

February 2013

FEDERAL WAY TRANSIT EXTENSION

# Early Scoping Summary Report



CENTRAL PUGET SOUND  
REGIONAL TRANSIT AUTHORITY

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## **PURPOSE OF THIS REPORT**

Sound Transit and the Federal Transit Administration (FTA) conducted “early scoping” from October 18 through November 19, 2012. The purpose of early scoping was to start the public planning and environmental processes for the Federal Way Transit Extension in South King County in the metropolitan Puget Sound region.

This report describes how Sound Transit and FTA conducted early scoping and provides a summary of comments received from the public and local and regulatory agencies during the early scoping period. This information will be considered by Sound Transit and FTA as they identify and study alternatives for the Federal Way Transit Extension.

This report is organized into five sections:

- Overview of the Federal Way Transit Extension
- Description of the early scoping process
- Overview of agency early scoping activities and summary of early scoping comments from agencies
- Overview of public early scoping activities and summary of early scoping comments from the public
- Next steps

## **OVERVIEW OF THE FEDERAL WAY TRANSIT EXTENSION**

Sound Transit and the Federal Transit Administration (FTA) conducted “Early Scoping” to start the public planning and environmental processes for the Federal Way Transit Extension in South King County in the metropolitan Puget Sound region. The Federal Way Transit Extension is part of the Sound Transit 2 (ST2) Plan approved by voters in 2008. The proposed project would start at the regional light rail system at the future S. 200th Street Station in the City of SeaTac.

Figure 1 shows where the Federal Way Transit Extension is located. The Federal Way Transit Extension is an element of the region’s Metropolitan Transportation Plan (the Puget Sound Regional Council’s Transportation 2040), and Sound Transit’s Long-Range Transit Plan. These plans anticipate the eventual extension of high capacity transit (HCT) service south to Tacoma.

Currently there is sufficient funding to build a transit extension to Kent/Des Moines.

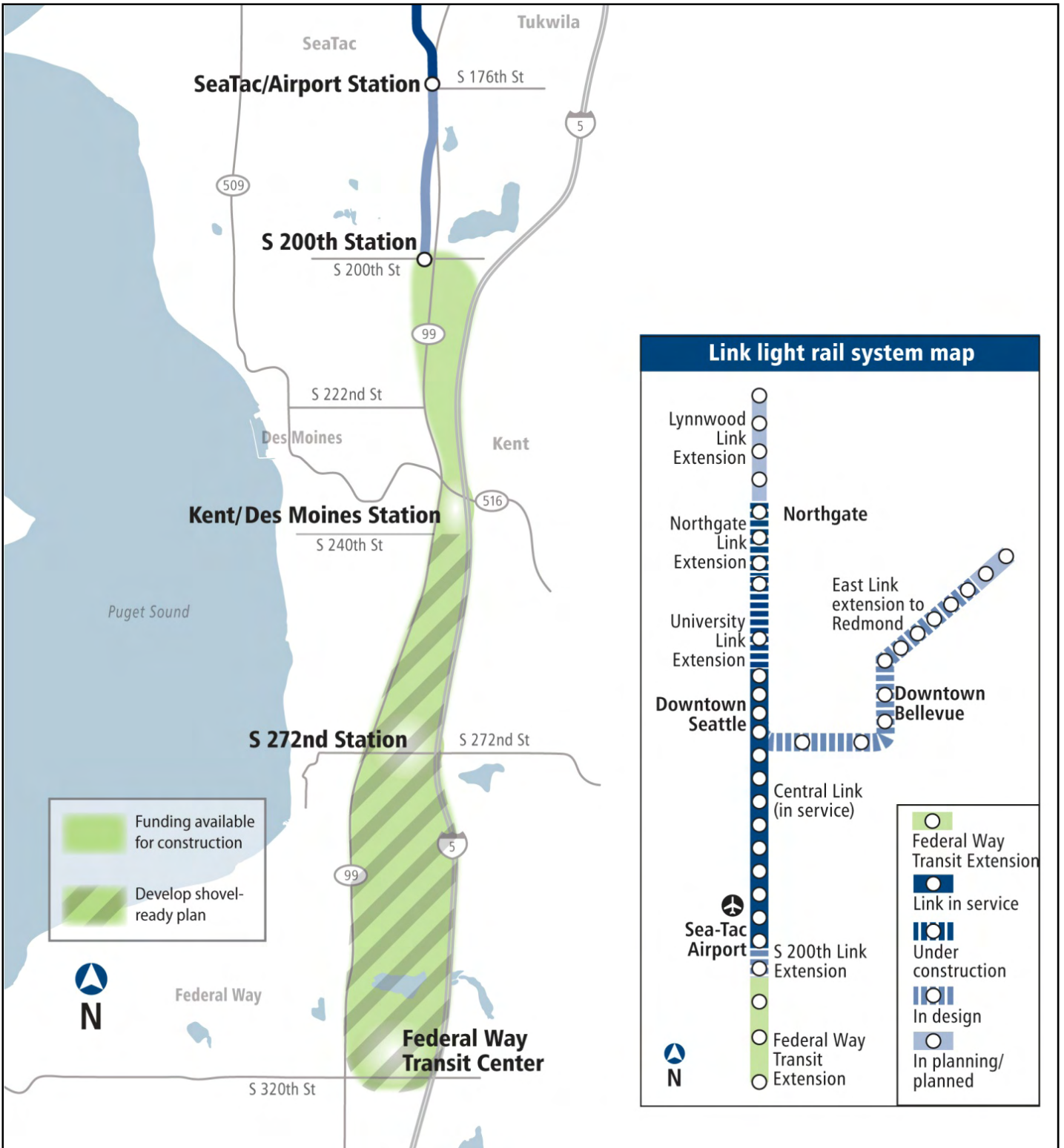


Figure 1 – Federal Way Transit Extension Project Area and Connection to the Link Light Rail System

Figure 2 shows the schedule for the Federal Way Transit Extension. Opportunities for public involvement will continue throughout the environmental review process.

**Figure 2 – Schedule for Developing the Federal Way Transit Extension**



## THE EARLY SCOPING PROCESS

### Purpose of Early Scoping

Early scoping initiated the alternatives analysis phase of the Federal Way Transit Extension. Alternatives analysis is when an agency evaluates the costs, benefits, and impacts of a range of transportation alternatives designed to address mobility problems and other objectives in a transportation corridor. Sound Transit will also evaluate a “No Build” alternative.

Early scoping provided the first opportunity for the public to learn about the project and provide their comments at the early planning stage. During early scoping, Sound Transit asked for comments from the public and agencies on:

- The range of alternatives to be considered.
- The draft purpose and need statement.
- The criteria that should be used to evaluate project alternatives.

Early scoping for the Federal Way Transit Extension was conducted under the National Environmental Policy Act (NEPA) in accordance with applicable federal regulations and guidance. FTA is the lead federal agency under NEPA. Early scoping was also conducted under the Washington State Environmental Policy Act (SEPA) rules regarding expanded scoping (WAC 197-11-410). Sound Transit is the lead agency under SEPA.

**What is a Purpose and Need Statement?**  
 A Purpose and Need Statement defines the objectives that project alternatives must meet. Sound Transit will use the Purpose and Need Statement to develop and evaluate project alternatives for analysis during environmental review.

## **Public Notices in the Federal Register and SEPA Register**

Sound Transit published early scoping notices in the Federal Register and SEPA Register on October 18, 2012, which initiated early scoping and started the 30-day public comment period. The early scoping notices provided information about the Federal Way Transit Extension, dates and times of agency and public early scoping meetings, how to learn more about the project, and how to provide comment during the 30-day public comment period. A copy of the Federal Register notice can be found in Appendix A.

In addition, Sound Transit prepared an Early Scoping Information Report to provide details on the early scoping period, project background, ways to provide comment, and the draft purpose and need for the project. It also discussed next steps in the project timeline and the environmental process. A copy of the Early Scoping Information Report can be found in Appendix B.

## **Opportunities for the Public and Agencies to Comment**

Early scoping included a 30-day public comment period from October 18 through November 19, 2012. Sound Transit accepted comments by U.S. mail to Federal Way Transit Extension, c/o Kent Hale, Senior Environmental Planner, Sound Transit, 401 S. Jackson St., Seattle, WA 98104; email to [fwte@soundtransit.org](mailto:fwte@soundtransit.org); or by filling out a comment card at an early scoping meeting. Sound Transit hosted an agency early scoping meeting for federal, state, regional, and tribal governments on Wednesday, November 7, 2012 and public early scoping meetings on Thursday, November 8, 2012 in Des Moines and Tuesday, November 13, 2012 in Federal Way. The public also had the opportunity to express their opinions about the project by completing an online survey, which was available on the project website [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension).

Copies of all early scoping comments submitted to Sound Transit are available for review at Sound Transit's offices at 401 South Jackson Street, Seattle WA 98104-2826, or by contacting Tralayne Myers at [tralayne.myers@soundtransit.org](mailto:tralayne.myers@soundtransit.org) or (206) 398-5014.



## AGENCY EARLY SCOPING

### Agency Early Scoping Meeting

Sound Transit hosted an online early scoping meeting for federal, state, regional, and tribal governments on Wednesday, November 7, 2012 from 2 pm to 3 pm. Sound Transit distributed meeting invitations to approximately 68 agency representatives. Participants convened in real time using GoTo Webinar software from Citrix Online. After registering for the event, participants received an e-mail with specific instructions for how to participate in the meeting.

Fourteen people participated in the online meeting, representing the following cities and agencies:

- City of Des Moines
- City of Kent
- City of Federal Way
- City of SeaTac
- Federal Transit Administration
- Highline Community College
- Puget Sound Regional Council
- Puyallup Tribe
- Washington Department of Archaeology and Historic Preservation
- Washington Department of Fish and Wildlife
- Washington State Department of Transportation
- United States Environmental Protection Agency

Jamie Strausz-Clark, PRR Inc., consultant to Sound Transit, began the meeting by welcoming meeting participants, providing an overview of the meeting agenda, and explaining how the online meeting would work. During the meeting, participants were able to listen to an audio presentation while viewing PowerPoint slides. Cathal Ridge, Sound Transit's project manager for the Federal Way Transit Extension, provided an overview of the project and talked about the project purpose and need, potential alternatives, and potential evaluation criteria. Kent Hale, Sound Transit's Environmental Lead for the Federal Way Transit Extension, subsequently discussed existing conditions in the project area that will be evaluated during the environmental review process.

Throughout the presentation, participants were invited to type questions using GoTo Webinar's instant messaging function. After the conclusion of the presentation, Sound Transit responded verbally to all submitted questions so that responses could be heard by all participants.

## Interagency Work Group and Stakeholder Briefings

During the early scoping period and throughout the Federal Way Transit Extension development process, Sound Transit is meeting with a working group of local agency staff to encourage interagency involvement and coordination. The Interagency Work Group is comprised of jurisdictions or agencies that may be affected by project development. The Interagency Work Group will review the alternatives analysis process and advise Sound Transit as the agency develops and screens the alternatives. As the design evolves, the Interagency Work Group will advise Sound Transit on strategies to avoid and minimize environmental impacts. The Interagency Work Group will meet at major project milestones throughout alternatives analysis and during later project phases. This group is not intended to provide official recommendations on policy-related decisions.

The Interagency Work Group representatives include the following entities:

- City of Des Moines
- City of Kent
- City of Federal Way
- City of SeaTac
- Highline Community College
- King County Metro
- Puget Sound Regional Council (PSRC)
- Washington State Department of Transportation

Meetings occurred prior to the start of early scoping on September 10, 2012 and October 8, 2012 and during early scoping on November 13, 2012. Meetings were designed to obtain input from the affected agencies and understand specific concerns related to alternatives development and evaluation, with a focus on the following:

- September 10, 2012: Process and schedule for developing the Federal Way Transit Extension.
- October 8, 2012: How the public and stakeholders can get involved in the Federal Way Transit Extension.
- November 13, 2012: Preliminary list of alternatives Sound Transit will evaluate for the Federal Way Transit Extension and the criteria Sound Transit proposes to use to evaluate alternatives.

Sound Transit also met with elected officials and representatives of local governments and other agencies to brief them on the project and inform them of early scoping activities, as follows:

- October 8, 2013: Kent Economic and Community Development Committee (briefing)
- October 18, 2013: Des Moines City Council (study session)
- October 22, 2013: Kent Public Works Committee (briefing)
- October 23, 2013: SeaTac City Council (study session)
- November 20, 2013: Federal Way City Council (briefing)

### **Summary Comments from Public Agencies, Jurisdictions, and Institutions**

Eight public agencies and jurisdictions submitted written comment letters during early scoping:

- City of Des Moines
- City of Kent
- City of Federal Way
- City of SeaTac
- Highline Community College
- King County Metro
- Puget Sound Regional Council
- United States Environmental Protection Agency

Some agencies expressed a preference for a particular mode, alignment, or profile. Some agencies chose not to indicate a preference, instead choosing to recommend specific alignments or profiles they would like Sound Transit to evaluate as it develops the Federal Way Transit Extension. The agencies also provided comments on the draft purpose and need statement, recommended criteria to evaluate alternatives, and highlighted environmental issues they would like to see studied as part of the environmental review process. The following table summarizes these comments by agency. Appendix C includes a copy of each agency's letter.

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**Summary of Agency, Jurisdiction, and Institution Comments**

City of SeaTac		City of Des Moines	City of Kent	City of Federal Way	Highline Community College	Metro	PSRC	USEPA
Alignment ("x" indicates that the commenter indicated a preference for a particular alignment)								
Preferred	I-5		x					
	SR 99	x (west side to S. 216 <sup>th</sup> St.)	Only w/ stop at S 216, otherwise I-5/SR 509 preferred			x (center of SR 99 from K/DM Rd. to S. 240 <sup>th</sup> )		
Identified for evaluation		<ul style="list-style-type: none"> <li>30th Avenue S</li> </ul>	<ul style="list-style-type: none"> <li>SR 99 elevated in median</li> <li>SR 99 elevated, east running</li> <li>SR 99 elevated, west running</li> <li>Crossing SR 99 to I-5/SR 516</li> <li>I-5 mixed at-grade/elevated</li> </ul>	<ul style="list-style-type: none"> <li>Remove "in the middle of" from the description of alignments along SR 99.</li> </ul>				
Mode ("x" indicates that the commenter indicated a preference for a particular mode)								
Light rail		x	x	x		x		
Bus								
Other		LR w/complementary BRT						
Profile ("x" indicates that the commenter indicated a preference for a particular profile)								
Elevated		x	x	x		x		x
At Grade				x				
Mixed			x	x				
Other			Tunnel					
Stations ("x" indicates that the commenter indicated a preference for a station in a particular location or area)								
HCC			x	x		SR 99 @ 240 <sup>th</sup>		
272nd			x					
Redondo P & R			x					
Star Lake P& R			x					
FWTC								
Other		S. 216th		No station west of SR 99				
Additional Recommendations								
Evaluation criteria	<ul style="list-style-type: none"> <li>Evaluate the number of residential housing units within 100 feet of construction footprint</li> <li>Evaluate number of housing and commercial property acquisitions</li> </ul>	<ul style="list-style-type: none"> <li>Preferences of cities and HCC</li> <li>Serve major population and employment center at S 216th</li> <li>Neighborhood and economic development benefits/costs</li> <li>Practicality of routes based on engineering feasibility, cost, and economic impacts</li> <li>Physical constraints/opportunities of topography</li> <li>Economic benefits and disadvantages of alignments including impacts to commercial properties cost/benefit of at grade vs. elevated, cost to ride, and frequency of service.</li> </ul>	<ul style="list-style-type: none"> <li>Support TOD</li> <li>Strong pedestrian connections to HCC, population/job centers envisioned in the Midway Plan</li> <li>Ease of multi-directional, multi-modal access and parking at stations</li> <li>Develop stations as attractive gathering places</li> <li>Avoid visual and noise impacts</li> <li>Incorporate security measures</li> <li>Connections to Kent regional growth center and other regional growth/activity centers</li> <li>Avoid disrupting east-west auto/pedestrian/bike travel</li> <li>Increased mobility and reliability of service</li> <li>Enhance frequency of service</li> <li>Extend hours of service</li> <li>Provide alternative travel modes during catastrophe</li> <li>Community cohesion</li> </ul>	<ul style="list-style-type: none"> <li>Consider relative TOD benefits for both alignment and mode</li> <li>Under "Supportive land use and economic development" add criteria for job density and access to major destinations</li> <li>Neighborhood connectivity</li> <li>For non-motorized activity, consider planned conditions rather than existing conditions</li> <li>For non-motorized activity, consider percentage of links that would be accessible.</li> </ul>	<ul style="list-style-type: none"> <li>Availability of parking</li> <li>Impacts on traffic</li> <li>Consistency with Midway Subarea Plan</li> </ul>	<ul style="list-style-type: none"> <li>Ease, frequency of connections between bus-light rail</li> <li>TOD potential</li> </ul>	<ul style="list-style-type: none"> <li>Consistency with VISION 2040 and Transportation 2040                             <ul style="list-style-type: none"> <li>Multi-purpose objectives</li> <li>Allocated population/employment growth</li> <li>Projected ridership</li> <li>TOD and pedestrian-oriented development</li> <li>Industry clusters identified in Regional Economic Strategy</li> </ul> </li> <li>Station siting effects on local planning efforts</li> <li>Ability for terminus to connect with future HCT alternatives</li> <li>Analyze TOD potential</li> <li>Ensure transit investments and housing policies are mutually supportive</li> </ul>	<ul style="list-style-type: none"> <li>Maximize the use of existing infrastructure and ROW to minimize impacts to the natural environment</li> <li>Redevelopment potential</li> <li>Avoid/minimize new impervious surface</li> <li>Avoid impacts to wetlands and special aquatic sites</li> </ul>

**Summary of Agency, Jurisdiction, and Institution Comments (continued)**

	City of SeaTac	City of Des Moines	City of Kent	City of Federal Way	Highline Community College	Metro	PSRC	USEPA
Environmental issues	<ul style="list-style-type: none"> <li>Community cohesion (specifically impacts on single-family neighborhood on 29<sup>th</sup> Avenue S, just north of S 216th)</li> </ul>	<ul style="list-style-type: none"> <li>Impacts on future development potential</li> <li>Impacts to commercial properties</li> <li>Intersection operations at Kent-Des Moines Road</li> <li>Noise</li> <li>View obstruction</li> <li>Traffic</li> <li>Impacts to low income neighborhoods</li> <li>Terminal location impacts</li> </ul>	<ul style="list-style-type: none"> <li>Consider the Tacoma Smelter Plume and other brownfield sites near alignment and station alternatives</li> <li>Address the high tension power lines located along SR 99 and 30<sup>th</sup> in Kent and Des Moines</li> </ul>		<ul style="list-style-type: none"> <li>Study parking, traffic, and safety impacts of interim terminus at HCC</li> </ul>	<ul style="list-style-type: none"> <li>Space for bus zones and layover areas at high ridership areas (e.g. HCC)</li> </ul>		<ul style="list-style-type: none"> <li>Avoid disturbance of Midway Landfill Superfund site</li> <li>Air quality</li> <li>Climate change</li> <li>Biological and aquatic resources</li> <li>Tribal treaty resources</li> <li>Ecological processes and hydrological connectivity</li> <li>EJ populations/ other vulnerable populations</li> <li>Community impacts</li> <li>Invasive species</li> <li>Geological resources</li> <li>Indirect and cumulative effects.</li> <li>Green building and management practices</li> </ul>
Purpose and Need additions						<p>Purpose and need should emphasize expanding and enhancing the integrated, multimodal transportation network of complementary services in order to maximize system connectivity and ridership.</p>	<p>Provide equitable access to the benefits of transit and transit oriented development to existing low-income and racially diverse communities through increased connectivity to employment, educational, social, and recreational opportunities and through increased potential for local economic development.</p>	
Other Key Issues	<ul style="list-style-type: none"> <li>Does not support alignment that interferes with future TOD on SR 99 and the 28th-24th corridor.</li> <li>Do not preclude or conflict with the extension of SR 509 to I-5.</li> <li>Does not support use of SR 509 ROW that would impact 28th/ 24th Ave S extension between S 200th and S 208th</li> <li>Metro connections with E/W and N/S feeders to FWTE</li> </ul>	<ul style="list-style-type: none"> <li>Accelerate schedule (ROD before 2016)</li> <li>Evaluate interim and long-term parking demand</li> <li>Evaluate Military Rd/I-5 P&amp;R for parking/transit connections</li> <li>Evaluate E/W transit connections w/Metro at S 272nd</li> <li>Evaluate building a transit-dedicated road between SR 99 and Kent-Des Moines Road</li> <li>SR 99 alignment should consider City's investment in ROW improvements on S 216th from 24th to 29th/30th</li> </ul>	<ul style="list-style-type: none"> <li>Do not preclude or conflict with the extension of SR 509 to I-5</li> <li>Provide E/W feeder/circulating buses to Kent Valley job centers and Cities of Des Moines and SeaTac</li> </ul>		<ul style="list-style-type: none"> <li>Station east of SR 99 or near Kent-Des Moines Road would be less effective in attracting campus users.</li> <li>Include parking in all station designs</li> <li>At-grade alignment does not support campus master plan vision for major entrance to campus at S 236 Lane</li> </ul>		<ul style="list-style-type: none"> <li>Consider providing support for local station area planning efforts or other development-related assistance as mitigation if locally preferred alternative does not strongly support TOD</li> <li>Ability to serve projected ridership</li> <li>Serve industry clusters identified in the Regional Economic Strategy</li> </ul>	<ul style="list-style-type: none"> <li>Develop project goals and objectives to guide decision-making about the project</li> <li>Conduct Community Impact Assessment</li> </ul>

## PUBLIC EARLY SCOPING

Sound Transit held two public early scoping meetings to provide an opportunity for the public to learn about the project and to invite comment on potential alternatives, purpose and need, and criteria Sound Transit will use to evaluate project alternatives. Approximately 75 people attended the meetings which were held at the following locations:

### Des Moines

Thursday, Nov. 8, 2012

4–7 p.m.

Highline Community College (Building 2)

S. 240th Street and Pacific Highway South

### Federal Way

Tuesday, Nov. 13, 2012

4–7 p.m.

Truman High School

31455 28th Ave. S.

## Meeting Notification

Sound Transit advertised the early scoping meetings through a variety of methods, including a postcard mailing to approximately 24,900 single-family homes, apartments, and businesses within one-half mile of the project area; print and online advertising; a media advisory; and notification on the project website. Sound Transit also hung posters at community gathering places throughout the project area.

Sound Transit placed display advertisements in the following publications:

- *The Seattle Times* (legal notice, October 17 and October 24)
- *Federal Way Mirror* (November 11)
- *Highline Times* (October 31)
- *Des Moines News* (October 31)
- *SeaTac News* (October 31)
- *Thunderword* (Highline Community College student newspaper, November 1)
- *Korea Daily* (October 30)
- *Russian World* (October 22)
- *El Mundo* (Spanish, November 1)
- *Phuong Dong Times* (Vietnamese, November 11)

Sound Transit posted advertisements in the online publications beginning the week of October 29, 2012. These advertisements linked directly to the project website.

- *SeaTac Blog*
- *Waterland Blog* (Des Moines)
- *Seattle Transit Blog*

Samples of meeting notifications are provided in Appendix D.

## **Public Outreach to Minority, Low-Income, and Limited-English Proficient Populations**

Sound Transit is committed to equal engagement opportunities for all interested members of the public. In addition to Sound Transit outreach policy, multiple federal laws and guidance require Sound Transit to provide meaningful opportunities for these groups to engage in the planning process. Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin. Executive Order 12898, signed by President Clinton in 1994, directs federal agencies, to make environmental justice a part of its mission by identifying and addressing disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority and low-income populations.

Sound Transit conducted a preliminary demographic analysis and interviews with community leaders, jurisdictions, and social service providers in the project area to identify low-income, minority, and limited-English proficient populations. The interviews also helped Sound Transit identify public involvement strategies to engage these groups in the public involvement process. See Appendix E for a list of interview participants.

Based on outcomes from the interviews, Sound Transit used the following strategies to engage minority, low-income, and limited-English proficient populations during early scoping:

- Advertisements included translated statements in Korean, Russian, Somali, Spanish, Tagalog, and Vietnamese with a phone number for non-English speaking community members to access interpretation services and get more information about the early scoping meetings.
- Hosted meetings in transit-accessible facilities.
- Hosted meetings in the evening to accommodate shift workers.

As the project moves forward, Sound Transit will engage minority, low-income, and limited-English proficient populations using the following strategies:

- Partner with community organizations to organize outreach events in the community and distribute project information through existing communication channels.
- Host tabling events at familiar, trusted community gathering places, such as community centers and local houses of worship.
- Work with Somali TV to develop and distribute a Somali-language video describing the Federal Way Transit Extension.



## Public Scoping Meeting Format

Sound Transit asked participants to sign-in as they arrived. Staff members working at the welcome table explained the meeting purpose and format and asked attendees to identify where they live or work on a map of the project area. Each participant received a project fact sheet, a postcard detailing contact information and how to stay involved, as well as a comment form. Copies of the Early Scoping Information Report were also available.

The meeting was conducted as an open house where participants were invited to review displays and discuss the project with Sound Transit staff and members of the consultant team. Display boards provided information about Sound Transit, the project history, the purpose of and need for the Federal Way Transit Extension, opportunities for public involvement, and schedule.

Participants were invited to provide comment through three interactive exercises:

1. Staff provided a map of the corridor on a long table. Participants could use markers and post-it notes to make suggestions for routes and station areas. They could also identify any important environmental or community resources.
2. Participants could use dot stickers to identify which elements of the purpose and need statement and evaluation criteria were most important to them.
3. Participants could use dot stickers to identify their preferences for mode (light rail, bus rapid transit, or “other”); route; and station locations.

Feedback from the open house will help the project team finalize the purpose and need statement and develop final project goals and evaluation criteria for the proposed alternatives. It will also help Sound Transit and the FTA define the range of alternatives that should be studied in more detail through the engineering and environmental process.

## Summary of Public Comments

Sound Transit received 28 comments from the public during the early scoping period, including 25 written comment forms submitted at early scoping public meetings and three comments submitted by email. The public also had the opportunity to express their opinions about the project by completing an online survey. A total of 358 people completed the online survey, which was available on the project website during the early scoping comment period from October 18 – November 19, 2012.

Overall, most comments were positive about the project and indicated a desire for improved transit service in the project area. Comments expressed a strong preference for light rail. While support for a preferred alignment was split between SR 99 and I-5, there was strong preference for an elevated profile.

This section is divided into four sections:

- General Comments
- Comments Related to Potential Alignments or Project Features
- Comments on Evaluation Criteria
- Comments on Environmental Issues or Process

### **General Comments**

The following are general comments, not related to a specific alternative.

#### **Parking**

One of the most common themes was the need for parking at stations. Several comments identified capacity problems at existing park and ride lots, specifically at the Star Lake Park and Ride and the Federal Way Transit Center. Comments also noted capacity problems at the Tukwila Station Parking Garage and expressed concern that lack of parking could negatively impact ridership. Several comments expressed concern about light rail exasperating existing parking problems at Highline Community College.

*“The route, whether I-5 or HWY 99, needs to have parking facilities at each station, garage preferred.” – Des Moines resident*

*“I’m also concerned about parking. Will it cause more working people to use up student parking? Already people are using Bartell’s on 216th to park in order to catch Rapid Ride to Tukwila.” – Highline Community College early scoping meeting participant*

*“Parking, parking, and more parking. So many folks have little or no access to a bus and either can’t or will not walk or drive to a station.” – Federal Way resident*

*“All stops need to include a parking garage to accommodate riders and encourage use of light rail. Most riders will live some distance from stations.” – Des Moines resident*

*“Plenty of accessible parking at as many stops as possible. Users are unlikely to use regularly if they cannot get to a stop in under two miles driving (with parking) or one to two miles walking.” –Online survey respondent*

## Travel Time

Comments urged Sound Transit to consider travel time when designing the Federal Way Transit Extension and stressed that new light rail needs to be competitive with existing regional bus service. Some comments cited reliability, safety, and frequent service as benefits of light rail but caution that offering too many stops will make for a lengthy trip. A few comments recommended express runs that do not stop at every station.

*“My biggest concern about the light rail plan is that we’ll have to trade reliability for speed. I take the bus every day and adding time to my transit will force me to consider alternatives including possibly driving more often. Any transit proposal should consider total travel time, and consider implementing things like ‘express runs’ that make fewer stops, using elevated or dedicated rails to improve transit times, and avoiding timely detours like the current run through the Rainier Valley.”* – Auburn resident

*“I have to be to Seattle by 6 am. Currently, that requires catching the first train from Tukwila Station. To be useful, trains would need to serve south-end stations easily enough to get me downtown by 6 am. Otherwise, I’m still stuck driving to Tukwila.”* – Des Moines resident

*“Design should provide the quickest travel time feasible consistent with providing access to the system for the most people.”* – Federal Way early scoping meeting participant

*“I currently commute from Federal Way to Seattle Monday-Friday on Route 177. I feel that the light rail would take longer than the bus because of all the stops it makes along the way. It already takes the light rail 40 minutes to travel from Westlake to the Airport. I could be all the way to Federal Way on the bus faster than that. Will there be an express light rail that bypasses stopping at the Airport and Beacon Hill?”* –Online survey respondent

## Future Expansion to Tacoma

Several comments expressed support for expanding light rail to Tacoma and encouraged Sound Transit to build the Federal Way Transit Extension with future expansion in mind.

*“The design to the Federal Way city center must take into account the eventual line extension to Tacoma.”* – Federal Way early scoping meeting participant

*“I live in Tacoma, and this project along with a future connection between S 200th and the Tacoma Dome are a must in improving accessibility as well as freeing up parking spaces in the cities and congestion on highways.”* –Online survey respondent.

## **Bicycle, Transit, and Pedestrian Connections**

Many comments urged Sound Transit to consider how different alternatives connect with other transit and bicycle facilities and pedestrian access.

*“Lack of feeder buses – not practical to move people west of Route 99. People will not likely walk to transit stations unless they live within 1-2 blocks of station or 1 block on either side of SR 99 to catch feeder buses.”* – Seattle resident

*“Add a RapidRide Auburn-Kent Valley-Des Moines light rail.”* –Des Moines resident

*“A streetcar or other quick, direct, and well-timed connection to Kent Sounder Station along SR 167 would be beneficial with an SR 99 alignment.”* –Online survey respondent

## **Build the Federal Way Transit Extension as Soon as Possible**

Many comments expressed a need for more transit service in the project area and encouraged Sound Transit to build the Federal Way Transit Extension as soon as possible. Some comments called for more transit service to be provided in the interim, recognizing that the Federal Way Transit Extension would not be completed for several years.

*“Traffic is at times unbelievably heavy. This project was needed 20 years ago. The sooner the better!”* –Online survey respondent

*“Need the expansion ASAP!”* – Seattle resident

*“Project needs to be accelerated. Support is there and so is the need. Use design-build to accelerate project.”* – Federal Way early scoping meeting participant

*“There are lots of people who currently ride the bus from the Federal Way Transit Center to downtown and the buses are overcrowded. People have to stand due to lack of seats at almost all times of day. More service is needed on this route, and light rail is preferred, but that’s a long time away.”* – Auburn resident

## **Comments Related to Potential Alignments or Project Features**

### **Comments Specific to Mode**

Comments revealed overwhelming support for light rail and little support for bus enhancements, bus rapid transit, or other modes. However, King County Metro’s RapidRide service is perceived as a positive improvement in the project area. Some comments suggested that funds would be better spent expanding regional bus service, which would provide improved service to South King County sooner than light rail could be completed.

*“I don’t think it matters a whole lot when determining where the FWTE is aligned (I-5 or SR 99), however, it should be separated from vehicular traffic (elevated or underground). Although it seems farfetched, I believe making Link completely elevated or underground (or essentially separated from vehicular traffic) would maximize its ability to provide “rapid transit.” –Des Moines resident*

*“The more areas we can cover with Link rail the better. Link provides an excellent alternative to driving, and more people should have access to it.” – Online survey respondent*

*“Given the Metro Transit and Pierce Transit fiscal crisis, please consider NOT extending Link south of South 200th Street. Instead, ST could shift South King County Link funds to an expanding regional express program...South King County transit riders need improved service frequency today, not in several decades.” – Seattle resident*

### **Comments Specific to Alignments**

Support for a preferred alignment was split between SR 99 and I-5. Those who prefer SR 99 cited greater potential for transit oriented development and economic development. They also see SR 99 as offering more logical station locations.

*“I favor Highway 99 rather than duplicating I-5. There is more development on 99 and there are more logical stops.” –Auburn resident*

*“Alignment along the side of 99 makes the most sense. There is more residential and commercial development along SR 99 than I-5 and plenty of room for more TOD. I-5 is such a barrier that unless there is mass parking available (waste of money), there will be few crossing. Fewer places to cross too.” – Des Moines resident*

*“A route down HWY 99 would have a greater negative impact on views, noise, and construction but seems like a good idea if it really benefits the local communities like Des Moines. Look for vacant land and work to mitigate environmental impacts.” – Des Moines resident*

Those who favored I-5 expressed concerns about impact to traffic on SR 99, or believe it would provide faster, more efficient service at a lower cost.

*“Concerns about a surface option: Hwy 99 is busy and was expanded to the current size to accommodate traffic. Target traffic reduction with light rail is I-5, not 99. I don’t think a surface option is reasonable – too much impact to local traffic.” –Des Moines resident*

*“The only way I support this is if travel times are reduced, which would mean a faster system than the current Link, or an I-5 alignment and bypass of Rainier/Beacon Hill.” – Online survey respondent*

*“Run light rail near I-5 where people sitting in rush hour traffic can see the train go by.” – Des Moines resident*

*“Go down I-5 if it’s cheaper and will get you more bang for your buck.” –Online survey respondent*

An alignment along 30th Avenue S was also recommended, although one comment expressed concern about the impacts of this alignment on the low income and minority residents of the adjacent neighborhood. One comment recommended an alignment between 30th Avenue S and I-5 in the vicinity of Highline Community College.

*“30<sup>th</sup> Avenue S is a neighborhood street and is mainly inhabited by people of color. To run a line down the heart of this ethnic community would be an extreme disruption to their daily lives and should NEVER be considered by Sound Transit.” –Highline Community College early scoping meeting participant*

Some comments expressed a preference for the alignment that is fastest and best serves the community rather than identifying a specific route. Other comments suggested an alignment somewhere in between I-5 and SR 99, though no specific routes were identified.

### **Comments Specific to Profile**

Comments indicated a strong preference for an elevated profile as it is perceived as providing a faster, more reliable trip; less costly and disruptive to adjacent communities; and safer for pedestrians and motorists. There was the least support for an at-grade profile, out of concern for impacts to traffic and potential for a slower trip.

*“Preferred for speed, safety (separation from cars and pedestrians), smaller footprint needed to install, cost savings on grade crossings and signals.”*

*“An elevated guideway allows more development closer and has less disruption on surrounding businesses. It allows the trains to travel faster than at-grade and costs less than tunneling.”*

– Des Moines resident

*“Grade separated rail (elevated) would work best as it avoids pedestrian and vehicular interaction.”*

### **Comments Recommending Station Locations**

In general, comments expressed support for stations near Highline Community College (HCC), S 272nd, and Federal Way Transit Center. Comments also identified specific locations for potential stations:

- S 216th (multiple comments)
- Lowes parking lot on 99 (near Highline Community College)
- Highline Community College parking lot
- Kent-Des Moines Park and Ride (with an east side I-5 alignment)
- 252nd near Fred Meyer (multiple comments)
- Park and Ride at 260<sup>th</sup> (multiple comments)
- LA fitness parking lot (SR 99 near Redondo Park and Ride)
- Woodmont Library on SR 99
- 288th between Military Road and I-5 (multiple comments)
- Existing 276th park and ride
- 320th Park and Ride
- 320th and SR 99
- 21st Ave/SW 336th
- The Commons at Federal Way
- 348th Park and Ride (multiple comments)
- Dash Point Road
- Easter Lake
- Kent Sounder Station

### ***Comments on Evaluation Criteria***

Sound Transit identified evaluation criteria it will use to compare different project alternatives. At the public early scoping meetings, there was an interactive board to gauge public input on which criteria should be the most important when evaluating different project alternatives. The following evaluation criteria received the most votes at the public early scoping meetings:

- Ridership potential
- Consistency with local and regional plans
- Connectivity to regional transportation system

The online questionnaire asked respondents to prioritize evaluation criteria. Respondents ranked the evaluation criteria in the following order, from most important to least important:

- Ridership potential
- Reliability
- Connectivity to regional transportation system
- Relative cost
- Effect on natural and build environments
- Accessibility for transit dependents
- Consistency with local and regional plans
- Physical and engineering constraints

### ***Comments on Environmental Issues or Process***

Comments related to environmental issues focused on noise, traffic impacts, natural resources, neighborhood impacts, and property values.

*“I’m concerned about noise. We have a ton of nerve wracking airport noise in the morning and after 2:00 pm. We don’t need more to drive us crazier. We also get noise from the freeway and railroad.”* – Highline Community College early scoping meeting participant

*“I’m concerned about the traffic on 240<sup>th</sup> at Highline Community College – it’s a mad rush when classes are out and it’s dangerous for drivers and pedestrians.”* – Highline Community College early scoping meeting participant

*“Have some concern for the animals that find shelter in the wooded areas of the college [HCC].”* – Des Moines resident

*“Des Moines from 200th to 272nd is a lovely neighborhood. Please, please, please don’t build something incongruent with its naturalness. We do not need to develop like Edmonds and Alki.”* – Highline Community College early scoping meeting participant

*“As a homeowner, am concerned about the effect on the value of my property.”* – Des Moines resident



## **NEXT STEPS**

Following early scoping, Sound Transit will develop an initial list of potential alternatives, including alternatives that emerge as a result of public and agency early scoping comments. Next, Sound Transit will evaluate the alternatives based on their ability to satisfy the project's purpose and need, using criteria such as transportation benefits, cost, ridership, communities and populations served, land use benefits, and environmental impacts. Following this evaluation, Sound Transit and FTA are expected to issue a Notice of Intent to prepare an Environmental Impact Statement (EIS), and public and agency scoping for the EIS will be invited and considered at that time. The Sound Transit Board will then identify the alternatives to be studied in the project's federal and state environmental review process. This would be followed by further engineering, environmental analysis, and public involvement work on the project, leading to final decisions about the project to be built and operated in the Federal Way Transit Extension project area.

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## **APPENDIX A – FEDERAL REGISTER NOTICE**

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diabetic retinopathy. He holds a Class A CDL from Pennsylvania.

*John F. Robinson*

Mr. Robinson, 51, has had ITDM since 2006. His endocrinologist examined him in 2012 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Robinson understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Robinson meets the vision requirements of 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2012 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from South Carolina.

*Cody R. Sheehan*

Mr. Sheehan, 21, has had ITDM since 2001. His endocrinologist examined him in 2012 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Sheehan understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Sheehan meets the vision requirements of 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2012 and certified that he does not have diabetic retinopathy. He holds a Class D operator's license from Massachusetts.

*Michael D. Suchecki*

Mr. Suchecki, 38, has had ITDM since 2005. His endocrinologist examined him in 2012 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Suchecki understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Suchecki meets the vision requirements of 49 CFR 391.41(b)(10). His ophthalmologist examined him in 2012 and certified that he does not have

diabetic retinopathy. He holds a Class B CDL from Illinois.

*Mark A. Welch, Jr.*

Mr. Welch, 33, has had ITDM since 1992. His endocrinologist examined him in 2012 and certified that he has had no severe hypoglycemic reactions resulting in loss of consciousness, requiring the assistance of another person, or resulting in impaired cognitive function that occurred without warning in the past 12 months and no recurrent (2 or more) severe hypoglycemic episodes in the last 5 years. His endocrinologist certifies that Mr. Welch understands diabetes management and monitoring, has stable control of his diabetes using insulin, and is able to drive a CMV safely. Mr. Welch meets the vision requirements of 49 CFR 391.41(b)(10). His optometrist examined him in 2012 and certified that he does not have diabetic retinopathy. He holds a Class B CDL from Pennsylvania.

#### Request for Comments

In accordance with 49 U.S.C. 31136(e) and 31315, FMCSA requests public comment from all interested persons on the exemption petitions described in this notice. We will consider all comments received before the close of business on the closing date indicated in the date section of the notice.

FMCSA notes that section 4129 of the Safe, Accountable, Flexible and Efficient Transportation Equity Act: A Legacy for Users requires the Secretary to revise its diabetes exemption program established on September 3, 2003 (68 FR 52441).<sup>1</sup> The revision must provide for individual assessment of drivers with diabetes mellitus, and be consistent with the criteria described in section 4018 of the Transportation Equity Act for the 21st Century (49 U.S.C. 31305).

Section 4129 requires: (1) Elimination of the requirement for 3 years of experience operating CMVs while being treated with insulin; and (2) establishment of a specified minimum period of insulin use to demonstrate stable control of diabetes before being allowed to operate a CMV.

In response to section 4129, FMCSA made immediate revisions to the diabetes exemption program established by the September 3, 2003 notice. FMCSA discontinued use of the 3-year driving experience and fulfilled the requirements of section 4129 while continuing to ensure that operation of CMVs by drivers with ITDM will

<sup>1</sup> Section 4129(a) refers to the 2003 notice as a "final rule." However, the 2003 notice did not issue a "final rule" but did establish the procedures and standards for issuing exemptions for drivers with ITDM.

achieve the requisite level of safety required of all exemptions granted under 49 U.S.C. 31136(e).

Section 4129(d) also directed FMCSA to ensure that drivers of CMVs with ITDM are not held to a higher standard than other drivers, with the exception of limited operating, monitoring and medical requirements that are deemed medically necessary.

The FMCSA concluded that all of the operating, monitoring and medical requirements set out in the September 3, 2003 notice, except as modified, were in compliance with section 4129(d). Therefore, all of the requirements set out in the September 3, 2003 notice, except as modified by the notice in the **Federal Register** on November 8, 2005 (70 FR 67777), remain in effect.

Issued on: October 2, 2012.

**Larry W. Minor,**

*Associate Administrator for Policy.*

[FR Doc. 2012-25372 Filed 10-15-12; 8:45 am]

BILLING CODE 4910-EX-P

## DEPARTMENT OF TRANSPORTATION

### Federal Transit Administration

#### Early Scoping Notification for the Alternatives Analysis of the Federal Way Transit Extension From SeaTac to Federal Way, WA

**AGENCY:** Federal Transit Administration, DOT.

**ACTION:** Notification of early scoping meetings.

**SUMMARY:** The Federal Transit Administration (FTA) and the Central Puget Sound Regional Transit Authority (Sound Transit) issue this early scoping notice to advise other agencies and the public that they intend to explore potential alternatives for improving public transit service between the cities of SeaTac and Federal Way in King County, Washington to improve connections to the regional transit system and major activity centers.

The early scoping notice is intended to invite public comments on the scope of the alternatives analysis study, including the project's purpose and need, transportation problems to be addressed, the range of alternatives, the transportation and community impacts and benefits to be considered, the capital and operating costs, and other factors that the public and agencies believe should be considered in analyzing the alternatives. If preparation of an environmental impact statement (EIS) is warranted following the completion of the alternatives analysis,

a notice of intent to prepare an EIS will be published.

The early scoping process is intended to support the alternatives analysis and a future National Environmental Policy Act (NEPA) scoping process, as appropriate. In addition, it supports FTA planning requirements associated with the New Starts ("Section 5309") funding program for certain kinds of major capital investments. While recent legislation may lead to changes in the New Starts process, Sound Transit will comply with relevant FTA requirements relating to planning and project development to help it analyze and screen alternatives in preparation for the NEPA process.

Public meeting times and locations are described immediately below. Following that is a more detailed discussion of the project and the early scoping process.

**DATES:** Two public scoping meetings and one tribal/agency scoping meeting will be held at the following times and locations:

1. November 8, 2012, 4:00 p.m. to 7:00 p.m., Highline Community College, Building 2, 2400 S. 240th Street, Des Moines, WA 98198.
2. November 13, 2012, 4:00 p.m. to 7:00 p.m., Harry S. Truman High School, Gymnasium, 31455 28th Avenue, Federal Way, WA 98003.
3. (Agency and Tribal Meeting), November 7, 2012, 2:00 p.m. to 3:00 p.m.

The agency and tribal meeting will be conducted in a webinar format, accessible via the internet and by teleconference. Invitations to the on-line agency scoping meeting and the public scoping meetings will be sent to the appropriate federal, tribal, state, and local governmental units. Invitations will include details on how to participate in the on-line meeting.

Supplemental information about the project is provided below. Also, Sound Transit will provide information on the alternatives analysis at the public meetings, along with opportunities for spoken or written comments. Additional information is available on Sound Transit's Web site at: <http://www.soundtransit.org/FWextension>. Written scoping comments are requested by November 19, 2012 and can be sent or emailed to the address below, submitted at the public meetings, or provided at the Web site address above.

**ADDRESSES:** Federal Way Transit Extension (c/o Kent Hale, Senior Environmental Planner), Sound Transit, 401 S. Jackson Street, Seattle, WA

98104-2826, or by email to [FWTE@soundtransit.org](mailto:FWTE@soundtransit.org).

**FOR FURTHER INFORMATION CONTACT:** J. Steve Saxton, Transportation Program Specialist, FTA Region 10, email: [fta.tro10mail@dot.gov](mailto:fta.tro10mail@dot.gov).

**SUPPLEMENTARY INFORMATION:**

*Early Scoping.* Early scoping is intended to generate public comments on the scope of a planning effort called "alternatives analysis." The alternatives analysis lets an agency evaluate the costs, benefits, and impacts of a range of transportation alternatives designed to address mobility problems and other locally identified objectives in a defined transportation corridor, and helps the agency determine which particular investment strategy should receive more focused study and development. Early scoping for the Federal Way Transit Extension is being conducted in support of NEPA requirements and in accordance with the Council on Environmental Quality's and FTA's regulations and guidance for implementing NEPA (40 CFR 1501.2 through 8 and 23 CFR 771.111), which encourage federal agencies to initiate NEPA early in their planning processes. Early scoping allows the scoping process to begin as soon as there is enough information to describe the proposal so that the public and relevant agencies can participate effectively. This is particularly useful in situations when a proposed action involves a broadly defined corridor with an array of alignment alternatives under consideration. This early scoping notice invites the public to comment on the scope of the planning alternatives analysis, including (a) the purpose and need for the project, (b) the range of alternatives to study, and (c) the environmental, transportation and community impacts and benefits to consider.

*The Federal Way Transit Extension and the Regional Transit System.* The Federal Way Transit Extension corridor is approximately 7.6 miles long and extends from the future S. 200th Street Link light rail station in SeaTac to the Federal Way Transit Center. It parallels State Route 99 (SR 99) and Interstate 5 (I-5) and generally follows a topographic ridge between Puget Sound and the Green River Valley where the city limits of SeaTac, Des Moines, Kent, and Federal Way meet.

*Sound Move,* the first phase of regional transit investments, was approved and funded by voters in 1996. Sound Transit is now completing its implementation. It includes light rail, commuter rail and regional express bus infrastructure and service, including the

Central Link light rail system. In 2009, Sound Transit began light rail operations between downtown Seattle and Sea-Tac Airport, and an extension to the University of Washington is under construction and scheduled to open in 2016.

In 2004, Sound Transit began planning for the next phase of investment to follow *Sound Move*. This work included updating Sound Transit's Long-Range Plan and associated environmental review. After several years of Sound Transit system planning work, voters in 2008 authorized funding to extend light rail south to Federal Way as part of the Sound Transit 2 (ST2) Plan. Link light rail south from Sea-Tac Airport to S. 200th Street is now under construction and is scheduled to open in 2016. The ST2 Plan also extends light rail from downtown Seattle east to Bellevue and Redmond, and from the University of Washington north to Northgate and Lynnwood.

*The Purpose of and Need for the Federal Way Transit Extension.* The purposes of the project are to:

- Provide a reliable and efficient two-way, peak and off-peak transit service of sufficient capacity to meet the projected demand between the communities and activity centers between the cities of SeaTac and Federal Way and the other urban centers in the Central Puget Sound area;
- Provide a mobility alternative to travel on congested roadways and improve connections to the Central Puget Sound regional multimodal transportation system;
- Support South King County communities and the region's adopted vision for land use, transportation and economic development, a vision that promotes the well-being of people and communities, ensures economic vitality and preserves a healthy environment;
- Support the long-range vision, goals, and objectives for transit service established by Sound Transit's Regional Transit Long-Range Plan for high quality regional transit service between Seattle and Tacoma.

The project is needed to:

- Meet the growing needs of the corridor and of the region's future residents and workers by increasing mobility, access, and transportation capacity connecting regional growth and activity centers in the study area and the rest of the region, as called for in the region's adopted plans, including the PSRC's VISION 2040 and Transportation 2040, as well as related county and city comprehensive plans;
- Address the problems of increasing and unreliable travel times for transit users in the study area, who are now

dependent on the corridor's highly congested roadway and HOV systems;

- Provide an alternative to automobile trips on I-5 and SR 99, the two primary highways serving the corridor, which provide unreliable travel times throughout the day;
- Help implement Sound Transit's Regional Transit Long-Range Plan and allow the future extension of HCT south to Tacoma;
- Expand and enhance transit options serving transit-dependent residents and low-income and minority populations concentrated in the study area;
- Provide the transit infrastructure needed to support SeaTac and Federal Way, two designated regional growth centers that provide housing, employment, public services, and multimodal transportation connections;
- Help the state and region reduce transportation-related energy consumption and greenhouse gas emissions, consistent with goals established in RCW 47.01.440, and Chapter 70.235 RCW.

*Potential Alternatives.* Previous planning work for the ST2 Plan examined conceptual light rail alignments between SeaTac and Federal Way along portions of SR 99 and I-5 to help develop cost estimates and establish ridership potential for transit improvements in the project corridor. General station locations near Highline Community College, Redondo/Star Lake park-and-ride lots, and the Federal Way Transit Center were identified. Sound Transit invites comments on the alternative transit alignments, and station locations to be studied, and on the proposed evaluation framework and criteria to be used to compare alternatives.

As part of this alternatives analysis, Sound Transit will explore alternative alignment, station, and design configurations that could meet the project's purpose and need. Alternatives could include alternatives on SR 99 or I-5, or other alternatives that arise during the early scoping comment period. The alternatives will reflect a range of high- and low-cost capital improvements, including a "no-build" alternative which can serve as a "baseline" for measuring the merits of higher level investments. Sound Transit will identify measures for evaluating the relative merits of alternatives, and technical methodologies for generating the information used to support such measures. These measures typically include disciplines such as travel forecasting, capital and operations and maintenance costs, and corridor-level environmental and land use analyses.

At the end of the alternatives analysis process, Sound Transit and the FTA anticipate narrowing the range of alternatives for further evaluation in a NEPA document. If the resulting range of alternatives involves the potential for significant environmental impacts requiring an environmental impact statement (EIS), FTA and Sound Transit will publish a Notice of Intent to Prepare an EIS in the **Federal Register**, and invite public and agency comment on the scope of the EIS at that time.

Issued on: October 10, 2012.

**Richard Krochalis,**

*Regional Administrator.*

[FR Doc. 2012-25414 Filed 10-15-12; 8:45 am]

**BILLING CODE P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2012-0074; Notice 1]

#### BMW of North America, LLC, a Subsidiary of BMW AG, Receipt of Petition for Decision of Inconsequential Noncompliance

**AGENCY:** National Highway Traffic Safety Administration, DOT.

**ACTION:** Receipt of petition.

**SUMMARY:** BMW North America, LLC,<sup>1</sup> a subsidiary of BMW AG. (collectively referred to as BMW)<sup>2</sup> has determined that certain model year 2012 BMW X3 SAV multi-purpose passenger vehicles manufactured between April 1, 2011 and March 14, 2012, do not fully comply with paragraph S4.3.3 of Federal Motor Vehicle Safety Standard (FMVSS) No. 110, *Tire selection and rims and motor home/recreation vehicle trailer load carrying capacity information for motor vehicles with a GVWR of 4,536 kilograms (10,000 pounds) or less*. BMW has filed an appropriate report dated March 28, 2012, pursuant to 49 CFR part 573, *Defect and Noncompliance Responsibility and Reports*.

Pursuant to 49 U.S.C. 30118(d) and 30120(h) (see implementing rule at 49 CFR part 556), BMW submitted a petition for an exemption from the notification and remedy requirements of 49 U.S.C. Chapter 301 on the basis that this noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of BMW's petition is published under 49 U.S.C.

<sup>1</sup> BMW North America, LLC, is a U.S. company that manufactures and imports motor vehicles.

<sup>2</sup> BMW AG, is a German company that manufactures motor vehicles.

30118 and 30120 and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

*Vehicles Involved:* Affected are approximately 1,409 model year 2012 BMW X3 SAV multipurpose passenger vehicles manufactured between April 1, 2011 through March 14, 2012.

NHTSA notes that the statutory provisions (49 U.S.C. 30118(d) and 30120(h)) that permit manufacturers to file petitions for a determination of inconsequentiality allow NHTSA to exempt manufacturers only from the duties found in sections 30118 and 30120, respectively, to notify owners, purchasers, and dealers of a defect or noncompliance and to remedy the defect or noncompliance. Therefore, these provisions only apply to the subject 1,409<sup>3</sup> vehicles that BMW no longer controlled at the time it determined that the noncompliance existed.

*Noncompliance:* BMW's explained that the noncompliance is that the certification label required by 49 CFR part 567 does not list rim information for the tires installed on the vehicles as original equipment as required by paragraph S4.3.3 of FMVSS No. 110.

*Rule Text:* Paragraph S4.3.3 of FMVSS No. 110 requires in pertinent part:

S4.3.3 *Additional labeling information for vehicles other than passenger cars.* Each vehicle shall show the size designation and, if applicable, the type designation of rims (not necessarily those on the vehicle) appropriate for the tire appropriate for use on that vehicle, including the tire installed as original equipment on the certification label required by part 567.4 or part 567.5 of this chapter. This information shall be in the English language, lettered in block capitals and numerals not less than 2.4 millimeters high and in the following format:

GVWR: 2,441 kilograms (5381 pounds).  
GAWR: Front—1,299 kilograms (2,864 pounds) with P265/70R16 tires, 16 x 8.0 rims at 248 kPa (36 psi) cold single.  
GAWR: Rear—1,299 kilograms (2,864 pounds) with P265/70R16 tires, 16 x 8.0 rims, at 248 kPa (36 psi) cold single.

#### Summary of BMW's Analysis and Arguments

BMW states that while the certification label required by 49 CFR

<sup>3</sup> BMW's petition, which was filed under 49 CFR part 556, requests an agency decision to exempt BMW as a vehicle manufacturer from the notification and recall responsibilities of 49 CFR part 573 for the 1,409 affected vehicles. However, a decision on this petition will not relieve vehicle distributors and dealers of the prohibitions on the sale, offer for sale, introduction or delivery for introduction into interstate commerce of the noncompliant vehicles under their control after BMW notified them that the subject noncompliance existed.

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## **APPENDIX B - EARLY SCOPING INFORMATION REPORT**

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FEDERAL WAY TRANSIT EXTENSION

# Early Scoping Information Report



CENTRAL PUGET SOUND  
REGIONAL TRANSIT AUTHORITY

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# 1 EARLY SCOPING

## 1.1. Introduction

### ***Federal Way Transit Extension Early Scoping: October 18, 2012 to November 19, 2012***

Sound Transit and the Federal Transit Administration (FTA) are conducting “Early Scoping” to start the public planning and environmental processes for the Federal Way Transit Extension in South King County in the metropolitan Puget Sound region. The Federal Way Transit Extension is part of the Sound Transit 2 (ST2) Plan approved by voters in 2008. The proposed project would start at the regional light rail system at the future S. 200th Street Station in the City of SeaTac.

Figure 1-1 shows where the Federal Way Transit Extension is located. The Federal Way Transit Extension is an element of the region’s Metropolitan Transportation Plan (the Puget Sound Regional Council’s *Transportation 2040*), and Sound Transit’s Long-Range Transit Plan. These plans anticipate the eventual extension of high capacity transit (HCT) service south to Tacoma. Figure 1-2 shows Sound Transit’s current service and future projects.

### ***About Early Scoping***

Early scoping provides an initial opportunity for the public to learn about and provide comments on the project as it begins. This public and agency outreach effort supports the overall planning, public involvement, and state and federal environmental processes for the Federal Way Transit Extension, which will need to satisfy National Environmental Policy Act of 1970 (NEPA) and Washington’s State Environmental Policy Act (SEPA) requirements. When the project alternatives are more fully defined, Sound Transit and the FTA will announce the type of environmental document they will prepare and offer further opportunities for public comment. If an Environmental Impact Statement (EIS) is to be prepared, FTA and Sound Transit will initiate an additional scoping process for the EIS.

In addition, the early scoping process supports FTA planning requirements associated with the New Starts (“Section 5309”) funding program for certain kinds of major capital investments. While recent legislation may lead to changes in the New Starts process, Sound Transit will comply with relevant FTA requirements relating to planning and project development to help it analyze and screen alternatives in preparation for the NEPA process. During early scoping, Sound Transit and FTA are seeking public comments on the scope of the alternatives analysis for the Federal Way Transit Extension, including the purpose and need for the project, the

range of alternatives, and the transportation and community impacts and benefits to be considered.

**Figure 1-1. Federal Way Transit Extension Project Area**

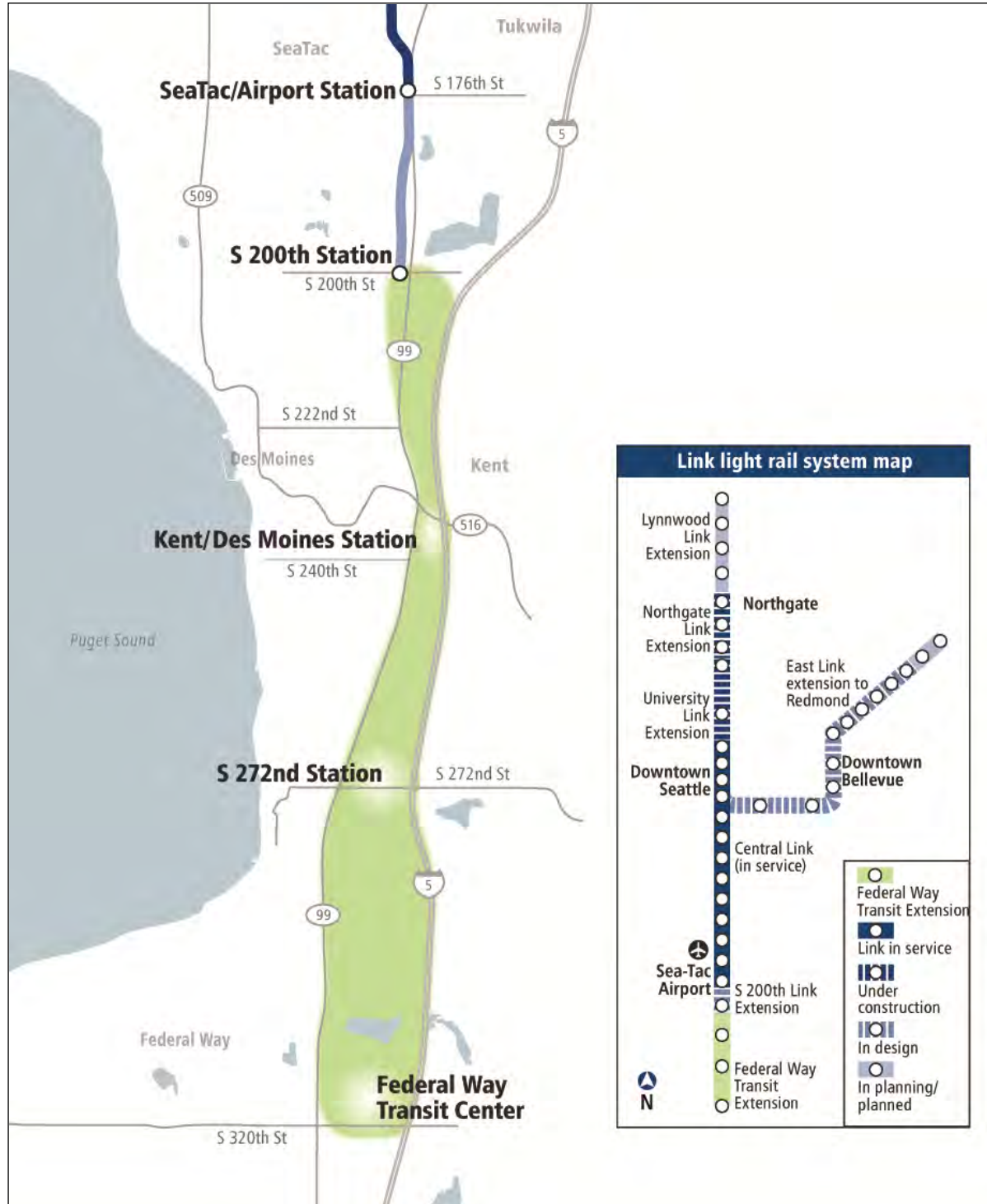


Figure 1-2.  
Sound  
Transit:  
Current  
Service  
and  
Future  
Projects



### ***Public and Agency Early Scoping Meetings***

Early scoping includes a public comment period that is open until November 19, 2012 with two public meetings. The public meetings will be held at the following locations from 4:00 pm to 7:00 pm:

- Des Moines: November 8, 2012 – Highline Community College, Building 2  
2400 S. 240<sup>th</sup> Street, Des Moines, WA 98198
- Federal Way: November 13, 2012 – Harry S. Truman High School  
31455 28<sup>th</sup> Avenue, Federal Way, WA 98003

A separate early scoping meeting will also be conducted in a webinar format with agencies and tribes to present project information and receive comments. Invitations to the on-line agency scoping meeting and the public scoping meetings will be sent to the appropriate federal, tribal, state, and local governmental units.

### ***Ways to Provide Comments***

Written scoping comments are requested by November 19, 2012 and can be sent or e-mailed to the address below, submitted at the public meetings, or provided via the online comment form available at [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension).

Comments can be addressed to:

Federal Way Transit Extension (c/o Kent Hale), Sound Transit, 401 S. Jackson Street,  
Seattle, WA 98104-2826, or by e-mail to [FWTE@soundtransit.org](mailto:FWTE@soundtransit.org).

## **1.2. The Federal Way Transit Extension and the Regional Transit System**

### ***The Federal Way Transit Extension Project Area***

The Federal Way Transit Extension corridor is approximately 7.6 miles long and extends from the future S. 200th Street Link light rail station in SeaTac, Washington to the Federal Way Transit Center in Federal Way, Washington. The project corridor parallels State Route 99 (SR 99) and Interstate 5 (I-5) and generally follows a topographic ridge between Puget Sound and the Green River Valley.

The project area includes the cities of SeaTac, Kent, Des Moines, and Federal Way. These are all established cities that are continuing to grow. While much of the project area is residential, there are a number of town centers and other activity centers. In particular, the areas around Sea-Tac Airport and the Federal Way Transit Center are designated as regional growth centers and serve as the primary hubs of employment and commercial activity within the project area.



## ***Sound Transit and the Region's Mass Transit System***

*Sound Move*, the first phase of regional transit investments, was approved and funded by voters in 1996. Sound Transit is now completing its implementation. It includes light rail, commuter rail and regional express bus infrastructure and service, including the Central Link light rail system. In 2009, Sound Transit began light rail operations between downtown Seattle and Sea-Tac Airport and an extension to the University of Washington is under construction and scheduled to open in 2016.

In 2004, Sound Transit began planning for the next phase of investment to follow *Sound Move*. This work included updating Sound Transit's Long-Range Plan and associated environmental review. Following several years of system planning work to detail, evaluate and prioritize the next round of regional transit system expansion, voters in 2008 authorized funding to extend the regional light rail system south to Federal Way as part of the Sound Transit 2 (ST2) Plan. Link light rail south from Sea-Tac Airport to S. 200th Street is now under construction and is scheduled to open in 2016. The ST2 Plan also extends light rail from downtown Seattle to Bellevue and Redmond to the east, and to Northgate and Lynnwood to the north.

## ***Mass Transit and the Region's Plans for Managing Growth***

The Puget Sound region, which includes urbanized King, Pierce, Snohomish, and Kitsap counties, has a coordinated series of regional, county, and local plans and policies that are guiding how the region is managing its growth. The primary plans at the regional level are the Puget Sound Regional Council's *VISION 2040* and *Transportation 2040*. Sound Transit's Long-Range Plan (2005) is reflected in *Transportation 2040*. These plans share land use, growth management, and transportation policies that assume the regional mass transit system will link the urban centers where the region's growth will be focused. County and local city comprehensive plan policies in the Federal Way Transit Extension project area and throughout the region reinforce the need for mass transit investments to support new population and employment developments, providing for vibrant urban communities that offer alternatives to the automobile.

### **1.3. Developing the "Purpose and Need"**

To guide decision-making during the alternatives analysis and to support the project's state and federal environmental reviews, Sound Transit has developed a draft statement of why this project is being proposed. This is known as the "Purpose and Need." This statement is used to evaluate alternatives leading to the identification of alternatives to study further during the environmental review process.

The Purpose and Need statement will continue to be developed and refined to reflect public and agency comments as the project moves forward.

### ***Purpose and Need of the Federal Way Transit Extension***

The purpose of the project is to:

- Provide a reliable and efficient two-way, peak and off-peak transit service of sufficient capacity to meet the projected demand between the communities and activity centers between the cities of SeaTac and Federal Way and the other urban centers in the Central Puget Sound area;
- Provide a mobility alternative to travel on congested roadways and improve connections to the Central Puget Sound regional multimodal transportation system;
- Support South King County communities and the region's adopted vision for land use, transportation and economic development, a vision that promotes the well-being of people and communities, ensures economic vitality and preserves a healthy environment;
- Support the long-range vision, goals, and objectives for transit service established by Sound Transit's Regional Transit Long-Range Plan for high quality regional transit service between Seattle and Tacoma.

The project is needed to:

- Meet the growing needs of the corridor and of the region's future residents and workers by increasing mobility, access, and transportation capacity connecting regional growth and activity centers in the study area and the rest of the region, as called for in the region's adopted plans, including the PSRC's VISION 2040 and Transportation 2040, as well as related county and city comprehensive plans;
- Address the problems of increasing and unreliable travel times for transit users in the study area, who are now dependent on the corridor's highly congested roadway and HOV systems;
- Provide an alternative to automobile trips on I-5 and SR 99, the two primary highways serving the corridor, which provide unreliable travel times throughout the day;
- Help implement Sound Transit's Regional Transit Long-Range Plan and allow the future extension of HCT south to Tacoma;

- Expand and enhance transit options serving transit-dependent residents and low-income and minority populations concentrated in the study area;
- Provide the transit infrastructure needed to support SeaTac and Federal Way, two designated regional growth centers that provide housing, employment, public services, and multimodal transportation connections;
- Help the state and region reduce transportation-related energy consumption and greenhouse gas emissions, consistent with goals established in RCW 47.01.440, and Chapter 70.235 RCW.

#### **1.4. Potential Alternatives**

Previous planning work in development of the ST2 Plan examined conceptual light rail alignments between SeaTac and Federal Way along portions of SR 99 and I-5 for the purpose of developing cost estimates and to help establish ridership potential for transit improvements in the project corridor. General station locations in the vicinity of Highline Community College, Redondo/Star Lake, and the Federal Way Transit Center were also identified.

As part of this alternatives analysis, Sound Transit will explore alternative alignment, station, and design configurations that could meet the project's purpose and need. Alternatives could include alternatives on SR 99 or I-5, or other alternatives that arise during the early scoping comment period. The alternatives will reflect a range of high- and low-cost capital improvements, including a "no-build" alternative which can serve as a "baseline" for measuring the merits of higher level investments. Sound Transit will identify measures for evaluating the relative merits of alternatives, and technical methodologies for generating the information used to support such measures. These measures typically include disciplines such as travel forecasting, capital and operations and maintenance costs, and corridor-level environmental and land use analyses. Sound Transit invites comments on the alternative transit alignments, and station locations to be studied, and on the proposed evaluation framework and criteria to be used to compare alternatives.

#### **1.5. Project Timeline and Next Steps**

Following early scoping, Sound Transit will develop and release an Early Scoping Summary Report and develop an initial list of potential alternatives, including alternatives that emerge as a result of public scoping comments. Next, the alternatives will be evaluated based on their ability to satisfy the project's purpose and need, using criteria such as transportation benefits, cost, ridership, communities and populations served, land use benefits, and environmental performance.

At the end of the alternatives analysis process, Sound Transit and the FTA anticipate narrowing the range of alternatives for further evaluation in a NEPA document. If the resulting range of alternatives involves the potential for significant environmental impacts requiring an environmental impact statement (EIS), FTA and Sound Transit will publish a Notice of Intent to Prepare an EIS in the Federal Register, and invite public and agency comment on the scope of the EIS at that time.

After the EIS scoping period, the Sound Transit Board will identify the alternatives to be studied in the project's federal and state environmental review process. This would be followed by further engineering, environmental analysis, and public involvement work on the project, leading to final decisions about the project to be built and operated in the Federal Way Transit Extension project area.

Figure 1-3 shows the project's current general timeline and the major decision points leading to an environmental Record of Decision.

**Figure 1-3. Project Timeline**



## **APPENDIX C – AGENCY COMMENT LETTERS**

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# City of Des Moines

ADMINISTRATION  
21630 11TH AVENUE SOUTH, SUITE A  
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(206) 878-4595 T.D.D.; (206) 824-6024 FAX:(206) 870-6540

47



November 5, 2012

Mr. Kent Hale  
Sound Transit  
401 S. Jackson Street  
Seattle, WA 98104

***Subject: Early Scoping for the Federal Way Transit Extension***

Dear Mr. Hale:

The City of Des Moines is pleased to provide our early scoping comments for the alternatives analysis related to the *Federal Way Transit Extension* (FWTE) for Link Light Rail.

Extending Link Light Rail to Highline Community College will have a profound effect on our community. The Des Moines City Council is committed to working with Sound Transit and our adjacent cities (SeaTac, Kent and Federal Way) to ensure the *Federal Way Transit Extension* meets local and regional interests while maintaining the livability of our community.

We have prepared detailed comments organized by topic area (alignments, station locations and system needs/operations) that are provided as Attachment 1 to this letter. Key considerations for Sound Transit to keep in mind as potential alignments and station locations are developed include:

- The City's long standing and adopted Comprehensive Plan, which calls for light rail alignment along the I-5 corridor.
- The City's willingness to consider an alternative alignment if a light rail stop is provided in the vicinity of South 216<sup>th</sup> Street, which would serve a major employment and population center in Des Moines.
- The City's commitment to ensure the light rail alignment does not diminish the economic value of prime underdeveloped commercial properties in Des Moines that are expected to redevelop before 2023.

Some of our Council members have expressed concern about the extended 3+ year process, schedule and associated cost with Sound Transit's extended Alternatives Analysis and EIS process culminating in a Record of Decision in mid-2016. We urge Sound Transit to accelerate that schedule as much as possible by eliminating redundancy

and optional steps and relying on the analyses and conclusions of similar extension projects elsewhere in your system that would be applicable to the FWTE.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Kaplan", with a long horizontal flourish extending to the right.

Dave Kaplan  
Mayor

c: Des Moines City Council



### **Attachment 1:**

The City of Des Moines has identified the following scoping comments for Sound Transit to consider as potential light rail alignments and station locations are developed and evaluated:

#### **Alignment Alternatives**

- Need to understand the neighborhood and economic development benefits and costs and preferences for the Cities of Des Moines, SeaTac, Kent, and Federal Way and Highline Community College (HCC):
  - transition from S. 200<sup>th</sup> Street Station to SR 99 or I-5
    - City of SeaTac's preference is for an alignment along the west side of SR 99
    - SR 99 alignment should be assumed to come no further south than S. 212<sup>th</sup> Street
  - transition to and from Kent-Des Moines Road/HCC Station
  - transition to and from S. 272<sup>nd</sup> Street Station
- Practicality of routes based on engineering feasibility, cost and economic impacts
- Physical constraints/opportunities of topography – what can be done with the elevation changes and tightness of curves
- Evaluate economic benefits and disadvantages of alignments:
  - impacts to commercial properties
    - Des Moines' largest commercial properties located north of S. 216<sup>th</sup> Street
    - Smaller parcels and topographic constraints along the west side of SR 99 south of S. 216<sup>th</sup> Street
  - cost/benefit of elevated versus at-grade alignment
  - cost to ride and frequency of runs for future system
  - impacts of interim end-of-line at Kent-Des Moines Road/HCC Station
- SR 99 alignment
  - needs to consider recent \$20 million investment in right of way improvements and improvements along S. 216<sup>th</sup> north of 24<sup>th</sup> Ave. S. to 29<sup>th</sup>/30<sup>th</sup> expected before 2023
  - a stop at S. 216<sup>th</sup> Street
  - if no stop at S. 216<sup>th</sup> Street – evaluate the impacts of an alignment that does not serve a major population and employment center and underserved residents
  - impacts on the viability of commercial properties
  - premium view blockage
  - noise
- If there is no stop at S. 216<sup>th</sup> Street, an SR 509/I-5 alignment is preferred based on the
  - Des Moines Comprehensive Plan
  - conversations w/ SeaTac, Kent, Federal Way and HCC
  - costs and constraints

- 30<sup>th</sup> Avenue South alignment
  - provides an alternative between SR 99 and I-5
  - bisects the Pacific Ridge Neighborhood
  - depending on profile, could alleviate some issues associated with lining up with Kent-Des Moines Road/Highline Community College station
  - transition from SR 99 to 30<sup>th</sup> could create some advantages for transitioning from an elevated to an at-grade system
  - need to determine what the reasonable choices are
- SR 509/I-5 alignment
  - offers opportunities to follow existing alignment and parking
  - disconnected from commercial centers (e.g., getting from Point A to Point B)
  - can be flexible if system can accommodate our needs
- Tunnel alignment
  - Minimizes impacts to views
  - Minimizes noise
  - Minimizes impacts to low income neighborhood
- Kent-Des Moines Road Crossing
  - Do not compromise intersection operations

### **Station Locations**

- S. 216<sup>th</sup> is a major hub – Artemis Hotel, Des Moines Creek Business Park – need to anticipate what this will look like in next 5-10 years
- Stop is warranted at S. 216<sup>th</sup>
  - significant employment and population growth projected for this area
  - serves economically distressed and ethnically diverse neighborhoods where transit is the primary means to access jobs and services
  - impacted by METRO service cuts
  - anything that can help move these people to job centers to the north in SeaTac and Seattle would be helpful
- Highline Community College is also a major hub
- South station areas around Highline Community College and S. 272<sup>nd</sup> also serve diverse populations that rely on transit and access to jobs
- Options for stations near Star Lake and Redondo Park and Rides need to be evaluated

### **System Needs/Operations**

- Evaluate the demand for parking at a stop (e.g., S. 216<sup>th</sup>) versus a full station/hub (e.g., HCC and S. 272<sup>nd</sup> Street)
  - how much parking would be needed, both long term and as interim end of the line
  - where would it be located (land supply)

- Evaluate impacts associated with the interim terminus location at Highline Community College such as rail spur, storage, maintenance and parking demand
- Evaluate transit-only connecting road between SR 99/KDM – cut corner and facilitate east-west connection with the Kent Valley and East Hill
- Evaluate the Park and Ride Lot (Military Road/I-5) as a potential opportunity for parking and improved transit connections
- Evaluate east-west transit connections w/ King County METRO at S. 272<sup>nd</sup>

**ECONOMIC & COMMUNITY DEVELOPMENT**

Ben Wolters

Director

220 4th Avenue South

Kent, WA 98032

Fax: 253-856-6454

**PHONE: 253-856-5454**

November 16, 2012

Federal Way Transit Extension  
 c/o Kent Hale, Senior Environmental Planner  
 Sound Transit  
 401 S. Jackson Street  
 Seattle, WA 98104-2826

RE: Early Scoping

Dear Mr. Hale:

The City of Kent is pleased to participate in early scoping for the Federal Way Transit Extension (FWTE). Extension of light rail through the Kent-Des Moines-Federal Way area is a key implementation strategy for the Midway Subarea Plan that was adopted by the Kent City Council in December, 2011. Along with the Midway Design Guidelines and development regulations, this plan provides for the development of a walkable community with a mix of mid- and high-rise residential, retail and commercial uses, all supported by Sound Transit light rail.

Below are evaluation criteria that the City suggests for the project:

- The City's priority for the FWTE is to support the transit-oriented community envisioned in the Midway Subarea Plan. This would include not bifurcating the community, for example if the alignment traverses from one roadway to another, e.g., SR-99 to I-5; orienting the alignment and station for ease of multimodal access; avoiding visual and noise impacts; incorporating security measures; and developing the station as an attractive public gathering space with amenities such as electric charging stations, restrooms, snack bars, and areas which can transform into public markets or other public events.
- Strong pedestrian gateway connections should be made to Highline Community College and the population and job centers envisioned in the Midway Subarea Plan. A station near Highline Community College should provide equitable service to Kent and Des Moines.
- The Kent Valley includes a regional growth center in its downtown area, a regionally-designated manufacturing/industrial center, and a wholesale and distribution center that is the second largest on the west coast and the 5<sup>th</sup> largest in the nation. Providing connections from light rail to the valley's job centers should be a major consideration.

- The Kent-Des Moines area is a significant transportation hub, with I-5, SR-99, Rapid Ride A Line, Military Road Park and Ride Lot, and future SR-509 extension. For the FWTE, it is critical to avoid disruption of east-west auto/pedestrian/bike travel, to demonstrate ease of multi-directional access and parking at the stations, increased mobility and reliability of service, and offer alternative travel should the area be affected by catastrophic disruption of other travel modes. The FWTE should enhance frequency of service, extended hours of service, and connections between regional growth and activity centers.

Alternatives for analysis should include the following:

1. Elevated rail down the middle of SR-99, with a station location spanning SR-99 at Highline Community College, a shared parking structure on both the east and west sides of SR-99, and an attractive, protected pedestrian overpass to the garages. The west side structure would be shared with Highline CC and Sound Transit. The east side structure would be shared with Sound Transit and commercial or residential development. Construct a new signalized right of way at Highline Community College.
  - Having garages on both sides of SR-99 supports multi-directional access.
2. Elevated rail along the west side of SR-99, with a station location on or near the Highline CC campus or spanning the campus and property to the north or south of the campus. An attractive covered pedestrian overpass would serve development on the east side of SR-99. A shared parking structure would be included in the station development as well as on the east side of SR-99. Construct a new signalized right of way at Highline Community College.
  - Having garages on both sides of SR-99 supports multi-directional access.
  - Elevated rail could be the preferred frontage along SR-99 as it maintains the auto orientation and allows 30<sup>th</sup> Avenue to be the pedestrian-oriented TOD activity hub.
3. Elevated rail along the east side of SR-99, with a station location on the east side across from Highline CC. An attractive, covered pedestrian overpass would serve development on the west side of SR-99. A shared parking structure would be included in the station development as well as on the west side of SR-99 and would be of sufficient size to serve TOD development on the east side, Highline CC, and Sound Transit. Construct a new signalized right of way at Highline Community College.
  - Elevated rail could be the preferred frontage along SR-99 as it maintains the auto orientation and allows 30<sup>th</sup> Avenue to be the pedestrian-oriented TOD activity hub.
  - Having garages on both sides of SR-99 supports multi-directional access.
4. Elevated rail which crosses SR-99 to property next to I-5 and SR-516 at approximately the location across from Highline Community College. A parking garage would be required. Construct a new signalized right of way

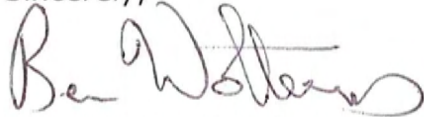
at Highline Community College with an attractive covered pedestrian overpass from the station to the college. Improvements to the pedestrian and bicycle network would be required. Roadway access improvements also would be required.

5. Mixed at-grade/elevated rail service along I-5 with a station location across from Highline Community College. A parking garage would be required. Construct a new signalized right of way at Highline Community College with an attractive covered pedestrian overpass from the station to the college. Improvements to the pedestrian and bicycle network would be required. Roadway access improvements also would be required.
6. A mixed at-grade/elevated rail crossing should be evaluated with similar station locations and requirements as 1-5 above.
7. In all cases, cross corridor (east/west) feeder or circulating buses should serve the Kent Valley job centers and the Cities of Des Moines and SeaTac.
8. Kent is not supportive of a station location that is removed from SR-99 farther to the west.
9. The City would not be supportive of any use of the future SR 509 right-of-way that would preclude or conflict with the SR 509 extension to I-5. The completion of SR 509 is a top priority for the City. If a light rail alignment were to co-exist in the same right-of-way with SR 509, it should be compatible with future expansion needs of the freeway facility.

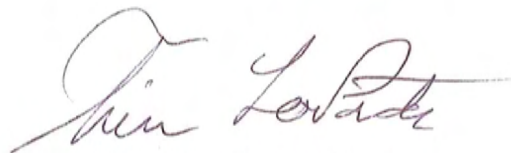
The environmental analysis for the project should consider the Tacoma Smelter Plume as well as other brownfield sites that may be in the vicinity of the alignment and station alternatives. The analysis also should include in the utility section the high tension power lines located along SR-99 and 30<sup>th</sup> in the vicinity of Kent and Des Moines.

The City appreciates the opportunity to participate in the FWTE project and looks forward to having it serve our community.

Sincerely,



Ben Wolters, Director  
Economic & Community Development



Tim Laporte, Director  
Public Works



4800 South 188<sup>th</sup> Street  
SeaTac, WA 98188-8605

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November 19, 2012

Mr. Kent Hale  
Sound Transit  
401 S. Jackson Street  
Seattle, WA 98104

Subject: Early Scoping Comments for the Federal Way Transit Extension

Dear Mr. Hale:

The City of SeaTac looks forward to working with Sound Transit on the Federal Way Transit Extension as an important link in the high-capacity transit system connecting key employment and residential centers throughout the region. The City of SeaTac staff appreciates the opportunity to submit the following comments to Sound Transit as part of the early scoping process for the Federal Way Transit Extension.

1. **Consistency with local transportation and TOD plans criterion:** As we've reported during the interagency working group meetings with Sound Transit and other cities, the City of SeaTac Comprehensive Plan expresses the City's preferred alignment for the portion of the Federal Way Transit Extension that will be built within the City's boundaries. The specific policy is:

"Continuing south from the S. 200<sup>th</sup> St. Station, the City's preferred alignment runs along the west side of 28<sup>th</sup> Ave. S., and the west side of International Boulevard (SR 99) within the City of SeaTac to the City's boundary at S. 216<sup>th</sup> St."

This adopted policy speaks to the criterion "Supportive land use plans and economic development/consistency with local transportation and TOD plans." The preferred alignment was first adopted with the 2009 Comprehensive Plan amendments and left unchanged in subsequent annual updates. An alignment along the west side of International Boulevard/SR 99 in SeaTac will generate significantly fewer impacts than an alignment on the east side of International Boulevard, most notably by avoiding impacts to:

- the Firs Mobile Home Park located at 20440 International Boulevard (approximately 73 affordable housing units);
- the recently constructed Viewpoints Apartments located at 21428 International Boulevard (approximately 90 units); and
- a single-family neighborhood located along 29<sup>th</sup> Avenue South, just north of S. 216<sup>th</sup> St. (approximately 24 units).

2. **Effect on built environment criterion:** Under the proposed evaluation criterion "Preserve a healthy environment/effect on built environment," I would suggest the addition of initial evaluation measures of the number of residential units within 100 feet of either side of the construction footprint, number of housing units acquired to facilitate construction, and number of commercial properties acquired to facilitate construction. In this way, the criterion would measure the impact of the project on existing development within SeaTac and more appropriately measure the impact on low-income, elderly and youth populations included in the level 1 and level 2 evaluation measures.

3. **Cohesion of neighborhoods criterion:** The City of SeaTac recommends that Sound Transit pay particular attention to the criterion “Preserve a healthy environment/potential to affect cohesion of neighborhoods and community resources” when evaluating alternatives. The community impact is of particular importance to SeaTac in the context of a potential alignment that crosses over SR 99/International Boulevard from the west to the east side immediately after leaving SeaTac at S. 216<sup>th</sup> St. Our concern would be for any alignment of the guideway that would bisect the residential neighborhood located along International Boulevard between S. 200<sup>th</sup> St. and S. 216<sup>th</sup> St. in SeaTac, as described in comment #1 above.
  
4. **Ease of integration with existing infrastructure criterion:** The City would not be supportive of any use of the future SR 509 right-of-way that would impact the 28th/24th Ave. S. extension between S. 200<sup>th</sup> St. and S. 208<sup>th</sup> St., which is currently under design by the City of SeaTac. Sound Transit has committed funds toward the construction phase of this project. Additionally, the City is concerned that a light rail alignment in the SR 509 right-of-way not preclude or conflict with the SR 509 extension to I-5. The completion of SR 509 is a top priority for the City. Over \$80m has been invested so far in the SR 509 project including property acquisition in SeaTac. If a light rail alignment was to co-exist in the same right-of-way with SR 509, it should be compatible with future expansion needs of the freeway facility. These concerns relate to “Design an affordable and constructible project/ease of integration with existing infrastructure” criterion. Also of note under this criterion, an alignment that runs along the centerline of International Boulevard/SR 99 would impact the significant investment that the cities of SeaTac, Des Moines and many other municipalities have made in improving mobility and safety and creating a boulevard along this state route.

The City of SeaTac staff understands that the early scoping includes all forms of transit options. That being the case, the City of SeaTac requests that the integration between Metro’s Rapid Ride service along International Boulevard and the future Federal Way Transit Extension be developed in harmony and to complement that investment by providing essential north-south and east-west feeders to the light rail system. The system is essential to delivering the maximum transit benefit to local communities in the context of limited project budgets.

The City's has plans for large-scale mixed-use transit-oriented development along both International Boulevard and the 28th-24th corridor and would not support an alignment that interferes with this vision by limiting the properties that would eventually be utilized for this purpose. The ability to consolidate and assemble adjacent properties is key to the realization of the City's goals for the 200th Street Station Area which encompasses a one-half mile radius around the station.

In conclusion, the City of SeaTac wishes to express support for the development of a light rail extension to Federal Way on an elevated guideway on the west side of International Boulevard/SR 99 with complementary bus rapid transit services.



We understand that this is a very early phase of the environmental review and planning process for this multi-jurisdictional project. The City of SeaTac and Sound Transit have successfully collaborated over the past decade on all phases of the high capacity transit system, including the Initial Segment, Airport Link Segment and South Link Segment. We remain committed to working with Sound Transit to ensure a successful project through all phases of planning, permitting and construction.

Sincerely,



Gwen Voelpel  
Assistant City Manager  
Sound Transit Liaison

cc: Todd Cutts  
Soraya Lowry  
Tom Gut  
Gary Schenk



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November 19, 2012

Mr. Kent Hale, Senior Environmental Planner  
Planning, Environment & Project Development  
Sound Transit I  
401 South Jackson Street I  
Seattle, WA 98104

**Re: Growing Transit Communities Comment Letter**

Dear Mr. Hale:

Thank you for the opportunity to comment on the Federal Way Extension Early Scoping. We have had an opportunity to look over some of the draft documents prepared to-date and have the following comments and questions.

**General**

We generally agree with the draft purpose and need statement, range of alternatives, and evaluation criteria.

**Purpose and Need**

No comments

**Alternatives**

1. We suggest deleting, "in the middle of" from the description of Alternatives 3 and 5, and replacing it with "along," as this level of specificity is not provided for other alternatives.

**Evaluation Criteria**

1. Consider the relative TOD benefits, with regard to alignment and mode. For example how does BRT compare to light rail in promoting TOD? This seems like it fits under the "Supportive land use and economic development" criteria.

Mr. Kent Hale  
Page 2 of 2  
November 19, 2012

2. Also related to the, “Supportive land use and economic development” criteria, it seems the focus is mostly on density and housing units. Consider adding criteria that evaluates other considerations like job density or major destinations.
3. Consider the effect that at grade systems may have on other modes of transportation, as well as neighborhood connectivity
4. The proposed evaluation measures for promoting non-motorized activity would favor existing areas with good connectivity, which is rare in the project area. Consider planned conditions rather than existing conditions for this measure, and percentage of links that would be accessible rather than the absolute number.

Again, thank you for the opportunity to participate in the early scoping process. Please do not hesitate to contact me if you have any questions. I can be reached at [isaac.conlen@cityoffederalway.com](mailto:isaac.conlen@cityoffederalway.com), or 253 835-264.

Sincerely,



Isaac Conlen  
Planning Manager

c: Patrick Doherty, Director of Community and Economic Development  
Cary Roe, Director of Public Works and Parks  
Rick Perez, City Traffic Engineer

Office of the President

MS 1-1  
P.O. Box 98000  
Des Moines, WA 98198-9800

November 19, 2012

Kent Hale  
Senior Environmental Planner  
Sound Transit  
401 S. Jackson Street  
Seattle, WA 98104

Re: Early Scoping for the Federal Way Transit Extension

Dear Mr. Hale:

Highline Community College supports extending light rail to the Federal Way Transit Center using a State Route 99 (SR 99) alignment with a station on Highway 99 in the vicinity of South 240<sup>th</sup> Street. The following are our comments for inclusion in the early scoping process.

1. Light rail will move more passengers more quickly than buses -- Highline Community College is a major traffic generator and employer in the Midway area. The college serves approximately 16,000 students annually. In addition, we share our campus with Central Washington University which has approximately 900 full-time equivalent students. Our master plan relies on greater use of public transit and other alternative commuter modes to accommodate enrollment and employment growth.

The college currently encourages students, staff, and faculty to use King County Metro Transit buses and ride sharing. However, we believe light rail is a better alternative when compared to buses to dependably and quickly move large numbers of people to the college from Federal Way and SeaTac. SR 99 can be very congested during peak travel periods and light rail on dedicated guideways can move relatively unimpeded when buses would be trapped in street traffic.

2. A station located on SR 99 in the vicinity of South 240<sup>th</sup> Street would increase mobility for transit dependent people and preserve a healthy environment – The College operates several programs that attract transit dependent populations. These include our Access Services program that assists disabled students with classroom and campus accommodations and the Adult Basic Education/English as a Second Language (ABE/ESL) program that serves immigrants and refugees who often do not have access to private vehicles.

A light rail station located in the area of South 240<sup>th</sup> Street and SR 99 which is virtually on the college's doorstep would make it easier for disabled and low income students who live in South King County to travel to the campus. It would also make alternative transportation modes more attractive to students, staff, and faculty and thus reduce or at least prevent increased private vehicle traffic into and on the College's campus and would have a positive effect on air quality. A station location east of SR 99 or near the Kent-Des Moines Road would be less effective attracting college users because they tend to be highly sensitive to walking distances beyond a quarter mile.

3. An SR 99 alignment would support the Envision Midway Subarea Plan and encourage economic development – Highline Community College was an active participant with the cities of Des Moines and Kent in the Envision Midway planning process and any light rail alternative should be consistent with the Envision Midway Subarea Plan. That plan includes transit-oriented commercial and residential development from the Kent-Des Moines Road to South 272<sup>nd</sup> Street. Light rail is specified as a core amenity in the plan.<sup>1</sup>

We are aware that the City of Des Moines has expressed a preference for a SR509/I-5 alignment from Kent-Des Moines Road north to its city limits, and we defer to them on that part of the alignment. However, we believe that a light rail guideway down the center of SR 99 beginning at Kent-Des Moines road and proceeding south with a station at South 240<sup>th</sup> and SR 99 would substantially benefit the residents and businesses in the Midway area as well as the College by providing greater visibility and accessibility.

4. The College favors an elevated alignment – An elevated structure poses less of a barrier to cross-SR 99 movement than a surface-level dedicated guideway. The College's master plan envisions creating a major entrance to the campus by eventually widening South 236<sup>th</sup> Lane and signaling the intersection of South 236<sup>th</sup> Lane and SR 99. A surface level light rail guideway would make left turns onto South 236<sup>th</sup> Lane from the northbound lanes of SR 99 problematic. There may also be pedestrian safety and access advantages to an elevated station structure that would separate pedestrians from street level traffic as they exit the station and cross SR 99.
5. Commuter parking is a basic requirement -- Parking specifically for commuters will be a requirement in any station design. As noted earlier, the college's ability to meet the current demand for private vehicle parking on campus is well below the level of demand and the resulting overflow affects the adjacent commercial and residential neighborhoods. Given the limited open land in the Midway area, it will be necessary for Sound Transit to construct one or more parking structures to accommodate transit patrons.
6. The interim effects of a Highline Community College terminus need further study – We presume that the light rail station at Highline Community College would be the end of the line for several years. This would mean that commuters from throughout the Kent-Des Moines area will attempt to park near the station to take light rail trains north to Seattle.


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<sup>1</sup> City of Kent Midway Subarea Plan, December 13, 2011, p.17 and p. 39

The increased traffic would put added pressure on already congested neighborhood streets and exacerbate the parking problems in those neighborhoods. Public safety as a result of the temporary terminus should also be studied. The college is the terminus for several Metro bus routes and we experience a certain level of antisocial behavior from bus passengers who are waiting for their bus' departure. It is reasonable to assume that such behavior will also occur in the general area of the station until the line is extended to Federal Way. Measures to mitigate traffic congestion, parking demand, and criminal activity in and around the station and the college's campus related to the "end of line" status will need to be studied and evaluated.

We appreciate the opportunity to participate in the Federal Way Transit Extension Project early scoping and look forward to continued engagement on this very important civic investment in South King County's transportation infrastructure.

Sincerely,



Jack Bermingham, PhD  
President

Cc: L. Yok, HCC  
L. Skari, HCC  
D. Lathrop, City of Des Moines  
C. Anderson, City of Kent



November 19, 2012

Kent Hale  
Sound Transit  
401 South Jackson Street  
Seattle, WA 98104

**Subject: Federal Way Transit Extension: Alternatives Analysis, Early Scoping**

Dear Mr. Hale,

The Puget Sound Regional Council appreciates the opportunity to comment on the Federal Way Transit Extension Alternatives Analysis. As you are aware, implementation of high-capacity transit to support growing communities is fundamental to the success of VISION 2040, the region's integrated long-range strategy for growth management, transportation and economic development.

PSRC's Continued Involvement

The PSRC has an on-going interest in transit system planning for the expansion of Link Light Rail, not only because of VISION 2040 and Transportation 2040, but also due to our new *Growing Transit Communities* program that focuses on developing equitable transit communities at station areas within this, and other, corridors. Our lead staff for the South Link project will be Michael Hubner and Gil Cerise; their email addresses are [mhubner@psrc.org](mailto:mhubner@psrc.org) and [gcerise@psrc.org](mailto:gcerise@psrc.org) respectively.

Analysis of Consistency with Regional Plans

Given the fundamental and mutually-supportive role high-capacity transit plays in the implementation of regional plans, we would like to see analysis of consistency with VISION 2040 and Transportation 2040 included in the analysis of alternatives. We have commented on past Sound Transit documents on what this consistency would entail, from an environmental analysis perspective. The factors we suggest for this analysis are as follows:

- Ability of each alternative to support a triple bottom line of promoting people, prosperity and planet. Decisions on alternatives and mitigation measures should promote multi-purpose, not single purpose, objectives.
- Ability of each alternative to support allocated levels of population and employment growth, consistent with VISION 2040's regional geography allocations.
- Ability of each alternative to adequately serve projected ridership, including ridership between regional centers.
- Ability of each alternative to support compact, pedestrian- and transit-oriented densities and development. This assessment would take into account land use development potential, local targets, and zoned capacity.
- Ability of each alternative to serve industry clusters identified in the Regional Economic Strategy. This also includes serving concentrations of manufacturing industrial center employment and minimizing negative impacts to industrial lands.

### Draft Purpose and Need Statement

PSRC supports the Purpose and Need Statement as presented in the Early Scoping Information Report. We do, however, suggest one addition:

- The need to provide equitable access to the benefits of transit and transit oriented development to existing low-income and racially diverse communities through increased connectivity to employment, educational, social, and recreational opportunities and through increased potential for local economic development.

### Comments on the Scope of Review and Analysis

PSRC has the following generic comments regarding the scope of review and analysis of alternatives for the Federal Way Transit Extension:

- *Alternatives:* Alternatives analysis is fundamental to SEPA in that it identifies the strengths and weaknesses of more than one approach and will provide Sound Transit and the region a solid foundation from which to develop the strategies and mitigation measures for the preferred alternative. We support a robust alternatives analysis approach.
- *Station Siting Considered in Environmental Analysis:* PSRC suggests that station siting effects on local planning efforts be carefully considered in Sound Transit's analysis. For example, proposed station areas should be located proximate to areas designated for high intensity transit-oriented development wherever possible. In addition, the siting of the terminus of the Federal Way Transit Extension should support various alignment alternatives of the high capacity transit corridor that Sound Transit will consider in the future.
- *Potential Mitigation Measures:* If, through the environmental analysis, a locally preferred alternative is developed that includes weaker development potential than other alternatives studied, PSRC suggests the consideration of mitigation measures that could include providing support for local station area planning efforts or other assistance with development-related projects in the station areas.
- *Analysis of TOD potential.* As means of promoting transit investments that best support regional and local land use objectives, we urge Sound Transit to adopt a full range of analysis tools in anticipation of new agency transit oriented development policies. Specifically, draft TOD policies now before the Sound Transit board call for assessing potential for both "agency TOD" and "community TOD" in all phases of system planning and design. We would like to see TOD potential around all potential stations addressed in the analysis of alternatives for the FWTE.

This approach is consistent with new guidance forthcoming from the federal level. The Federal Transit Administration (FTA) has released for public comment proposed new policy guidance related to New Starts grants (Proposed New Starts/Small Starts Policy Guidance, FTA-2010-0009-0189). This guidance provides a range of tools and criteria whereby a project's support for successful TOD outcomes may be demonstrated. These include analysis of "the extent to which the proposed project would produce changes in development patterns around the transit investment and the magnitude of changes in population and employment, considering:

- the economic conditions in the project corridor;
- the mechanisms by which the project would improve those conditions;
- the availability of land in station areas for development and redevelopment; and
- a pro forma assessment of the feasibility of specific development scenarios."



Mr. Hale  
Sound Transit, Federal Way Transit Extension Project  
Page 3

- *Analysis of Support for Housing Affordability.* In support of equitable TOD outcomes, under the new rules, FTA would also evaluate a more complete range of economic development effects. These would encompass scoring proposals on “policies in place to support maintenance of or increases to the share of affordable housing in the project corridor.” In light of this agency direction and the emphasis on equity and affordability by the Growing Transit Communities Partnership, we would like to see Sound Transit work with local governments in the project corridor to ensure that transit investments and housing policies are mutually supportive.

The Federal Way Transit Extension is an important long-range investment for our region and we appreciate the opportunity to comment and participate. If you have any questions regarding our comments, please contact me at (206) 464-7549 or [imiller@psrc.org](mailto:imiller@psrc.org).

Sincerely,



Ivan W. Miller  
SEPA Responsible Official  
Puget Sound Regional Council

CC: Cathal Ridge, Federal Way Transit Extension Project Manager  
Gil Cerise, Senior Transit Planner  
Michael Hubner, Senior Planner



## King County

Department of Transportation  
 Metro Transit Division  
 General Manager's Office  
 201 S. Jackson Street  
 KSC-TR-0415  
 Seattle, WA 98104-3856

November 19, 2012

Federal Way Transit Extension  
 (c/o Kent Hale, Senior Environmental Planner)  
 Sound Transit  
 401 S. Jackson Street  
 Seattle, WA 98104-2826  
 FWTE@soundtransit.org

Dear Mr. Hale:

Thank you for the opportunity to participate in Sound Transit's early environmental scoping for the Federal Way Transit Extension (FWTE). As you know, King County Metro Transit (Metro) currently provides bus rapid transit service with the RapidRide A Line (A-Line) along Pacific Highway South within the FWTE project area. The purpose and need, scope, and range of alternatives should acknowledge existing bus rapid transit in the corridor, and seek to optimize the investments made by Metro and anticipated by Sound Transit.

The following includes our comments and recommendations pertaining to the FWTE purpose and need, and development of potential alternatives as outlined in the Early Scoping Information Report. Please note that technical comments on the Preliminary Evaluation Criteria for alternatives development (dated November 13, 2012) will be submitted separately.

### Purpose and Need

The purpose and need of the FWTE should emphasize expanding and enhancing the integrated, multimodal transportation network of complementary services in order to maximize system connectivity and ridership.

### Range of Alternatives, Evaluation Criteria and Scope of Analysis

To ensure effective and efficient service integration, the EIS scope of analysis should consider how, and how easily, the alternatives could provide connections to other services. This includes determining physical access as well as the relative costs of

Kent Hale  
November 19, 2012  
Page 2

providing connections between buses and light rail to maximize ridership. For Metro, space for bus zones and layover area are key facilities for intermodal connections, especially at high ridership station locations such as Highline Community College. The EIS should also evaluate each alternative's capacity for leveraging transit-supportive development and redevelopment.

### Conclusion

Optimizing our respective investments to the extent feasible is in the interest of all the citizens and agencies of King County and the wider region. We believe that the FWTE environmental review process can contribute to optimizing future investment in the transit network by acknowledging Metro's existing services and seeking opportunities to enhance and expand existing service. Metro believes that incorporation of these suggested amendments, to the purpose and need and development of alternatives will help lead decision-makers to choose the best option for the region.

We look forward to working closely with Sound Transit as the FWTE planning process moves forward.

Thank you for the opportunity to comment on the EIS scope and alternatives.

Sincerely,



Kevin Desmond  
General Manager  
KC Metro Transit

- c: David Hull, Supervisor, Service Planning, Metro Transit Division (MTD)  
Chris O'Claire, Supervisor, Strategic Planning and Analysis, MTD  
Gary Kriedt, Environmental Planner, Design and Construction Section, MTD  
Gillian Zacharias, Environmental Planner, Design and Construction Section, MTD



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10**

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ECOSYSTEMS,  
TRIBAL AND PUBLIC  
AFFAIRS

November 19, 2012

Mr. J. Steve Saxton  
Federal Transit Administration, Region 10  
915 Second Avenue, Suite 3142  
Seattle, Washington 98174-1002

Mr. Kent Hale, Senior Environmental Planner  
Planning, Environment & Project Development  
Sound Transit  
401 S. Jackson Street  
Seattle, Washington 98104-2826

Re: Federal Way Transit Extension – Early Scoping (EPA Region 10 Project Number 12-0058-FTA).

Dear Mr. Saxton and Mr. Hale:

The U.S. Environmental Protection Agency has reviewed the Early Scoping Report for the Federal Way Transit Extension Project, and we participated in the November 7, 2012 Agency/Tribal Early Scoping Meeting to learn more about the proposed project. We are submitting early scoping comments in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Thank you for involving us.

Federal Transit Administration and Sound Transit are initiating the public planning and environmental process for the Federal Way Transit Extension in South King County as part of the Sound Transit 2 Plan approved by voters in 2008. The project corridor is 7.6 miles in length, extending from S. 200<sup>th</sup> in City of SeaTac to the Transit Center in Federal Way.

**Purpose and Need, Evaluation Criteria**

We support the elements included in the project purpose, need and evaluation criteria stated in the Early Scoping Report and Agency/Tribal presentation. In addition to whether or not a proposed alternative would meet the project purpose and need, the evaluation criteria should reflect additional project goals and objectives that help to define a successful project. In other words, the purpose and need should be met in a manner that is also responsive, to the extent possible, to the stated goals and objectives. We encourage developing these goals and objectives, because they give rise to helpful evaluation criteria, which would likely include those stated and possibly additional ones.

**Range of Alternatives**

We support the proposed project, and a range of alternatives that reflect the intent of the ST2 Plan. We also recommend that the alternatives be designed to avoid and minimize impacts to the natural and human environment, and maximize environmental and community benefits. Based on the information presented thus far regarding the project corridor, specific ways to do this include:

**Maximize the Use of Existing Infrastructure and Rights-of-Way.** The environmental impacts of most concern in determining the transit corridor are aquatic and terrestrial habitat loss, fragmentation, and degradation, and the associated consequences for species, ecological processes, and ecosystem services. Environmentally sensitive areas, such as, shorelines, floodplains, wetlands, estuaries, rivers and streams, biodiversity hotspots, threatened/endangered/rare species habitats should be avoided. For example, avoid bisecting the Kent/Des Moines wetland complex, its riparian corridors, and other natural areas.

In general, the best means to avoid and/or minimize these impacts is to maximize the use of existing transportation corridors and rights-of-way to the extent possible, retrofit them as needed to make them serviceable and less environmentally damaging, and minimize the need for creating new corridors. This would include adhering as close as possible to I-5, SR-99, or other substantial north-south transportation corridors.

**Consider Redevelopment.** Transportation can help to make cities vibrant and attractive. Where it may be necessary to create new corridors, first consider redevelopment of existing developed or urbanized areas. In particular, seek under-utilized urban areas, such as, oversized paved areas/parking lots and vacant properties, and make it a priority to use brownfield or contaminated sites. The clean-up and re-use of contaminated sites would maximize the environmental and community benefits of the project, while preventing “greenfield” development of farms, forests, and natural areas. However, the integrity of the remedy for the Midway Landfill Superfund site would need to be maintained (see additional comments below).

**Apply Zero or Low Impact Development (ZID/LID).** Avoid/minimize creating new impervious surface, associated with the proposed project. For example, an elevated guideway on structure would be preferable to an at-grade roadway, such as, for bus rapid transit. Use pervious pavement and other LID techniques for managing storm water, and avoid building over ground water recharge areas. Consider de-paving areas as compensatory mitigation for any new impervious surface needed for the project to achieve no net increase in pollution generating impervious surface.

### **Analysis of Environmental Impacts**

A list of high-level environmental impacts for the built and natural environments would likely include the following:

#### **Built Environment:**

Transportation  
Cultural resources  
Environmental justice  
Hazardous materials  
Land use  
Noise and vibration  
Safety and security  
Special lands (Section 4(f), and 6(f))  
“Green” buildings, construction, management  
Utilities

#### **Natural Environment:**

Air quality and climate change  
Biological resources  
Aquatic resources  
Ecological connectivity  
Tribal treaty resources  
Energy  
Invasive species  
Geological resources  
Indirect and cumulative effects

We offer the following additional comments, which pertain to several of these issues, to assist your analysis:

### **Midway Landfill Superfund Site**

Due to its location adjacent to the I-5 corridor, it is likely that project alternatives will explore the use of the Midway Landfill Superfund site. The Midway Landfill still has an active remedy in place. West of I-5, FTA and Sound Transit need to be aware that there is a landfill cap that needs to be maintained to prevent infiltration. The slope of the cap is important because it is designed to drain into the storm water detention pond on the north end of the property. There is an active gas control system that consists of both extraction wells and gas monitoring probes and there are groundwater monitoring wells on the property.

Ecology is the regulatory agency in charge of the cleanup. The contact at Ecology is Ching-Pi Wang at (425) 649-7134, or [cwan@ecy.wa.gov](mailto:cwan@ecy.wa.gov). The City of Seattle is responsible for the cleanup. The City of Seattle contact is Jeff Neuner at (206) 684-7639 or at [neuner.jeff@seattle.gov](mailto:neuner.jeff@seattle.gov).

### **Ecological Connectivity**

Ecological Processes, Hydrological Connectivity. The siting and design of linear transportation corridors should provide for unimpeded natural ecological processes, such as, the movement of water, wood, sediment, nutrients, and species. It is important to maintain and preserve natural stream characteristics and hydrology, and restore and preserve the natural and beneficial effects of riparian areas and floodplains. Avoid/minimize encroachment upon, or disturbance to, natural stream hydrology, stream migration zones, stream banks and channels, riparian areas, wetlands, floodplains, groundwater recharge and seepage areas. The EIS should analyze, disclose, and mitigate impacts to fish, fish habitat, fish passage, and effects to other aquatic biota.

Habitat Connectivity. In addition to habitat loss, fragmentation, and alteration from potential project construction, the project operational impacts resulting from potential new right-of-ways for rail or roadway vehicles would be increased potential for wildlife collisions. Over the past 20 years there has been a substantial increase in the level of knowledge, awareness, and action to address the habitat fragmentation effects and wildlife mortality associated with roadways<sup>1</sup>. Wildlife mortality also occurs on railways. Whether the alternatives involve roadways or railways, it is important to include means to make the transportation corridor permeable to wildlife movements, such as, with an elevated guideway. For existing or new at-grade transportation corridors, incorporate wildlife crossing structures of appropriate number, design, size, and location to adequately accommodate movement of all wildlife species that might be expected to move within or across the corridor, including high mobility species, such as wide-ranging carnivores, and low mobility species, such as amphibians. Appropriate fencing, adequately maintained, is also needed to prevent wildlife entry onto the right-of-way and to funnel animals to crossing structures.

Suitable wildlife crossing locations would likely include, but not necessarily be limited to areas such as, wetlands, stream/riparian corridors, forest and agricultural land interface areas, migration corridors, and relatively undisturbed upland habitats. Where bridges or large culverts are installed for aquatic features, these could be enlarged to span upland habitats as well to facilitate movement of terrestrial species. We recommend information gathering and collaboration with federal and state wildlife agencies to inform this process.

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<sup>1</sup> See ICOET proceedings, <http://www.icoet.net/links.asp>

**Environmental Justice/Vulnerable Populations**

Along with low income and minority populations considered in the environmental justice analysis, impacts to other vulnerable populations should be addressed, including the elderly, disabled, and children.

**Biological Resources**

In addition to issues discussed above for ecological connectivity, this portion of the NEPA document should also address federal and state threatened, endangered, candidate, and sensitive animal and plant species and their habitats.

**Aquatic Resources**

The NEPA analysis should address all potentially affected aquatic resources, including surface water and ground water, water quality and quantity, hydrology, and sensitive aquatic areas, such as, wetlands, streams, floodplains, shorelines, riparian areas, ground water recharge areas, hyporheic zones, drinking water sources and supplies.

The NEPA document should describe aquatic habitats in terms of habitat type, plant and animal species, functional values, and integrity. Evaluate impacts in terms of the aerial (acreage) or linear extent to be impacted and by the functions they perform. The effects assessment must address changes in the extent of impervious surface, stormwater runoff, treatment and management, including use of Low Impact Development strategies, effects to CWA 303(d) listed waters, compliance with Total Maximum Daily Loads, and anti-degradation requirements. For construction activities that would disturb more than one acre of land (40 CFR 122.26(b)), a National Pollutant Discharge Elimination System permit is required.

Project proponents should plan, design, construct and maintain the project to avoid or have minimal long-term water quality and aquatic resources impacts. For any impacts that cannot be avoided through siting and design, the NEPA document should include protection measures and describe the types, location, and estimated effectiveness of best management practices applied to minimize and mitigate impacts to aquatic resources.

The proposed activities may require a Clean Water Act Section 404 permit from the Army Corps of Engineers. For wetlands and other special aquatic sites, the Section 404(b)(1) guidelines establish a presumption that upland alternatives are available for non-water dependent activities. The 404(b)(1) guidelines require that impacts to aquatic resources be (1) avoided, (2) minimized, and (3) mitigated, in that sequence. The NEPA document should discuss in detail how planning efforts (and alternative selection) conform to Section 404(b)(1) guidelines sequencing and criteria. In other words, the project proponent must show that they have avoided impacts to wetlands and other special aquatic sites to the maximum extent practicable. The NEPA document should discuss alternatives that would avoid wetlands and aquatic resource impacts from fill placement, water impoundment, construction, and other activities before proceeding to minimization/mitigation measures.

Project planning and design should avoid/minimize encroachment upon, or disturbance to, natural stream hydrology, stream migration zones, stream banks and channels, riparian areas, wetlands, and floodplains. It is important to maintain and preserve natural stream characteristics and hydrology, and restore and preserve the natural and beneficial effects of riparian areas and floodplains.

If there are 303(d) listed water bodies in the project area, the NEPA document must also disclose information regarding Total Maximum Daily Loads, the water bodies to which they apply, and pollutants of concern. The proposed project should not further degrade 303(d) listed waters and should be consistent with Total Maximum Daily Loads to restore beneficial use support for impaired waters. If additional pollutant loading is predicted to occur to a 303(d) listed stream as a result of the proposed project, the project should include measures to control existing sources of pollution to offset pollutant additions, such as from road construction, so that no deterioration of water quality occurs.

**Source Water Protection Areas:** Project construction, operation, and maintenance may adversely affect waters that serve as sources of drinking water for communities. Source water is untreated water from streams, rivers, lakes, springs, and aquifers that is used as a supply of drinking water. Source Water Areas are the sources of drinking water delineated and mapped by the states for each federally-regulated public water system.

State agencies have been delegated responsibility to conduct source water assessments and provide a database of information about the watersheds and aquifers that supply public water systems. In Washington, contact Department of Ecology to help identify source water protection areas within or downstream of the project area. The EIS should:

- Identify all federally-regulated source water protection areas and state-regulated source water protection areas within or downstream of the project area.
- Identify all activities that could potentially affect source water areas.
- Identify all potential contaminants that may result from the proposed project.
- Identify all measures that would be taken to protect the source water protection areas.

#### **Air Toxics, Construction Emissions Mitigation**

The EIS should disclose whether air toxics emissions would result from project construction and operations, discuss the cancer and non-cancer health effects associated with air toxics and diesel particulate matter, and identify sensitive receptor populations and individuals that are likely to be exposed to these emissions.

Air toxics and diesel emissions, which are emitted from mobile sources, construction vehicles and equipment, are known or suspected to cause cancer or other serious health effects, such as respiratory, neurological, reproductive, and developmental effects. The proposed project should include measures to substantially reduce emissions of and exposure to these air pollutants for construction workers and nearby residents and businesses. We recommend including and committing to implement a full suite of construction mitigation measures, such as those from the Clean Construction USA Web site at <http://www.epa.gov/otaq/diesel/construction/>. Measures such as diesel engine retrofit technology in off-road equipment would greatly help to reduce air toxics and diesel particulate emissions. Such technology may include diesel oxidation catalyst/diesel particulate filters, engine upgrades, engine replacements, newer model year equipment, use of biodiesel, or combinations of these strategies. For more information about air toxics, please contact Wayne Elson of our Air Program office at (206) 553-1463.

#### **Community Impact Assessment**

We recommend conducting community impact assessments for communities that would potentially be most affected by the proposed project. These usually include communities adjacent to or bisected by a



proposed project, although an analysis of the direct, secondary, and cumulative effects of proposed alternatives may reveal additional affected populations/communities. Impacts from increased number and frequency of trains, safety issues, traffic delay from at-grade crossings, and other issues that may arise need to be addressed. The Federal Highway Administration publication, *Community Impact Assessment: a Quick Reference for Transportation* [publication No. FHWA-PD-96-036, HEP-30/8-96(10M) P] is available as guidance.

### **Tribal Consultation**

The EIS should discuss whether or not the proposed action may affect tribal treaty resources. These include natural resources, historical or traditional cultural places of importance to affected Native American Tribes. The EIS needs to identify these resources, and assure that treaty rights and privileges are addressed appropriately. If the proposed project would have effects on tribal treaty resources, development of the EIS should be conducted in consultation with all affected tribal governments, consistent with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*.

### **Climate Change**

The EIS should discuss the potential direct and indirect effects of the proposed action with respect to greenhouse gas emissions and climate change, and any potential effects of climate change on the proposed project. These results should be incorporated into project planning and design in order to mitigate GHG emissions from project construction and operation, anticipate and adapt to climate-related changes and effects, and contribute to public education about climate change and its consequences.

### **Invasive Species**

Ground disturbing activities create opportunity for establishment of non-native invasive species. In compliance with NEPA and with the Executive Order 13112, analysis and disclosure of these actions and their effects, as well as any mitigation to prevent or control such outbreaks should be included. We urge that disturbed areas be revegetated using native species and that there be ongoing maintenance (wholly or primarily non-chemical means) to prevent establishment of invasives in areas disturbed by project activities.

### **Green Buildings and Management Practices**

We recommend that the EIS address the federal “green” requirements and opportunities that may apply to design, operation, and maintenance of project-related facilities and equipment, such as rail stations and maintenance buildings. The green requirements pertain to high performance buildings, energy efficiency, and use of renewable energy, water conservation, waste diversion, stormwater runoff, and LEED certification:

- E.O. 13423, Strengthening Federal Environmental, Energy, and Transportation Management, Section 2(f); Section 2(b); Section 9(g)-(h); Section 2(c) (2007)
- E.O. 13514, Federal Leadership in Environmental, Energy, and Economic Performance (2009)
- Energy Independence and Security Act of 2007, 42 U.S.C. Section 17061 *et seq*; Section 17094; US EPA, Technical Guidance on Implementing the Stormwater Runoff Requirements for Federal Projects under Section 438 of the Energy Independence and Security Act, [www.epa.gov/owow/nps/lid/section438](http://www.epa.gov/owow/nps/lid/section438) (2009)
- National Energy Conservation Policy Act, 42 U.S.C. Section 8253(a)(1); Section 8253(f)(1); Section 8253(f)(3)(A); Section 2(d)(i); Section 2(e)(ii) (2009)

- Energy Conservation and Production Act, 42 U.S.C. Section 6834(a)(3)(D); Section 6834(a)(3)(A) (2009)
- USGBC: LEED for Existing Buildings, <http://www.usgbc.org>
- USGBC: LEED Public Policies, <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=1852#federal>

EPA Region 10 has developed a voluntary partnership program with federal facilities, the Federal Green Challenge, to assist them in meeting their Executive Order commitments. There are currently 22 agency partners representing hundreds of facilities. In the first year, partners reduced an estimated 26,000 metric tons carbon dioxide equivalent, which is equivalent to the greenhouse gas emissions savings of removing 4,500 automobiles from the road for a year, and saved approximately \$850,000. For more information, including how to join, please see the website: [www.epa.gov/federalgreenchallenge](http://www.epa.gov/federalgreenchallenge).

### **Cumulative and Indirect Impacts**

The project evaluation should consider the effects of the proposed project when added to other past, present and reasonably foreseeable future projects within and outside the project area. Cumulative impacts can result from individually minor, but collectively significant actions taking place over time.

The EPA has issued guidance on how we are to provide comments on the assessment of cumulative impacts in *Consideration of Cumulative Impacts in EPA Review of NEPA Documents*, which can be found on the EPA web site at: <http://www.epa.gov/compliance/resources/nepa.html>. This guidance includes five key areas of focus when assessing cumulative effects:

- Identify resources, if any, that are being cumulatively affected;
- Determine the appropriate geographic (within natural ecological boundaries) area and the time period over which the effects have occurred and would occur;
- Look at all past, present, and reasonably foreseeable future actions that have affected, are affecting, or would affect resources of concern;
- Describe a benchmark or baseline;
- Include scientifically defensible threshold levels.

Indirect effects are those that are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, road systems and access, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems (40 CFR Part 1508.8).

Thank you for the opportunity to offer early scoping comments for the Federal Way Transit Extension project. If you have questions or would like more information, please contact me at (206) 553-2966 or via electronic mail at [somers.elaine@epa.gov](mailto:somers.elaine@epa.gov).

Sincerely,



Elaine L. Somers  
Environmental Review and Sediment Management Unit

## **APPENDIX D – MEETING ADVERTISEMENTS**

- Postcard
- Poster
- Display Advertisements
- Blog Advertisements

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# Federal Way Transit Extension

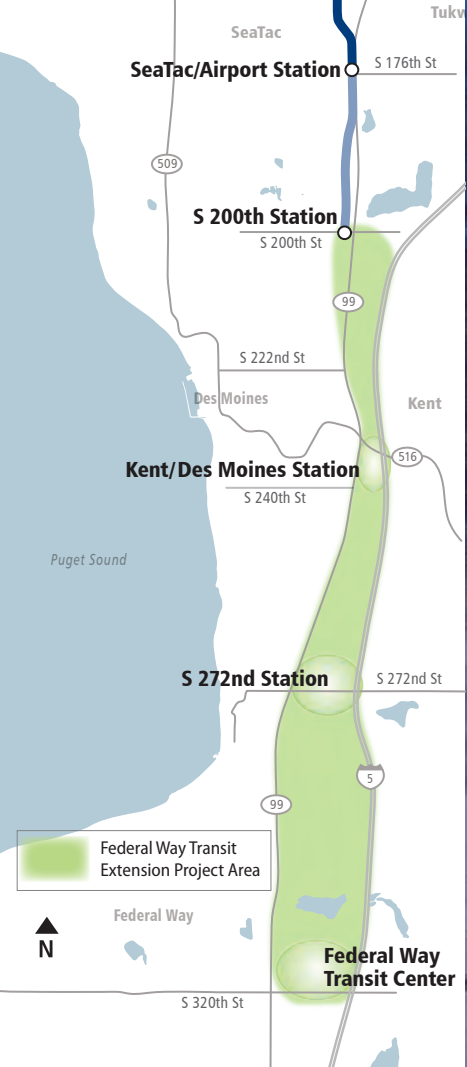
**Join the discussion.** During early scoping, Sound Transit is seeking public input on alternatives to improve high capacity transit from SeaTac to Federal Way. This is your first opportunity to comment and be involved in this project.

## NOV. 8 AND 13, 2012 FEDERAL WAY TRANSIT EXTENSION EARLY SCOPING MEETINGS

**Des Moines: Nov. 8**  
4-7 p.m.  
Highline Community College (Building 2)  
S. 240th Street and Pacific Highway South

**Federal Way: Nov. 13**  
4-7 p.m.  
Truman High School (Gym)  
31455 28th Ave. S

For directions and other information,  
visit [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension)



# Help shape the future of high capacity transit from SeaTac to Federal Way

Over the next year, Sound Transit will analyze alternatives to expand high capacity transit between the future light rail station at S. 200th Street in the City of SeaTac to the Federal Way Transit Center, a distance of approximately 7.6 miles.

## Join in the discussion to:

- Learn about the project background, purpose and timeline.
- Help identify potential routes and station locations.
- Comment on the criteria Sound Transit will use to evaluate project alternatives.
- Comment on potential benefits and impacts of the project on the community, environment and transportation.
- Find out about public involvement opportunities and how to stay informed about the Federal Way Transit Extension.

*To request accommodations for persons with disabilities or information in alternative formats, call 1-800-201-4900/TTY Relay: 711 or email [accessibility@soundtransit.org](mailto:accessibility@soundtransit.org).*

**30-Day Public and Agency Comment Period ends Nov. 19.** Early Scoping is the first public involvement opportunity in the project development process for the Federal Way Transit Extension. Find more information online at [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension). Please submit your comments by Nov. 19, 2012:

- Online at [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension)
- Email to [fwte@soundtransit.org](mailto:fwte@soundtransit.org)
- Mail to Federal Way Transit Extension, c/o Kent Hale, Senior Environmental Planner, Sound Transit, 401 S. Jackson St., Seattle, WA 98104
- In person at the public meetings

Questions? Please visit [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension) or contact Jennifer Lemus, Community Outreach Specialist-South Corridor at 206-398-5314 or [fwte@soundtransit.org](mailto:fwte@soundtransit.org).

Sound Transit plans, builds, and operates regional transit systems and services to improve mobility for Central Puget Sound.



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Sound Transit 직원과 통화를 원하실 경우는 평일 영업시간 중 1-800-823-9230번으로 연락하시기 바랍니다.

ដើម្បីទិញជាមួយ Sound Transit ជាភាសាខ្មែរ សូមទូរស័ព្ទលេខ 1-800-823-9230 នៅពេលម៉ោងធ្វើការធម្មតា។

Para hablar con Sound Transit en español, por favor llame al 1-800-823-9230 durante las horas normales de oficina.

Để nói chuyện với Sound Transit bằng tiếng Việt, xin gọi số điện thoại 1-800-823-9230 trong giờ làm việc thường lệ.

Чтобы поговорить с представителем Sound Transit по-русски, пожалуйста, позвоните в обычное рабочее время по телефону 1-800-823-9230.

Si aad ugula hadasho Sound Transit Soomaali, fadlan wac 1-800-823-9230 saacadaha shaqada caadiga ah.

# Federal Way Transit Extension

**Join the discussion.** During early scoping, Sound Transit is seeking public input on alternatives to improve high capacity transit from SeaTac to Federal Way. This is your first opportunity to comment and be involved in this project.

## NOV. 8 AND 13, 2012 FEDERAL WAY TRANSIT EXTENSION EARLY SCOPING MEETINGS

Des Moines-Nov. 8

4-7 p.m.

Highline Community College (Building 2)

S. 240th Street & Pacific Highway South

Federal Way-Nov. 13

4-7 p.m.

Truman High School (Gym)

31455 28th Ave. S

For directions and other information,  
visit [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension)

### 30-Day Public and Agency Comment Period ends Nov. 19.

Early Scoping is the first public involvement opportunity in the project development process for the Federal Way Transit Extension. Find more information online at [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension).

Please submit your comments by Nov. 19, 2012:

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- In person at the public meetings

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# Please Join Us!

## FEDERAL WAY TRANSIT EXTENSION EARLY SCOPING MEETINGS

Over the next year, Sound Transit will analyze alternatives to expand high capacity transit between the future light rail station at S. 200th Street in the City of SeaTac to the Federal Way Transit Center. Sound Transit invites you to attend a public early scoping meeting to learn more about the project and provide your comments.

### Des Moines

**NOV. 8, 2012**

**4-7 p.m.**

Highline Community College  
(Building 2)  
S. 240th Street and  
Pacific Highway South

For directions and other information, visit [www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension)

### Federal Way

**NOV. 13, 2012**

**4-7 p.m.**

Truman High School  
31455 28th Ave. S

### Questions?

#### Jennifer Lemus

Community Outreach Specialist - South Corridor  
206-398-5314

[fwte@soundtransit.org](mailto:fwte@soundtransit.org)

[www.soundtransit.org/FWextension](http://www.soundtransit.org/FWextension)

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## HELP SHAPE THE FUTURE OF TRANSIT IN YOUR COMMUNITY



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**FEDERAL WAY  
 TRANSIT EXTENSION**  
 EARLY SCOPING MEETINGS

<b>Des Moines</b> Nov. 8, 2012 4-7 p.m. Highline Community College	<b>Federal Way</b> Nov. 13, 2012 4-7 p.m. Truman High School
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**FIND OUT MORE →**

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**FEDERAL WAY TRANSIT  
 EXTENSION** EARLY SCOPING MEETINGS

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**FIND OUT MORE →**

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## **APPENDIX E – STAKEHOLDER INTERVIEW PARTICIPANTS**

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## STAKEHOLDER INTERVIEW PARTICIPANTS

Sound Transit conducted interviews with the following community leaders, jurisdictions, and social service providers in the project area. The purpose of the interviews was to identify public involvement strategies to engage low-income, minority, and limited-English proficient populations in the public involvement process.

### Education and Social Service Providers

- Peter Ansara, Executive Director, Korean Women’s Association
- Sabrina Cody, Marketing Director, Korean Women’s Association
- Claudia Dickenson, Program Director, Angle Lake Family Resource Center
- Dal Diyali, Case Worker, International Rescue Committee (IRC)
- Lori Guilfoyle, Community Impact Manager, United Way of King County
- Mike Heinisch, Executive Director, Kent Youth and Family Services
- Nathan Phillips, South King County Council of Human Services
- Barb Shimizu, Assistant Director, Des Moines Food Bank
- Lisa Skari, Vice President of Institutional Advancement, Highline Community College
- Dinah Wilson, South King County Representative, South King County Mobility Coalition and City of Kent

### Local Jurisdictions and Transit Agencies

#### City of Des Moines

- Marion Yoshino, Economic Development Director, City of Des Moines

#### City of SeaTac

- Colleen Brandt-Schluter, Human Services Manager, City of SeaTac
- Gwen Voelpel, Assistant City Manager, City of SeaTac
- Soraya Lowry, Program Manager, City of SeaTac

#### City of Federal Way

- Isaac Conlen, Program Manager, City of Federal Way Community and Economic Development
- Rick Perez, City Traffic Engineer, City of Federal Way Public Works

#### King County Department of Transportation

- Ashley Deforest, Community Relations Planner, King County Department of Transportation

- Deena Martin, Community Relations Planner, King County Department of Transportation

### **Business Organizations**

- Andrea Keikkala, Executive Director, Kent Chamber of Commerce
- Lynn Wallace, President, Southwest King County Chamber of Commerce