

Link Light Rail Operations and Maintenance Satellite Facility

Record of Decision



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Acronyms and Abbreviations

ABA	Architectural Barriers Act
ADA	Americans with Disabilities Act
BMP	Best Management Practice
CFR	Code of Federal Regulations
CZM	Coastal Zone Management
DOT	Department of Transportation
Ecology	Washington State Department of Ecology
EIS	Environmental Impact Statement
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
FTA	Federal Transit Administration
LWCF	Land and Water Conservation Fund
Magnuson- Stevens Act	Magnuson-Stevens Fisheries Conservation and Management Act
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
OMF	Operations and Maintenance Facility
OMSF	Operations and Maintenance Satellite Facility
PGIS	pollution-generating impervious surface
PSRC	Puget Sound Regional Council
RCO	Recreation and Conservation Office
ROD	Record of Decision
SEPA	State Environmental Policy Act
SHPO	State Historic Preservation Officer
Sound Transit	Central Puget Sound Regional Transit Authority
SR	State Route
ST2	Sound Transit 2
USC	United States Code
USFWS	U.S. Fish and Wildlife Service

1 DECISION

The Federal Transit Administration (FTA), pursuant to 23 Code of Federal Regulations (CFR) 771.127, issues this Link Light Rail Operations and Maintenance Satellite Facility (OMSF) Record of Decision (ROD) finding that the requirements of the National Environmental Policy Act (NEPA) have been satisfied for the construction of the OMSF by the Central Puget Sound Regional Transit Authority (Sound Transit). This ROD also provides findings on other environmentally related federal statutory requirements.

This ROD is based on the close review and independent evaluation of the planning and environmental process followed by Sound Transit that involved numerous cooperating and participating agencies, listed below, in developing project alternatives and evaluating their effects.

Cooperating Agencies

City of Bellevue
City of Lynnwood
King County
Snohomish County
U.S. Army Corps of Engineers

Participating Agencies

Advisory Council on Historic Preservation
City of Redmond
City of Mountlake Terrace
Edmonds School District
Washington Department of Archaeology and Historic Preservation
Washington Department of Ecology
U.S. Department of the Interior
U.S. Environmental Protection Agency
U.S. Federal Emergency Management Agency

This process has produced the *Link Light Rail Operations and Maintenance Satellite Facility Draft Environmental Impact Statement* (May 2014) and the *Link Light Rail Operations and Maintenance Satellite Facility Final Environmental Impact Statement* (September 2015) and has led to the determinations made herein (collectively referred to as the “environmental review documents”). The environmental review documents were prepared jointly by Sound Transit and FTA in compliance with NEPA and the Washington State Environmental Policy Act (SEPA)

This ROD summarizes the OMSF; the factors and process that led to its development; the alternatives that FTA considered; the various opportunities to comment on the project and project documents; the public, tribal, and agency comments and responses thereto; the basis for FTA’s decision; and the mitigation measures the project requires. The ROD does not replace or negate any of the information or descriptions in the environmental review documents. Rather, the ROD and the environmental review documents (incorporated herein by reference) are part of the FTA environmental record for the project.

Based on its consideration of the environmental review documents, FTA finds that the project has met all applicable requirements. FTA further finds that this ROD is complete and supports the determination that all NEPA requirements have been met.

1.1 Project Description

The project consists of the development and operation of a new OMSF to support the expansion of the Central Puget Sound Regional Transit Authority's (Sound Transit) Link light rail transit system. This system-wide expansion is part of *Sound Transit 2: A Mass Transit Guide, The Regional Transit System Plan for Central Puget Sound* (ST2) for transit investments, financing for which was approved by voters in November 2008.

The project will enable Sound Transit to provide service and inspection functions to support approximately 90 light rail vehicles (LRVs). The OMSF will be used to store, maintain, and dispatch vehicles for daily service. Its activities will include preventative maintenance inspections, light maintenance, emergency maintenance, interior vehicle cleaning, and exterior vehicle washing. It will accommodate administrative and operations functions and will be used as a report base for LRV operators. It will include space for employee parking, operations staff offices, maintenance staff offices, dispatcher work stations, an employee report room, and areas with lockers, showers, and restrooms for operators and maintenance personnel.

Figure 1 shows the existing and planned regional light rail system under ST2. It shows the locations of Sound Transit's existing operations and maintenance facility (the Forest Street OMF) and the OMSF alternatives evaluated in the Final Environmental Impact Statement (EIS). The project approved in this ROD is substantially the same as the Preferred Alternative evaluated in the Final EIS. Figure 2 shows the Preferred Alternative in the City of Bellevue, east of the Eastside Rail Corridor, west of 120th Avenue NE, south of State Route 520 (SR 520), and north of NE 12th Street.

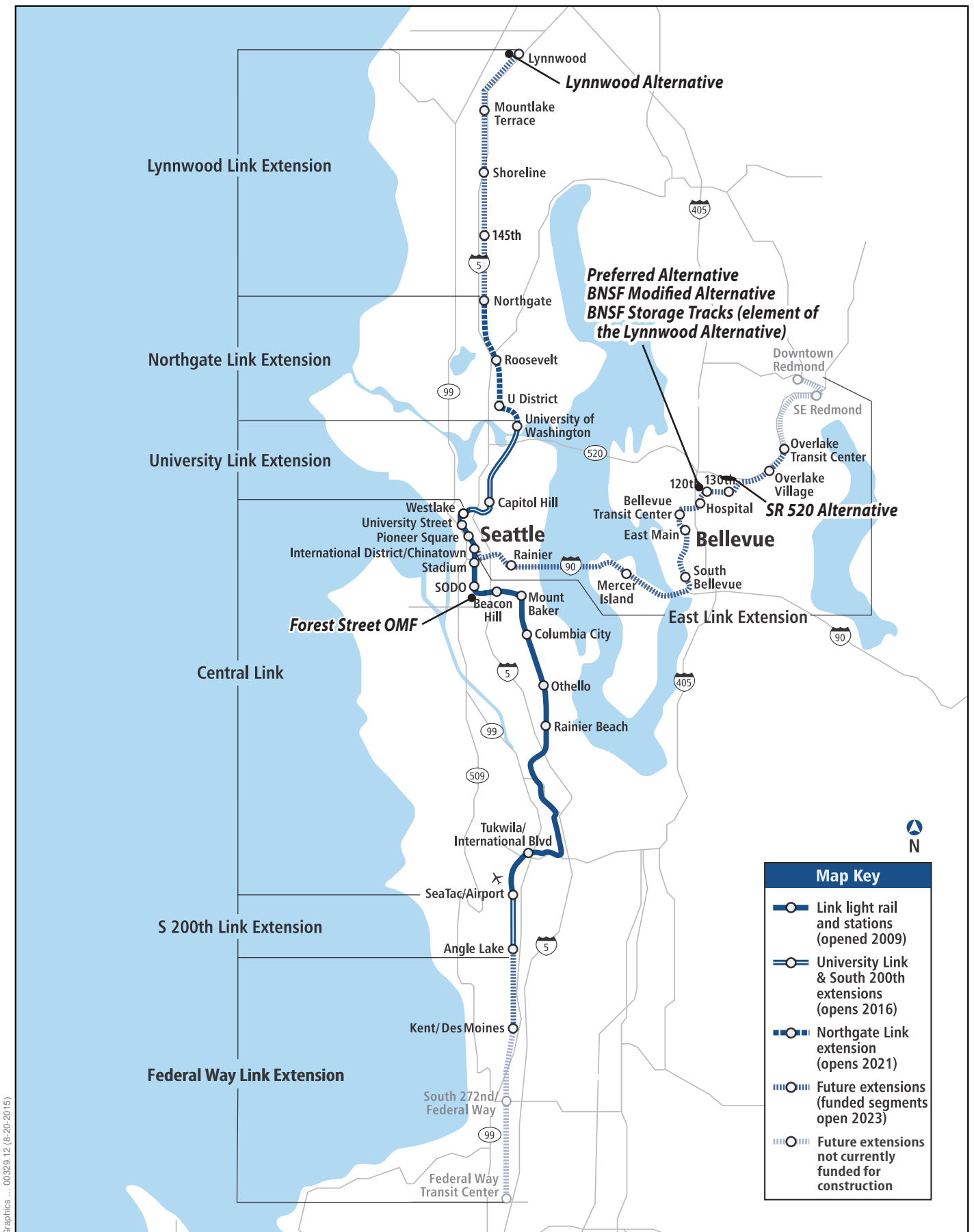


Figure 1: Regional Setting for the OMSF Sound Transit Link Light Rail OMSF ROD

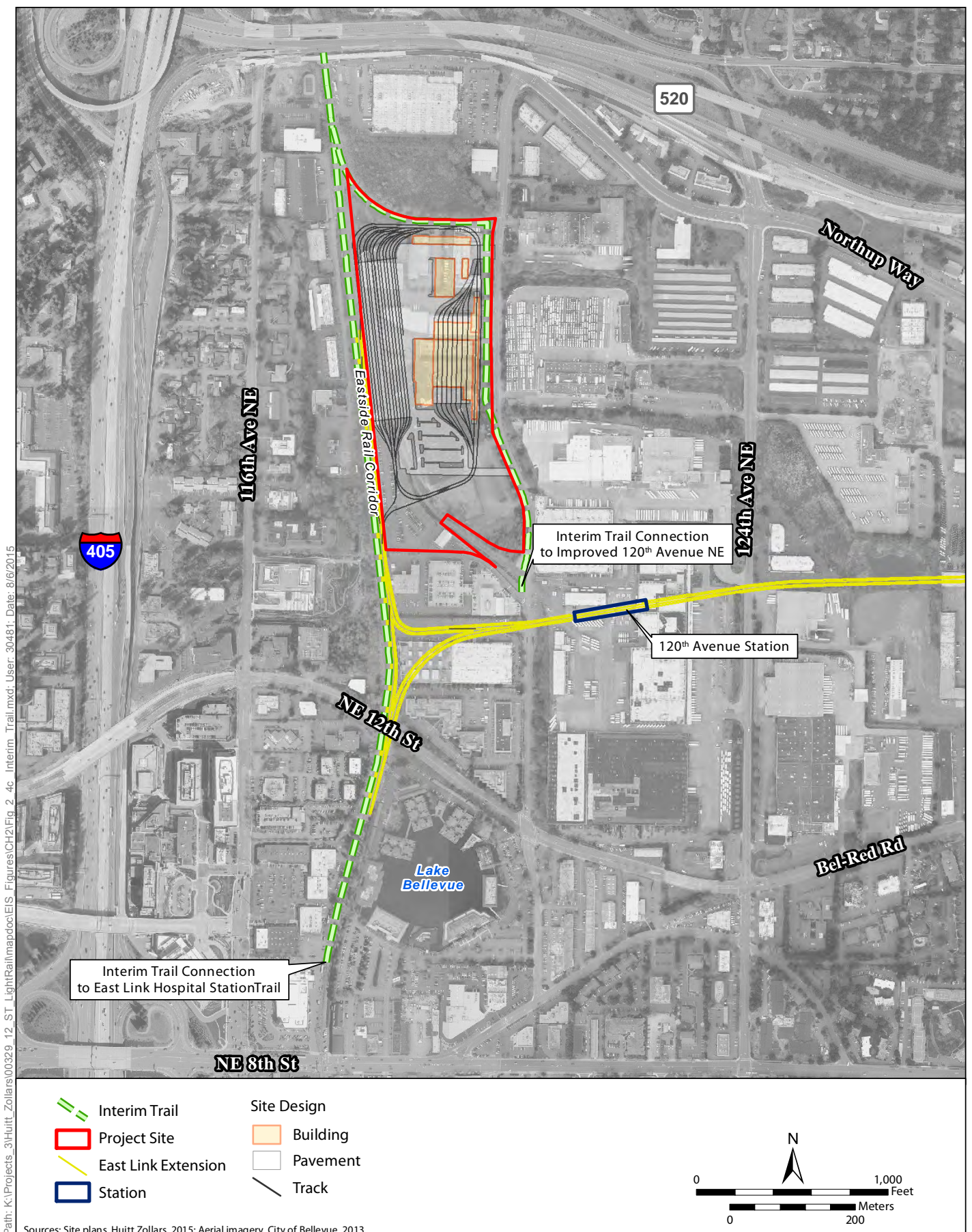


Figure 2: Preferred Alternative Sound Transit Link Light Rail OMSF ROD

1.2 Basis for the Decision

1.2.1 Planning and Project Development Process

In 1993 the Central Puget Sound Regional Transit Authority (Sound Transit) was created. In 1996 voters approved financing for *Sound Move*, which included light rail in King County, improved regional express bus services, commuter rail, and related facilities. After completing a Long-Range Plan Update in 2005, Sound Transit defined a second phase of investments, and voters approved the financing for ST2 in 2008.

In 2011, Sound Transit conducted a system-wide operations analysis for the implementation of ST2. The results of this analysis were the ST2 Operations Plan (June 2011) and the ST2 Link Light Rail Fleet Management Plan (June 2011). Beginning in 2012, Sound Transit conducted a three-part study to identify potential alternatives for the proposed project:

1. **Core Light Rail System Expansion Plan Review.** This review looked beyond the operations and facilities needs for ST2 to future expansion of the light rail system to Everett, Tacoma, and downtown Redmond consistent with the Sound Transit Regional Transit Long-Range Plan (Long-Range Plan). It concluded that a total of three operations and maintenance facilities (OMFs) will eventually be needed. These include the existing Forest Street OMF south of downtown Seattle, one facility along the north operating line, and one facility along the east operating line. However, the third OMF will not be required until the light rail system is expanded beyond the light rail extensions identified in ST2.
2. **Link OMSF Corridor Analysis.** This analysis identified the constraints, benefits, and trade-offs of locating the OMSF in the north, south, and east corridors and found that sites located in the north and east corridors would meet the operational needs. It also determined that locating an OMSF south of the junction where the north-south line and the north-east line meet at the International District Station (or expanding the Forest Street OMF) would not be operationally feasible.
3. **Potential OMSF Site Identification.** This effort identified 21 potential OMSF sites in the operable light rail expansion corridors and assessed their land use and environmental and physical site characteristics. Screening criteria were developed that were based on the OMSF physical and operational requirements, site and environmental constraints, consistency with regional transportation plans, and the proposed project's purpose and need (Section 1.2.2). Alternatives that performed poorly against the screening criteria were eliminated from further consideration.

On September 17, 2012 FTA published a Notice of Intent to Prepare an EIS to begin the scoping period. In December 2012, the Sound Transit Board approved Motion M2012-82 identifying alternatives to study in the Draft EIS. The Draft EIS was published on May 9, 2014 and the public comment period closed on June 23, 2014. After consideration of the Draft EIS, public comments, and supporting briefing materials, the Sound Transit Board approved Motion M2014-51 on July 24, 2014, identifying the Preferred Alternative for evaluation in the Final EIS. The Final EIS Notice of Availability was published in the Federal Register on October 2, 2015. The Sound Transit Board passed Resolution 2015-26 on October 22, 2015, selecting the project to build.

1.2.2 Purpose and Need

Purpose of the Project

The purpose of the project is to enable Sound Transit to meet the maintenance and storage needs of the expanded fleet of LRVs identified in ST2. ST2 expands Sound Transit's Link light rail transit system and requires additional operations and maintenance facility capacity to support the added LRVs. The OMSF will:

- Support the intended level of service for expansion of the Link light rail system to the Lynnwood Transit Center, Overlake Transit Center and Kent/Des Moines Transit Center.
- Minimize system annual operating costs and support efficient and reliable light rail service.
- Support regional long-range plans, including the Puget Sound Regional Council's *VISION 2040* and *Transportation 2040* plans, and the *Sound Transit Regional Transit Long-Range Plan* (Long-Range Plan).

The OMSF will provide service and inspections for approximately half of the ST2 fleet (about 90 vehicles), with sufficient capacity to allow expansion of the light rail system beyond ST2 in the corridor where it is located. The existing Forest Street Operations and Maintenance Facility (Forest Street OMF) will continue to provide inspection services as well as heavy repair and overhauls. The OMSF will also store, maintain, and dispatch vehicles for daily service.

Need for the project:

The Forest Street OMF in Seattle can serve up to 104 LRVs. To implement the ST2 expansion, Sound Transit needs to increase its LRV fleet to approximately 180 vehicles by 2023. The need for the proposed project arises from the Forest Street OMF's inability to store, maintain, and deploy the vehicles needed for the ST2 expansion. The light rail system requires more storage area and greater capacity for necessary service, maintenance, and inspection functions to implement ST2. The OMSF needs to be ready for operations in 2020 to accept delivery of new LRVs and/or store existing LRVs while the new LRVs are tested and prepared for service.

2 ALTERNATIVES CONSIDERED IN THE FINAL EIS

2.1 No Build Alternative

This EIS evaluates a No Build Alternative, as required under NEPA and SEPA, to represent the transportation system and the environment as they would exist without the project. The No Build Alternative provides a baseline against which the other alternatives can be compared. It includes projects and proposals that are expected to be built by 2035. For transportation improvements, this includes projects identified in regional and local transportation improvement programs with identified funding for implementation. Local land use or site development proposals are considered part of the No Build Alternative by virtue of completed project-level environmental review and land use or building permit approvals. The No Build Alternative (like the build alternatives) also assumed population and employment growth as estimated by PSRC through 2035.

The No Build Alternative includes light rail transit improvements included in ST2, including light rail extensions to Lynnwood, Overlake Transit Center, and Kent/Des Moines, but without an OMSF. The operations and maintenance support needs for the existing and currently planned and funded Link light rail system would be served exclusively by the Forest Street OMF. East Link is the light rail extension from Seattle to Redmond (Figure 1). East Link includes overnight storage of up to 16 LRVs in Bellevue to help establish service in the communities east of Lake Washington each morning. The East Link storage track would provide for overnight storage and vehicle operator parking, but would not provide LRV maintenance functions.

The No Build Alternative LRV fleet is approximately 76 fewer vehicles than the number of LRVs (approximately 180) needed to operate the system at planned service levels under ST2. It assumes that all LRVs would be deployed from the Forest Street OMF at the beginning of service each day, except for the 16 LRVs deployed from the East Link storage track.

2.2 Build Alternatives

The Final EIS analyzed three build alternatives in the City of Bellevue and one in the City of Lynnwood, as described below and shown in Appendix A of this ROD.

Preferred Alternative: The Preferred Alternative is in the City of Bellevue between the Eastside Rail Corridor on the west and 120th Avenue NE on the east, south of SR 520 and north of NE 12th Street. This site is approximately 28 acres and is along the East Link line, northwest of the 120th Avenue Station. The OMSF footprint is approximately 21 acres, with another acre at the northern end to be developed as an interim trail, leaving approximately 6 acres available for redevelopment. As described in section 2.6.1 of the FEIS, the preferred alternative design has been refined to include project elements identified in a stakeholder process, which make the OMSF more compatible with the visions and policies of the Bel-Red Subarea plan. These elements were identified in a stakeholder process and are addressed in the Amended and Restated Memorandum of Understanding between Sound Transit and the City of Bellevue. Section 20 of that agreement imposes certain requirements on both parties related to advancing the project.

BNSF Modified Alternative: The BNSF Modified Alternative is on an approximately 34 acre site in the City of Bellevue along the East Link line. It is, west of 120th Avenue NE, south of SR 520, and north of NE 12th Street. It includes about 2 acres of the Eastside Rail Corridor now owned by Sound Transit. The OMSF footprint is approximately 24 acres, leaving about 8 acres along 120th Avenue NE available for future redevelopment.

SR 520 Alternative: The SR 520 Alternative is on an approximately 25 acre site along the East Link line in the City of Bellevue. It is south of SR 520, north of Northup Way/NE 20th Street, east of 130th Avenue NE, and west of 140th Avenue NE. The OMSF development would encompass the entire site.

Lynnwood Alternative: The Lynnwood Alternative is on an approximately 41 acre site along the Lynnwood Link line in the City of Lynnwood. It is located north of I-5 and east of 52nd Avenue/W Cedar Valley Road. The OMSF footprint uses approximately 24 acres of the site. Of the remaining land, approximately 4 acres is designated as wetland and wetland buffers leaving approximately 13 acres available for future redevelopment.

The Lynnwood Alternative also includes LRV storage, operator report facilities, and interior cleaning functions for up to 32 LRVs at the BNSF Storage Tracks located along the Eastside Rail Corridor north of NE 12th Street and south of SR 520 in Bellevue.

3 MEASURES TO MINIMIZE HARM AND PROJECT COMMITMENTS

Sound Transit has designed the project to avoid and minimize harm. In addition, the Final EIS identifies mitigation measures that Sound Transit will implement. Appendix B, Mitigation Plan, which is incorporated herein by reference, summarizes the mitigation measures that are required of Sound Transit under this ROD. Sound Transit will ensure that all environmental mitigation identified in this ROD is implemented unless it receives concurrence from the FTA to do otherwise.

Sound Transit shall meet the conditions of all applicable state, federal, and local permits and approvals that are required to allow construction and operation of the project; observe best management practices (BMPs); and implement the mitigation measures developed to address specific impacts as identified in Appendix B.

The mitigation measures described in Appendix B will be incorporated as appropriate in contracts that may be awarded for construction of the project and will be relied upon by other federal permitting agencies. FTA considers the mitigation measures to be material conditions of this ROD and will incorporate them in any future grant agreement that FTA may award Sound Transit for the construction of the OMSF. FTA finds that with the accomplishment of these mitigation commitments, Sound Transit will have used all practicable means to avoid or minimize environmental harm from this project.

4 MONITORING AND ENFORCEMENT

To ensure compliance with required mitigation and to assist with FTA oversight, Sound Transit will establish a mitigation monitoring program for the project that will track, monitor, and report the status of the environmental mitigation actions identified in the ROD to FTA on a quarterly schedule. This monitoring program will be approved by FTA and may, upon FTA approval, be revised as necessary during the permitting process in order to implement mitigation measures during final design and construction.

5 OPPORTUNITIES TO COMMENT

Since the OMSF project was initiated in 2012, Sound Transit and FTA have provided frequent opportunities for interested members of the public, agencies, and tribes to engage, share concerns, and discuss specific project details with Sound Transit staff. Public involvement activities to date have included public, agency, and tribal meetings; stakeholder briefings; email updates; distribution of printed materials; and resident, business, and property owner contacts. For more information, see Appendix B, Public Involvement and Agency Coordination, in the Final EIS.

The public involvement and agency coordination effort for the OMSF began in 2012, when FTA and Sound Transit began scoping. They issued a notice of intent to prepare an EIS in the Federal Register and SEPA Register on September 17, 2012. These notices were accompanied by advertisements and legal notices in local newspapers and outreach materials. Sound Transit sent scoping notice postcards to 57 government and community relations stakeholders, 88 social service organizations, and over 11,400 addresses within a half mile of the potential OMSF alternatives. During the scoping period, Sound Transit and FTA asked the public to comment on the proposed Purpose and Need Statement, the environmental issues to be evaluated in the Draft EIS, and alternatives to be considered for evaluation in the Draft EIS. To provide project information to the

public during scoping, Sound Transit produced a Scoping Information Report that was available on the project website (<http://www.soundtransit.org/OMSF>) and at public meetings.

Sound Transit and FTA held public scoping meetings in Bellevue and Lynnwood and an agency scoping meeting in Seattle. They received 124 comments that were summarized in the Link Operations and Maintenance Satellite Facility Environmental Scoping Summary Report. The Sound Transit Board considered the Scoping Summary Report before it identified the alternatives for analysis in the EIS.

Sound Transit and FTA published the Draft EIS and issued a Notice of Availability of the Draft EIS in the Federal Register and SEPA Register on May 9, 2014. The public comment period ran until June 23, 2014 and included public open houses and public hearings in both Bellevue and Lynnwood. Sound Transit mailed notification postcards to about 25,600 addresses; published legal advertisements in two local newspapers; ran online and print advertisements; sent E-newsletter updates to approximately 7,000 people on the project electronic mailing list. Sound Transit sent project information to 123 social service and community organizations that serve populations in the project area. Sound Transit offered to meet with these organizations if they had concerns or questions.

Sound Transit collected written comments on the Draft EIS via mail, email, comment forms, and court reporter transcriptions of verbal comments during public hearings. It received approximately 790 comments from agencies and the public that it summarized in the Link Operations and Maintenance Satellite Facility Draft EIS Comment Summary Report. The Comment Summary Report and copies of all comments received were provided to the Sound Transit Board for consideration before they identified the preferred alternative. Comments were also reviewed by Sound Transit and FTA and considered during development of the Final EIS.

To announce the availability of the Final EIS, FTA and ST:

- Published a Notice of Availability in the Federal Register
- Published advertisements in the Seattle Times, Everett Herald, and other publications
- Sent postcards to 10,000 property owners and residents near the alternative sites
- Sent email notifications to the project electronic mailing list (over 2,600 recipients). Sound Transit sent a copy of the Final EIS to all parties who commented on the Draft EIS.

5.1 Final EIS Comments

Sound Transit and FTA received one comment letter during the 30 days following the Notice of Availability. The Environmental Protection Agency expressed support for the Preferred Alternative.

6 DETERMINATION AND FINDINGS

6.1 National Environmental Policy Act

Title 42, Sections 4321 through 4347 and 4372 through 4375 of the United States Code (USC), as well as Executive Order 11514, Protection and Enhancement of Environmental Quality, require that

federal agencies evaluate the environmental impacts of their actions, integrate such evaluations into their decision-making processes, and implement appropriate policies.

The environmental record for the OMSF includes the Link Light Rail Operations and Maintenance Satellite Facility Draft EIS (May 2014), the Link Light Rail Operations and Maintenance Satellite Facility Final EIS (September 2015), supporting materials referenced and incorporated therein, and other relevant information. These documents collectively represent the detailed statement required by NEPA describing:

- The environmental impacts of the proposed action.
- The adverse environmental effects that cannot be avoided, should the proposed action be implemented.
- Alternatives to the proposed action.
- Irreversible and irretrievable commitments of resources that will be involved should the proposed action be implemented.

Having carefully considered the environmental record, mitigation commitments (summarized in Appendix B of this ROD), public and agency comments, and the findings below, FTA has determined that:

- The environmental review documents include a record of: the environmental impacts of the proposal; adverse environmental effects that cannot be avoided; alternatives to the proposal; and irreversible and irretrievable impacts on the environment.
- The environmental process included cooperation and consultation with EPA Region 10.
- All reasonable steps have been taken to minimize adverse environmental effects of the proposed project.
- The project meets its purpose and need and satisfies the requirements of NEPA.

6.2 Executive Order 13175 Consultation and Coordination with Indian Tribes

Under Executive Order 13175 and other federal authorities, FTA conducted government-to-government consultation and coordination with the following federally recognized tribes:

- Muckleshoot Indian Tribe
- Snoqualmie Tribe
- Suquamish Tribe
- Tulalip Tribes of Washington
- Confederated Tribes and Bands of the Yakama Indian Nation

In addition, consultation and coordination occurred with two non-federally recognized tribes under provisions of Section 106:

- Duwamish Tribe
- Snohomish Tribe of Indians

The Final EIS responds to and incorporates tribal comments and suggestions made in response to the Draft EIS.

FTA finds that the requirements of Executive Order 13175 have been met.

6.3 Executive Order 12372 Intergovernmental Review of Federal Programs

Executive Order 12372 directs federal agencies to consult with and solicit comments from state and local governments whose jurisdictions will be affected by a federal action.

State and local agencies accepted invitations to be cooperating or participating agencies for the project, as discussed in Appendix B, Public Involvement and Agency Coordination, of the Final EIS. As required by 23 USC § 139, FTA asked agencies and tribes to comment on the purpose and need for the project, the range of alternatives to be considered, and the Draft EIS. FTA accepted comments and offered briefings to agencies and tribes during the scoping period, development of the Draft EIS, and preparation of the Final EIS. Several agencies and tribes reviewed and commented on the Draft EIS. Appendix I, Comments and Responses, in the Final EIS contains responses to all public and agency comments received during the Draft EIS comment period.

FTA finds that the requirements of Executive Order 12372 have been met.

6.4 Clean Air Act

Under the Clean Air Act, EPA has established National Ambient Air Quality Standards (NAAQS), which specify maximum allowable concentrations for certain criteria pollutants. Washington State and the Puget Sound Clean Air Agency have adopted these standards. Proposed transportation projects requiring federal funding or approval must demonstrate compliance with EPA's Transportation Conformity Rule (40 CFR Part 93). This rule requires showing that a project will not cause or contribute to any new violation of any NAAQS, increase the frequency or severity of any existing NAAQS violations, or delay timely attainment of the NAAQS.

FTA finds that this project meets project-level air quality conformity in accordance with state and federal regulations because:

- The project is included in the Puget Sound Regional Council (PSRC) Regional Transportation Plan.
- It is included in the current Transportation Improvement Plan.
- It meets the local hot-spot conformity requirements. Because it has been included in the modeling for the Regional Transportation Plan and the Transportation Improvement Plan, it demonstrates conformity to the State Implementation Plan. It meets project-level conformity requirements because it will not cause any new NAAQS exceedance or worsen any existing one, and will not delay the timely attainment of any standard.

6.5 Clean Water Act Section 404 and Executive Order 11990 on Protection of Wetlands

The Clean Water Act (33 USC § 1251 et seq.) establishes the basic structure for regulating discharges of pollutants (including dredged materials) into the waters of the United States and for regulating quality standards for surface waters. It therefore applies to the project's wetland and stream impacts and stormwater discharges.

Sound Transit will fill about a half-acre of wetlands under the authority of a Section 404 permit from the U.S. Army Corps of Engineers. It may also need state and local permits. The project will satisfy all requirements arising from these permits.

Accordingly, FTA finds that with the mitigation measures identified in Appendix B of this ROD, the project meets the requirements of the Clean Water Act (Section 404) and Executive Order 11990 on Protection of Wetlands.

6.6 Clean Water Act Sections 401 and 402

Discharges into water are also addressed in the Clean Water Act in Section 401 and Section 402. Section 401 provides for EPA certification (delegated to the state) that a project's discharges to water or to wetlands will meet state water quality standards. Under Section 402, a discharge of domestic or industrial wastewater into marine or fresh surface water requires a National Pollutant Discharge Elimination System (NPDES) permit (including a General Construction Permit for applicable construction activities).

The project will not discharge any runoff from new point sources into a surface water body. Stormwater management will meet the requirements of the Washington State Department of Ecology (Ecology) Stormwater Management Manual for Western Washington. Sound Transit will also meet the stormwater management requirements of local jurisdictions.

Sound Transit will treat all runoff from pollution-generating impervious surface (PGIS) with on-site water quality and flow control treatment before discharging it. Sound Transit shall obtain and comply with the requirements of a project-specific General Construction Permit, and will implement measures defined for the project through a Stormwater Pollution Prevention Plan. Sound Transit will also comply with any other required water quality permits and/or certifications.

Accordingly, FTA finds that with the mitigation measures identified in Appendix B of this ROD, the project meets the requirements of Sections 401 and 402 of the Clean Water Act.

6.7 Coastal Zone Management Act

Within Washington's 15 coastal counties, projects with a federal nexus require Coastal Zone Management Act (16 USC §§ 1451-1462) consistency certification.

Sound Transit will coordinate with the US Army Corps of Engineers and the Washington State Department of Ecology to obtain a Coastal Zone Management Act consistency determination confirming that the Project is consistent and compliant with the enforceable policies of Washington's Coastal Zone Management Program.

6.8 Endangered Species Act

The Endangered Species Act (ESA) (16 USC § 1531 et seq.) is intended to protect threatened and endangered species and the ecosystems on which they depend. When the federal government takes an action subject to the ESA, it must comply with Section 7 of the ESA. Section 7(a)(2) generally requires that any action authorized, approved, or funded by a federal agency is not likely to jeopardize the continued existence of any threatened or endangered species or adversely modify any designated critical habitat of such species. Federal agencies must consult with federal wildlife agencies to ensure that their actions satisfy these requirements.

FTA consulted with the National Marine Fisheries Service (NMFS) and submitted a Biological Assessment on May 6, 2015. In a letter dated June 2, 2015, NMFS concurred with FTA's determination of "not likely to adversely affect" Chinook salmon and steelhead. Other federally listed species under the jurisdiction of NMFS and U.S. Fish and Wildlife Services (USFWS) are unlikely to occur in the project action area; therefore, the project will have no effect on them. FTA finds that with the mitigation measures identified in Appendix B of this ROD, the project meets the requirements of the ESA.

6.9 Magnuson-Stevens Fisheries Conservation and Management Act

The Magnuson-Stevens Fisheries Conservation and Management Act (16 USC § 1801 et seq.) requires federal fisheries management regulations to identify and conserve habitat that is essential to federally managed fish species. Essential fish habitat is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity."

FTA's Biological Assessment determined that the project will not affect essential fish habitat. NMFS concurred with this determination on June 2, 2015. Accordingly, FTA finds the project meets the requirements of the Magnuson-Stevens Act.

6.10 Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act

The Migratory Bird Treaty Act (16 USC §§ 703-712) prohibits taking, killing, or possessing native migratory birds. Sound Transit will coordinate with the USFWS and qualified staff from the USDA as necessary to develop measures to avoid impacts to these birds. FTA finds that with the mitigation measures identified in Appendix B of this ROD, the project meets the requirements of the Migratory Bird Treaty Act.

The Bald and Golden Eagle Protection Act (16 USC §§ 668-668c) prohibits taking bald or golden eagles, including their parts, nests, or eggs. The habitat within and adjacent to the site is unlikely to be used for perching or foraging by bald and golden eagles. Accordingly, FTA finds the project meets the requirements of the Bald and Golden Eagle Protection Act.

6.11 Executive Order 12898 Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations (1994), directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. Department of Transportation (DOT) Order No. 5610.2(a) to Address Environmental Justice in Minority Populations and Low-Income Populations requires

agencies to 1) explicitly consider human health and environmental effects related to transit projects that may have a disproportionately high and adverse effect on minority and low-income populations; and 2) implement procedures to provide “meaningful opportunities for public involvement” by members of these populations during project planning and development.

As part of the project planning process and continuing through completion of the Final EIS, FTA and Sound Transit performed meaningful and extensive outreach efforts to minority and low-income communities and to social service and community organizations that work with traditionally underrepresented populations. Appendix C, Environmental Justice Analysis, of the Final EIS describes these outreach efforts.

Based on the findings of impacts described in the Final EIS, and taking into account the mitigation and enhancement measures that will be implemented and all offsetting benefits to the affected minority and low-income populations, FTA finds that project impacts will not be high and adverse.

Accordingly, FTA finds that the project will not have a disproportionately high and adverse effect on minority or low-income populations. FTA also finds that appropriate outreach has been conducted such that meaningful opportunities for public involvement for those populations have been achieved. Therefore, FTA finds that with the mitigation measures identified in Appendix B of this ROD, the project meets the requirements of Executive Order 12898 and DOT Order 5610.2(a).

6.12 Section 106 of the National Historic Preservation Act

The National Historic Preservation Act (NHPA) (54 USC § 10010) establishes government policy and procedures regarding “historic properties,” which include districts, sites, buildings, structures, and objects that are listed in or eligible for listing on the National Register of Historic Places (NRHP). Section 106 of the NHPA requires federal agencies to consider the effects of their actions on historic properties.

Sound Transit reviewed published literature, historical records, and historic-period maps to gather information on specific locations and land uses during the ethnographic period reflecting Native American use of the area. The agency also conducted pedestrian surveys and subsurface probes, and monitored geotechnical borings. It did not identify significant historic and archaeological resources in the project area. However, the project area has a low to moderate probability for containing intact archaeological resources, and construction activities involving excavation could encounter an unanticipated archaeological site. Therefore, Sound Transit will develop and implement an Inadvertent Discovery Plan (IDP) to minimize the risk of damage to currently unknown archaeological resources.

FTA has consulted with the State Historic Preservation Officer (SHPO) and others and has identified no historic resources in the area of potential effects that are eligible for listing on the NRHP. In letters dated May 13, 2015 and July 21, 2015 the SHPO concurred with FTA’s determination of no historic properties affected.

Based on the historic and archaeological resources analysis, including consultation and coordination with the State Historic Preservation Office and tribes, and on the implementation of the IDP, FTA finds that the project is unlikely to affect resources eligible for listing on the NRHP and has satisfied the requirements of the NHPA.

6.13 Section 4(f) of the U.S. Department of Transportation Act

Section 4(f) of the U.S. Department of Transportation Act (49 USC § 303) requires that the use of land from important public parks, recreation areas, wildlife refuges, or land containing historical sites of local, state, or federal significance be approved and constructed only if (a) there is no feasible and prudent alternative, and (b) the project includes all possible planning to minimize harm to these resources. If resources protected by Section 4(f) are involved in a project's planning, a determination is required to confirm whether there is a "use" of those resources.

Section 4.18 and Appendix D of the Final EIS document that there are no 4(f) resources in the project area, supporting a determination that there would be no use of Section 4(f) resources. Accordingly, FTA finds that the project meets the requirements of Section 4(f).

6.14 Land and Water Conservation Fund Act of 1965, Section 6(f)

Section 6(f) of the Land and Water Conservation Fund Act (LWCF Act) protects property acquired or developed with LWCF funds by prohibiting the conversion of such property to a non-recreational purpose without the approval of the U.S. Department of Interior's National Park Service (NPS). The Washington State Recreation and Conservation Office (RCO) administers Section 6(f) of the LWCF Act.

There are no properties in the project study area developed with LWCF funds. Accordingly, FTA finds that the project meets the requirements of Section 6(f).

6.15 Americans with Disabilities Act and Architectural Barriers Act

The Americans with Disabilities Act (ADA) (42 USC § 126 and 47 USC § 5) addresses issues relating to accessibility to places of public accommodation; the Architectural Barriers Act (ABA) (42 USC § 4151) further specifies accessibility standards.

The project will be designed to meet all ADA and ABA requirements. Accordingly, FTA finds that the project will meet the standards and requirements of the ADA and ABA.

6.16 Executive Order 11988 Floodplain Management

Executive Order 11988, updated by Executive Order 13690, requires federal agencies to avoid to the extent possible the long-term and short-term adverse impacts caused by using and modifying floodplains and to avoid floodplain development wherever there is a practicable alternative. This order directs each agency to preserve the natural and beneficial values served by floodplains in carrying out its responsibilities with respect to approvals and project funding.

The project will be outside any floodway or floodplains. Accordingly, FTA finds that the project meets the requirements of Executive Order 11988.

6.17 Noise Control Act

The Noise Control Act (as amended by the Quiet Communities Act) (42 USC 65 §§ 4901-4918) requires federal agencies to develop programs to promote an environment free of noise that jeopardizes public health and welfare. This act requires that the agencies comply with state and local noise ordinances. FTA consequently developed criteria, most recently documented in the Transit

Noise and Vibration Impact Assessment Manual (May 2006), for measuring, assessing, and mitigating noise impacts from transit and transit/highway projects.

The Final EIS analyzed noise consistent with these methods. Project noise was also analyzed for compliance with local noise ordinances. Mitigation measures to address impacts under local noise codes are documented in Appendix B of this ROD. FTA finds that with the mitigation measures identified in Appendix B, the project will comply with the Noise Control Act and Quiet Communities Act.



R.F. Krochalis
Regional Administrator, Region 10
Federal Transit Administration



Date of Approval

APPENDIX A
ALTERNATIVES CONSIDERED IN THE FINAL EIS

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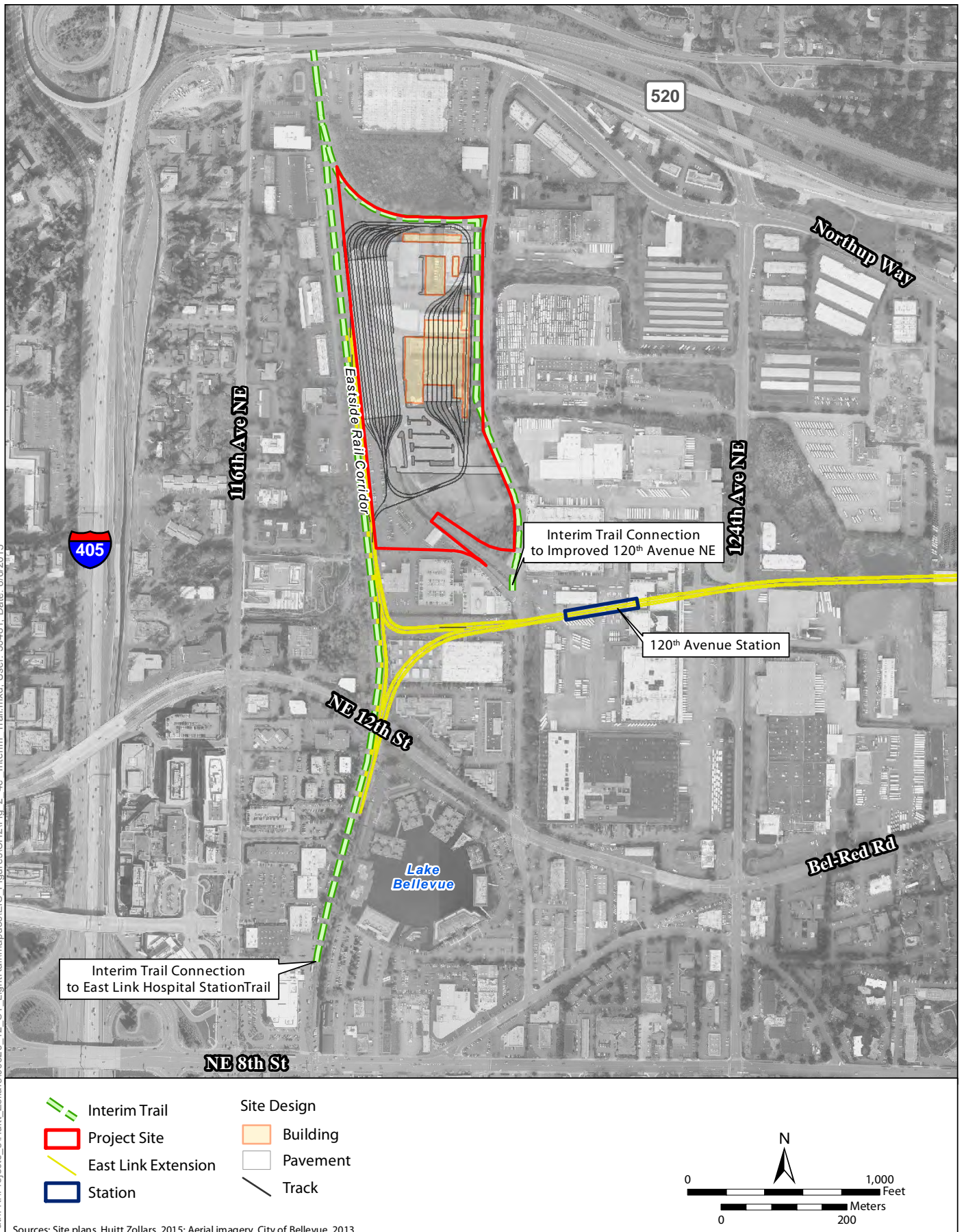


Figure A-1a: Preferred Alternative Sound Transit Link Light Rail OMSF ROD

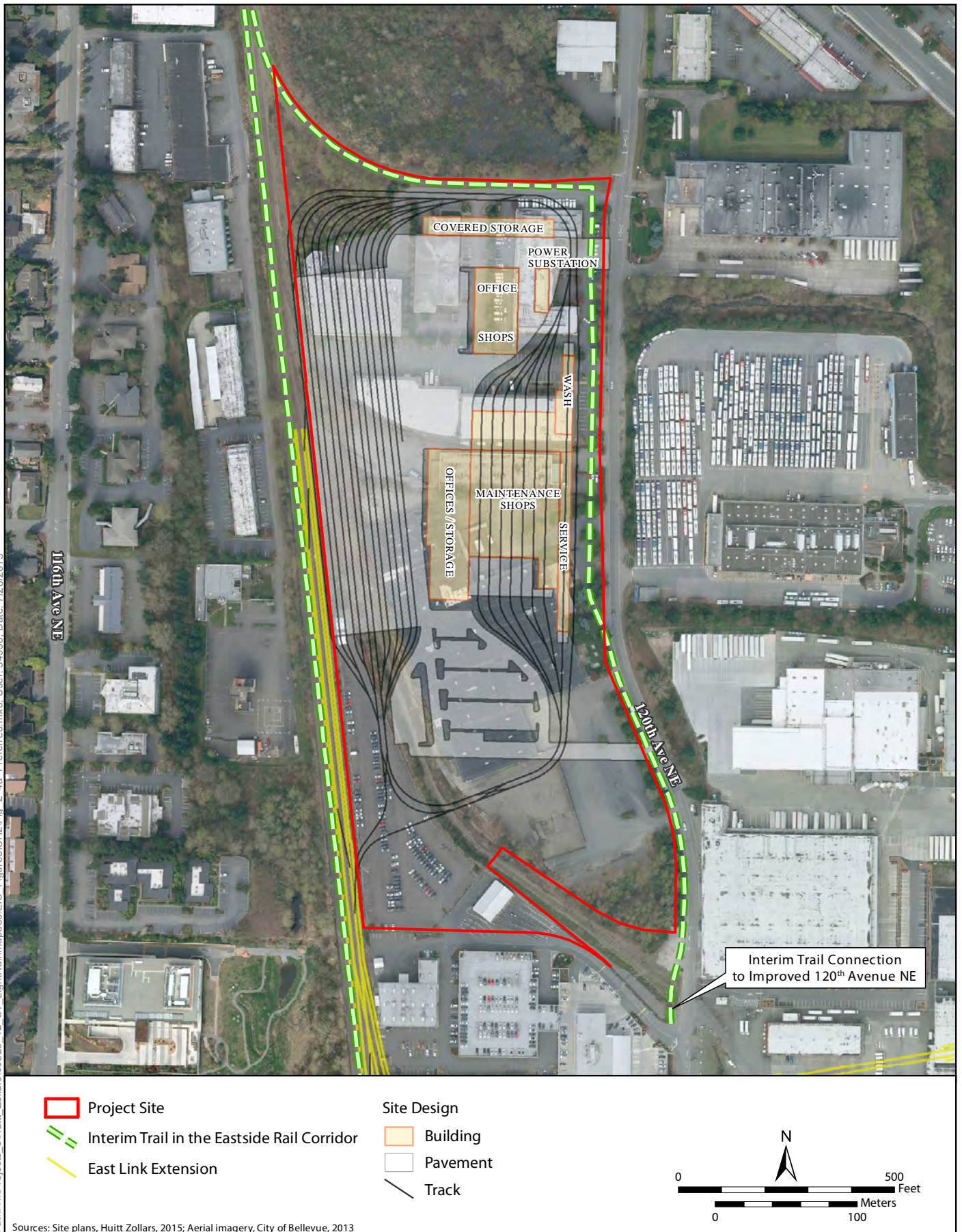


Figure A-1b: Preferred Alternative Sound Transit Link Light Rail OMSF ROD

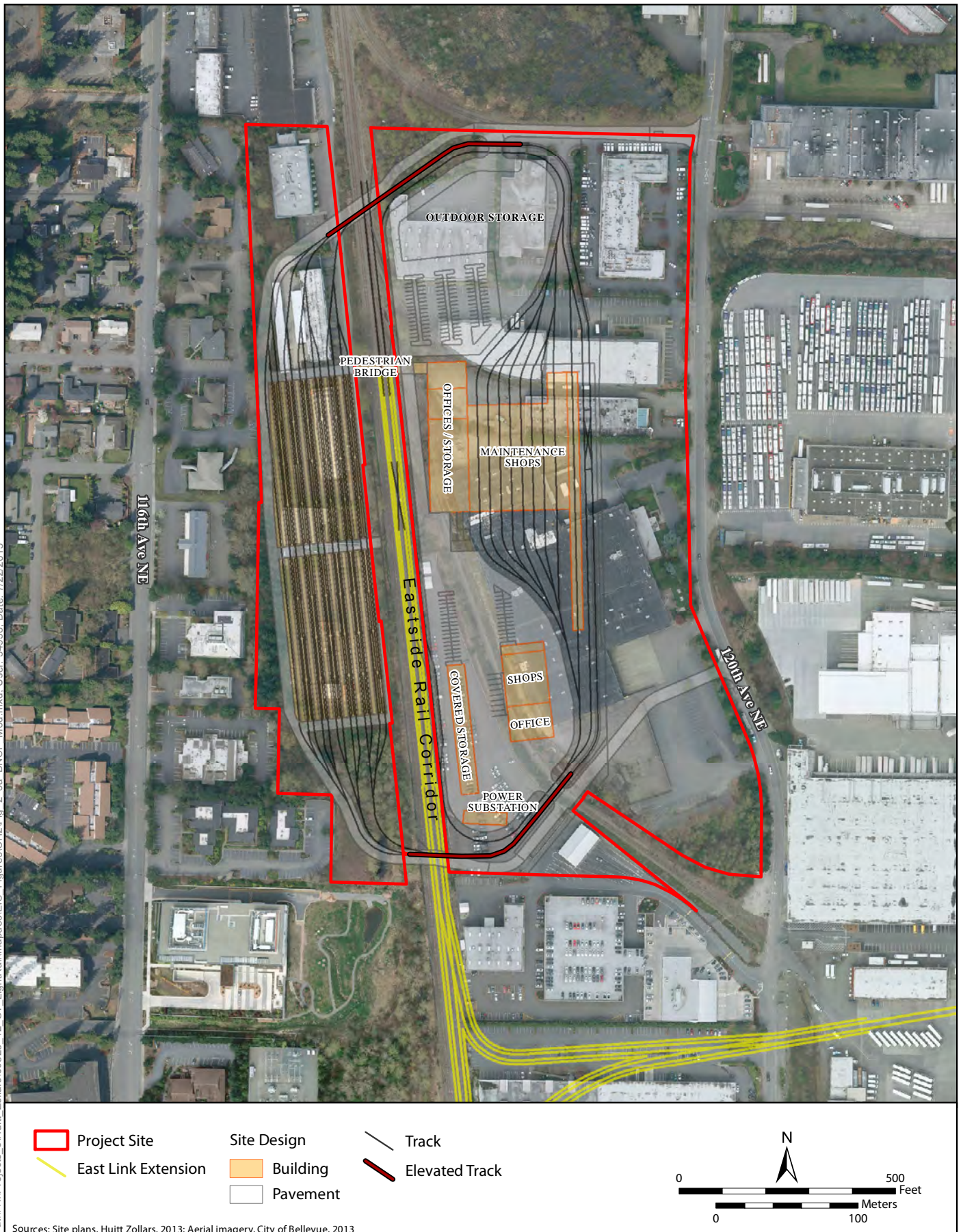


Figure A-2: BNSF Modified Alternative Sound Transit Link Light Rail OMSF ROD

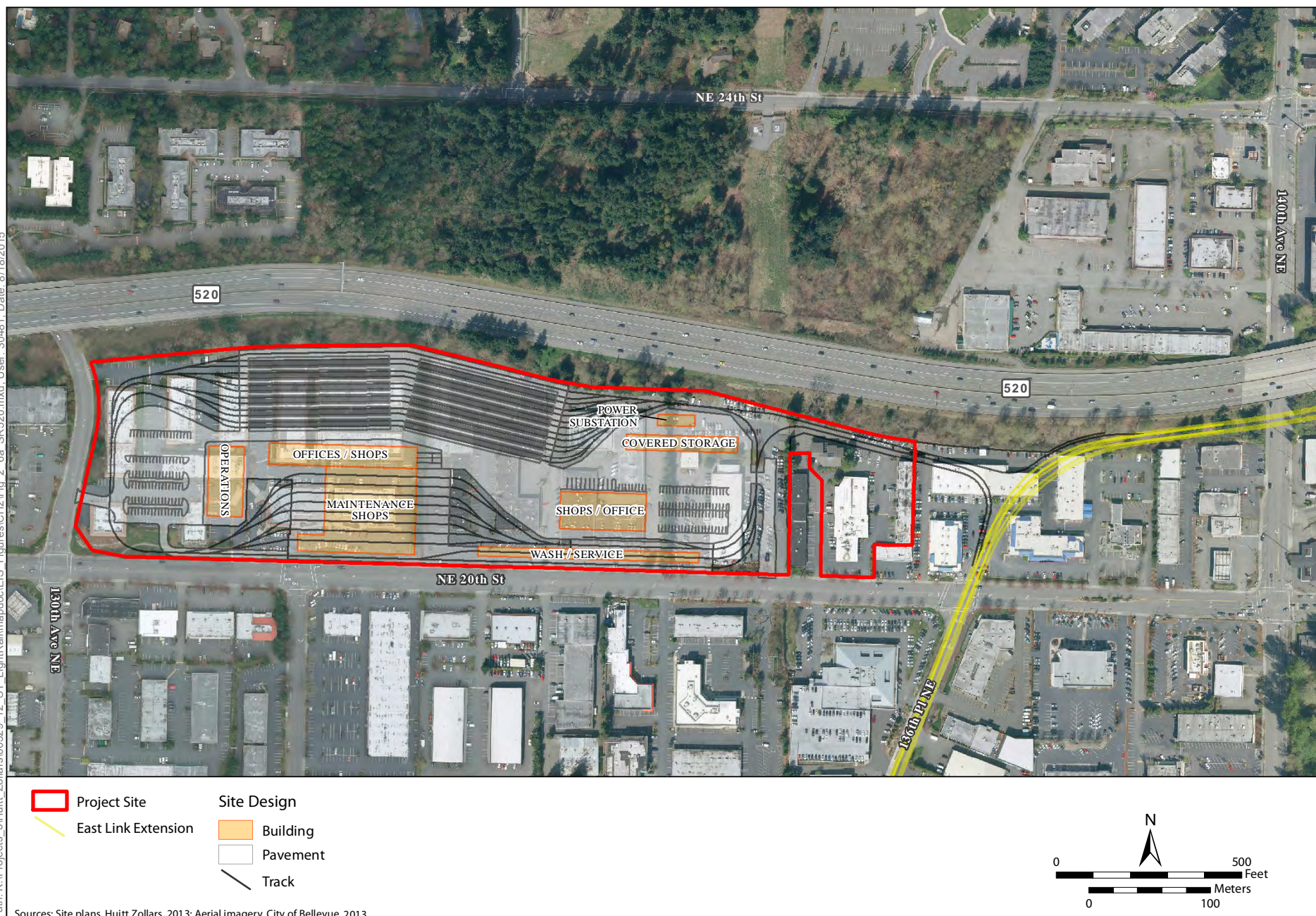


Figure A-3: SR 520 Alternative Sound Transit Link Light Rail OMSF ROD



Figure A-4a: Lynnwood Alternative Sound Transit Link Light Rail OMSF ROD



Figure A-4b: Lynnwood Alternative, BNSF Storage Tracks*
Sound Transit Link Light Rail OMSF ROD
*The BNSF Storage Tracks are located in Bellevue

APPENDIX B
MITIGATION PLAN

Mitigation Plan

The mitigation plan for the Link Light Rail Operations and Maintenance Satellite Facility (OMSF) describes Sound Transit's mitigation commitments that will be implemented to avoid or minimize impacts for the project. Many of the impacts identified through the EIS process have been eliminated or lessened through avoidance, minimization or improvement measures that are now incorporated into the definition and design of the project.

The mitigation measures described in this plan are based on the mitigation measures identified in the Final EIS. The plan includes measures both for construction (temporary) impacts and for operating (long-term) impacts.

The mitigation measures described in this appendix are conditions of the OMSF ROD. FTA considers them to be material conditions of the ROD and will incorporate them in any future grant agreement that FTA may award Sound Transit for construction of the OMSF. Sound Transit will track these measures and report regularly to FTA to ensure that the mitigation commitments are being met. Where appropriate, Sound Transit will incorporate mitigation requirements into its contracting documents for final design and construction.

The Federal Transit Administration finds that with the accomplishment of these mitigation commitments, Sound Transit will have used all practicable means to avoid or minimize impacts from the project.

Table H-1. Mitigation Plan

Chapter/ Section	Resource	Period	Mitigation Description
3.1	Transportation	Construction and long term	No mitigation is required.
3.2	Acquisitions, Displacements, and Relocations	Construction and long term	For property that is acquired for this project, Sound Transit will compensate affected property owners according to the provisions specified in Sound Transit's adopted <i>Real Estate Property Acquisition and Relocation Policy, Procedures, and Guidelines</i> (Resolution #R98-20-1). Sound Transit will comply with the provisions of the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (49 CFR Part 24, as amended), and the State of Washington's relocation and property acquisition regulations (WAC 468-100 and RCW 8.26).
3.3	Land Use	Construction and long term	No mitigation is required.
3.4	Economics	Construction	Sound Transit will dedicate staff to work with affected businesses before and during construction. Sound Transit will coordinate with business representatives to develop construction plans to address their needs. The plans will require at least the following elements. <ul style="list-style-type: none"> • A 24-hour construction telephone hotline. • Effective communications with the public through measures such as meetings and construction updates, alerts, and schedules. • A community ombudsman.
3.4	Economics	Long term	No mitigation is required.
3.5	Social Impacts, Community Facilities, and Neighborhoods	Construction and long term	No mitigation is required.
3.6	Visual and Aesthetic Resources	Construction	Nighttime construction lighting will be screened and directed downward toward work activities to minimize light spillover onto adjacent properties.
3.4	Visual and Aesthetic Resources	Long term	No mitigation is required.

Chapter/ Section	Resource	Period	Mitigation Description
3.7	Air Quality and Greenhouse Gases	Construction	<p>Consistent with the Puget Sound Clean Air Agency requirements, Sound Transit will use the following BMPs, as necessary, to minimize construction-related PM 10, PM2.5, CO, and NOx</p> <ul style="list-style-type: none"> • Spray exposed soil with a dust control agent, such as water, as necessary to reduce emissions of PM10 and the deposition of particulate matter. • Cover all transported loads of soil and wet materials before transport or provide adequate freeboard (i.e., space from the top of the material to the top of the truck) to reduce PM10 and the deposition of particulates during transport. • Provide wheel washes where necessary to reduce dust and mud that would be carried off-site by vehicles and decrease particulate matter on area roadways. • Remove the dust and mud that are deposited on paved, public roads. • Route and schedule high volumes of construction traffic, where practicable, to reduce additional congestion during peak travel periods and reduce CO, and NOX emissions. • Require appropriate emissions-control devices on all construction equipment powered by gasoline or diesel fuel to reduce CO and NOX emissions in vehicular exhaust. • Use well-maintained heavy equipment to reduce CO and NOX emissions, which may also reduce GHG emissions. • Cover, install mulch, or plant vegetation as soon as practicable after grading to reduce windblown particulate in the area. • Encourage contractors to employ emissions-reduction technologies and practices for both on-road and off-road equipment and vehicles (e.g., retrofit equipment with diesel control technology and/or use ultra-low sulfur diesel). • Implement idling restrictions for construction trucks. • Locate construction equipment and truck-staging zones away from sensitive receptors, as practicable, and in consideration of other factors such as noise and safety.
3.7	Air Quality and Greenhouse Gases	Long-term	No mitigation is required.

Chapter/ Section	Resource	Period	Mitigation Description
3.8	Noise	Construction	<p>Operation of construction equipment is exempt from the City of Bellevue Noise Ordinance from 7 a.m. to 6 p.m. on weekdays, and between 9 a.m. and 6 p.m. on Saturdays. Construction outside these hours or on Sundays or legal holidays must meet the City code requirements or obtain the appropriate noise variance from the City of Bellevue.</p> <p>Construction noise control mitigation will include the following measures, as necessary, to meet required noise limits:</p> <ul style="list-style-type: none"> • Use low-noise emission equipment. • Use broadband backup warning devices on vehicles. • Implement noise-deadening measures for truck loading and operations. • Conduct monitoring and maintenance of equipment to meet noise limits. • Use acoustic enclosures, shields, or shrouds for equipment and facilities. • Install high-grade engine exhaust silencers and engine-casing sound insulation. • Minimize the use of generators. • Prohibit impact pile driving during nighttime hours. <p>Use movable noise barriers at the source of the construction activity.</p>
3.8	Vibration	Construction	<p>Sound Transit will coordinate with Seattle Children’s Hospital: Bellevue Clinic and Surgery Center before construction to confirm the type and location of vibration sensitive equipment within the building. If necessary, Sound Transit will, in coordination with the Hospital, develop mitigation measures such as construction vibration monitoring with a notification system and coordination of the construction schedule with the hospital.</p>
3.8	Noise	Long-Term	<p>The LRV wash area predicted nighttime noise level is above the City code criteria at the King County Transit Bus Maintenance Base property line. Sound Transit will reduce noise levels to meet City code criteria by either:</p> <ul style="list-style-type: none"> • Extending the length of the wash facility to enclose the blowers within the wash bays; or • Installing a noise barrier along the east side of the wash area. The noise barrier could be integrated into the wash building design; or • Other measures as identified in final design. <p>The final noise mitigation solution will be determined during the final design process, after the building design and location of the blowers are finalized and additional information can be obtained from car wash manufacturers, who may be able to provide alternative-noise reducing measures for the blowers.</p>

Chapter/ Section	Resource	Period	Mitigation Description
3.8	Vibration	Long Term	No vibration mitigation is required.
3.9	Ecosystems	Construction	<p>Sound Transit will provide mitigation for unavoidable impacts on resources that are protected under local critical area ordinances (CAOs) (e.g., streams, stream buffers, and fish and wildlife habitat/habitat for species of local importance) in accordance with the requirements of those ordinances as well as applicable state and federal law. Sound Transit will work with the City of Bellevue to define appropriate mitigation that is consistent with, and complementary to, local plans for ecosystem restoration.</p> <p>To comply with Migratory Bird Treaty Act regulations, Sound Transit will establish schedule restrictions for clearing activities. Contractors will schedule clearing activities outside the bird nesting period. If this is not feasible, Sound Transit will work with qualified staff at the U.S. Department of Agriculture to conduct preconstruction surveys. If old nests are present, they will be removed to prevent future use of those nests. If an active nest is found during construction, buffer zones may be established until the young birds fledge. If removing an active nest or other potentially harmful action is necessary, Sound Transit will consult with the U.S. Fish and Wildlife Service (USFWS) to perform such activities in accordance with USFWS procedures and appropriate permit conditions.</p>

Chapter/ Section	Resource	Period	Mitigation Description
3.9	Ecosystems	Long term	<p>Sound Transit will provide compensatory mitigation where impacts are unavoidable in accordance with applicable federal, state, and local requirements and guidelines. Where consistent with regulatory requirements, Sound Transit may provide compensatory mitigation off-site and outside of the drainage subbasin. This may occur if there are no reasonable onsite or drainage subbasin opportunities or the onsite or drainage subbasin opportunities do not have a high likelihood of success; and if established watershed goals for water quality, flood or conveyance, habitat, or other wetland functions justify the location of mitigation at another site.</p> <p>Specific compensatory mitigation sites for unavoidable impacts on wetlands will be determined during final design and project permitting. Currently identified opportunities include: potential fish passage improvements within the Unnamed Tributary of Kelsey Creek; wetland and stream mitigation in conjunction with the City's plans for daylighting and restoring portions of Goff Creek downstream of the SR 520 Alternative site and upstream of Bel-Red Road; fish passage improvements as part of the City's vision for the Bel-Red corridor; and participation in the King County In-lieu fee program.</p> <p>Sound Transit will adhere to local ordinances regarding tree replacement ratios (e.g., replacement of significant trees per the Bellevue Municipal Code).</p>
3.10	Water Resources	Construction	If cut or fill walls are used, Sound Transit will provide wall drainage systems to maintain the existing shallow groundwater flow patterns to the adjacent wetlands and streams to help sustain wetland hydrology and support base flows in streams.
3.10	Water Resources	Long term	No mitigation is required.
3.11	Energy	Construction and long term	No mitigation is required.
3.12	Geology and Soils	Construction and long term	No mitigation is required.
3.13	Hazardous Materials	Construction	<p>Sound Transit will perform pre-acquisition environmental due diligence appropriate to the size and past use of the property, at any properties in the study area it plans to acquire. Phase 2 Environmental Site Assessments will be conducted where appropriate.</p> <p>Sound Transit will be responsible for the remediation of any known contaminated soil and groundwater, including that which would be previously unknown and found during construction.</p>

Chapter/ Section	Resource	Period	Mitigation Description
3.13	Hazardous Materials	Long term	No mitigation is required.
3.14	Electromagnetic Fields	Construction and long term	No mitigation is required.
3.15	Public Services	Construction and long term	No mitigation is required.
3.16	Utilities	Construction and long term	No mitigation is required.
3.17	Historic and Archaeological Resources	Construction	Preconstruction surveys and research identified no significant cultural resources in the area of potential effects (APE). FTA and Sound Transit will implement an Inadvertent Discovery Plan (IDP) to address any previously unidentified archaeological resources that may be discovered during construction. In addition, to enhance the effectiveness of the IDP, cultural resources sensitivity training will be provided to appropriate Sound Transit staff and contractors before they engage in project-related ground-disturbing activities.
3.17	Historic and Archaeological Resources	Long term	No mitigation is required.
3.18	Parklands and Open Space	Construction and long term	No mitigation is required.