available capacity on other facilities are disqualified**. It is not legal under SEPA – or prudent -- to frame the statement so narrowly as to exclude reasonable alternatives.

When the bored tunnel was announced as the preferred alternative in January 2009, the package included $190 million worth of transit investments. Additional transit service was then, and is now, deemed necessary to provide access to and from downtown Seattle, since the bored tunnel alone does not provide any downtown ramps.

The benefits of transit are many. A robust transit system offers an affordable alternative to the high cost of car ownership for many citizens. For some families, this is a big deal: saving roughly $8000 annually by getting by without a second car can mean more education or better housing. Transit is a key part of a larger strategy to reduce green house gas emissions. It reduces congestion for other roadway users, especially freight trips, car-pools, and other travelers who need to drive. A recent survey by T4America shows that 59% of Americans believe we need to increase public transportation to reduce traffic congestion, and make it easier to walk and bike.

Action: WSDOT should change the operative phrase in the statement of purposed and need back to "mobility and access for people and freight. "

6. All reasonable alternatives have not been included.

The alternatives analysis is the heart of the Environmental Impact Statement, and state law says all reasonable alternatives must be evaluated. A viable alternative that serves mobility, serves access to Seattle, AND also preserves the opportunity for Seattle's waterfront should be included in this DEIS.

Deep bore tunnels are marvels of engineering but also among the most difficult projects to plan and control financially. This proposed tunnel would be the largest diameter bore ever attempted in the world, in tricky soil and water conditions, under our state's most valuable real estate. Abrasive soils, clay, boulders, uncontrollable water flows, or unexpected utilities could stop the boring machine in its tracks. The delay and cost consequences of the machine getting stuck are very high. Removing a 56' x 400' machine from underneath downtown Seattle streets or buildings would be a nightmare, and huge financial risk.

According to a thorough analysis of 258 massive transportation projects by one of the world's foremost authorities on the subject, Bent Flyvbjerg, a professor at the University of Oxford, 9 out of 10 transportation megaprojects run over their cost estimates. For tunnel and bridge projects, Flyvbjerg found, "actual costs are on average 34 percent higher than estimated costs."

Both tunnel experts hired by the City of Seattle affirmed that costly problems are likely to emerge, despite WSDOT's best intentions. Using WSDOT's own data, these professionals predicted this project is 40% likely to exceed its establish cost cap. Further, David Dye, WSDOT leading project official at that time, said on record at the conclusion of the 2008 stakeholder process, about why they did not select the bored tunnel: "And so it's a cold dose of fiscal reality that I guess I'm the one who has to bring the bucket and pour on this.... But it is out of reach in the current state of affairs to make it happen."

There is a significant uncertainty around the state's ability to fully fund the bored tunnel alternative. It is essential for this DEIS to consider a viable back up plan that meets goals for mobility and access into downtown neighborhoods -- *and* protects the full opportunity of the future waterfront. Neither of the two other alternatives in this DEIS offers this. Further, both these alternatives were soundly rejected by Seattle voters in the 2007 advisory ballot.

At the conclusion of the 2008 stakeholder process, the leaders of the City, County and State Departments of Transportation recommended two alternatives for viaduct replacement: the I-5/ Surface / Transit hybrid, and the Elevated / Transit hybrid. After a year-long evaluation, these two approaches proved best for meeting the agencies' six goals for viaduct replacement at an affordable cost. **Each of these two solutions was determined by the City, County and State DOTs as feasible, lower cost, and effective in providing mobility, after exhaustive analysis. The I-5/ Surface/ Transit hybrid alternative should be evaluated in this EIS.**

The I-5/ Surface / Transit proposals A and B provide mobility for through-travel and for local access, offer a four lane urban street on the waterfront, and can be achieved at a cost savings of $700 million to $1 billion compared to the tunnel. Like the tunnel, these options offer a calm, four-lane waterfront street, which is central to the City's plans for the new waterfront. To exclude these from the DEIS analysis creates a false choice for waterfront proponents.

Further, the City of Seattle Ordinance 12246 states the City's preference for an alternative to the tunnel: "In the event a tunnel proves to be infeasible, the City recommends the development of a transit and surface street alternative that meets the intent of Resolutions 30664 and 30724." This alternative would offer the City one of the key advantages it seeks – reclaiming the downtown waterfront – at a significant cost savings.

> **Action:** A version of I-5/ Surface / Transit alternative that includes an urban, four-lane waterfront street should be included in this EIS so that decision makers who care about mobility for people and freight AND Seattle's new waterfront have a lower cost, lower risk alternative to consider.

7. **This project should plan for reducing vehicle usage and greenhouse gas emissions, according to by City, County, State and Federal policies and statutory benchmarks.**

The City has policies urging transportation agencies to pursue decreased Vehicle Miles Traveled over time, and increase the viability of other modes, as part of a larger effort to reduce green house gas emissions from vehicles.

- The City recently established a goal for Carbon Neutrality as one of its 16 priorities for 2010, knowing that this will demand dramatic efforts to reduce fossil fuel consumption and driving. A citizens' commission is at work defining specific implementation steps.
- The City's transportation policy as defined by the Comprehensive Plan states: Ensure that transportation decisions, strategies and investments are coordinated with land use goals and support the urban village strategy.
- The City's Climate Action Plan, launched in 2006, says: "The goal of the Seattle Climate Protection Initiative is to reduce greenhouse gases in Seattle by 7% below 1990 levels by 2012, 30% below 1990 levels by 2024, and 80% below 1990 levels by 2050." Reducing VMT is a key strategy to reduce emissions, as 60% of Seattle's emissions come from vehicles.

The County has put addressing climate change at the center of its comprehensive plan, as one of three framework policies guiding the entire plan. FW-102 states that "King County will be a leader in prevention and mitigation of, and adaptation to, climate change effects." This overarching policy is carried through the rest of the comprehensive plan, including the following policies on Reducing Climate Pollution:

- Recommends that the County collaborate with other local governments to reduce greenhouse gas emissions in the region to 80% below 2007 levels by 2050 (Policy E-216)
- Establishes a goal of reducing County government GHG emissions by 6% below 2000 levels by 2010 (Policy E-204).

The State has established statutory benchmarks and policy urging transportation agencies to pursue decreased Vehicle Miles Traveled over time, and increase the viability of other modes, as part of a larger effort to reduce green house gas emissions from vehicles.

- State law says we shall "By 2035, reduce overall emissions of greenhouse gases in the state to twenty-five percent below 1990 levels, and by fifty percent by 2050." (http://apps.leg.wa.gov/rcw/default.aspx?cite=70.235.020)

State law requires agencies distributing capital funds for infrastructure projects to consider whether the entity (WSDOT) has adopted policies to reduce greenhouse gas emissions. The agencies must consider whether the project is consistent with the state's limits on the emissions of green house gases and statewide goals to reduce annual per capita miles traveled.

The federal government – the DOT, the EPA and House of Representatives -- have shifted policies away from vehicular capacity and congestion relief and toward mobility by other modes in order to reduce greenhouse gas emissions and reduce oil dependence.

At the end of 2009, the U.S. Environmental Protection Agency (EPA) announced that greenhouse gases (GHGs) threaten the public health and welfare of the American people. EPA also announced their finding that GHG emissions from on-road vehicles contribute to that threat.

Ray La Hood, Secretary of the US Department of Transportation, announced in March 2010 a dramatic change from existing policy regarding transportation funding. This "major policy revision" aims to give bicycling and walking the same policy and economic consideration as driving. "Today I want to announce a sea change…. This is the end of favoring motorized transportation at the expense of non-motorized." A major thrust of the DOT's current priorities are to foster livability, sustainable communities, and reduced car dependence. One of

their six principles is: "**Provide more transportation choices** to decrease household transportation costs, reduce our dependence on oil, improve air quality and promote public health."

The American Clean Energy and Security Act passed last summer set the goal of reducing greenhouse gas emissions by 17% from 2005 levels by 2020, and 83% by 2050.

To summarize, climate change is the most significant and daunting environmental issue facing this generation. Many agencies at all levels are working to shift how mobility is understood and delivered to achieve reduced pollution, increased choice, and reduced economic dependence on fossil fuels. Countless scientific and policy analyses of how to meet these goals arrives at the same fundamental conclusions: decision makers and agencies must commit to more alternative transportation, and pro-actively plan for reduced Vehicle Miles Traveled, in order to achieve reductions in GHG emissions. The preferred alternative directly violates statutory benchmarks, goals and policies at all levels of government by aiming for and facilitating increased car usage.

> **Action:** In light of City, County, State, and Federal policies aimed to reduce greenhouse gas emissions from vehicles, the EIS should aim for reductions in emissions and VMT. Greenhouse gas emissions should be compared for all the alternatives. The analysis should examine the cumulative use impacts created by the decision in this corridor – not just the trips on the facility, but the area wide effects generated by the decision in this corridor.

Beyond policies, there is practical evidence that calls into question the narrow focus on vehicle capacity in this corridor.

This project uses PSRC forecasts for future travel, which extrapolates past growth rates for driving. However, the empirical data for the Seattle area and this facility make those assumptions dubious. According to the City's annual counts, usage of the Alaskan Way Viaduct has been flat over the past twelve years. Research from Sightline Institute (http://www.sightline.org/publications/reports/braking-news-gas-consumption-goes-into-reverse/) reveals car travel has been declining the past 13 years in our region. A new study by Advertising Age reveals that young people (16-20 years old) are driving 20 to 25% less than their parents' generation. (http://adage.com/digital/article?article_id=144155).

Forty percent of regional trips are less than 2 miles in length, which means it would be viable to serve a significant portion of SOV trips by biking, walking, or transit.

Demographics are changing, societal values are changing, the energy economy is changing, and land use and transportation patterns in Seattle are changing. Actual rates of driving have been flat or declining. This project should plan for serving Seattle's future travel patterns and policies, not the past.

Furthermore, this inaccurate portrayal of "need" for car capacity is worsened in this DEIS by ignoring the fact that travel on the viaduct is expected to decrease by about 1/3 during the 4.5 years of construction. After 4.5 years, travel patterns will have already adjusted to the lower capacity. (Ch 6, pg 139) People and freight will have found other routes, modes and solutions, and our local travel patterns will have shifted. At that point, the 'need' will be different. It is fallacious for this EIS to predict a spontaneous surge in demand in car travel from perhaps 70,000 trips a day before the new tunnel opens to 117,000 trips a day after it opens. It is misleading for this analysis to justify such an expensive facility on predictions of 'need' that are contradicted by empirical evidence.

> **Action:** It would be **more accurate -- and compliant with City and State policy – for this project to plan for a reduced number of car trips**, and increased use of transit, biking, and ride-sharing.

Evaluation measure should compare access and mobility for people and freight, and favor solutions that provide viable alternatives to travel by car.

8. This EIS should carefully consider the public safety risk of delaying viaduct closure from the promised date of 2012 to 2015, 2016, or beyond.
By default or by design, the Viaduct is severely damaged and will come down. The city and region desperately need interim traffic solutions to be in place before it does. Plans for dealing with the loss of the viaduct have been developed. Many of the elements in these plans are necessary for local access, whatever the final decision for viaduct replacement. These alternative traffic solutions should be implemented now, so the viaduct may be closed earlier if necessary, and public safety is not eroded any further by delaying the promised closure date of 2012.

Linking Viaduct removal to the opening of the deep-bored tunnel idea only delays the inevitable closure and increases the danger. According to many experts in transportation planning and earthquake preparedness policy, it is better to bring the structure down in controlled fashion than to let it pancake during a seismic event. http://seattletimes.nwsource.com/html/opinion/2002837776_viaduct02.html
Furthermore, analysis in the DEIS states that the viaduct is particularly vulnerable to damage from soil settlement during construction, if the bored tunnel is pursued, and may fail before 2016.

> **Action:** Seattle DOT should work with WSDOT to update plans for local access and mobility without the viaduct, based on the Center City Access Strategy and Urban Mobility Plan, and prioritize these investments NOW. A seismic event or further settlement may damage the viaduct at any time, and the systems needed to provide mobility must be ready to go. **The project should prepare to provide mobility and access in case the viaduct must be closed sooner than 2016.**

9. The high cost of tolls, in combination with the significant degradation of transit travel times, is particularly onerous for low-income citizens. This must be evaluated as a social justice impact for the preferred alternative. This DEIS reveals WSDOT intends to charge tolls of up to $4 each way for a trip through the tunnel. This could add up to hundreds of dollars in additional costs each week for taxi drivers, local freight movers, and any small businesses that provide delivery or site visits as part of their service. Further, the DEIS states that tolling significantly impairs transit service due to increased congestion. After analyzing tolling impacts on transit riders (Ch 9, pg 215) the conclusion is that "These effects would not be acceptable as part of a long term tolling solution."

> **Action:** This DEIS must analyze how the combination of high tolls, the default on the January 2009 promise of additional transit, and impairments to existing transit from congestion affects lower income people. How affordable is this toll for low and average income earners? Does the plan for high tolls and impaired transit support the State's intention of improving mobility for everyone, or just wealthy car owners who can afford the toll?

10. The public and decision makers have been misled about the finality of a decision for the bored tunnel alternative in advance of comprehensive environmental review of impacts.

WSDOT has advanced design, development, and contracts for the deep bore tunnel far beyond the other alternatives**.** SEPA law requires that a final Environmental Impact Statement be completed *before* decisions

are made that commit the government to a particular course of action. Until the FEIS is completed, agencies are precluded from making decisions that pre-judge the choice among alternatives.

There are many indications, especially in the State's advocacy efforts and public communications, that the playing field has been tilted and the tunnel is in a substantially favored position already:

- Preparation of, and pressure to sign, MOAs for the tunnel with the City,
- Significant development of the bored tunnel design,
- Preparation of contracts with tunnel construction bidders, with the intention to sign them before the FEIS is issued, and
- Numerous statements by state officials that a "Decision has already been made and would not be revisited," which have deceived and confused the public about the status of environmental review and record of decision.

WSDOT's actions effectively preempt any opportunity for a deliberate and balanced decision-making process after environmental analysis is complete. Giving the tunnel alternative a two-year head start, and investing substantive resources into creating the illusion that it is the only possible solution at this point – before harms and risks and negative impacts are made known to the public – directly violates SEPA. As the public is just now learning, the tunnel alternative comes with a high price tag, many unresolved challenges, and significant impact to the City of Seattle.

To summarize the shortcomings that are finally revealed in this DEIS: The preferred alternative only solves a portion of the transportation challenge. Unless significant investments to local mobility are added to the preferred alternative, it would create havoc on city streets for people and freight. It has a very high price but only benefits a few of the region's travelers. High toll rates render the capacity useless for 2/3 of potential SR-99 users. Construction might do irreparable damage to historic buildings and the Pioneer Square Historic District, and WSDOT may not have sufficient budget to offer protection or mitigation. Funding plans reveal a high risk of cost escalation, meager contingency reserves, and no funding plan for potential cost overruns.

> **Action:** This DEIS should compare current and reasonable alternatives to the tunnel, alternatives that improve access and mobility in Seattle while protecting the opportunity for a new waterfront -- in case its merits do not outweigh the costs and risks.

11. Decision makers and the public deserve complete clarity on the promised project scope, budget, and security of funding.

With the data that exists now, it is practically impossible for decision makers to get a firm fix on full cost of the preferred alternative. It is not clear what elements of the project scope are funded and what might be cut, the full cost of protecting against or mitigating for expected harm is not known, and contingency reserves necessary for potential future problems seem to have been mostly drained.

The funding side is as unclear. There is a firm budget cap of $2.4 billion on the state's resources. That leaves $700 million in unsecured commitments. The Port of Seattle's promised $300 million has not materialized, and may not. This $400 million from future toll revenues may not be realistic. There is significant doubt as to whether the state will be able to float bonds on future tolling revenue because the state is at the limit currently for debt capacity, and both SR-520 and SR-99 projects are dependent on raising $2.4 billion in new bonds. Initiative 1053 also casts doubt on whether WSDOT can impose tolls without action by the legislature, which may not happen. Finally, there is firm resistance from all parties – City, County, and State -- to accept liability for the cost overruns, overruns that are likely to occur with 40% probability.

Action: WSDOT must prepare a table comparing full project costs (including reasonable contingency reserves), and a full funding plan, (including back up plans if the unsecured funds fall through, and willing sources for potential overruns) and present it to the public and decision makers.

Summary

1. The tunnel alternative only answers part of the viaduct replacement challenge. Trips that bypass downtown Seattle neighborhoods are well-served; access into Seattle neighborhoods for vehicles, freight and transit users is not. As the preferred alternative is described, the negative impacts to local streets are egregious. When the diversion effects of tolling are included, these negative impacts are unacceptable – and cast doubt on whether the alternative as it will be used meets the statement of purpose and need.

WSDOT must develop a plan to show how WSDOT will provide good access to downtown Seattle for people and freight, and prevent, resolve, or mitigate the intolerable impacts to the streets of Pioneer Square Historic that are caused by the preferred alternative. Solutions such as additional transit, routing traffic away from Historic District streets, transportation demand management, improvements to I-5, and relocating the interchange elsewhere should be analyzed for their ability to enhance local mobility and access while protecting Historic District streets.

2. **WSDOT must develop a mitigation plan to show how WSDOT will prevent, resolve, or mitigate potential damage to all historic buildings along the tunnel route, and in the Pioneer Square historic district and underground.** This plan should include 3-D laser scans of each building before, during, and after construction. Damage must be arrested as it is occurring, if significant. Laser scans are necessary to identify which buildings must be repaired afterward.

3. A full budget for all alternatives should be developed that identifies the appropriate responsibility and source for each line item. **This is a state project, and the state must show it can cover costs for the preferred alternative, including:**

- The bored tunnel itself,
- Other project components promised as part of the program (lids over the cut and cover sections, improvements to the street grid around the interchanges, reconnecting three streets across SR-99 in South Lake Union, access to downtown Seattle, urban design and landscaping around the portals, viaduct removal and replacement of Alaskan Way surface street, etc),
- Solutions for local access and improvements to local streets,
- Protection of historic buildings and the Pioneer Square Historic District,
- How WSDOT will cover full program costs if the tunnel cost escalates from the 60% confidence interval ($1.96 billion) to the 95% confidence interval ($2.37 billion), and
- Any further cost escalations that may occur later due to the risk of boring in such complex soil and water conditions, under valuable real estate and intense commercial activity.

4. There is still significant uncertainty around whether the preferred alternative can be fully funded. Decision makers deserve a clear picture of the alternative's basic financial viability. **WSDOT should prepare a comprehensive funding plan** for the preferred alternative that addresses:

- Clear description of what project elements promised as part of the tunnel program are covered by the minimal state allocation of $2.4 billion, the project budget of $3.1 billion, and what are not,
- What the project will do if the $700 million of project funding is not secured,
- What contingency funds remain unallocated, and how much this is expressed as a percentage of full $3.1 billion project budget,
- How WSDOT plans to exceed the constitutional debt limit to borrow $2.4 billion necessary for both 520 and SR-99 projects concurrently, and

- Exactly how potential cost overruns will be covered, given the unresolved contention between governments.

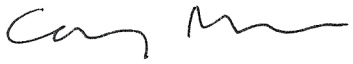
The public and elected decision makers at the City and State deserve a clear picture of total project costs (item 3 above) compared to the full funding plan (item 4.) WSDOT should explain how they will address any shortfalls, and what elements or the overall program scope are vulnerable to being cut. The City of Seattle, local neighborhoods, the federal GSA, or private property owners cannot be held liable for costs of the State's project.

"Measure twice, cut once" for funding would prevent a worst-case situation: if the tunnel project is started but runs into trouble, and additional funding is not unavailable. Existing funds could be consumed, the project left incomplete, leaving a further degraded Viaduct intact and no money for transportation and waterfront improvements. That situation would represent a miserable failure of leadership in pursuing a project with full knowledge of risk, but without sufficient funding or a back-up plan.

It is unfortunate that decisions made by WSDOT in the early stages of drafting this DEIS document led to such a flawed evaluation. Many of the concerns described here were raised in early 2009 with WSDOT and SDOT, again in late 2009 in multiple EIS scoping letters from Seattle organizations, and once again by City officials in July 2010 when an early draft was released. The sooner WSDOT rectifies these errors and omissions, the sooner the viaduct replacement project can get back on track. Decision-makers in Seattle and the State are counting on accurate and robust information so they can assure a final decision provides public safety, mobility, and access for the future – while fully protecting Seattle's assets -- at a cost effective price.

Thanks for your consideration of these comments.

Sincerely,



Cary Moon
Director, People's Waterfront Coalition