



APPENDIX D

Scoping Comments from Tribes, Agencies, and Elected Officials

Appendix D. Scoping Comments from Tribes, Agencies, and Elected Officials

Scoping comment letters were received from two tribal governments, one state agency, three cities, one school district, two regional agencies, and one elected official. Letters are included in this appendix in the following order:

Tribes

- Puyallup Tribe of Indians
- Muckleshoot Indian Tribe

State Agencies

- Washington State Department of Transportation (WSDOT)

Regional and Local Agencies

- City of Des Moines
- City of Federal Way (Office of the City Council)
- City of Federal Way (Public Works Director and Community Development Director)
- City of Kent (March 7, 2019)
- City of Kent (March 29, 2019)
- Federal Way Public Schools
- King County Metro
- Seattle Public Utilities

Elected Officials

- King County Metropolitan Councilmember Dave Upthegrove

From: Charlotte Basch <Charlotte.Basch@PuyallupTribe-nsn.gov>

Sent: Wednesday, March 13, 2019 2:34 PM

To: Chris Johnstone <cjohnstone@enviroissues.com>

Subject: Puyallup Tribe comment

Good afternoon,

The proposed project areas for the OMF South are on the ancestral lands of the Puyallup peoples and are therefore of significance to the Puyallup Tribe of Indians. We intend to remain in the loop throughout the OMF South project, and look forward to the Consultation process. Please consider me the primary contact in the Puyallup Tribe's Historic Preservation Office for this project.

Best,
Charlotte

Charlotte Basch
Assistant Tribal Historic Preservation Officer
Puyallup Tribe of Indians
Historic Preservation Department
253.573.6152

From: Karen Walter <KWalter@muckleshoot.nsn.us>
Sent: Monday, April 1, 2019 11:15 AM
To: Rehmat, Hussein <hussein.rehmat@soundtransit.org>
Subject: RE: ST OMF South SEPA EIS Agency and Tribal Scoping Meeting Presentation- MITFD scoping comments

Hussein,

I apologize that no one from the Muckleshoot Tribe Fisheries Division was able to attend the scoping meeting for Sound Transit's Operations and Maintenance Facility South project. I have reviewed the available information on Sound Transit's website and the agency/tribal presentation. We offer these comments:

Most of the potential OMF south sites appear to be located away from streams. We'd like to remind Sound Transit that some of the streams in or near the SR 99 and I-5 corridors are currently in pipes. For those sites currently identified, Sound Transit should verify the location of piped sections of streams which could affect the site assessment work to come. Also, based on other Sound Transit project's, it will be important to discuss further any piped streams in terms of how they will be avoided, or if they need modification, the need to restore fish passage to accessible fish habitats that exist upstream, as well as, how the project will avoid precluding any future culvert replacement projects to restore fish passage. It is likely that these issues may not apply for several of the sites, but since this is a scoping opportunity, it is best that these issues be identified now so the project can plan accordingly.

We appreciate the opportunity to review the scoping notice and look forward to working with Sound Transit as this project progresses. Please note that once the Draft EIS is available for distribution, it should be sent to the Tribe's Fisheries Division and Preservation Programs, in addition to any copy that is sent to the Tribal chair. Staff will need as much review time as possible and cannot avoid time delays because one copy was sent to the Tribe via the Tribal chair.

If you have any questions, please send me a reply to this email.

Thank you,
Karen Walter
Watersheds and Land Use Team Leader

*Muckleshoot Indian Tribe Fisheries Division
Habitat Program
39015-A 172nd Ave SE
Auburn, WA 98092
253-876-3116*



April 3, 2019

Hussein Rehmat
Tacoma Dome Link Extension
Sound Transit
401 South Jackson St
Seattle, WA 98104

RE: Operations and Maintenance Facility South (OMFS) Scoping Comments

Dear Mr. Rehmat,

The Washington State Department of Transportation (WSDOT) is pleased to provide comments on the Scoping Information Report for the Operations and Maintenance Facility South (OMFS) project.

General Comments:

The OMFS project supports the development of the regional light rail system, which aligns with WSDOT's vision of providing a sustainable and integrated multimodal transportation system.

WSDOT's strategic goals include optimizing system capacity through better interconnectivity of all transportation modes and managing system assets and multimodal investments on corridors to enhance economic vitality. WSDOT sees the OMFS as a vital component of the regional transit system that supports local and regional goals referenced in the Draft Purpose and Need statements.

WSDOT Coordination:

WSDOT will coordinate with Sound Transit on the upcoming Compatibility Report for the Tacoma Dome Link Extension (TDLE) that will outline WSDOT's needs and any potential future expansion of I-5. Sound Transit should also reference the Compatibility Report for the Federal Link Extension (FWLE). These Compatibility Reports will help to guide the location of light rail facilities within or adjacent to the right of way. Since the TDLE Compatibility Report is not yet available, we cannot include specific comments regarding WSDOT right of way.

The OMFS is expected to be placed outside WSDOT right of way. If it is placed on the east side of I-5, the opposite side of I-5 as the main portion of the TDLE alignment, then the light rail alignment will most likely have to cross over I-5 twice. We will support the best solution by working with Sound Transit, but prefer not to have added crossings of I-5 for this OMFS unless it is the only solution. Construction of bridges across I-5 would affect traffic flow. The project team will need to coordinate with WSDOT to identify a bridge type and construction method that provides minimal impact to traffic control and future maintenance needs.

Thank you again for the opportunity to comment. WSDOT appreciates Sound Transit's work with citizens, neighborhood groups, and the other stakeholders to

maximize the value provided to the traveling public and strengthen neighborhoods as they grow, change and evolve. Meeting future transportation needs requires investments in transportation infrastructure which often requires acquiring property. This is especially challenging in the case of the 30+ acre OMFS. WSDOT looks forward to continuing interaction with the OMFS project and providing detailed comments on the Environmental Impact Statement (EIS) going forward.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Counts', followed by a horizontal flourish.

Dylan Counts
WSDOT Director
Regional Transit Coordination Division



City of Des Moines

ADMINISTRATION
21830 11TH AVENUE SOUTH, SUITE A
DES MOINES, WASHINGTON 98198-6398
(206) 878-4595 T.D.D.: (206) 824-6024 FAX: (206) 870-6540



March 28, 2019

Sound Transit
401 S. Jackson Street
Attn: Perry Weinberg, SEPA Responsible Official
Seattle, WA 98104

Subject: *EIS Scoping for the Operations and Maintenance Facility South Project*

Dear Mr. Weinberg:

The City of Des Moines is pleased to provide our Environmental Impact Statement (EIS) scoping comments for the *Sound Transit Operations and Maintenance Facility (OMF) South (OMFS) Project*.

The Des Moines City Council and City staff are committed to working with Sound Transit and the cities of Kent and Federal Way to ensure the *OMFS* supports Federal Way Link Extension and the expansion of light rail to Tacoma, balances local and regional interests, does not adversely affect Highline College or the neighborhoods in the South Des Moines/Midway area, does not compromise a developing vibrant business district along SR 99, minimizes impacts on existing businesses and residents, supports municipal services through maintenance and growth of sales and property taxes, and maintains the living, working and shopping convenience and livability of our respective Midway neighborhoods.

The cities of Des Moines and Kent and Sound Transit share an interest in the redevelopment of Midway and the success of the expanded light rail system and transit supportive development within one-half mile of the planned Highline Station in accordance with Sound Transit transit-oriented development (TOD) policy and the *Envision Midway*-inspired Kent's Midway Subarea Plan—success that can only come from the maximization of TOD potential on every parcel possible in the station area as memorialized in the FWLE preliminary engineering and development agreements between the cities and Sound Transit.

The Waterland City

Kent's Midway Subarea Plan, based on the state grant-supported *Envision Midway* extensive planning public engagement with stakeholders from the cities of Des Moines and Kent, Highline College and other King County and State agencies, distinguishes between the Midway area north of approximately South 245th Street, where the intended uses are categorized as Transit-Oriented Community, and south 245th Street, where the intended uses are categorized as Highway Commercial Corridor where both Kent and Des Moines specifically allowed for uses like an OMF. An OMF reaching as far north as South 240th Street and encompassing the existing Lowe's property and the new Dick's Drive In restaurant, new businesses that now support a historically underserved South Des Moines and adjacent Kent neighborhoods would be wholly inappropriate in the Transit Oriented Community area north of South 245th Street.

The potential for transit-oriented development in the Midway Area of Kent and Des Moines is limited to less than 130 acres given the eastern boundary of I-5, the Highline College campus and Highway 99. Using 30 of those potential TOD acres—a quarter of the land—for a large, single use light industrial site that is incompatible for residential adjacency and Des Moines' development across SR 99 and would significantly diminish the development potential of the entire Midway area, including Sound Transit's own TOD-designated surplus property at the light rail station, which is less than six hundred feet from South 240th Street. Highline College would also be potentially negatively affected.

In summary, the OFMS EIS should include the following:

- Evaluate consistency with Sound Transit's transit-oriented development policies.
- Evaluate consistency with both Des Moines and Kent's Comprehensive Plans and zoning.
- Assess impact on Highline College's City-approved Comprehensive Long-Range Development Plan and campus operations.
- Evaluate impacts on future commercial and mixed-use redevelopment of the SR 99 corridor south of Kent Des Moines Road.
- Evaluate the property and sales tax base impacts on municipal services.
- Assess impacts on neighborhood convenience of retail businesses along this corridor.
- Evaluate cumulative impacts on already failing SR 99/Kent Des Moines Road intersection and SR 99 performance of SR 509 improvements, light rail station operations and OFMS operations.

As noted in the December 18, 2018 letter sent by Des Moines, Kent and Federal Way, the City recommended that Site 1 at S. 240th St and SR 99 be eliminated as an alternative from SEPA evaluation. King County Council Member and Sound Transit Board Member Dave Upthegrove has taken this one step further in his March 18, 2019 written notice that he proposes to eliminate Site 1 from further SEPA review.

Mr. Perry Weinberg
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March 28, 2019

We understand that Sound Transit has narrowed the list of 24 potential OMFS sites to 6 including 3 in Midway for some clearly obvious reasons, but it is not clear why the largely vacant Weyerhaeuser site was not on the short list for further EIS evaluation. We recommend it be added and further evaluated during the draft EIS.

We look forward to our continued collaboration with Sound Transit. Please feel free to contact us if you have questions about our comments.

Sincerely,



Matt Pina, Mayor



Michael Matthias, City Manager

cc: Vic Pennington, Deputy Mayor
Traci Buxton, Councilmember
Matt Mahoney, Councilmember
Jeremy Nutting, Councilmember
Robert K. Back, Councilmember
M. Luisa Bangs, Councilmember
Dan Brewer, Chief Operations Officer

The Waterland City

February 21, 2019

Sound Transit Board
401 S Jackson Street
Seattle, Washington 98104



Re: Operations and Maintenance Facility - South

Dear Sound Transit Board Members:

The Federal Way City Council conducted a study session on February 19, 2019 to further understand the siting process for Sound Transit's Operations and Maintenance Facility - South (OMF South). The Council thanks Sound Transit staff for attending, presenting and answering questions. Following the study session, the Council understands that February 19, 2019 marks the start of the scoping and public comment period prior to selection of sites to study during the Draft Environmental Impact Statement (Draft EIS) process. As part of the public comment period, the Council is writing to state that the City's preferred site for the OMF South is at the Midway Landfill.

The City and Sound Transit have a shared interest in the success of the light rail system expansion, both the physical construction of the stations and alignment, as well as creating vibrant, transit-oriented re-development adjacent to the stations and otherwise minimizing and mitigating impacts to residents, businesses and infrastructure. The City of Federal Way will be impacted by Sound Transit's light rail link extension projects from our northern border to our southern border parallel to Interstate 5 and Pacific Highway 99, a total corridor length of over seven miles. Siting the OMF South at the Midway Landfill will prevent further disruption and property loss within the City while locating the facility along tracks that will already be constructed as part of the Federal Way Link Extension Project.

Six locations were presented as possible sites for the OMF South: Site 1 at the Kent Lowes, Sites 3 and 3A at the Midway Landfill, Site 7 at S 316th St and Military Road, Site 9 at the Christian Faith Center, and Site 10A at S 344th St and Interstate 5. Although Site 1 is north of the Midway Landfill and outside of the City, we struggle to understand why Sound Transit would eliminate local businesses when other viable options exist immediately south that do not impact local businesses. Site 7 is within unincorporated King County and requires two crossings of Interstate 5 and relocating many single family homes in a residential area. Sites 9 and 10A are within the City of Federal Way and will dramatically impact existing residents and businesses. Although Sites 3 and 3A at the Midway Landfill have potentially higher initial construction costs, the costs at other sites related to long-term impacts to existing businesses and neighborhoods have been undervalued.

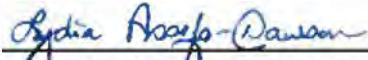
The Midway Landfill is already publicly owned, undeveloped and subject to limited possible reuse. An operations and maintenance facility is a viable use for the property and is likely one of the few options to utilize the otherwise idle landscape directly adjacent to Interstate 5 and Pacific Highway 99. The Council prefers siting the OMF South at the Midway Landfill and strongly recommends that Sound Transit continue to evaluate the Midway Landfill during the Draft EIS.

The City is further reviewing the materials provided for both the OMF and the TDLE under the scoping period and will be providing additional comments under separate cover.

Sincerely,



Susan Honda, Deputy Mayor



Lydia Assefa-Dawson, Councilmember



Jesse E. Johnson, Councilmember



Hoang V. Tran, Councilmember



Mark Koppang, Councilmember



Martin Moore, Councilmember



Dini Duclos, Councilmember

City of Federal Way

cc: Peter Rogoff, Sound Transit CEO
Jim Ferrell, Federal Way Mayor

March 29, 2019

Mr. Curvie Hawkins
Mr. Hussein Rehmat
Sound Transit
401 S Jackson Street
Seattle, WA 98104

Re: Operations and Maintenance Facility – South Scoping Comments

Dear Mr. Hawkins and Mr. Rehmat:

Thank you for the opportunity to comment on the scoping effort for the Operations and Maintenance Facility South (OMF South). The Mayor and City Council have taken and previously communicated an official position with regard to the preferred OMF South location and provided comments under separate letters stating that Midway Landfill site 3A is the preferred site. In addition, the Mayor signed a joint letter with the City of Kent expressing a preference for siting the OMF South at the Midway Landfill.

The comments below are of a technical nature and are intended to supplement the comments provided by the Mayor and Council referenced above.

Site 7 – S 316th St and Military Rd S

1. This area is outside of City limits but within the City's Potential Annexation Area. If this site is selected for further study, the City requests to be an active agency participant in the evaluation and mitigation discussion within a regional planning context, with particular emphasis on traffic impacts and mitigation.
2. The City's preliminary City Center Access study shows several roadway improvements needed in this area to support continued future growth of the downtown area. An OMF South site in this vicinity would need to construct or preserve the following improvements:
 - a. S 312th St expanded over I-5 and connecting to 51st Ave S.
 - b. 32nd Ave S extended between Military Rd S and S 320th St.
 - c. S 317th St improved to cross I-5 and connect with S 316th St Improvements between I-5 and Military Rd S.
3. Site 7 abuts a planned regional multi-use trail connection along the BPA corridor in the City's Comprehensive Plan. An OMF South site in this vicinity should preserve future trail planning efforts to connect Federal Way and Auburn along the BPA corridor.
4. Parcels 551560-0120, 0121, -0125, and -0127 have an approved preliminary plat that has not yet developed.
5. The Olympic pipeline is located in this vicinity and crosses Military Rd S. The exact location should be verified by Sound Transit.

Site 9 – S 336th St and I-5

1. 20th Ave S between S 336th St and S 341st Pl is heavily used by the Federal Way Police Department responding to calls south of S 336th St and east of Pacific Highway 99. An OMF site at this location would need to preserve emergency access through this block to South Federal Way.
2. This proposed location is adjacent to the City Center Frame area, not an industrial area. Sound Transit must ensure this does not have an impact on the long term plans and comprehensive plan vision for development of the City Center Core and City Center Frame.
3. Noise and light mitigation adjacent to residential properties must be addressed.
4. Both Site 9 and 10A are south of the Federal Way Link Extension (FWLE) project. Has Sound Transit's ability to construct the additional rail needed to connect the OMF South on an accelerated schedule at these two locations to the FWLE been sufficiently evaluated? Sound Transit should evaluate and disclose the unanticipated and unintended consequences of possibly dictating the location of the proposed rail concurrently with the EIS for the Tacoma Dome Link Extension (TDLE) project. Both of the currently proposed TDLE rail alignments are capable of accessing both sites, but sufficient analysis and design must be completed to allow for Sound Transit to confidently select the preferred alternative.
5. Sound Transit should clarify that both Sites 9 and 10A utilize a portion of the Christian Faith Center campus. Site 10A uses a smaller portion of the existing site, but still impacts the parcel's stormwater facilities and parking.
6. The Christian Faith Center is regulated by an existing Development Agreement with the City siting the OMF at this location would require a new Development Agreement subject to a public hearing and approval by the City Council.
7. The existing Christian Faith Center provides a number of critical non-profit community, social services, and institutional uses. Sound Transit must evaluate the community services and social equity impacts during the EIS and implement appropriate mitigation.

Site 10A – S 344th St and I-5

1. 20th Ave S between S 336th St and S 341st Pl is heavily used by the Federal Way Police Department responding to calls south of S 336th St and east of Pacific Highway 99. An OMF site at this location would need to preserve emergency access through this block to South Federal Way.
2. The impacts to businesses and the City's already limited industrial area at this location are significant.
3. Noise and light mitigation adjacent to residential properties must be addressed.
4. Both Site 9 and 10A are south of the Federal Way Link Extension (FWLE) project. Has Sound Transit's ability to construct the additional rail needed to connect the OMF South on an accelerated schedule at these two locations to the FWLE been sufficiently evaluated? Sound Transit should evaluate and disclose the unanticipated and unintended consequences of possibly dictating the location of the proposed rail concurrently with the EIS for the Tacoma Dome Link Extension (TDLE) project. Both of the currently proposed TDLE rail alignments are capable of accessing both sites, but sufficient analysis and design must be completed to allow for Sound Transit to confidently select the preferred alternative.
5. Sound Transit should clarify that both sites 9 and 10A utilize a portion of the Christian Faith Center Parcel. Site 10A uses a smaller portion of the existing site, but still impacts the parcel's stormwater facilities and parking. Loss of the existing stormwater facilities will make the Christian Faith Center campus a non-conforming development.
6. The Christian Faith Center is regulated by an existing Development Agreement with the City siting the OMF at this location would require a new Development Agreement subject to a public hearing and approval by the City Council.

OMF South Alternatives Evaluation Technical Memorandum Comments

The summary comments below focus on Table B-1 from the OMF South Alternatives Evaluation Matrix.

1. The Economic criterion for Site 10A should be rated as a 1, high level of major economic activity-generating properties. Several businesses and available industrial areas are located at this site and eliminating the land indefinitely for the OMF South would both relocate existing businesses and eliminate future economic activity in the industrial area.
2. The Streets/Roads criterion rating for Sites 10 and 10A appear to be switched. Site 10 is adjacent to Pacific Highway 99 and Enchanted Parkway and should be scored high as a 3 with access via a major arterial. Site 10A requires access from local roads and should be scored as low as a 1.
3. The Wetlands and Streams criterion rating for Site 10A should be rated as a 3 (major disruption) rather than a 2 (moderate disruption). While the criterion specifically references a 2 acre threshold to be defined as a major disruption, the impact at this location is to the East Fork of Hylebos Creek. Hylebos Creek was historically a productive salmon bearing stream and the City has been actively constructing capital projects to improve water quality and pursuing property acquisition to preserve conservation within the Hylebos Watershed. Any impacts to Hylebos Creek at Sites 9 or Site 10A will require stream mitigation improvements.

Additional Topics to Evaluate in Environmental Impact Statement (EIS)

1. Sound Transit has previously treated the Light Rail Transit guideway as non-pollution generating impervious surface (NPGIS) within the City per the *King County Surface Water Design Manual* (KCSWDM). A similar NPGIS determination for the track and guideway within the OMF South facility is unlikely due to anticipated changes to the upcoming National Pollutant Discharge Elimination System (NPDES) Stormwater Permit administered by the Department of Ecology.
2. Security impacts for Sites 7, 9 and 10A, or any potential site within the City of Federal Way, must be coordinated with the Federal Way Police Department (FWPD). Infrastructure impacts mentioned in the site comments above must be considered to ensure adequate response times for FWPD responders. Additionally, the EIS must address who will respond to emergency calls at the OMF South and appropriate mitigation if needed. The FWPD is already understaffed and will not have the capacity to respond to emergency calls at a future OMF South in the City without partnership with Sound Transit.

Sincerely,



EJ Walsh, P.E.
Public Works Director



Brian Davis
Community Development Director

cc: Jim Ferrell, Mayor
Tony Doucette, Sound Transit Liaison
Dayfile

**OFFICE OF THE MAYOR**

Dana Ralph, Mayor
220 4th Avenue South
Kent, WA 98032
Fax: 253-856-6700

Sent Via Email and Regular Mail**PHONE: 253-856-5700**

Attn: John Marchione
City of Redmond
4NEX P.O. Box 97010
Redmond, WA 98073

mayor@redmond.gov

March 7, 2019

RE: Sound Transit Operations and Maintenance Facility South

Dear Sound Transit Board Member John Marchione:

On behalf of the City of Kent, I am requesting Sound Transit (ST) remove the Dick's Site at S 240th St/SR 99¹ from the list of alternatives to be considered for the Operations and Maintenance Facility South (OMFS). The placement of the OMFS at this site directly conflicts with the Board's Transit Oriented Development (TOD) policies, conflicts with basic TOD principles and practices vital to long-term economic growth and social prosperity, and blatantly ignores years of multi-agency planning for the Kent-Des Moines (KDM) station area.

Specifically, locating the OMFS at the Dick's Site violates the Board's TOD policies by:

- 1) Failing to address TOD criteria in the alternative site evaluation
- 2) Discouraging residential, commercial, and employment growth near a high capacity transit station
- 3) Discouraging ridership and encouraging automobile-based transportation
- 4) Disregarding local, regional, and state growth plans, policies, and strategies by ignoring the Midway Subarea Plan developed by Kent and Des Moines
- 5) Fostering inequality by limiting social and economic opportunity for current and future residents
- 6) Displacing existing businesses within the TOD area

Violates Sound Transit Board TOD Policy

On December 20, 2012, the ST Board passed Resolution R2012-24 establishing ST's TOD Policy. The Resolution requires ST to "implement TOD strategies as the agency plans, designs, builds and operates the regional transit system, through cooperation and partnerships with public and private entities." The Resolution defines² TOD as:

. . . development projects that create dense, pedestrian-oriented environments with a mix of land uses and activities at and around transit facilities. The design, configuration and mix of buildings and activities around the transit facility, as well as the location and design of the transit facility, should encourage people to use transit and foster a healthy, livable environment. TOD is generally focused on land within approximately one-half mile, or 10- to 15 minute walk, of a transit facility and along corridors that provide key connections to the regional transit system.

The Resolution further explains that:

TOD strategies focus urban growth around transit facilities and leverage transit investments to help produce regional and local benefits, such as increases in transit ridership, development of housing options, walkable communities, and improved access to jobs and economic opportunities.

The OMFS will require 30 to 50 acres of property. The Dick's Site is approximately 800 feet from the future KDM station and, as shown below, the site is located entirely within the future station's 10-minute walkshed. Locating the OMFS at the Dick's Site, well within the TOD area, violates the Board's TOD policies and runs contrary to logical and sound transportation and land use planning principals. For this reason, the Dick's Site should be eliminated from initial scoping and not be considered in the EIS evaluation.



Violates Board Directives in the Site Alternatives Evaluation Process

On April 26, 2018, the Board reaffirmed its commitment to TOD when, through Resolution R2018-10, it adopted its Equitable TOD Policy. This Resolution requires ST to conduct "TOD analysis and measures early in system planning and throughout transit project delivery."³

Specifically, Section 2.4.1.a provides that ST:

Incorporates TOD criteria as a decision-making factor during alternatives development, alternatives selection, design and transit project delivery activities. Sound Transit reports through project development on how project decisions affect and support TOD. For example, criteria could include consideration of land use and local comprehensive plans, as well as feasibility of redevelopment.

To date, it appears that ST's initial scoping has not considered any TOD criteria in its alternatives development. Neither the OMFS Scoping Information Report, nor the OMFS Alternatives Evaluation Technical Memorandum even mentions TOD. Although the Board has clearly required TOD criteria to be used as a "decision-making factor" at all stages of a project, including the development of alternatives, ST has provided zero analysis regarding how each potential location for the OMFS will affect and support TOD. The only pre-screening criteria used included (1) size and shape, (2) roadway improvements, (3) environmental constraints, and (4) ST's capital and operating costs.⁴ No consideration for redevelopment impacts, TOD impacts, or local fiscal impacts was included.

Discourages Ridership and Economic Development

Promoting and developing transportation systems that stimulate, support, and enhance the movement of people is recognized as **vital** to economic prosperity in statewide,⁵ regional, and ST's own planning policies. In accordance with RCW 81.112.350(1), ST is mandated to "...implement a regional equitable transit-oriented development strategy for diverse, vibrant, mixed-use and mixed-income communities consistent with transit-oriented development plans ..."⁶

To that end, the Board has adopted several TOD policy goals and strategies, which are "first and foremost, intended to increase the value and effectiveness of transit by increasing ridership."⁷ To increase transit ridership, a basic principle of TOD is encouraging dense residential and commercial development close to transit stations. ST policies have identified an approximate TOD "sweet spot" as being within a half-mile of the station,⁸ and commit to "support[ing] and promot[ing] TOD within the area around a Sound Transit facility."⁹ ST policy also recognizes that its projects and the types of development within this half-mile area will influence the extent to which significant transit-oriented projects will happen in the future.¹⁰

Reducing the prime TOD property in the KDM station area by 30 to 50 acres is exactly counterproductive to increasing ridership and economic growth, and both would be severely decreased if this crucial redevelopable land is not available for the future.

Violates Planning Principles - Disregards Local, Regional, and State Growth Plans, Policies, and Strategies

The Board has directed ST to "support implementation of state, regional and local growth plans, policies and strategies."¹¹ Placement of the OMFS within the KDM station TOD area not only violates the Board's TOD policies discussed above, but is also inconsistent with local, regional, and state growth plans.

ST's TOD Strategic Plan encourages cities along the rail corridor to proactively conduct station area planning, including developing station area plans or subarea plans and implementing zoning and other code changes to support TOD within station areas.¹² In anticipation of the arrival of light rail service, the City of Kent adopted the Midway Subarea Plan with corresponding design guidelines in 2011, to encourage transit-oriented development near the future station. The Midway Subarea Plan, adopted into the City's comprehensive plan, was the result of a collaborative, multi-jurisdictional planning effort taking place over several years, and it fully embraced TOD best practices and planning principles. It was a culmination of extensive community involvement, substantial expense of time and public resources, and an expansive environmental review. Stakeholder participants included Sound Transit staff.¹³

The City also adopted TOD-supportive zoning to implement the Midway Subarea Plan. The Dick's Site is contained in the MCR zone that has land use regulations specifically designed to foster commercial and residential TOD. Currently, transit operations and maintenance facilities are not permitted at the Dick's Site.

The Midway Subarea Plan was a substantial planning effort undertaken to capitalize on the potential for economic and social growth made possible by the combination of high-capacity transit and associated high-density TOD. Locating an OMF within the KDM station area would completely disregard these local planning efforts. Locating an OMF at the Dick's Site would violate Board policies, local planning policies and development regulations, as well as those adopted regionally to support growth and mobility.¹⁴

Social Justice - Fosters Inequality by Limiting Social and Economic Opportunity for Current and Future Residents

Transportation is essential for healthy, thriving communities. Transportation investments can improve community health, mobility independence, and social equity for generations to come. Safe, reliable, affordable transportation opens doors to economic and social opportunities for many people.¹⁵

As a signatory to the Puget Sound Regional Council's "Growing Transit Communities Strategy," ST has acknowledged the necessity to develop "mixed-use, transit-served neighborhoods that provide housing and transportation choices and greater social and economic opportunity for current and future residents." This Strategy includes in its recommendations of the South Corridor Task Force to "capitalize on the potential for TOD along SR-99, particularly key transit nodes, whether served by BRT or light rail," and acknowledges the South Corridor as passing through the region's most racially and culturally diverse communities.¹⁶ The median income for the census tract that covers the KDM station area is \$37,018, and over 60% of households earn less than \$50,000 in yearly income according to American Community Survey data.¹⁷

The Board has committed to ensuring that "TOD outcomes benefit and support existing low-income communities and residents of color,"¹⁸ and it recognizes its regional commitment to creating "equitable transit communities."¹⁹ It has also clearly recognized its state mandate to advance equitable TOD goals.²⁰

The consideration of the Dick's Site for an OMF location, however, clearly demonstrates Sound Transit's complete disregard for such commitments and directives to advance social and economic opportunity through long-term decision-making.

In adopting its Equitable TOD policy, the Board recognized that "the combined cost burden of housing plus transportation can be substantially reduced by locating affordable housing

opportunities in proximity to transit.”²¹ The policy commits ST to equitable TOD by ensuring that station areas include housing options, promote social and economic opportunity, and increase access to employment, health, and educational centers.

The removal of 30 to 50 acres of TOD potential and the destruction of existing commercial development within the KDM station area would be plainly inequitable and contrary to the Equitable TOD policy instituted by the Board. The transformation of the Midway area is supposed to bring investment to the City through mixed-use development and place-making — creating a transit accessible, high intensity, urban place with a mix of housing options. Placement of the OMFS at the Dick’s Site will substantially reduce the property available for housing development near the KDM station, in turn reducing the benefit to the community of increased housing availability near low-cost, efficient transportation.

Displaces Existing Businesses Within TOD

The Dick’s Site encompasses several active businesses, including the iconic Dick’s Drive-In, Lowe’s, Starbuck’s and several other locally owned businesses, all of which would be removed under the current alternatives for the site.

ST property acquisition procedures require its projects to support transit-oriented development and be undertaken “consistent with Sound Transit Board’s adopted guidelines for transit-oriented development.”²² In addition to the guidelines discussed above, the Board has also determined that ST will “identif[y] and pursue[] strategies that minimize displacement of existing businesses and individuals from properties impacted by Sound Transit.”²³

While it is unlikely that the OMFS can be built without displacing any businesses, the Dick’s Site is unusual in that the businesses on the site exist entirely within the KDM station area that is specifically zoned for TOD.

The Dick’s Site Should be Immediately Removed from Consideration for the OMFS

Transit-oriented development at the KDM station is critical to the economic and social growth of this community. Removing 30 to 50 acres of TOD property for an OMF is demonstrably inconsistent with numerous Board-established policies, regional and local plans and land use strategies, and, as required by the Board, the evaluation of alternative sites has not been informed by TOD criteria.

Further consideration of the Dick’s Site for an OMF is not supportable, and the Board should ensure that Sound Transit abides by its established policies and strategies by taking corrective action to remove it from the list of alternatives immediately.

ST leadership believes that local municipalities do not welcome light rail operation and maintenance facilities with open arms. But, as I have said time and again, Kent would welcome the facility within our City on the Midway Landfill. There is no reason to believe that such a regional success is not possible.

ST should make known to the public that the current cost estimates for the landfill site alternatives provided in its “Technical Memorandum” are nothing more than “spitballed” numbers which have been inflated, without reason, to their maximum potential. At this time, the cost estimates are unsupported by any specific technical or scientific analysis, and any serious discussion regarding these alternative sites must be informed by transparent, reasoned, and justifiable engineering requirements. Anything less would be a disservice to the community and taxpayers at large.

I look forward to working with you to ensure the future of transit-oriented development is preserved at Kent-Des Moines station, and to explore the great opportunity that the Midway Landfill presents as an operations and maintenance facility.

Sincerely,



Mayor Dana Ralph
City of Kent

¹ Referred to as "Site 1, S 240th St and SR 99" in the OMF South Alternatives Evaluation Technical Memorandum – February 2019.

² Resolution No. R2012-24, Attachment A, at 6.

³ Resolution No. R2018-10 Sound Transit, Equitable Transit Oriented Development Policy Sound Transit – April 2018, Section 2.4, at 5-6.

⁴ OMF South Alternatives Evaluation Technical Memorandum – February 2019.

⁵ Washington State Transportation Commission, Washington Transportation Plan, 2040 and Beyond (2019), at 33; RCW 47.04.280.

⁶ RCW 81.112.350(1).

⁷ Sound Transit, Equitable Transit Oriented Development Policy Sound Transit – April 2018, at 4; Sound Transit, Transit-Oriented Development Strategic Plan – April 2014, at 4.

⁸ Sound Transit, Equitable Transit Oriented Development Policy Sound Transit – April 2018, at 2; Transit-Oriented Development Strategic Plan – April 2014, at 10.

⁹ Resolution No. R2018-10 (2.2.4.b).

¹⁰ Transit-Oriented Development Strategic Plan – April 2014, at 10.

¹¹ Resolution No. R2018-10 (2.1.5); Resolution No. R2012-24 (Section 2).

¹² Sound Transit, Transit-Oriented Development Strategic Plan – April 2014, at 15.

¹³ City of Kent, Midway Subarea Plan, Acknowledgements.

¹⁴ King County Countywide Planning Policies (2012); see policies T-3, T-4, T-6, T-9, T-13.

¹⁵ Washington State Transportation Commission, Washington Transportation Plan, 2040 and Beyond (2019), at 68.

¹⁶ PRSC, The Growing Transit Communities Strategy – October 2013, at 63.

¹⁷ Data available from census – <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.

¹⁸ Sound Transit, Equitable Transit Oriented Development Policy Sound Transit – April 2018, at 3.

¹⁹ Sound Transit, Equitable Transit Oriented Development Policy Sound Transit – April 2018, at 2.

²⁰ Sound Transit, Equitable Transit Oriented Development Policy Sound Transit – April 2018, at 2.

²¹ Resolution No. R2018-10, at 2.

²² Sound Transit's Real Property Acquisitions and Relocation Policy, Procedures and Guidelines – May 2018, at 1.

²³ Resolution No. R2018-10 (2.4.1.c).