

SOUND TRANSIT

MOTION NO. M98-88

Everett to Seattle Commuter Rail EIS Contract Amendment BACKGROUND AND COMMENTS

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Finance Committee	12/05/98	Discussion/Possible Action	Paul Price Perry Weinberg Barry Hennelly	206-689-4760 206-689-4931 206-689-4925
Board	12//10/98	Action		

ACTION:

Finance Committee authorization to amend a contract with Huckell/Weinman Associates, Inc. for the Everett-to-Seattle Commuter Rail Environmental Impact Statement (EIS). The original contract amount was \$1,248,425. The amendment is for \$1,396,686 and does not increase the overall project budget. The amendment is required to address and analyze environmental issues brought forward by the environmental permitting agencies that must approve the project. The preliminary engineering and advanced environmental work proposed in this amendment was originally scheduled to be performed later in the environmental process in 1999. This amendment will advance these work tasks to begin immediately in support of the EIS effort. The Federal Transit Administration (FTA) has specifically requested these changes in scope.

BACKGROUND:

Sound Move was the product of more than seven years of planning work, including preparation of an EIS in 1993 evaluating the impacts of various system alternatives. That EIS was prepared as part of a "phased" environmental review process. Phased environmental review is designed to help agencies and the public focus on issues that are "ready" for decisions, and to exclude issues that are already decided or not yet ready for decisions. The 1993 EIS on the regional transit system plan was the first phase of environmental review. It focused on broad, regional, system-level impacts. The current EIS effort is evaluating the project-level specific impacts of various Commuter Rail station and track design alternatives within the Everett-to-Seattle corridor selected in *Sound Move*. An EIS for this corridor is a legally required next step, required by the FTA, the Environmental Protection Agency (EPA), the U.S. Army Corps of Engineers (Army Corps), the National Marine Fisheries Service (NMFS) and several other federal, state, and local jurisdictions prior to initiating final design and construction.

Initially, the consultant work funded through this contract was expected to pay for a Federal *Environmental Assessment* (EA), the process used when a Finding of No Significant Impact (FONSI) is anticipated. Subsequently, Sound Transit (ST) and FTA came to the conclusion that a full Federal *Environmental Impact Statement* (EIS) was required due to potential impacts that might be caused by needed railroad track and capacity improvements in sensitive shoreline and

wetland areas. An EIS is used to identify and assess project-related impacts, and necessary and appropriate mitigation actions. The supporting engineering, biological assessment and public involvement activities are more stringent for an EIS than for an EA.

The consultant work under the existing contract has resulted in the production of a preliminary draft EIS (PDEIS) which has been reviewed by Sound Transit project staff, the FTA, and a limited number of other federal agencies. The current PDEIS considers several alternatives, including a worst case alternative, in compliance with National Environmental Protection Act (NEPA) and State Environmental Protection Act (SEPA) requirements. Pertinent sections of the PDEIS, including a project description and a summary of potential impacts on effected Puget Sound inter-tidal areas were also provided to permitting agencies and tribal delegates during field trips and early consultation meetings. These agencies included the Army Corps, EPA, and Washington Department of Ecology. Based upon agency input, the FTA requested that the Army Corps be a cooperating agency in the EIS process. While this should have the beneficial effect of expediting permitting, it causes the focus of the EIS to shift towards a more detailed look at natural resource impacts and mitigations.

The amendment to the scope of this EIS is the result of inquiries by our partnering agencies to more fully consider the environmental impacts that certain proposed track improvements and station site developments might create. Two areas incorporating substantial track improvements were specifically identified. The sites involved are located just north of Mukilteo and just south of Edmonds, and are being considered for a range of track improvements to include a maximum of three tracks in these areas. Depending upon the construction methods chosen, this could result in significant impacts to the shoreline along these portions of Puget Sound.

It became clear during the consultation meetings that the project, as described and analyzed in the PDEIS, presents potentially severe permitting issues for the agencies. One agency has stated that, based on the current EIS-level analysis, the project might not be able to receive natural resource permits (Attachment "A"). The environmental work outlined in this amendment will attempt to address the issues to the maximum extent possible within the EIS process. This amendment would amount to a proactive approach to securing a successful EIS and laying the groundwork for approval of the permits required for construction of the project.

RELEVANT BOARD POLICIES AND PREVIOUS ACTIONS TAKEN:

Adoption of *Sound Move* (May 31, 1996)
Adoption of Implementation Guide (May 22, 1997)
Adoption of 1998 Budget (December 11, 1997)
Approval of Contract No. RTA/CR 22-97 (October 14, 1997)

KEY FEATURES:

The need for a contract amendment has arisen from partnering and reviewing agencies' concerns that the environmental impacts associated with certain proposed rail corridor improvements would be negative. Several of their outstanding issues were:

The alternatives offered, especially the “full build” alternative, present potentially significant adverse impacts to natural resources of Puget Sound.

While the current PDEIS level of detail is adequate to address NEPA and SEPA requirements, the agencies believe it is inadequate to evaluate the environmental impacts and proposed mitigation measures in enough detail to determine whether the project should be permitted.

Given the project’s aggressive schedule, this amendment to the EIS process would allow the consultant to provide enough additional detail and analysis to help obtain NEPA/SEPA compliance and agency approval in a timely manner.

As proposed, the contract amendment will allow Huckell/Weinman to undertake several additional activities and tasks that fall outside the original project scope but are now required to complete the EIS process (Attachment “B”).

Principal work activities include, but would not be limited to:

- Additional environmental work throughout the corridor, with emphasis placed on those areas of rail line or station site development that affect parkland resources, wetlands, intertidal areas, sensitive wildlife populations, etc.
- Detailed environmental analysis and preliminary engineering efforts for proposed Corridor Improvements 14 (between Mileposts 29.2 and 31.5) and 19 (between mileposts 15.5 and 17.43) would be performed.
- Creation of a GIS base map for the proposed Mukilteo Multi-modal Facility (currently referred to as the “Tank Farm” site).

The above tasks will facilitate an expedited permitting process during later phases of this project.

FUNDING:

The currently adopted Sound Transit budget for 1998 includes \$15,784,000 for the development of stations and other capital facilities along the Everett-to-Seattle Commuter Rail corridor. This contract amendment of \$1,396,686 is consistent with the adopted budget and will be funded from that \$15,784,000. Finance Committee approval will represent a maximum of 9% of all expenditures budgeted in 1998 for the Everett-to-Seattle corridor.

ALTERNATIVES:

If Commuter Rail service is to be implemented between Everett and Seattle in a timely fashion, no practical alternatives to the proposed action exist. The FTA has determined that an EIS is required and that our effort must be amended as noted in the “Key Features” section. The Commuter Rail Department does not currently have on staff the requisite expertise (such as civil and geotechnical engineering, noise and vibration, biology and marine biology experts) to perform and complete an EIS of this complexity. Huckell Weinman Associates’ team has developed a high degree of familiarity with this project, and has demonstrated an ability to assemble the requisite expertise to successfully complete the work requested within the aggressive schedule proposed. Therefore, contracting for these additional services is a necessary step prior to proceeding into final design and construction of facilities.

CONSEQUENCES OF DELAY:

The environmental phase must precede final engineering/design, construction and, ultimately, the operation of passenger service. Delays at this stage would have a proportional delaying effect on later project phases.

LEGAL REVIEW:

The Background and Comments and the Motion have been reviewed and approved by the Legal Department.

SOUND TRANSIT

MOTION NO. M98-88

A motion of the Finance Committee of the Central Puget Sound Regional Transit Authority to approve amendment of contract RTA/CR 22-97 with Huckell/Weinman Associates, Inc. for the Everett-to-Seattle Commuter Rail Environmental Impact Statement (EIS), in an amount not to exceed \$1,396,686.

Background:

In response to Request for Qualifications & Proposals No. RTA/CR 22-97, eight interested firms submitted statements of qualifications to perform the necessary environmental analysis and to prepare the environmental documents required by the National Environmental Policy Act and the Washington State Environmental Policy Act. Four firms were invited to make presentations to an interview panel. These firms consisted of David Evans and Associates, Herrera Environmental Consultants, Kato & Warren, and Huckell/Weinman Associates, Inc. The recommendation of the interview panelists that a contract should be awarded to Huckell/Weinman Associates was made unanimously.

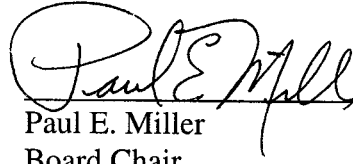
After Huckell/Weinman performed the initial environmental analysis, several federal and state agencies including the Army Corps, EPA, and Washington Department of Ecology provided input requesting that Sound Transit more fully consider the environmental impacts of certain proposed track improvements and station site developments. Based upon agency input, the Federal Transit Administration has requested that Sound Transit perform additional environmental analysis beyond that originally contemplated for this phase of the project.

The immediate and urgent need for the required services requires that Huckell/Weinman be authorized to perform the required work without further competitive bidding. Huckell Weinman Associates' team has developed a high degree of familiarity with this project, and has demonstrated an ability to assemble the requisite expertise to successfully complete the work requested within the aggressive schedule proposed. Therefore, contracting for these additional services is a necessary step prior to proceeding into final design and construction of facilities. Because the work must begin immediately in order to remain on schedule, and because the necessary equipment to perform the work will not be available if the contract is not awarded immediately, there is insufficient time to allow a competitive procurement. As more fully set forth in the Background and Comments to Motion 98-88, which are incorporated herein by reference, Huckell/Weinman is the only practical source capable of providing the services requested within the time required.

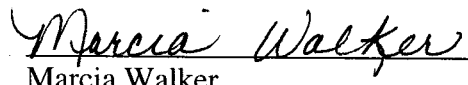
Motion:

It is hereby moved by the Finance Committee of the Regional Transit Authority that a contract amendment, not to exceed a maximum value of \$1,396,686, be awarded to Huckell/Weinman Associates, Inc. for the Everett-to-Seattle Commuter Rail EIS.

Adopted by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof on the 10th day of December, 1998.


Paul E. Miller
Board Chair

ATTEST:


Marcia Walker
Board Administrator