

Appendix A

**Section 4(f)/6(f) Supplemental
Evaluation**

Contents

A.1 Introduction.....	A-1
A.1.1 Section 4(f).....	A-1
A.1.2 Section 6(f).....	A-2
A.2 Proposed Action.....	A-3
A.3 Impacts on Section 4(f) Resources	A-3
A.3.1 Direct Use	A-5
A.3.2 Temporary Use	A-5
A.3.3 Constructive Use	A-5
A.3.4 Range of Potential Impacts	A-5
A.3.5 Potential Impacts of Project Alternatives	A-8
A.4 Section 4(f) <i>de minimis</i> Findings	A-21
A.4.1 Parkland and Open Space.....	A-21
A.4.2 Historic Resources.....	A-21
A.5 Section 6(f) and Washington State Recreation and Conservation Office Resources and Impacts	A-23
A.5.1 Section 6(f).....	A-23
A.5.2 Recreation Conservation Office (RCO) Funded Property	A-25
A.6 Record of Coordination.....	A-26

Tables

A-1	Summary of Section 4(f) Use Evaluation
A-2	Mercer Slough Nature Park Impacts
A-3	Segment C Alternatives Impact Area in Surrey Downs Park
A-4	Segment C Alternatives Impact Area in NE 2nd Place Pocket Park
A-5	<i>De minimis</i> Measures for Affected Section 4(f) Parks and Trails in the Preferred Alternative and SDEIS Alternative Study Areas
A-6	Impacts on Section 6(f) LWCF and Funded Parks and Open Spaces in Segment B
A-7	Section 4(f) and 6(f) Consultation Summary

Exhibits

A-1	Section 4(f) Facilities SDEIS Alternatives
A-2	View (to the west) of the I-90 Roadway
A-3	Mount Baker Ridge Tunnel, East End of I-90 Tunnel
A-4	Mercer Slough Park Impact Area
A-5	Winters House, 2102 Bellevue Way SE (present)
A-6	Winters House, 2102 Bellevue Way SE (January 6, 1939)
A-7	Winters House Bird's Eye View, Existing Condition
A-8	Cross-Section of Winters House, Existing Condition and with <i>Preferred 112th SE Modified Alternative (B2M)</i>
A-9	Surrey Downs Park Impacts with <i>Preferred 108th NE At-Grade Alternative (C11A)</i>
A-10	Surrey Downs Park Impacts with <i>Preferred 110th NE Tunnel Alternative (C9T)</i>
A-11	Affected Pocket Park Areas with <i>Preferred 110th NE Tunnel Alternative (C9T)</i>
A-12	Affected Pocket Park Areas with <i>110th NE At-Grade Alternative (C9A)</i>
A-13	Affected Parks and Trails with <i>Preferred Marymoor Alternative (E2)</i>

Attachments

1	Mercer Slough Nature Park Section 6(f) Photographs
---	--

Section 4(f)/6(f) Supplemental Evaluation

A.1 Introduction

Two federal laws passed in the 1960s place restrictions on the use of certain historic, public park, and recreational resource properties for projects. Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 specifically applies to uses of recreation and historic properties for transportation projects using federal funding or requiring federal approval. Section 6(f) of the Land and Water Conservation Act of 1965 applies to conversion for any purpose of recreation properties funded by the Land and Water Conservation Fund. The relevant sections of these laws are discussed below.

The evaluation presented in this appendix identifies Section 4(f) resources and Section 6(f) resources along the East Link Project alternative routes evaluated in this Supplemental Draft Environmental Impact Statement (SDEIS). In addition, all Section 4(f)/6(f) resources potentially impacted by the Preferred Alternative (Segments A to E) are discussed in this appendix. This appendix discusses how the new project alternatives would affect the resources; which impacts may be *de minimis* uses; it discusses the evaluation of alternatives that would avoid Section 6(f) resources; and it identifies potential measures that should be considered to minimize harm resulting from unavoidable use of Section 4(f) and Section 6(f) properties.

The evaluation also documents FTA and Sound Transit consultation to date with public agencies that have jurisdiction over the Section 4(f) and Section 6(f) properties. FTA and Sound Transit initiated consultation with DAHP and the tribes in an August 2006 letter. Consultation continues with DAHP with meetings and correspondence regarding concurrence determinations. Meetings were also held in 2006 with the Muckleshoot and Snoqualmie tribes regarding cultural resources. Sound Transit initiated consultation with the cities of Seattle, Bellevue, Mercer Island, and Redmond and King County in its August 2006 letter inviting the jurisdictions to participate as cooperating agencies under NEPA. FTA and Sound Transit also invited the National Park Service to participate as a participating agency. Consultation continues through meetings with the cities, King County, and the

National Park Service regarding potential project impacts. Table A-7 provides a list of consultation meetings and correspondence to date.

A.1.1 Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, and codified at 49 United States Code (USC) §303, states that it "is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites."

Title 23 Code of Federal Regulations (CFR) 774 as amended March 2008, states:

The Administration may not approve the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of an historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge or site), unless a determination is made under paragraph (a) or (b) as follows:

- (a) The Administration determines that:
 - (1) There is no feasible and prudent avoidance alternative to the use of land from the property; and
 - (2) The action includes all possible planning to minimize harm to the property resulting from such use; or
- (b) The Administration determines that the use of the property, including any measure(s) to minimize harm (such as any avoidance, minimization, mitigation, or enhancement measures) committed to by the applicant, will have a *de minimis* impact on the property.
- (c) If the analysis concludes that there is no feasible and prudent avoidance alternative, then the Administration may approve only the alternative that causes the least overall harm in light of the statute's preservation purpose.

The proposed East Link Project is a transportation project that may receive federal funding and/or discretionary approvals through the USDOT (e.g.,

FTA); therefore, documentation of compliance with Section 4(f) is required.

In addition, this evaluation incorporates Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Publication L, 109-59. This act amended existing Section 4(f) legislation at Section 138 of Title 23 and Section 303 of Title 49, USC, to simplify the processing and approval of projects that have only *de minimis* impacts on properties protected by Section 4(f). For the East Link Project, FTA is the lead federal agency for USDOT, which makes the final determination on *de minimis* for a particular resource. The following criteria must be met to conclude a *de minimis* finding:

- For parks, recreation areas, and wildlife and waterfowl refuges, a *de minimis* finding may be made only if the following apply:
 - After public notice and opportunity for public review and comment, and after incorporation of any mitigation, a transportation program or project will not adversely affect the activities, features, and attributes of the facility.
 - Written concurrence is received from the officials with jurisdiction over the facility.
- For a historic site, a *de minimis* finding may be made only if, in accordance with the Section 106 process of the National Historic Preservation Act and written concurrence from the State Historic Preservation Officer, it is found that the transportation program or project will have no adverse impact on historic properties.

According to 36 CFR Part 800 (Section 800.5(a)(1)), the criterion for an adverse effect triggering the Section 106 process is as follows:

“An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling or association.”

Pursuant to 36CFR Part 800.5(b), an agency may include impact minimization measures as a condition of the project to avoid an adverse effect:

“The agency official, in consultation with the SHPO/THPO, may propose a finding of no adverse effect when the undertaking’s effects do not meet the criteria of paragraph (a)(1) of this section or the undertaking is modified or

conditions are imposed, such as the subsequent review of plans for rehabilitation by the SHPO/THPO to ensure consistency with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR part 68) and applicable guidelines, to avoid adverse effects.”

A.1.2 Section 6(f)

The purpose of the Land and Water Conservation Fund (LWCF) Act of 1965 as codified in Title 16 United States Code Section 4601-4 is to “assist in preserving, developing, and assuring accessibility to all citizens of the United States of America of present and future generations and visitors. . . such quality and quantity of outdoor recreation resources as may be available and are necessary and desirable for individual active participation in such recreation and to strengthen the health and vitality of the citizens of the United States.” Section 6(f)(3) states, “no property acquired or developed with assistance under this section shall, without the approval of the Secretary [of the Interior], be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.”

Prerequisites for conversion approval as provided in 36 CFR Part 59.3 are as follows:

- (1) All practical alternatives to the proposed conversion have been evaluated.
- (2) The fair market value of the property to be converted has been established and the property proposed for substitution is of at least equal fair market value as established by an approved appraisal.
- (3) The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted.
- (4) The property proposed for substitution meets the eligibility requirements for LWCF assisted acquisition.
- (5) In the case of assisted sites which are partially rather than wholly converted, the impact of the converted portion on the remainder shall be considered. If such a conversion is approved, the unconverted area must remain recreationally viable or be replaced as well.

- (6) All necessary coordination with other Federal agencies has been satisfactorily accomplished.
- (7) The guidelines for environmental evaluation have been satisfactorily completed and considered by the National Park Service (NPS) during its review of the proposed 6(f)(3) action. In cases where the proposed conversion arises from another Federal action, final review of the proposal shall not occur until the NPS Regional office is assured that all environmental review requirements related to that other action have been met.
- (8) State intergovernmental clearinghouse review procedures have been adhered to if the proposed conversion and substitution constitute significant changes to the original LWCF project.
- (9) The proposed conversion and substitution are in accord with the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and/or equivalent recreation plans.

A.2 Proposed Action

The proposed action is to expand the Sound Transit Link light rail system from Seattle to Mercer Island, Bellevue, and Redmond via Interstate 90 (I-90) to provide a reliable and efficient transportation mode for moving people throughout the region.

This Section 4(f)/6(f) evaluation was prepared in conjunction with the East Link Project SDEIS, which evaluates new alternatives and revisions to the alternatives that were evaluated in the 2008 Draft EIS. Five new alternatives and design revisions to three alternatives previously evaluated in the 2008 Draft EIS are evaluated in the East Link Project SDEIS. The new alternatives include the following:

- Segment B, *Preferred 112th SE Modified Alternative (B2M)*
- Segment C, *Preferred 108th NE At-Grade Alternative (C11A)*
- Segment C, *Preferred 110th NE Tunnel Alternative (C9T)*
- Segment C, 110th NE At-Grade Alternative (C9A)
- Segment C, 114th NE Elevated Alternative (C14E)

The SDEIS also evaluates modifications to the BNSF Alternative (B7) and design options for the 112th SE Bypass Alternative (B3) in Segment B (114th Extension Design Option), for the Segment D *Preferred NE 16th At-Grade Alternative (D2A)*, and for the Segment E *Preferred Marymoor Alternative (E2)*. Of these, the B3 – 114th Extension Design Option, modifications to Alternative B7, new Alternative C14E, and Alternative

D2A NE 24th Design Option do not impact any Section 4(f) resources; therefore, they are not discussed in this appendix.

This Section 4(f)/6(f) evaluation also includes all Section 4(f)/6(f) resources potentially impacted by the preferred alternatives, including those that are not affected by changes addressed in the SDEIS in Segments A and E, in order to provide a single Section 4(f)/6(f) document for the preferred alternatives.

Chapter 2 of the SDEIS provides the complete description of the new alternatives and Section 3 evaluates the impacts to historic properties and park and recreational resources potentially affected by the new and revised alternatives. The 2008 Draft EIS provides a description of all of the historic properties and park and recreational resources in the East Link study area, except for a portion of I-90, which was determined eligible for the National Register of Historic Places (NRHP) after publication of the 2008 Draft EIS. Finally, Exhibit A-1 in this Section 4(f)/6(f) evaluation depicts the location of the Section 4(f)/6(f) facilities.

A.3 Impacts on Section 4(f) Resources

A park qualifies for protection under Section 4(f) if (1) the property is publicly owned, (2) it is open to the general public, (3) it is being used for outdoor recreation, and (4) it is considered significant by the authority with jurisdiction. Impacts on Section 4(f) resources, or properties, occur when there is a “use” of the properties. Such impacts can consist of either a direct, temporary, or constructive use of the properties, as defined in the following subsections. The park must be publicly owned at the point at which “use” occurs. As defined in 23 CFR §774.17, the “use” of a protected Section 4(f) resource occurs when one or more of the following occur:

- Land is permanently incorporated into a transportation facility (i.e., “direct use”).
- There is a temporary occupancy of land that is adverse in terms of the preservationist purposes (i.e., “temporary use”).
- There is no permanent incorporation of land, but the proximity of a transportation facility results in impacts so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired (i.e., “constructive use”).

Determination of direct, temporary, and constructive use is discussed in the following sections.



Source: Data from City of Seattle (2002) and King County (2006).

- East Link Preferred Alternative
- Central Link Alignment and Station
- ▬ Proposed Station
- City Limits
- Existing Park-and-Ride Lot
- P New and/or Expanded Park-N-Ride Lot

Exhibit A-1
Section 4(f) Facilities
Preferred Alternative
East Link Project

A.3.1 Direct Use

A direct use of a Section 4(f) resource takes place when property is permanently incorporated into a proposed transportation facility (23 CFR §774.17). This might occur as a result of partial or full acquisition, permanent easements, or temporary easements that exceed regulatory limits noted below for temporary use.

A.3.2 Temporary Use

A temporary use of a Section 4(f) resource occurs when there is a temporary occupancy of property that is considered adverse in terms of the preservationist purposes of the Section 4(f) statute. Under the FTA/Federal Highway Administration (FHWA) regulations (23 CFR §774.13(d)), a temporary occupancy of property does not constitute a use of a Section 4(f) resource when the following conditions are satisfied:

- The occupancy must be of temporary duration (e.g., shorter than the period of construction) and must not involve a change in ownership of the property.
- The scope of work must be minor, with only minimal changes to the protected resource.
- There must be no permanent adverse physical impacts on the protected resource or temporary or permanent interference with activities or purpose of the resource.
- The property being used must be fully restored to a condition that is at least as good as existed prior to the proposed project.
- There must be documented agreement of the appropriate officials having jurisdiction over the resource regarding the foregoing requirements.

A.3.3 Constructive Use

A constructive use of a Section 4(f) resource occurs when a transportation project does not permanently incorporate land from the resource but the proximity of the project results in impacts (e.g., noise, vibration, visual, access, ecological impacts) so severe that the protected activities, features, or attributes that qualify the resource for protection under Section 4(f) are substantially impaired (23 CFR §774.15). Substantial impairment occurs only if the protected activities, features, or attributes of the resource are substantially diminished. This determination is made through the following:

- Identification of the current activities, features, or attributes of the resource that may be sensitive to proximity impacts,

- Analysis of the potential proximity impacts on the resource, and
- Consultation with the appropriate officials having jurisdiction over the resource.

In addition, it is important to note that erecting a structure over a Section 4(f) property, and thus requiring an air lease, does not in and of itself constitute a use unless a constructive use is present.

A.3.4 Range of Potential Impacts

The study area of the East Link preferred alternatives and new and modified alternatives contain 11 parks: Benvenuto Viewpoint, Outdoor Sculpture Gallery, Enatai Beach Park, Mercer Slough Nature Park, Bellevue Way Greenbelt, Surrey Downs Park, NE 2nd Place Pocket Park, Marymoor Park, East Lake Sammamish Trail, Bear Creek Trail, and Sammamish River Trail. No designated wildlife and waterfowl refuges exist in the study area. FTA, with concurrence from the State Historic Preservation Officer (SHPO) in the Department of Archaeology and Historic Preservation (DAHP), found four resources eligible for the NRHP in the study area: the Lake Washington Segment of I-90, the potential Surrey Downs Historic District, the Justice White House, and the Bill Brown Saloon. There are five resources listed on the NRHP in the study area: United States Immigration Station and Assay Office Building (INS Building), the Publix Hotel (contributor to the China Town Historic District), the Jose Rizal 12th Avenue South Bridge, the Will H. Thompson House, and the Winters House.

Table A-1 lists the recreational resources and properties on or eligible for the NRHP that are afforded protection under Section 4(f) regulations and would be potentially affected by the preferred alternatives or new or modified project alternatives, either directly or as a result of proximity impacts and construction impacts. This table also provides an overview of the potential impacts on each resource and the Section 4(f) findings under consideration after mitigation. The range of potential impacts on Section 4(f) resources from the build alternatives includes the following:

- Acquisition of portions of specific Section 4(f) properties
- Long-term proximity impacts on some of these properties, none of which would result in a "constructive use"
- Temporary construction impacts

Some of the resources discussed in the 2008 Draft EIS are not discussed in this appendix because their primary purpose has been identified to be other than

recreation (e.g., I-90 Trail), or they are not impacted directly or indirectly by the preferred alternative and SDEIS alternatives (e.g., Enatai Beach Park, McCormick Park). The City of Bellevue determined that the Bellevue Way Greenbelt is not significant (see 2008 Draft EIS Appendix D), and, therefore, it is not a Section 4(f) resource. Sections 3.2 and 3.3 of the SDEIS include exhibits illustrating impacts for the affected historic and park resource.

Exhibit A-1 shows the location of the Section 4(f) properties within the study area of the East Link Project preferred alternatives and new and modified

alternatives. Sound Transit has reviewed mitigation measures with officials who have jurisdiction over the resource and the DAHP (see Section A.6, Record of Coordination, for more detail). FTA determinations of effect and findings of Section 4(f) use, including, if appropriate, findings of *de minimis* use and/or other evaluations as may be required under Section 4(f), will be made after concluding the consultation with affected agencies and jurisdictions and review of public comment after publication of the SDEIS. The following subsections describe the impacts of the alternatives by segment.

TABLE A-1
Summary of Section 4(f) Use Evaluation

Name of Resource	Impact on Resource Acres (Percent of Total Resources)	4(f) Findings Under Consideration (after mitigation)*
Parks and Trails (Total Resource Size)		
<i>Preferred Interstate 90 Alternative (A1)</i>		
Benvenuto Viewpoint (1.66 acres)	Permanent use of 0.06 acre (4 percent)	<i>de minimis</i> 4(f)
Outdoor Sculpture Gallery (part of Park on the Lid [2 acres])	None. Light rail guideway, station, and project construction within I-90 right-of-way.	No Use
<i>Preferred 112th SE Modified Alternative (B2M)</i>		
Enatai Beach Park	Project is in the existing I-90 right-of-way above the park, no impact.	No Use
Mercer Slough Nature Park (320 acres)	Permanent use for at-grade and elevated structure of 2.4 (less than 1percent) acres for connection to <i>Preferred Alternative C11A</i> and 2.5 acres (less than 1 percent) for connection to <i>Preferred Alternative C9T</i> .	<i>de minimis</i> 4(f)
	Construction easements of 4.2 acres (1.3 percent) during construction for connection <i>Preferred Alternative C11A</i> or <i>Preferred Alternative C9T</i> . Closure of access to blueberry farm and relocation of commercial operation.	<i>de minimis</i> 4(f)
<i>Preferred 108th At-Grade Alternative (C11A) (connection to Preferred Alternative B2M)</i>		
Surrey Downs Park (11.4 Acres)	Permanent use of 0.5 acre (4.3 percent) for light rail right-of-way.	<i>de minimis</i> 4(f)
	Construction easement of 0.6 acre (5.2 percent).	
<i>Preferred 110th NE Tunnel Alternative (C9T) (connection to Preferred Alternative B2M)</i>		
Surrey Downs Park (11.4 Acres)	Permanent use of 0.5 acre (4.3 percent), including light rail right-of-way and realignment of SE 4th Street.	<i>de minimis</i> 4(f)
	Construction easement of 0.5 acre (4.3 percent).	
NE 2nd Place Pocket Park (0.62 acre)	Permanent use for station entrance and underground use for tunnel of less than 0.1 acre (5 percent).	<i>de minimis</i> 4(f)
	Construction easement of less than 0.1 acre (5 percent).	
<i>110th NE At-Grade Alternative (C9A)</i>		
NE 2nd Place Pocket Park (0.62 acre)	Permanent use for at-grade light rail right-of-way of less than 0.1 acre (5 percent).	<i>de minimis</i> 4(f)
	Construction easement of less than 0.1 acre (5 percent).	

TABLE A-1
Summary of Section 4(f) Use Evaluation

Name of Resource	Impact on Resource Acres (Percent of Total Resources)	4(f) Findings Under Consideration (after mitigation)*
Preferred Marymoor Alternative (E2)		
Marymoor Park (640 Acres)	Permanent use of 2.0 acres (less than 1 percent).	<i>de minimis</i> 4(f)
	Construction easement of 3.2 acres (less than 1 percent).	
East Lake Sammamish Trail (10.7 miles)	Relocation of 900 feet of planned trail (1.6 percent).	<i>de minimis</i> 4(f)
	Detour during construction and construction in the trail corridor.	
Bear Creek Trail (1.4 miles)	Permanent relocation and lowering of the Bear Creek Trail into tunnel under light rail track or elevated structure over trail and columns may be located in trail corridor. Detour during construction and construction in the trail corridor.	<i>de minimis</i> 4(f)
Sammamish River Trail (10.88 miles)	Elevated structure over trail and columns maybe located in trail corridor; possible detour during construction and construction in the trail corridor.	<i>de minimis</i> 4(f)
Historic Properties		
Preferred Interstate 90 Alternative (A1)		
Immigrant Station and Assay Office	No permanent use of property or proximity impacts during operation or construction that would substantially impair the property's features.	No Use
Publix Hotel	No permanent use of property or proximity impacts during operation or construction that would substantially impair the property's features.	No Use
Jose Rizal 12th Avenue South Bridge	No permanent use of property or proximity impacts during operation or construction that would substantially impair the property's features.	No Use
Interstate I-90 Mileposts 3.4- 8.9	Use of the center roadway for light rail alignment, station in the center of I-90 between Rainier and 23rd Avenues South in Seattle and between 77th and 80th Avenues in Mercer Island, closure of westbound 77th Avenue SE off-ramp and the eastbound direct HOV off-ramp to Island Crest Way. Modifications include changing wall dividers, drainage, and ventilation; removing upper layers of concrete road surface; and installing rail expansion joint Option to connect the outer HOV lane from I-90 eastbound to the Island Crest Way ramp. No alteration to character defining features that qualify the property for NRHP inclusion or the integrity of these characteristics.	<i>de minimis</i> 4(f)
Will H. Thompson House	No permanent use of property or proximity impacts during operation or construction that would substantially impair the property's features.	No use
Preferred 112th SE Modified Alternative (B2M)		
Winters House	Permanent use of property between the structure and Bellevue Way SE for retained-cut structure, no alteration to character defining features of the exterior or interior of the structure or setting that qualify the property for NRHP inclusion or the integrity of these characteristics,	<i>de minimis</i> 4(f)
	Eastside Heritage Center offices would likely be relocated during construction.	
Preferred 108th NE At-Grade Alternative (C11A)		
Surrey Downs Historic District	No removal or alteration of contributing buildings, no alteration to the setting or change to the characteristics that qualify the property for NRHP inclusion or the integrity of these characteristics.	No use
Preferred 110th NE Tunnel Alternative (C9T)		
Surrey Downs Historic District	No removal or alteration of contributing buildings, no alteration to the setting or change to the characteristics that qualify the property for NRHP inclusion or the integrity of these characteristics.	No use

TABLE A-1
Summary of Section 4(f) Use Evaluation

Name of Resource	Impact on Resource Acres (Percent of Total Resources)	4(f) Findings Under Consideration (after mitigation)*
<i>Preferred Marymoor Alternative (E2)</i>		
Justice White House	No permanent use of property or proximity impacts during operation or construction.	No use
Bill Brown Saloon	No permanent use of property or proximity impacts during operation or construction.	No use

* FTA will make findings of Section 4(f) use and/or other evaluations as may be required under Section 4(f), after concluding consultation with affected agencies, jurisdictions and review of public comment after publication of the SDEIS. Note: See Table A-4 below for a list of potential mitigation/enhancement measures.

A.3.5 Potential Impacts of Project Alternatives

East Link Project *Preferred Alternatives A1, B2M, C11A, C9T* and *E2* and *Alternative C9A* would have potential impacts to Section 4(f) resources. East Link Project *Alternative C14E* and *Preferred Alternative D2A* would not impact Section 4(f) resources. The potential impacts of each alternative on Section 4(f) resources are discussed below.

The NRHP-eligible Lake Washington Segment of I-90 is within the APE of *Preferred Alternative A1*, and the NRHP-listed Winters House is within the APE of *Preferred Alternative B2M*. FTA determinations of effect for these resources, and findings of Section 4(f) use, including, if appropriate, findings of *de minimis* use and/or other evaluations as may be required under Section 4(f), will be made after concluding the consultation with affected agencies and jurisdictions and review of public comment after publication of the SDEIS.

The NRHP-eligible Surrey Downs Historic District is within the Area of Potential Effect (APE) of *Preferred Alternative C11A, Preferred Alternative C9T*, and *Alternative C9A*, and the Justice White House and Bill Brown Saloon are within the APE of *Preferred Alternative E2*. However, the project does not incorporate land from these historic properties. In addition, there is no constructive use of the properties. As described in the Section 3.3 of the SDEIS, with impact minimization measures incorporated as conditions of the project, the features of these properties that qualify them for protection under Section 4(f) are not “substantially impaired” during construction or operation (Section 774.15). Because there is no Section 4(f) use, project effects on these resources are not discussed below.

A.3.5.1 Preferred I-90 Alternative (A1)

Five historic resources and one park would be potentially impacted by *Preferred Alternative A1*. The United States Immigration Station and Assay Office Building, the Publix Hotel (contributor to the China Town Historic District), the Jose Rizal 12th Avenue South Bridge, and the Will H. Thompson House are listed on the NRHP. The project would not affect these resources due to the project’s location within the *Preferred Alternative D2* roadway and I-90 right-of way or distance of the project from the resource. Therefore, this appendix does not discuss them further. More information is available in the *East Link Draft EIS Historic and Archaeological Resources Technical Report* (Draft EIS Technical Report), December 2008. The Lake Washington Highway Segment of I-90 has been determined eligible for the National Register since the publication of the 2008 Draft EIS and is discussed below.

Benvenuto Viewpoint is a park in Segment A along I-90. The I-90 Trail is a pedestrian and bicycle path that parallels the freeway. FHWA has determined this to be a transportation facility and therefore not a Section 4(f) resource. Also, much of the I-90 Lid Parks are determined to be a part of the I-90 freeway and not Section 4(f) resources. More information about these park resources is in the Draft EIS Technical Report. The following sections describe these resources.

Interstate 90

The Lake Washington Highway Segment of I-90 from milepost 3.4 to 8.9, from the west end of the Martin Luther King Jr. Way Lid to the east end of the East Channel Lake Washington Bridges, was determined eligible for the National Register by the Washington State Department of Transportation (WSDOT), on behalf of FHWA, under Criteria A and C and Criteria Consideration G. DAHP concurred with this determination in its letter dated November 23, 2009.

This segment of I-90 is just over 5 miles long and includes the roadway, with character-defining features such as lids, bridges, tunnels, ramps, noise walls, overcrossings, and undercrossings, as shown in Exhibits A-2 and A-3. Major character-defining features include the Mount Baker Ridge Tunnels; the Lacey V. Murrow and Homer M. Hadley floating bridges; the East Channel Lake Washington Bridges; the Martin Luther King Lid; the First Hill Lid; and the Luther Burbank Lid. The lids have pedestrian and bicycle paths, extensive landscaping, and park areas.



EXHIBIT A-2

View (to the west) of the I-90 Roadway Ramp (center), Landscaped Overcrossing (in distance), Retaining Wall (left), and Landscaping



EXHIBIT A-3

Mount Baker Ridge Tunnel, East End of I-90 Tunnel

Although the National Register Criteria for Evaluation exclude properties that achieved significance within the past 50 years, Criteria Consideration G enables these properties to be included if they are of exceptional importance. Completed between 1987 and 1992, making it less than 50 years old, the I-90 Lake Washington Segment was determined eligible with

Criteria Consideration G. This segment is of exceptional importance as one of only four interstate system segments identified by WSDOT – in consultation with FHWA, the Advisory Council on Historic Preservation, and DAHP – as potentially significant segments of the National Interstate System on the “Final List of Nationally and Exceptionally Significant Features of the Federal Interstate Highway System.” Features identified on that list warrant Section 106 review and require a formal determination of eligibility. The Determination of Eligibility documentation prepared for the resource supports the inclusion of this segment on that list as a feature of exceptional national significance.

Under Criterion A, the segment is an important component of the National Interstate System and a key piece of transportation history. It was one of the final sections that completed I-90 from Boston to Seattle. More than 25 years passed between initial planning and completion of construction, indicating the extensive considerations of planning, engineering, community involvement, and environmental effects in designing a freeway across Mercer Island, between I-5 and I-405. Due to its innovative design, which began in 1957, and its construction, from 1979 to 1993, the highway minimized impacts on surrounding neighborhoods by incorporating nine overpasses and three landscaped lid structures that provide both active and passive recreation opportunities in an 180-acre greenbelt. An extensive community and agency planning process resulted in a Memorandum of Agreement in 1976 that included planning for high-capacity transit in the center roadway.

Under Criterion C, the segment involved innovative engineering incorporating unusual and costly amenities. I-90 incorporates many elements that exhibit outstanding engineering, including the floating bridges and the Mount Baker Tunnels. The original designers took great care to provide a consistent look and feel throughout the segment, and developed the I-90 Architectural Standards to guide their final design effort. The project balanced numerous competing interests to design an innovative and attractive final segment of I-90 that fulfilled its transportation mission while also providing tangible assets for the community. The NRHP areas of significance represented in the property are Engineering, Transportation, Community Planning and Development, and Landscape Architecture. The property is significant locally, regionally, and nationally. The project, with the world’s largest soft-earth tunnel, two floating bridges, and three landscaped lids, won the Presidential Design Award for Excellence, recognized for exemplary federal

design achievement and honored for its engineering, energy conservation, and landscape architecture.

Unique to the I-90 Lake Washington Segment was its design with a vision for the future when mass transit would be a necessity. Two middle lanes were designated for future mass transit and use as reversible commuting lanes for high-occupancy vehicles (HOV)/buses, and eventually light rail. The Determination of Eligibility documentation notes that the central part of the roadway, separating the three-lane eastbound and three-lane westbound sections, was designed to be operated in reverse to accommodate peak-hour traffic or mass transit and emergency vehicles. Post-tensioned concrete minimized the concrete posts needed for earlier freeways, using less open space and providing more open views. Landscaped lids were introduced to provide park areas, including some playfields and passive recreation. The I-90 Lake Washington Segment achieved both its transportation and community enhancement goals through what is generally considered one of the first, if not the first, context sensitive design solutions in the country.

The Mount Baker Ridge Tunnels and Eastern Portals (Exhibit A-3), initially listed in the NRHP in 1982, were included in the I-90 Lake Washington Segment NRHP Registration form prepared in 2009 and are a Seattle landmark. WSDOT constructed the tunnel, which consists of two parallel sections, in 1940. The tunnel architects designed an impressive gateway to the City of Seattle by combining art deco elements and stylized Native American motifs. Although the tunnels were an engineering feat, the 1982 NRHP listing focuses on their striking ornamentation.

Preferred Alternative A1 would use the I-90 center roadway for the light rail guideway and include a station in the center of I-90 between Rainier and 23rd Avenues South, with entrances from 23rd and Rainier Avenues South, and a station with the existing park-and-ride garage on Mercer Island between 77th and 80th Avenues SE with station entrances on 77th and 80th Avenues SE. Both the I-90 tunnels and the floating bridge would require modifications to incorporate light rail. Modifications would include changes to wall dividers, drainage, and ventilation. To equalize weight on the bridge from installation of steel rail, the concrete surface may be made thinner by removing the upper layers. To accommodate movement of the floating bridge in relation to the land abutment, a specialized rail expansion joint would be installed on the bridge. Conversion of the center roadway to light rail would require closure of the westbound 77th Avenue SE off-ramp.

Project operation would not affect the I-90 Lake Washington portion of Segment A or its character-defining features, including the portals of the Mount Baker Ridge Tunnels. This segment of I-90 is unique in including both highway and transit elements in its earliest planning stages, unlike most of the national interstate system, and its original design to accommodate rail transit. All construction activities would be located within the center of I-90. None of the character-defining features would be altered or removed by construction or operation of the project and construction would not affect the property in a manner that would impair future use of the resource as it was intended.

Benvenuto Viewpoint

Preferred Alternative A1 would construct the Rainier Station within the center lanes of I-90, west of and below 23rd Avenue S. In this location, I-90 is an eight-lane freeway. A pedestrian plaza consisting of ticket vending, escalators, elevator, and stairs to the station would be constructed on 23rd Avenue S in a landscaping strip connecting to Benvenuto Viewpoint. The pedestrian plaza would require the acquisition and direct use of less than 0.1 acre of a landscaping strip, or less than 5 percent of the total park area. The portion of the park used as a viewpoint would not experience a change in view. Although the Rainier Station and entrance could be seen from the viewpoint, the station would be consistent with the current transportation-oriented nature of the area, and the views to the west and south would be unaffected. Given the location of the route and station in the center lanes of I-90, no additional noise impacts are anticipated in the park.

During construction, the landscaped strip of Benvenuto Viewpoint would likely be removed. A detour would be provided during construction, allowing for continued access to the viewpoint.

A.3.5.2 Preferred 112th SE Modified Alternative (B2M)

Two Section 4(f) resources would be impacted by *Preferred Alternative B2M*: Mercer Slough Nature Park and the Winters House, which is on the NRHP. These impacts are discussed below. Enatai Beach Park and the Bellevue Way Greenbelt would not be impacted by *Preferred Alternative B2M*.

Mercer Slough Nature Park

Preferred Alternative B2M would follow the length of the western edge of Mercer Slough Nature Park, east of Bellevue Way SE. This area of the park includes trailheads and parking associated with a boat launch ramp, the blueberry farm, and the NRHP-listed Winters House. Park users in this area include walkers and joggers along the Periphery Loop Trail sidewalk, those accessing the blueberry farm and Winters House, and those accessing the park's interior trails. A 0.2-mile section of the Heritage Loop Trail parallels Bellevue Way SE below the level of the roadway. Bellevue Way SE, a principle arterial connecting I-90 to Downtown Bellevue, is a prominent element along the edge of the park. The impacted area is not important for wildlife viewing due to the disturbance from the adjacent roadway and active use of the area for the blueberry farm, Winters House, and access to park trails.

Preferred Alternative B2M would result in permanent use of 2.4 acres when connecting to *Preferred Alternative C11A* and 2.5 acres when connecting to *Preferred Alternative C9T*, as shown in Table A-2. Exhibit A-4 depicts the impacted park area, which is less than 1 percent of the 320-acre park. This alternative would acquire an approximately 30- to 50-foot width of the park's western boundary for a distance of approximately 3,200 feet, resulting in shrub and tree removal.

TABLE A-2
Mercer Slough Nature Park Impacts

Alternative	Impact (acres)	
	Operation	Construction
<i>Preferred Alternative B2M</i> , connecting to <i>Preferred Alternative C11A</i>	2.4	4.2
<i>Preferred Alternative B2M</i> , connecting to <i>Preferred Alternative C9T</i>	2.5	4.2
Range of Draft EIS Alternatives	0.4 to 1.7	1.1 to 2.0

Preferred Alternative B2M would require relocation and consolidation of some vehicle and pedestrian access points on the west side of the park. The existing blueberry farm driveway would be removed and combined with the Winters House driveway via a new access road to the north, and the section of the Heritage Loop Trail along Bellevue Way would be restored to the east. The project would remove two existing pedestrian connections from Bellevue Way SE to the park, one at the existing blueberry farm

driveway and one south of the Winters House parking lot. The pedestrian access north of the Winters House would be relocated slightly south. Although there would be a reduction in the number of access points, the park and its components would remain accessible from various points along Bellevue Way for both vehicles and pedestrians. In addition, the consolidation of the access points may be considered a benefit to the park by removing one vehicle crossing of the Periphery Loop Trail. Access to the Sweylochen Boat Ramp would become right-in/right-out only. The boat ramp would no longer be accessible from southbound Bellevue Way. However, I-90, SE 8th Street, and I-405, which surround the park on three sides, would provide adequate access to the boat ramp. The I-90 Trail, and other Mercer Slough Nature Park trails would not be affected.

As described in the noise and vibration analysis in the SDEIS, existing noise levels in Mercer Slough Nature Park are affected by the major arterial, Bellevue Way SE, two interstate highways, I-90 and I-405, and a park and ride and office park that border the park. There are also active park uses such as the Winters House, boat launch, and Blueberry Farm along the park's western edge and only the interior areas of the park are considered noise sensitive. The project noise levels would be below FTA criteria, where applicable, and lower than the existing noise levels in the park. *Preferred Alternative B2M* would not have a noise impact to the park.

Preferred Alternative B2M would be viewed from parts of the Mercer Slough Nature Park, the Mercer Slough Nature Park Periphery Loop trail (which in this area is the sidewalk adjacent to Bellevue Way SE and 112th Avenue SE), and the Water Trail. The loss of trees in the construction right-of-way east of Bellevue Way SE and 112th Avenue SE and the removal of street trees would be noticeable from the loop trail and portion of the water trail in Mercer Slough West. Trees and the blackberry-covered slope between the slough and 112th Avenue SE would be removed and replaced with a retaining wall supporting the at-grade alignment. Slopes between the guideway and the slough would be replanted with native vegetation. The project would not be seen in most parts of the Mercer Slough Nature Park due to the project's low profile and existing vegetation. Given the presence of trees and large shrubs throughout much of the park, removing vegetation along the alignment would not be noticed in most areas. The visual change associated with tree removal would be most noticed from the portion of the water trail passing through Mercer Slough West. Its effect, however, would be tempered by the presence of the adjacent Bellefield Office Park

and the adjacent Bellevue Way SE and 112th Avenue SE arterials.

People using the water trail would have upward views of the catenaries and east face of the retained wall until the vegetation matures. The vegetation will screen parts of the retained wall and catenaries once mature. The native vegetation will replace invasive blackberries, which could be considered a visual improvement compared the existing blackberries. In addition, the wall and catenaries would not be out of character with the built elements of the parking and buildings in Bellefield Office Park.

Operating *Preferred Alternative B2M* would not substantially affect park use; diminish the park's value; or impair the park's activities, features, and attributes.

Construction activities associated with *Preferred Alternative B2M* would encroach into Mercer Slough Nature Park. It would require a temporary 4.2-acre construction easement when connecting with *Preferred Alternative C11A* or *Preferred Alternative C9T*. After construction, these areas would be restored with appropriate native vegetation. Utility relocation and light rail construction in the western edge of Mercer Slough Nature Park would result in increased noise, dust, and temporary access restrictions to western areas of the park.

The Periphery Loop Trail sidewalk on the eastern side of Bellevue Way SE would be maintained and/or relocated where necessary by providing a protected sidewalk on the eastern side of Bellevue Way SE, constructing a new sidewalk on the western side of Bellevue Way SE, or providing a sidewalk in another location as agreed to with the City of Bellevue. Construction along 112th Avenue SE might result in increased noise and dust near the water trail but is not expected to inhibit normal trail use because this is a short section currently characterized by the roadway.

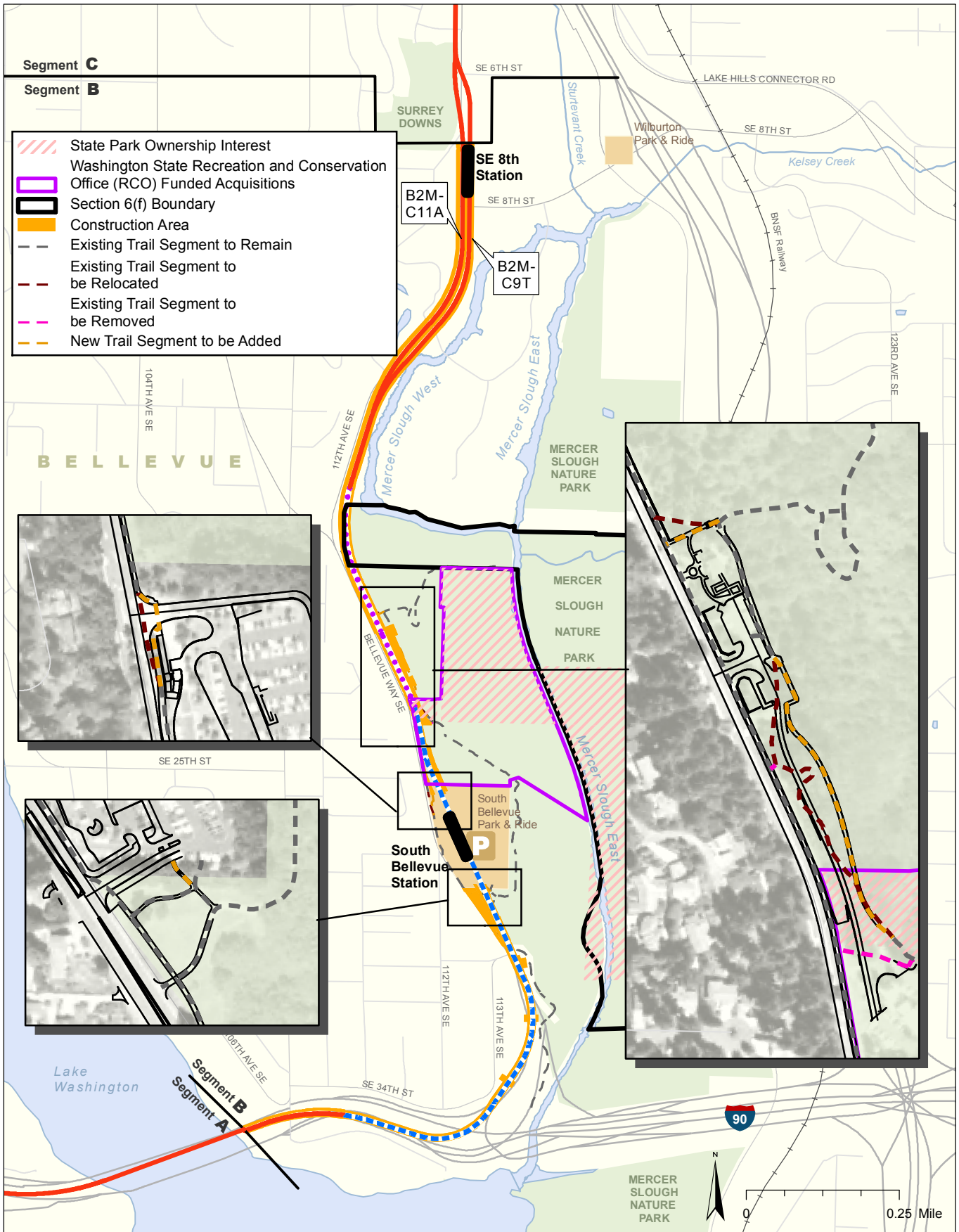
With the exception of closing the Winters House, adjacent parking, and the commercial component of the blueberry farm, access to trails in this area and to the blueberry fields would be maintained during construction through detours, and the project would not inhibit normal use of most of the park's resources. The commercial component of the blueberry farm would be relocated to enable the business to continue operation during construction. Farming operations would be maintained during construction. Construction would not inhibit normal use of the park and access points on the east side of the park. Constructing *Preferred Alternative B2M* would not substantially affect park use or diminish its value due

to the project's location along the park's boundary with Bellevue Way SE.

Winters House

The Winters House, shown in Exhibit A-5, was listed in the NRHP in 1992, based on its Spanish Eclectic architecture and its association with developments in the bulb-growing and floriculture industry in King County and Washington State. Its period of significance spans from 1929 to 1941. Formerly a residence, the Eastside Heritage Center now occupies the building. The NRHP registration form provides a boundary description that includes 50 feet of landscaping around the house, including a portion of the parcel along Bellevue Way. The site of the house is bordered on the west by Bellevue Way SE, formerly a county road named Qualheim Road, which has been completely altered into a major arterial roadway and on the east by Mercer Slough. While the house's orientation to Bellevue Way at one time would have been a significant character-defining feature of the structure and its relationship to the surrounding landscape, the historic design of the roadway, and its relationship to the house has lost its integrity. The undeveloped adjacent grounds are associated with the house. Although it is no longer cultivated and no intact outbuildings remain, the house does retain its setting and relationship to the surrounding undeveloped property that is now Mercer Slough Nature Park.

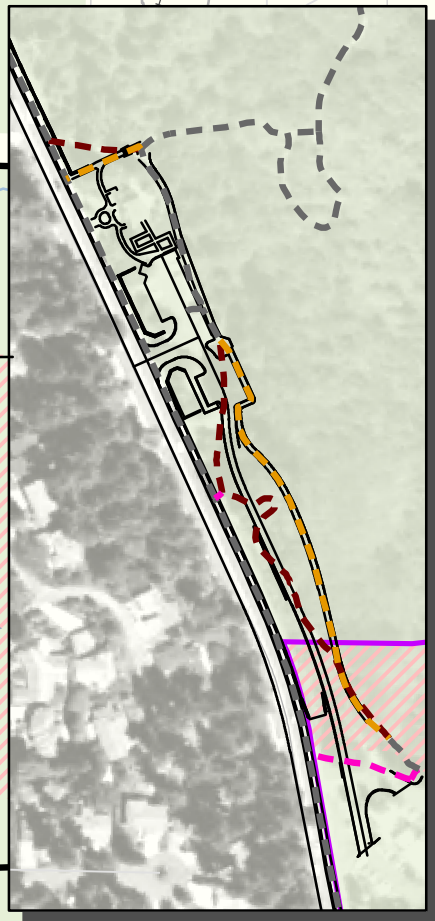
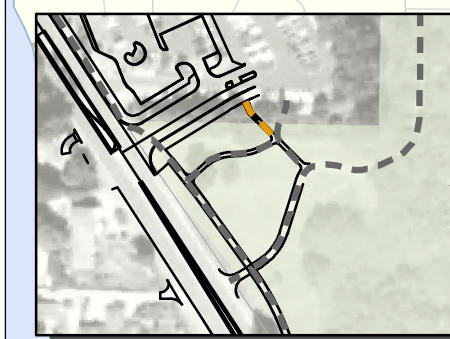
Analysis of the 50-foot designated boundary to determine whether any character-defining landscape features currently remain that convey the significance of the residence and its relationship to the landscape found no such features. Rather, all of the surrounding landscaping of the house was found to have been altered substantially from the historic period of the residence, shown in Exhibit A-6. Except for some mature trees beyond the rear of the residence that once were part of the larger property, the current landscape features do not reflect the original landscape of the residence, nor do they convey the relationship of the landscape to the structure as it was first designed, matured, and allowed to evolve during the historic period of the property.



Segment C

Segment B

- State Park Ownership Interest
- Washington State Recreation and Conservation Office (RCO) Funded Acquisitions
- Section 6(f) Boundary
- Construction Area
- Existing Trail Segment to Remain
- Existing Trail Segment to be Relocated
- Existing Trail Segment to be Removed
- New Trail Segment to be Added



- At-Grade Route
- Elevated Route
- Retained-Cut Route
- Retained-Fill Route
- Tunnel Route
- Proposed Station
- New and/or Expanded Park-and-Ride Lot

Source: Data from City of Bellevue (2005) and King County (2006).

Exhibit A-4
Mercer Slough Nature Park
Alternative B2M
 East Link Project



EXHIBIT A-5
Winters House, 2102 Bellevue Way SE (present)



EXHIBIT A-6
Winters House, 2102 Bellevue Way SE (January 6, 1939)
Courtesy of Eastside Heritage Center

Plantings from the period of significance have been removed. Currently, the house consists of a landscaped lawn with a central concrete pathway featuring a center planting strip just opposite the entrance doors of the front elevation. All of the trees along the property's front elevation and side elevations appear to be plantings from after the period of significance, including relatively new deciduous trees and decorative shrubs. The landscaping in no way reflects the original landscape, while the residence itself remains intact and fully conveys its significance and period of construction and relationship to the surrounding undeveloped acreage once cultivated.

The eastern edge of the right-of-way of *Preferred Alternative B2M* is approximately 5 feet from the edge of the Winters House, as illustrated in Exhibits A-7 and A-8. Exhibit A-8 depicts the cross-section of the existing condition and for *Preferred Alternative B2M*. The guideway within a lidded retained cut would be

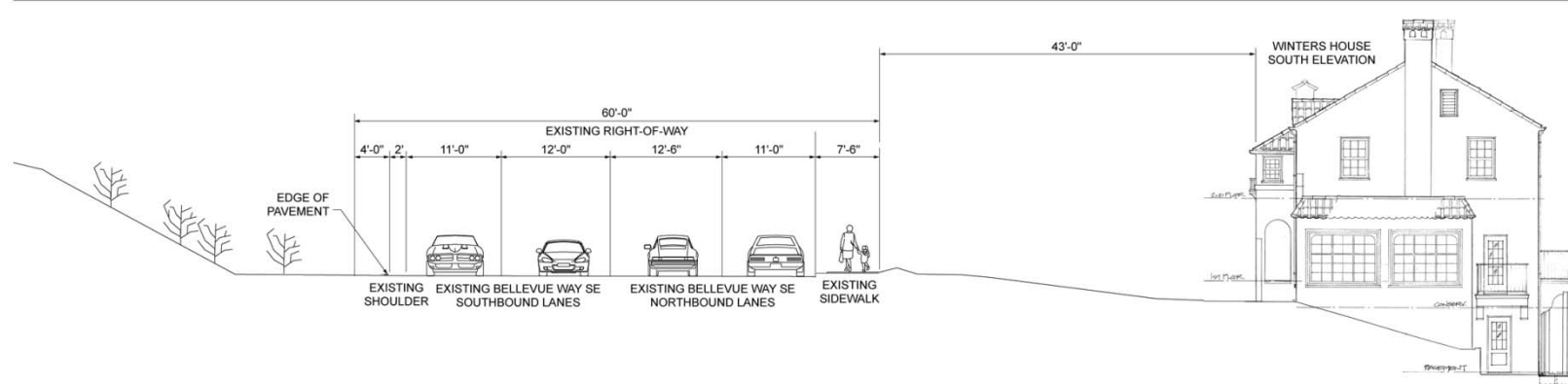


EXHIBIT A-7
Winters House Bird's Eye View, Existing Condition
(top) and with *Preferred 112th SE Modified Alternative (B2M)*
(bottom)

within the 50-foot boundary for the property established by the NRHP nomination.

The perspective view (Exhibit A-7) and cross-section (Exhibit A-8) of *Preferred Alternative B2M* at the Winters House illustrate minimization approaches incorporated into the project design to maintain historic integrity during operation of light rail. These elements include placing the light rail in a 170-foot lidded retained cut in front of the structure, extending beyond the length of the 50-foot property boundary to the north and south of the house identified in the NRHP nomination, and installing landscaping that is sensitive to the historic nature of the building and

Existing



Preferred Alternative B2M

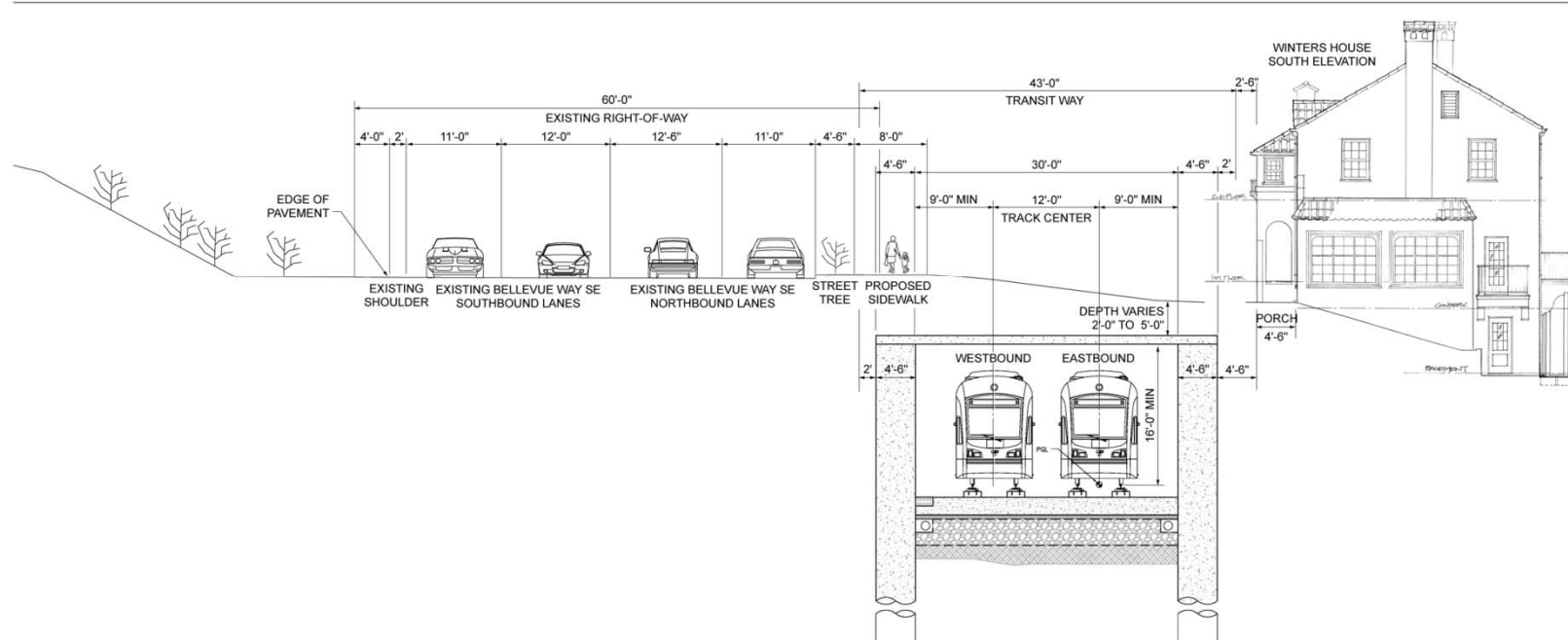


EXHIBIT A-8
 Cross-Section of Winters House, Existing Condition and with Preferred 112th SE
 Modified Alternative (B2M)

setting. Bellevue Way SE and the sidewalk would remain the same distance from the house.

The project would shift the parking lot driveway approximately 90 feet north, with a lid over the retained cut to allow vehicles to cross. The parking area would also be shifted slightly to the east. The relocated driveway and parking area would remain outside of the property's 50-foot boundary, and the number of spaces would remain the same. The parking area would also be lowered in elevation, which would result in a visual change; however, the visual change in the parking area and associated ramps would not affect the setting of the historic resource because the existing parking lot was not present during the period of significance and does not contribute to the setting. In addition, replanted landscaping would further soften the appearance of the parking lot.

Due to the proximity of the lidded retained cut and light rail guideway to the Winters House, the potential for settlement and vibration impacts during operation and construction was analyzed and is described in Section 3.2.2 of the SDEIS. During operation, a ground-borne noise impact is projected at the Winters House. Standard methods of vibration reduction, such as resilient fasteners or ballast mats, would be incorporated into the project and reduce the level of ground-borne noise but might not eliminate the impact. Using a floating slab, if necessary, would eliminate the ground-borne noise impact. Vibration levels during operation are expected to be below the FTA impact criteria. In addition, the vibration levels are well below even the most stringent criteria for damage to structures.

The potential for damage from construction vibration and settlement due to the proximity of construction activity to Winters House, including construction of underground piles for support of the retained cut, was evaluated. Given the period and type of construction of the property, there is a risk of damage to the building without construction vibration and settlement minimization techniques, as described in Section 3.2.2 of the SDEIS. These minimization techniques have been incorporated as conditions of the project and will prevent damage or limit impacts to minor cosmetic damage, protecting the character-defining features of the former residence that convey its significance. During construction, the Eastside Heritage Center offices would likely be relocated.

While project construction would introduce visual, audible, and vibration elements, the project would not diminish the character-defining features of the former residence that convey its significance. The project will

not damage or alter the structure due to the construction vibration and settlement minimization measures incorporated as conditions of the project. If any cosmetic damage occurs, Sound Transit will make repairs in accordance with the Secretary of Interior's Standards for the Treatment of Historic Properties. Therefore, the design, materials, and workmanship of the resource would not be affected. In addition, while the City of Bellevue would not receive rental income from the Winters House during construction, there would be no impacts from the project that would cause a change in the structure's use or change economic conditions resulting in reduced structure maintenance. The Eastside Heritage Center would be able to return to the building after construction. According to the Criteria of Adverse Effect, the character-defining features of the NRHP-listed Winters House that convey its significance and qualify the property for listing in the NRHP would not be affected by operation or construction.

A.3.5.3 Preferred 108th NE At-Grade Alternative (C11A)

Surrey Downs Park

Surrey Downs Park includes two athletic fields, a play structure, internal trails, open space, remnant stands of heritage filbert trees, and the King County Courthouse and associated parking. Approximately 4.9 acres of the 11.4-acre site are currently used as park, with the remainder occupied by the King County Courthouse. In March 2009, the City of Bellevue adopted a Master Plan for redeveloping the park, including the portion currently occupied by the King County District Courthouse. Proposed improvements include new baseball fields, open space, a community garden, parking, and a recreational building.

Preferred Alternative C11A would have potential impacts to Surrey Downs Park. Along 112th Avenue SE, *Preferred Alternative C11A* would acquire approximately 0.5 acre along the eastern edge of Surrey Downs Park for the light rail guideway, as shown in Table A-3 and illustrated on Exhibit A-9. This area of the park is characterized by a steep slope and trees, a vehicle access at the southern and northern ends of the park, parking lots just west of the slope accessing the park facilities and the King County Courthouse building, a neighborhood pedestrian access point at the southeast corner of the park at 111th Avenue SE, and a pedestrian access from 112th Avenue SE at the northeast corner of the park. Table A-3.

TABLE A-3
Segment C Alternatives Impact Area in Surrey Downs Park

Alternative	Permanent (acres)	Temporary (acres)
<i>Preferred 108th NE At-grade Alternative (C11A)</i>	0.5	0.6
<i>Preferred 100th NE Tunnel Alternative (C9T)</i>	0.5	0.5
110th NE At-Grade Alternative (C9A)	None	None
Range of Draft EIS Alternatives	0 to 0.4	0 to 6.0

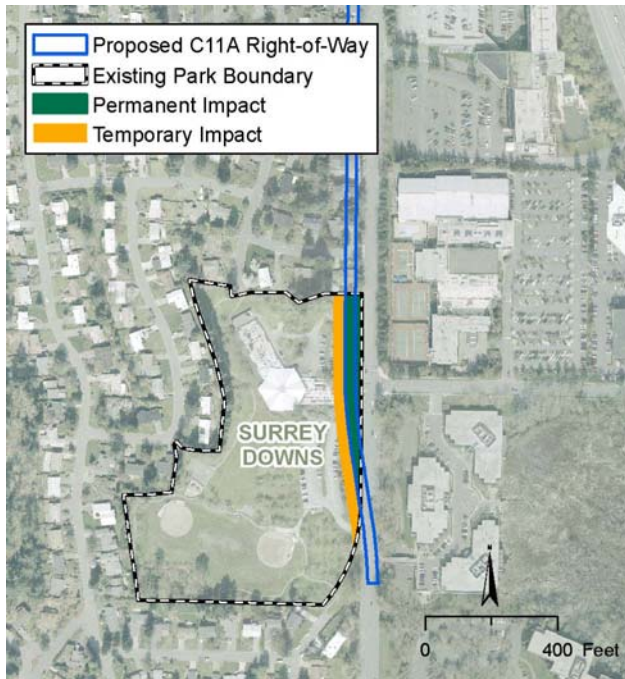


EXHIBIT A-9
Surrey Downs Park Impacts with *Preferred 108th NE At-Grade Alternative (C11A)*

The at-grade light rail guideway would encroach along the eastern edge of park, displacing the landscaping strip, large trees, and some existing parking. The vehicle access point at the north end of the park would be closed. The existing vehicle access at the southern end and the pedestrian connection to the neighborhood at the southeast corner at 111th Avenue SE would not be affected. No active recreation facilities would be affected.

Removal of the vegetation and large trees would be a visual change, but the vegetation would be replaced and eventually mature. The light rail guideway would be consistent with the existing transportation nature of the 112th Avenue SE corridor. *Preferred Alternative C11A* would also require the temporary acquisition of

0.6 acre for a temporary construction easement. Construction impacts such as noise, dust, visual change, and reduced parking would be noticed by park users but would not inhibit normal use of the park. There are no active park use areas along 112th Avenue SE. Vehicle and pedestrian access to the park from 112th Avenue SE would be maintained during construction. The activities, features, and attributes of the park would not be substantially diminished.

Preferred Alternative C11A is not consistent with the *Surrey Downs Park Master Plan* adopted by the Bellevue City Council in March 2009. The light rail guideway would encroach into the planned garden terraces and path bordering 112th Avenue SE. *Preferred Alternative C11A* would require the relocation or elimination of the proposed pedestrian access points from 112th Avenue SE at the southeast and northeast corners of the park.

The project will minimize impacts during operation and construction by using the area of the park not currently used for active recreation along 112th Avenue SE, limiting permanent light rail use to approximately 4 percent of the park, and not using the park for construction staging as proposed under Alternative C2T and C3T when connecting to Alternative B2A, as described in the 2008 Draft EIS. Sound Transit will coordinate with the City of Bellevue to initiate revision of the *Surrey Downs Park Master Plan* prior to park development to address the location of the light rail guideway, including consideration of opportunities to integrate the two facilities, as appropriate.

A.3.5.4 Preferred 110th NE Tunnel Alternative (C9T)

Preferred Alternative C9T would have potential impacts to Surrey Downs Park, and the NE 2nd Place Pocket Park. The operation and construction impacts would not impair the protected activities, features or attributes of the properties as discussed below.

Surrey Downs Park

As illustrated on Exhibit A-10, *Preferred Alternative C9T* would require the permanent acquisition of approximately 0.5 acre of Surrey Downs Park (approximately 4 percent of the park) along its northeast boundary along 112th Avenue SE for the at-grade light rail guideway and the realignment of SE 4th Street to create a four-way intersection with SE 6th Street and 112th Avenue SE and relocated park vehicle entrance (see Table A-3). This area of the park is characterized by a steep slope and trees along 112th Avenue SE, a vehicle entrance, and parking lots

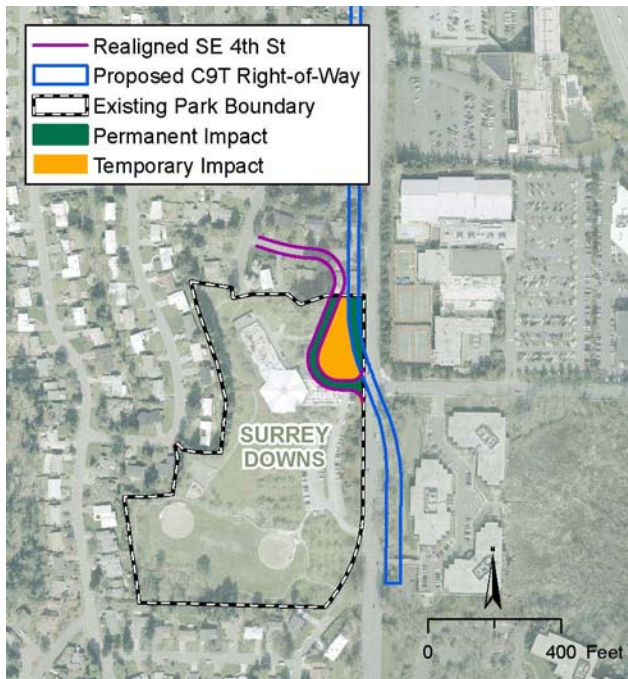


EXHIBIT A-10
Surrey Downs Park Impacts with Preferred 110th NE Tunnel
Alternative (C9T)

accessing the park facilities and the King County Courthouse building.

Park impacts at the northeastern portions of the resource would be similar to those from Preferred Alternative C11A, but there would be no impacts on the park south of SE 6th Street where Preferred Alternative C9T would remain on the east side of 112th Avenue SE. Preferred Alternative C9T would include realigning SE 4th Street to create a four-way intersection with SE 6th Street and 112th Avenue SE, resulting in permanent use of park property for the roadway separating a half-acre area from the remainder of the park. The curved design of the realigned roadway would reduce cut-through traffic and maintain the slow vehicle movements through the park. The project's addition of a signal for this realigned intersection would improve park access. No active recreation facilities would be affected.

This alternative would require the temporary acquisition of 0.5 acre for a temporary construction easement. Construction impacts such as noise, dust, and visual change would be noticed by park users but would not inhibit normal use of the park because there are no active park use areas along 112th Avenue SE. Vehicle and pedestrian access to the park from 112th Avenue SE would be maintained during construction. The activities, features, and attributes of the park would not be substantially diminished.

Preferred Alternative C9T is not consistent with the Surrey Downs Park Master Plan and would result in impacts similar to Preferred Alternative C11A at the northeastern side of the park, including encroachment of light rail into the planned garden terraces and path bordering 112th Avenue SE. In addition, the realignment of SE 4th Street would further encroach into a portion of the area planned for the community facility. Preferred Alternative C9T would require the relocation or elimination of one of the two proposed pedestrian access points, with the access point at SE 6th Street combined with the realigned SE 4th Street access to the park.

Minimization measures are similar to those discussed for Preferred Alternative C11A, with the addition of landscaping along the realigned SE 4th Street adjacent to the park. Sound Transit will coordinate with the City of Bellevue to initiate revision of the Surrey Downs Park Master Plan before park development to address the location of the light rail guideway, roadway, and needed parking, including consideration of opportunities to integrate the two facilities, as appropriate.

NE 2nd Place Pocket Park

Preferred Alternative C9T would impact the NE 2nd Place Pocket Park as shown in Table A-4. The park consists of green space at the four quadrants of the intersection of 110th Avenue NE and NE 2nd Place, which serve as visual green space but do not include any facilities. However, the City of Bellevue is interested in developing these areas as a neighborhood park (City of Bellevue, *Parks and Open Space System Plan 2010*).

As illustrated on Exhibit A-11, Preferred Alternative C9T would affect the City of Bellevue NE 2nd Place Pocket Park during operation. The northwest quadrant of the park, approximately 0.1 acre, would be incorporated into a station entrance and developed as an outdoor public plaza. A tunnel easement would be acquired under the northeast and southeast quadrants of the park, and the area above the tunnel would be returned to park use after construction. Because Preferred Alternative C9T would be in a tunnel, there would be no permanent visual impacts.

Construction activities associated with the cut-and-cover tunnel for Preferred Alternative C9T would require using a sliver of both park quadrants on the east side of 110th Avenue NE, for a total construction easement of approximately 0.1 acre.

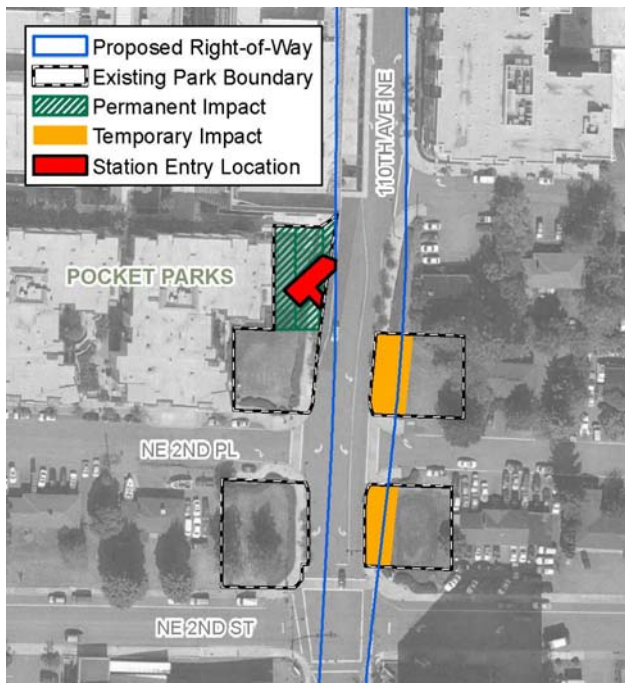


EXHIBIT A-11
Affected Pocket Park Areas with Preferred 110th NE Tunnel Alternative (C9T)

The northwest quadrant would be closed during construction. Park users would experience noise, dust and visual change. After construction, the NE 2nd Place Pocket Park would be more accessible to the public through the station plaza.

A.3.5.5 110th NE At-Grade Alternative (C9A)

Alternative C9A would have potential impacts to the NE 2nd Place Pocket Park (Table A-4) but would not impair the protected activities, features or attributes of the properties as discussed below. Alternative C9A would not impact Surrey Downs Park.

TABLE A-4
Segment C Alternatives Impact Area in NE 2nd Place Pocket Park

Alternative	Permanent (acres)	Temporary (acres)
Preferred 110th NE At-Grade Alternative (C11A)	None	None
Preferred 110th NE Tunnel Alternative (C9T)	0.1	0.1
110th NE At-Grade Alternative (C9A)	Less than 0.1	Less than 0.1
Range of Draft EIS Alternatives	0	Less than 0.1

NE 2nd Place Pocket Park

Alternative C9A would permanently acquire less than 0.1 acre of the western edge of the Pocket Park quadrants on the east side of 110th Avenue NE, as shown in Exhibit A-12. Due to the area’s transportation character, there would not be permanent visual impacts. Less than 0.1 acre of the park would be required as a temporary construction easement along the east and west sides of 110th Avenue NE. The park would remain open during construction, and users would experience noise, dust, and visual change. The construction duration would be for a shorter duration (approximately 3 years) than tunnel construction for Preferred Alternative C9T.

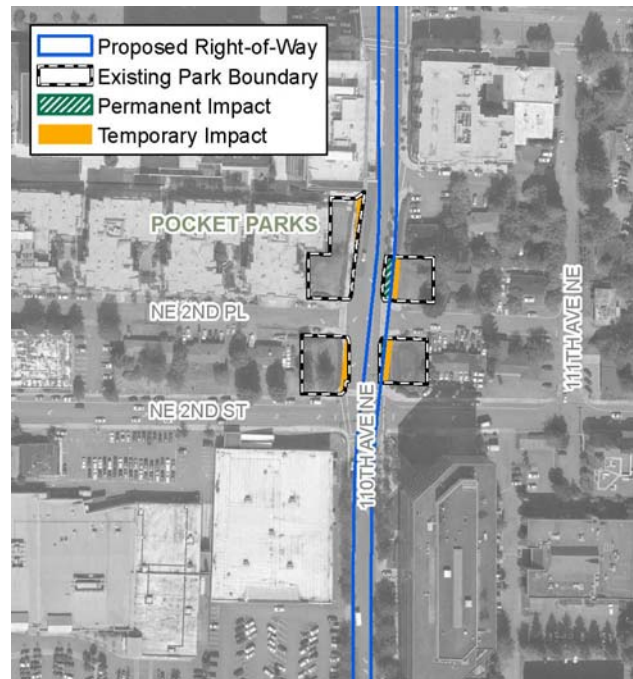


EXHIBIT A-12
Affected Pocket Park Areas with 110th NE At-Grade Alternative (C9A)

A.3.5.6 Preferred Marymoor Alternative (E2)

Preferred Marymoor Alternative (E2) would cross the Sammamish River Trail, acquire a small area of Marymoor Park cross Bear Creek trail, and follow a section of the East Lake Sammamish Trail that is being extended by King County in the former BNSF right-of-way west of State Route (SR) 520. Design of Preferred Alternative E2 along the BNSF corridor assumes a future trail to be developed by others. Preferred Alternative E2 would not impair the protected activities, features, or attributes of these facilities. During construction, each of the trails would be detoured for public safety, but this would not constitute a use because the detour would be temporary and for a shorter duration than the

construction of the full project and would allow for the continuity of the trail.

Sammamish River Trail

All Segment E alternatives, including *Preferred Alternative E2*, would cross over the Sammamish River Trail, which would acquire an easement from the King County Department of Parks and Recreation; however, no direct trail use would occur under any alternative. All Segment E alternatives span the Sammamish River Trail, resulting in approximately an additional 20 feet of trail shading; further, *Preferred Alternative E2* would span the trail south of SR 520.

This impact is not expected to impair the continued use of the trail, which already passes underneath three other overpasses in this area, one of which, SR 520, would be located 80 feet away. A column could be placed near the trail; however, the column likely would be placed in the WSDOT right-of-way. Any trail closures during construction would include temporary trail detours to maintain trail connectivity. The trail would continue to function during construction, and the project would not impair the protected activities, features, or attributes of the park

Marymoor Park

Preferred Alternative E2 would encroach approximately 30 feet into the northern boundary of the 640-acre Marymoor Park, requiring the acquisition and direct use of approximately 2.0 acres, or less than 1 percent, of the total park area, as shown in Exhibit A-13. No recreation facilities would be directly affected by operation of the light rail system; however, equestrians ride along the northern property boundary of the park, and there is an unofficial equestrian route. This route may need to be relocated if there is not enough distance between the guideway and the sports fields to accommodate the users. Given the existing proximity to SR 520 in this area, it is not likely that users would experience additional proximity impacts.

Construction would require an additional 3.2 acres along the northern park boundary to accommodate an access road and staging for construction. This area consists of an approximately 15- to 50-foot width of property for the length of the park along SR 520. The temporary construction area would be sited to avoid impacts on the soccer fields and velodrome and thus would not affect these recreational functions. The project

would not impair protected activities, features, or attributes of the park.

East Lake Sammamish Trail

Preferred Alternative E2 would require the realignment and relocation of approximately 900 feet of the planned extension of the East Lake Sammamish Trail within its existing corridor. There is adequate width in the BNSF Railway corridor to accommodate both facilities. It is also likely that one or more columns would be placed in the vicinity of the trail. Access to the trail and its connection to the Bear Creek Trail would not be impacted by project operation.

The corridor has an urban and transportation character; it is in a former railroad corridor and contains an existing SR 520 overpass. Therefore, the visual change of the East Link Project would not cause substantial impairment of views from the trail. During construction, parts of the trail may be closed or protected by a barrier. Any closure would include a temporary trail detour to allow for continued use of the trail. The trail would be fully restored following construction, and the project would not impair the protected activities, features, or attributes of the park.

Bear Creek Trail

In order for the light rail guideway to cross over Bear Creek Trail, the trail would be lowered by 20 feet in a retained cut. This would place the trail in a short tunnel for approximately 30 feet, but this impact

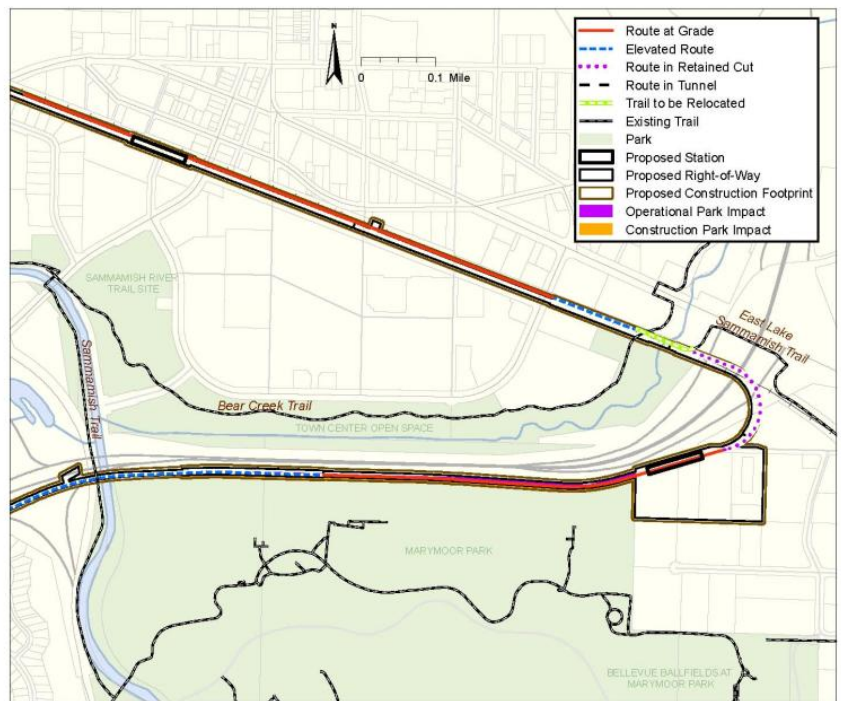


EXHIBIT A-13
Affected Parks and Trails with *Preferred Marymoor Alternative (E2)*

would not impair the continued use of the trail. The lowering of the trail would maintain the gradient, width, and height clearance to accommodate all trail users. There is a possibility that a column would be placed in the vicinity of the trail, but it would not impair the use of the trail.

The trail would be fully restored following construction. Any trail closure during construction would include a temporary trail detour to maintain trail connectivity. The trail would continue to function during construction, and the project would not impair the protected activities, features, or attributes of the park.

A.4 Section 4(f) *de minimis* Findings

As described in Section A.1.1, SAFETEA-LU provides for simplified approval of projects that have only a *de minimis* impact on projects protected by Section 4(f).

FTA determinations of effect and findings of Section 4(f) use, including, if appropriate, findings of *de minimis* use and/or other evaluations as may be required under Section 4(f), will be made after concluding the consultation with affected agencies and jurisdictions and review of public comment after publication of the SDEIS.

A.4.1 Parkland and Open Space

For parkland and open space resources, a *de minimis* finding may be made if the transportation program or project will not adversely affect the activities, features, and attributes of the facility after incorporation of mitigation and opportunity for public comment and with written concurrence from the officials with jurisdiction over the facility.

FTA and Sound Transit have incorporated measures of avoidance, minimization, and mitigation or enhancement such that the uses would not adversely affect the activities, features, or attributes of the facilities (as shown in Table A-5). Therefore, Section 4(f) avoidance analysis is not included in this Appendix (see Table A-1 for a summary of project uses). FTA will make findings of Section 4(f) use after concluding consultation with affected agencies and jurisdictions and review of public comment.

A.4.2 Historic Resources

For historic resources, *de minimis* impact means that no historic property is affected by the project or that the project will have “no adverse effect” on the historic property in question in accordance with 36 CFR Part 800.

FTA and Sound Transit have incorporated measures of avoidance and minimization as conditions of the project such that the uses would not adversely affect the activities, features, or attributes of the facilities (as shown in Table A-5). Therefore, Section 4(f) avoidance analysis is not included in this Appendix.

FTA determinations of effect and findings of Section 4(f) use will be made after concluding the consultation with affected agencies and jurisdictions and review of public comment.

TABLE A-5
De minimis Measures for Affected Section 4(f) Parks and Trails in the Preferred Alternative and SDEIS Alternative Study Areas

Name and Key Functions, Attributes, and Activities	Impact Avoidance	Minimization	Potential Mitigation ^a
Benvenuto Viewpoint <i>Viewpoint on the I-90 Lid with view to the west of Downtown Seattle and the Olympic Mountains</i>	The viewpoint would not be directly affected through property acquisition or closure.	Not applicable.	Design station entrance to be compatible with surrounding park.
Mercer Slough Nature Park <i>Community nature park providing wetland habitat, environmental education and awareness, maintenance of agricultural heritage of Winters House and blueberry farm, passive recreation, nature</i>	Not applicable	The light rail right-of-way would be placed as far to the west along Bellevue Way SE on the edge of the park as practical to reduce right-of-way required for improvements. Permanent use would be less than 1 percent of park.	One or more of the following measures would be implemented: <ul style="list-style-type: none"> ▪ Acquire replacement land for permanent use impacts consistent with Section 6(f) and RCO requirements. ▪ Provide financial compensation. ▪ Restore temporarily disturbed park area with native vegetation. ▪ Provide trail detours during construction for

TABLE A-5

De minimis Measures for Affected Section 4(f) Parks and Trails in the Preferred Alternative and SDEIS Alternative Study Areas

Name and Key Functions, Attributes, and Activities	Impact Avoidance	Minimization	Potential Mitigation ^a
<i>observation, views of Downtown Bellevue, and open space with pedestrian trails, a water trail, benches, and interpretive signs</i>			temporarily closed trails and restore trails after construction.
Surrey Downs Park <i>Neighborhood Park with two baseball fields, pedestrian trails, small children's play structure, passive open space, trees, and offices for the King County District Court and City of Bellevue Probation Division</i>	<i>Preferred Alternative C11A and C9T would limit park impacts to the eastern boundary of the park along 112th Avenue SE, avoiding active park use facilities.</i>	Permanent use would be approximately 3 to 4 percent of park and limited to the eastern edge of the park along 112th Avenue SE that is not currently used for active recreation.	One or more of the following measures would be implemented: <ul style="list-style-type: none"> ▪ Provide financial compensation. ▪ Dedicate and develop the acquired properties adjacent to and north of the park as a linear park. ▪ Coordinate with the City of Bellevue to initiate revision of the Surrey Downs Park Master Plan prior to park development to address the location of the light rail guideway and roadway, including consideration of opportunities to integrate the two facilities, as appropriate. ▪ Landscape along the realigned SE 4th Street adjacent to the park (<i>Preferred Alternative C9T</i>). ▪ Restore temporarily disturbed park area. ▪ Provide a construction barrier or fence along 112th Avenue SE during construction ▪ Dust control measures
NE 2nd Place Pocket Park <i>Undeveloped open space with benches on the sidewalk</i>	<i>Preferred Alternative C9T would minimize permanent impacts by placing the light rail in a tunnel.</i>	Alternative C9A would place the light rail guideway in 110th Avenue NE.	One or more of the following measures would be implemented: <ul style="list-style-type: none"> ▪ Provide financial compensation. ▪ Develop the area surrounding the station with landscaping and features as a public plaza (<i>Preferred Alternative C9T</i>). ▪ Restore disturbed park area.
Marymoor Park <i>Regional park with multipurpose recreational fields, velodrome, climbing rock, off-leash dog park, and amphitheater</i>	Permanent and temporary acquisition would avoid active recreation areas	Permanent and temporary acquisition areas in the park would be minimized as much as possible.	<ul style="list-style-type: none"> ▪ Acquire replacement park land consistent with requirements of Washington Recreation Conservation Office (RCO) grant. requirements as applicable ▪ Provide financial compensation for using additional land outside the light rail right-of-way for construction. ▪ Restore disturbed park area after construction. ▪ Relocate equestrian trail as appropriate.
East Lake Sammamish Trail <i>Recreational soft-surface trail (paving and other improvements planned) along former BNSF Railway corridor.</i>	The project would relocate the trail adjacent to guideway to avoid impeding the trail.	Not applicable.	<ul style="list-style-type: none"> ▪ Provide financial compensation for the light rail use of the trail right-of-way. ▪ Reroute trail during construction and restore disturbed trail area after construction.
Bear Creek Trail <i>Recreational paved trail along Bear Creek in Redmond connecting open space facilities and connecting to the East Lake Sammamish Trail</i>	Final design will seek to avoid placing a column in the trail.	Columns would be adjacent to but not impeding the trail.	<ul style="list-style-type: none"> ▪ Provide financial compensation for the light rail use of the trail right-of-way. ▪ Reroute trail during construction and restore disturbed trail area after construction.

TABLE A-5

De minimis Measures for Affected Section 4(f) Parks and Trails in the Preferred Alternative and SDEIS Alternative Study Areas

Name and Key Functions, Attributes, and Activities	Impact Avoidance	Minimization	Potential Mitigation ^a
Sammamish River Trail <i>Paved recreational trail permitting equestrian use connecting Marymoor Park with the Burke-Gilman Trail</i>	Final design will seek to avoid placing a column in the trail.	Columns would be adjacent to but not impeding the trail.	<ul style="list-style-type: none"> ▪ Acquire replacement land or financial compensation. ▪ Provide financial compensation if additional land outside the light rail right-of-way is needed for construction. ▪ Reroute trail during construction and restore disturbed area after construction.

^a Sound Transit would restore affected park land as appropriate based on location, clearance zone requirements, and accessibility.

A.5 Section 6(f) and Washington State Recreation and Conservation Office Resources and Impacts

The Washington State Recreation and Conservation Office (RCO) administers Section 6(f) of the LWCF Act. The RCO web site (<http://www.rco.wa.gov/>) was accessed on February 13, 2007, and contacts were made with RCO staff made in September and October 2009 to determine Section 6(f) resources in the study area. Project staff also met with NPS and RCO staff on April 12, 2010. Mercer Slough Nature Park has benefited from LWCF monies for the acquisition of multiple parcels for establishment of the park in 1974 and 1978. Exhibit A-4 shows the area purchased with these funds, approximately 130 acres. In addition, RCO funds have been used to acquire portions of the park, and properties funded by RCO are subject to similar requirements for conversion. A portion of both the Section 6(f) LWCF- and RCO-funded properties is jointly owned by Washington State Parks. Table A-6 shows the acreage impacts to Section 6(f), RCO, and State Park property for each Segment B alternative.

A.5.1 Section 6(f)

The *Preferred 112th SE Modified Alternative (B2M)* would acquire 0.8 acre of one parcel located east of Bellevue Way and adjacent to the Bellevue Way SE and 112th Avenue NE intersection, or less than 1 percent of the total Section 6(f) property. Of this acreage, 0.3 acre would be permanently acquired for either connection of *Preferred Alternative B2M* to *Preferred Alternatives C11A* or *C9T*, with the remainder

used as a temporary construction easement to be restored after project construction. However, because the LWCF Act considers use of the property for over 6 months not a temporary use but a full conversion of use, the total impact includes permanent and temporary acquisition.

A conversion of recreational use must be approved by RCO and the NPS according to the prerequisites listed in Section A.1 above.

As stated in the Mercer Slough Open Space Master Plan Environmental Impact Statement (City of Bellevue, 1990), park objectives consist of the following:

- Maintain and enhance the extensive wetland wildlife habitat.
- Provide environmental education and awareness, maintain and diversify Bellevue's agricultural heritage.
- Participate in regional and national efforts to understand wetland ecosystems through research in restoration enhancement techniques.
- Provide passive recreational opportunities in harmony with natural system preservation.
- Maintain and protect important views and open space values.

TABLE A-6
Impacts on Section 6(f) LWCF and Funded Parks and Open Spaces in Segment B

Impact (acres)	Alternative		
	<i>Preferred 112th SE Modified Alternative (B2M) (connecting to Preferred 108th NE At-Grade Alternative [C11A])</i>	<i>Preferred 112th SE Modified Alternative (B2M) (connecting to Preferred 110th NE Tunnel Alternative [C9T])</i>	Range of Draft EIS Alternatives
Section 6(f) LWCF Funded			
Impacted Area (permanent/construction)	0.3/0.4	0.3/0.4	0 to 0.1/0 to 0.2
Section 6(f) Total ^a	0.8	0.7	0 to 0.3
Washington Recreation and Conservation Office (RCO)			
Impacted Area (permanent/construction)	0.7/1.0	0.7/1.0	0 to 0/0.4 to 0.6
RCO Total ^a	1.7	1.7	0 to 1.0
Washington State Parks Ownership Interest Property (State)^b			
Impacted Area (permanent/construction)	0.1/0.2	0.1/0.2	0 to 0.1/0 to 0.1
State Total ^a	0.3	0.3	0.2

^a Includes operational and construction impacts and may not equal than sum of operation and construction impacts shown due to rounding.

^b Washington State Parks has ownership interest in portions of the Section 6(f) LWCF funded property and RCO funded property.

While only a small portion of the Section 6(f) property would be converted, indirect impacts on the unconverted area must be evaluated in addition to the direct impacts on the converted area.

The portion of the LWCF Section 6(f) area that would be converted due to direct acquisition is along the roadway intersection of Bellevue Way SE and 112th Avenue SE. This area has a steep grade and is difficult to access, with no trails, except for the Mercer Slough Nature Park Periphery Loop, which consists of the sidewalk along Bellevue Way and 112th Avenue SE adjacent to the park. The permanent acquisition area does not include wetlands, although a small area of wetland (less than 0.1 acre) is within the temporary construction area. This wetland area is considered part of the total conversion area as construction duration would be longer than 6 months. The LWCF Section 6(f) area is just south of a portion of the water trail running west to east.

The portion of Mercer Slough Nature Park acquired with LWCF serves many of the park objectives, with the exception of the objective regarding Bellevue's agricultural heritage. Along the edge of the area that would be acquired, park users include walkers and joggers. Wildlife viewing is a common activity in the internal areas of the park. Much of the 6(f) property provides wetland wildlife habitat and opportunities

for research in restoration and enhancement. Established trails, including the water trail, provide opportunities for education and passive recreation (access beyond trails requires escort by parks staff and is not considered a regular park use). Night use also occurs in the park as part of scheduled programming through City of Bellevue Parks or requires permission from the City. Most of this use occurs on the east side of the Mercer Slough channel, but some use does occur on the west side of the park, although not within the Section 6(f) property. Night use activities include night hikes, educational programs, meetings, and events primarily from the Environmental Education Center and also at the Winters House. As part of a large nature park that provides open space in an urban area, this Section 6(f) property protects views and open space values.

As discussed in Section 3.2.2 of the SDEIS, *Preferred Alternative B2M* would not cause impacts on the larger park that would cause the park to no longer be recreationally viable for the intended uses described above. Wildlife is not anticipated to be affected by light rail along Bellevue Way SE since this is already a transportation corridor. Views from existing trails and planned trails proposed in the City of Bellevue's 2009 *Pedestrian and Bicycle Transportation Plan* (City of Bellevue, 2009) for the Section 6(f) property are largely

sheltered due to topography and existing vegetation. People using the water trail would have upward views of the catenaries and east face of the retained wall until the vegetation matures. The vegetation will screen parts of the retained wall and catenaries once mature. The native vegetation will replace invasive blackberries, which could be considered a visual improvement compared the existing blackberries. In addition, the wall and catenaries would not be out of character with the built elements of the parking and buildings in Bellefield Office Park. *Preferred Alternative B2M* would require the relocation of the planned trail's access to Bellevue Way SE in the northwest corner of the park.

It is not anticipated that light from the light rail trains will be visible from the Section 6(f) portions of the park at night due to the elevation and north-south orientation of the guideway. The lights may be visible from the water trail where there is a visual opening toward the elevated portion of the alternative and the elevated I-90 ramps, but this view is already affected by vehicle traffic.

As described in Section 3.2.2 of the SDEIS, Sound Transit conducted additional noise impact analysis for park users in Mercer Slough Nature Park. The Mercer Slough Nature Park is located near I-90, I-405 and its western side is bordered by Bellevue Way SE, a park and ride, the Bellefield Office Park, and includes active park uses such as the Winters House, boat launch, and the Blueberry farm. These uses would not be considered noise sensitive and have existing noise levels ranging from 64 to 70 dBA L_{eq} during peak traffic and light rail operating hours based on noise level readings taken along the park and just off Bellevue Way. Interior areas of the park that are considered to be noise sensitive would meet the definition of FTA category 3 land use and have existing measured noise levels from 50 to 58 dBA L_{eq} during peak-hours.

Peak hour noise levels for the park's interior related to the light rail operations for *Preferred Alternative B2M* are predicted to range from 40 to 45 dBA L_{eq} . These levels are 5 to 18 dBA below the existing ambient and well below the FTA category 3 criteria for this type of land use. In the active areas of the park, noise level projections for light rail operations range from 49 to 58 dBA L_{eq} during peak hours, which is 3 to 7 dBA L_{eq} below the existing levels (see Appendix G, Table G-2 and Exhibit G-8, for existing and predicted noise measurements).

Because there are no substantial impacts that diminish the value or function of areas of the park not directly impacted, the area of conversion would be limited to

the directly converted area consisting of permanent and temporary acquisition. Attachment 1 provides photographs of portions of the Section 6(f) property; it also provides a key map of photograph locations.

The NPS prerequisites for conversion approval state that all necessary coordination with other federal agencies must be satisfactorily accomplished. In addition, in cases where the proposed conversion arises from another federal action, final review of the proposal shall not occur until the NPS Regional Office is assured that all environmental review requirements related to the project action have been met. This process is under way, in conjunction with FTA through the SDEIS and Final EIS process.

Due to the timing of the project environmental evaluation and the need to demonstrate completion of all other environmental review requirements, Sound Transit and FTA will provide the additional environmental evaluation regarding potential replacement property for Section 6(f) conversion consistent with NPS NEPA requirements, including a 30-day public comment period, after publication of the SDEIS. FTA could issue its NEPA determination and Record of Decision prior to the NPS determination. The NPS evaluation will meet the remaining prerequisites for conversion approval, including establishment of the fair market value of the property to be converted and the property proposed for substitution, which will be of at least equal fair market value as established by an approved appraisal. In addition, environmental evaluation of the conversion will include analysis of the impacts of conversion to the replacement property.

Replacement property will be of similar function and recreation value. Sound Transit will work with the City of Bellevue to ensure that the proposed conversion and substitution are in accord with the State Comprehensive Outdoor Recreation Plan (SCORP).

A.5.2 Recreation Conservation Office (RCO) Funded Property

Conversion of properties acquired with RCO funds follows a process similar to that described above, although the RCO oversees this process rather than the NPS. In addition, Washington State Parks has an ownership interest in a portion of the RCO property impacted by the project, requiring consultation with that agency. The *Preferred Alternative B2M* would acquire 1.7 acres of RCO property along Bellevue Way SE north of the existing park and ride. Of this total acreage, 0.7 acre would be permanently acquired, with

the remainder used as a temporary construction easement to be restored after project construction.

While only a small portion of the RCO property would be converted, indirect impacts on the unconverted area must be evaluated, in addition to the direct impacts on the converted area.

Buildings, parking, and access associated with the Blueberry Farm occupy a portion of the RCO area that would be converted due to direct acquisition along Bellevue Way SE. The Heritage Loop Trail crosses the property, running northward parallel to Bellevue Way SE to connect to the Winters House and to the southeast toward Mercer Slough East. The Mercer Slough Nature Park Periphery Loop, which consists of the sidewalk along Bellevue Way SE, also crosses the edge of the property. A small area of wetland at the south end of the property, just north of the park and ride, would be acquired for operation, and the remaining permanent and temporary impact area is wetland buffer.

The portion of Mercer Slough Nature Park that would be acquired with RCO funds serves the park objective regarding Bellevue's agricultural heritage, as this is the access to the Blueberry Farm. As described above in the Section 4(f) evaluation, this edge of the park is characterized by active use and access to the Blueberry Farm and the park's interior trails. The Blueberry Farm driveway will be relocated and combined with the Winters House driveway. A small area of trail at the north end of the affected property would be relocated slightly to connect with the trail segment to the north that would also be relocated due to the light rail guideway (Exhibit A-4).

The Winters House and commercial component of the blueberry farm would be closed during construction. Farming operations would be maintained during construction, and the commercial component of the blueberry farm would be relocated to enable the business to continue operating during construction. Relocating a small segment of the trail would not substantially affect access to the property or the park, and detours would be provided during construction for temporary closures. Finally, the light rail project operation and construction would not impact the uses in the park's interior because the project would have no noise impacts due to the current ambient noise levels from adjacent roadways, as described in Section

A.5.1, and because the at-grade alignment would not have a visual impact, as described in Section A.3.5.2.

Converting the RCO area that would be directly impacted by the light rail guideway would not result in indirect impacts to the remainder of the RCO property or the park, and, therefore, conversion area is only that area acquired for operation and construction.

Similar to the Section 6(f) conversion process described above, FTA and Sound Transit will provide additional environmental evaluation regarding potential replacement property for RCO conversion.

A.6 Record of Coordination

Sound Transit assessed existing conditions at each Section 4(f) and 6(f) property through site visits, consultation with agencies or municipalities with jurisdiction over the Section 4(f) and 6(f) properties, and review of available planning documents and files maintained by relevant municipalities and agencies. Consultation efforts for Section 4(f) and 6(f) resources are recorded in Table A-7. Sound Transit solicited written correspondence from officials with jurisdiction over the 4(f) resources affected in terms of the significance of the resource, the nature and magnitude of the potential impact, and the acceptability of proposed mitigation (copies of these letters are provided in the 2008 Draft EIS). In addition, a series of meetings have occurred with the officials with jurisdiction regarding the parks and trails affected by these alternatives. Sound Transit also consulted with NPS and RCO regarding impacts to Section 6(f) and RCO property.

Sound Transit and FTA coordinated with the DAHP to identify properties listed or eligible for listing in the NRHP and consulted with the DAHP regarding potential adverse effects. (See Section 4.17 of the 2008 Draft EIS, the 2008 Draft EIS Appendix H4 *Historic and Archaeological Resources Technical Report*, and Chapter 3 of the SDEIS.)

FTA determinations of effect and findings of Section 4(f) use, including, if appropriate, findings of de minimis use and/or other evaluations as may be required under Section 4(f), will be made after concluding the consultation with affected agencies and jurisdictions and review of public comment after publication of the SDEIS.

TABLE A-7
Section 4(f) and 6(f) Consultation Summary

Date	Form	Participants	General Topic(s)
SDEIS			
June 1, 2009	Meeting with DAHP	DAHP, FTA, Sound Transit	Preliminary discussion of effect of moving or relocating Winters House and Justice William White House. Discussion of eligibility of other resources within corridor.
July 16, 2009	Meeting	DAHP, FTA, City of Bellevue Parks and Recreation Department and Transportation Department staff, Sound Transit	Discussion of effects to Winters House with potential revised alternatives. Review of construction impacts to contributing structures in NRHP-eligible Surrey Downs district. Tour of side-running alignment in Central Link.
October 8, 2009	Meeting	City of Bellevue City Manager, Parks and Recreation Department staff, and Transportation Department staff; Eastside Heritage Center; Sound Transit	Alternative B3S and associated impacts to the Winters House.
October 27, 2009	Meeting	City of Bellevue Parks and Recreation and Transportation Department staff	Discussion of potential impacts on park and recreation facilities, <i>de minimis</i> , and possible mitigation associated with impacts.
April 12, 2010	Meeting	NPS, Washington RCO, FTA, City of Bellevue, and Sound Transit	Conversion of Section 6(f) and RCO funded properties in Mercer Slough Nature Park, potential impacts, and environmental process for a conversion request.
June 8, 2010	Letter	FTA to DAHP	Requesting concurrence in determinations of NRHP-eligibility for historical resources.
September 2, 2010	Meeting	DAHP, FTA, Sound Transit, and City of Bellevue	Discussing potential determinations of no adverse effect for preferred alternative.
Pending	Letter	FTA to DAHP	Requesting concurrence regarding determinations of NRHP-eligibility for archaeological resources.
Pending	Letter	DAHP to FTA	Providing concurrence determinations of National Register eligibility for historic properties and determinations of effect.
2008 Draft EIS			
August 24, 2006	Letter	FTA/Sound Transit to Tulalip, Duwamish, Muckleshoot, Yakama, Snoqualmie, and Suquamish tribes, SHPO, Advisory Council on Historic Preservation	Opening consultation with tribes.
November 8, 2006	Meeting at Washington State DAHP	DAHP, Sound Transit, FTA, Washington State Department of Transportation (WSDOT), Historical Research Associates	2008 Draft EIS cultural resource methods.

TABLE A-7
Section 4(f) and 6(f) Consultation Summary

Date	Form	Participants	General Topic(s)
November 13, 2006	Meeting at Snoqualmie Tribe	Snoqualmie Tribe, Sound Transit, FTA, WSDOT	Cultural resources and ecosystem resources studies, tribe's concerns.
December 12, 2006	DAHP field trip	DAHP, Sound Transit, FTA, WSDOT	Archaeological sensitivity and potential studies along project alternatives.
December 13, 2006	Meeting at Muckleshoot Tribe	Muckleshoot Tribe, Sound Transit, WSDOT, Historical Research Associates	Cultural resources studies and tribe's concerns.
December 20, 2006	Submittal of cultural resources methods statement to DAHP for review	Sound Transit and DAHP	Cultural resources methods statement sent to DAHP for review.
January 2, 2007	Letter	From Matthew Sterner, DAHP, to James Irish, Sound Transit	Review comments on proposed cultural resources methods statement.
January 25, 2007	Meeting	City of Bellevue Parks and Recreation and Transportation Department staff, Sound Transit	Review of project elements and potential impacts on park and recreational facilities.
January 18, 2007	DAHP field trip	DAHP, Sound Transit, FTA, WSDOT	Historic resources along project alternatives.
April 17, 2007	Meeting at DAHP	DAHP, Sound Transit, FTA	Discussion of potential historic resources, project impacts, and treatment.
June 28, 2007	Meeting	City of Bellevue Parks and Recreation Department staff, Sound Transit	Discussion of potential impacts on park and recreation facilities and possible mitigation associated with impacts.
July 3, 2007	Letter	FTA to DAHP	Request for concurrence on APE for historic properties and archaeological APE.
July 13, 2007	Letter	DAHP to FTA	Concurring in APE for historic properties.
July 18, 2007	Letter	FTA to DAHP	Requesting concurrence in determinations of NRHP eligibility for historical resources.
November 16, 2007	Letter	DAHP to FTA	Determination of historic properties in East Link APE eligible for NRHP.
January 9, 2008	Letter	FTA to DAHP	Requesting concurrence on additional NRHP eligibility determinations.
April 17, 2008	Meeting	City of Bellevue	Review draft 4(f) preliminary findings of potential impacts on park and recreation facilities and possible mitigation.
July 10, 2008	Meeting	City of Bellevue,	Follow-up review draft 4(f) preliminary findings of potential impacts on park and recreation facilities and possible mitigation.
October 21, 2008	Letter	City of Bellevue	Preliminary review of proposed mitigation and <i>de minimis</i> on 4(f) resources.

Attachment 1

**Mercer Slough Nature Park Section 6(f)
Photographs**



Photo 1



Photo 2



Photo 3
At ground level at water trail.



Photo 4
Sitting on dock to simulate view from
canoe trail.



Photo 5



Photo 6

Sitting on dock to simulate view from canoe trail.



Photo 7



Photo 8



Photo 9



Photo 10
Standing on bench.



Photo 11
Sitting at water level.



Photo 12








Photo 13

Canoe trail near intersection of 112th Bellevue Way SE and Avenue SE.



Source: Data from City of Bellevue (2005) and King County (2006).

-  Photo Location and Direction
-  Recreational Water Trail
-  Other Trail
-  Section 6(f) Boundary
-  Park



0 0.25 Mile

Attachment 1.
Section 6(f) Area
Photo Locations
East Link Project

