

Motion No. M2023-57

Confirming or modifying the preferred station location for the Denny Station for the Ballard Link Extension Environmental Impact Statement

Meeting:	Date:	Type of action:	Staff contact:
Board	7/27/2023	Final action	Brooke Belman, Deputy CEO, Chief Expansion Delivery Officer Don Billen, PEPD Executive Director Cathal Ridge, Executive Corridor Director

Proposed action

Confirms or modifies the preferred Denny Station location for the Ballard Link Extension for additional environmental review, including preparation of a Final Environmental Impact Statement

Key features summary

- This action confirms or modifies the preferred alternative in the Denny station area for the Ballard Link Extension from the range of alternatives evaluated in the Draft EIS, further studies directed by the Board in July 2022 and additional work directed by the Board in March 2023. The Board may modify the preferred alternative or take no action and thereby retain the preferred alternative in the Denny station area (Denny Station on Westlake [DT-1] Draft EIS Station alternative) as previously confirmed by the Board in March 2023.
- Alternatives evaluated in the Draft EIS were identified by the Board in 2019 in Motion Nos. M2019-51 and M2019-104. In 2022, the Board in Motion No. M2022-57 directed further studies and public and stakeholder engagement to inform a future action to confirm or modify the preferred alternative for the Ballard Link Extension.
- In March 2023, the Board in Motion No. M2023-18 identified the preferred alternative for the Ballard Link Extension and requested further clarification of the technical, financial, schedule and risk implications of both the Denny Station on Westlake (DT-1) Draft EIS Station alternative and Denny Station on Terry (i.e., South Lake Union Mix-and-Match) alternative.
- A status report on the Denny Station on Westlake (DT-1) Draft EIS Station alternative and Denny Station on Terry (i.e., South Lake Union Mix and Match) alternative was provided to the Board in May 2023. As part of the status report, staff presented two potential new alternatives – Denny Westlake Shifted North and Denny Westlake Shifted West. Staff noted the need to assess ridership and transit integration solutions of the Denny Westlake Shifted West concept and return to the Board with a status report and potential board action in July.
- The preferred alternative, as confirmed or modified by the Board, will be advanced as part of ongoing environmental review and preliminary engineering. This will require preparation of a SEPA Supplemental Draft EIS/NEPA Draft EIS before preparation of a Final EIS.
- The Board will not make a final decision on the project to be built until after publication of the Final EIS.

Alternatives for consideration

In March 2023, after reviewing the alternatives evaluated in the *West Seattle and Ballard Link Extensions Draft Environmental Impact Statement* (January 2022) and the July 2022 Board-directed further studies, the Board in Motion No. M2023-18 confirmed the 5th Avenue/Harrison Street (DT-1) alternative as the preferred alternative for the Denny Station in the Downtown segment of the project and also directed staff to explore station entrance locations for the Denny/Westlake Station (DT-1) within the 8th Avenue right-of-way.

Following the March 2023 board action, a status report on the Denny Station on Westlake (DT-1) Draft EIS Station alternative and Denny Station on Terry (i.e., South Lake Union Mix-and-Match) alternative was provided to the Board in May 2023 which provided further clarification of the technical, financial, schedule and risk implications of both alternatives. As part of that status report, staff presented the following two potential new alternatives that had not previously been examined in the Draft EIS or the further studies to date and which could be considered for potential modification of the preferred alternative in the Denny and South Lake Union stations area of the project:

- Denny Westlake Shifted North – Tunnel alignment with a Denny Station under Westlake Avenue straddling Denny Way and a South Lake Union Station under Harrison Street in the vicinity of Dexter Avenue North and 7th Avenue.
- Denny Westlake Shifted West – Tunnel alignment with a Denny Station straddling Denny Way and on property west of Westlake Avenue. This alternative would eliminate the South Lake Union Station.

Background

The West Seattle Link Extension and Ballard Link Extension projects are part of the Sound Transit 3 Plan (ST3) of regional transit system investments, approved for funding by voters in the region in 2016. The projects will provide fast, reliable light rail connections to dense residential and job centers throughout the region. The Ballard Link Extension will add a new downtown Seattle light rail tunnel to provide efficient operating capacity for the entire regional system. The extension to West Seattle will operate from downtown Seattle to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to Everett Link. The Ballard extension will operate from downtown Seattle to Ballard's Market Street area with nine stations and will include a new rail-only tunnel from the Chinatown/International District to South Lake Union and Seattle Center/Uptown. It will eventually connect with the Tacoma Dome Link Extension.

The project development process has three phases. Phase 1 included alternatives development, environmental scoping and identification of a preferred alternative(s) and other alternatives. Phase 2 included the preparation of a Draft EIS covering both extensions and conceptual engineering of a preferred alternative(s) and other alternatives as identified through alternatives development. While both extensions were initially on the same environmental review timeline, additional environmental review is needed for project refinements for the Ballard Link Extension resulting from the March 2023 Board action. Environmental review for the two extensions will now proceed on different timelines. Phase 3 will include preparation of a Final EIS for the West Seattle Link Extension, including responses to public and agency comments on the Draft EIS, and additional design and Preliminary Engineering as appropriate. The Ballard Link Extension will require preparation of a SEPA Supplemental Draft EIS/NEPA Draft EIS before preparation of a Final EIS.

To maintain eligibility for potential federal funding and obtain required federal approvals, the projects will comply with the requirements of the National Environmental Policy Act (NEPA). As the public agency proposing the project, Sound Transit is required to comply with the State Environmental Policy Act (SEPA). The FTA, as the federal lead agency under NEPA, and Sound Transit, as the state lead agency

under SEPA, have determined that the proposed projects may have probable significant adverse environmental impacts. To satisfy both NEPA and SEPA requirements, the agencies prepared a combined NEPA/SEPA Draft EIS covering both extensions.

Sound Transit and the FTA published the Draft EIS for the West Seattle and Ballard Link Extensions on January 28, 2022, starting a 90-day public comment period that ended on April 28, 2022. Hard copies of the Draft EIS were available for public viewing at public libraries and community-based organizations in the project area. Digital copies of the Draft EIS were also available on Sound Transit's website and online open house. One in-person and four virtual public meetings/hearings were conducted during the comment period. Four Community Advisory Groups organized by geographic area met approximately monthly during the comment period, providing another forum to share information and collaborate with community members around benefits, issues, and tradeoffs of the project. Numerous community briefings, office hours and property owner webinars were also held during the comment period to encourage public input. In addition, Sound Transit hosted or attended tours and community workshops focused on station areas, including the Chinatown/International District and Seattle Center stations. Comments were accepted by mail, email, online and hardcopy comment forms, transcribed phone messages and via a court reporter at the public hearings.

NEPA requires that Sound Transit identify a preferred alternative in the Final EIS (and SEPA also requires the same if the agency has one). In May 2019 (Motion No. M2019-51), the Board identified preferred alternatives and other alternatives for detailed study in the Draft EIS. In July 2022 (Motion No. M2022-57), the Board modified the preferred alternative for the West Seattle Link Extension and directed staff to conduct further studies on refinements to the preferred alternative. Staff completed those further studies, reported to the Board on February 9, 2023 and based on potential funding identified in collaboration with King County and City of Seattle incorporated the results into the modified preferred alternative. In addition, Motion No. M2022-57 requested further studies for the Ballard Link Extension. The results of this further study and public and stakeholder engagement were provided to the Board in February 2023, including how the refinements and cost savings ideas performed against project screening criteria and their affordability within the realigned financial plan.

In March 2023 (Motion No. M2023-18), the Board modified the preferred alternative for the Ballard Link Extension. In the Denny Station area, while the previously-identified preferred alternative was not modified, staff was directed to carry forward both the Denny Station on Westlake (DT-1) Draft EIS Station alternative and Denny Station on Terry (i.e., South Lake Union Mix-and-Match) alternative as part of ongoing environmental review. Staff was also directed to continue collaboration with City of Seattle and community partners to further clarify the technical, financial, schedule and risk implications of both alternatives and return to the Board with a status report by May 25, 2023. As part of that status report, staff noted the technical, cost and schedule challenges associated with the Denny Station on Terry (South Lake Union Mix-and-Match) alternative and presented two potential new alternatives – Denny Westlake Shifted North and Denny Westlake Shifted West. Staff also noted the need to assess ridership and transit integration solutions of the Denny Westlake Shifted West concept and return to the Board with a status report and potential board action in July.

In advancing this work, the evaluation was conducted consistent with the project purpose and need (*West Seattle and Ballard Link Extensions Draft Environmental Impact Statement, Chapter 1, January 2022*), which builds upon the criteria established in the ST3 ballot measure (Resolution No. R2016-17) and the five core principles identified in both Motion No. M2020-36 and Motion No. M2020-37 (completing the spine, connecting centers, ridership potential, socio-economic equity, and advancing logically beyond the spine).

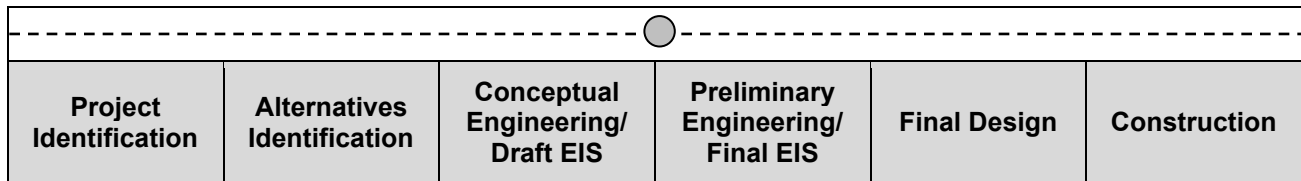
This Motion to confirm or modify the preferred alternative station location for the Denny Station for the Ballard Link Extension is a statement of the Board's current intent regarding the project based on the

Board’s review of the WSBLE Draft EIS findings; comments from Tribes and Tribal organizations, local and regulatory agencies, businesses and business organizations, community and arts organizations, and individuals during the comment period; review of the results of the further studies directed by the Board in July 2022 and additional work directed by the Board in March 2023, and new feedback received through public engagement. It is not a final decision. The Board will make a final decision on the Ballard Link Extension project to be built, including the route and station locations, after publication of the Final EIS.

Consistent with the System Expansion Implementation Plan (SEIP), at the beginning of the project development process in 2017, Sound Transit and the City of Seattle finalized a partnering agreement specific to the project, which the Seattle City Council and the Sound Transit Board later adopted. The Partnering Agreement notes that “the parties acknowledge the importance of meeting Project schedule milestones and objectives in order to begin light rail operations on time. The Partnering Agreement further notes that “In cases where the City or other parties have an interest in changing Project scope beyond that allowed under Sound Transit’s financial plan, the City will collaborate with Sound Transit to identify reductions in scope or risk elsewhere on the project or provide increased funding through local contributions to finance the requested change.” This requirement for local contributions for substantial scope expansions is mirrored in the partnering agreements Sound Transit has entered into with several other municipalities in the region. In May 2019 (Motion No. M2019-51), the Board built on this approach, and established a process outlining that after publication of the Draft EIS and receipt of public comment, if the City of Seattle or other parties had an interest in expanding scope beyond that allowed under Sound Transit’s financial plan, identification as the preferred alternative would be contingent on the identification of third-party funding to cover the additional cost of delivering the project.

As part of the alternatives development process, Sound Transit developed comparative estimates to inform the evaluation of alternatives. Estimates were based on limited conceptual design. As design has advanced through the Draft EIS process, estimates have been updated and have changed. Estimates will continue to be updated as design advances and new information becomes available and will inform future discussions related to additional project scope elements and associated local funding contributions.

Project status



Projected completion date for Preliminary Engineering/Final EIS for Ballard Link Extension: 2026

Project scope, schedule and budget summary are located on page 13 of the May 2023 Agency Progress Report.

Fiscal information

The current cost estimates in the Spring 2023 Financial Plan for the West Seattle and Ballard Link extensions project total \$15.1 billion in 2023\$ (\$12.1 billion in 2019\$). This represents the cost estimate updated at the time of Realignment and does not represent the preferred alternative (M2023-18.) The assumed in-service dates are 2032 for West Seattle Link and 2039 for Ballard Link.

As noted in the March 2023 Board Motion (Motion No. M2023-18), based on current cost estimates and revenue projections, the preferred alternatives for the West Seattle and Ballard Link extensions are anticipated to exceed the assumptions in the financial plan (by \$280 million in 2019\$). Sound Transit,

City of Seattle, and King County acknowledged there may be shared responsibility to address the additional cost of the delta between the final project to be built and the realigned financial plan through either additional funding or cost savings opportunities. Together, they have identified up to \$400 million in additional potential funding for the West Seattle and Ballard Link extensions through various sources including publicly-owned property, value capture from increased development, and in-kind contributions. The City of Seattle and King County provided letters on March 23, 2023, indicating their intent to work with Sound Transit to further analyze costs and funding sources over the next year and develop a funding agreement in advance of the Board actions to select projects to be built for the West Seattle and Ballard Link extensions. Sound Transit will need to perform a detailed analysis of the \$400 million in potential funding sources in relation to the cost estimates in order to assess the efficacy of the proposal on the Financial Plan.

Identification of Denny Westlake Shifted North as the preferred alternative would further exceed the assumptions in the realigned financial plan by \$170 million in 2019\$. Additionally, this alternative will not allow for the opportunity of \$60 million in cost savings associated with the DT-1 alternative related to shifting a station entrance onto public right-of-way. This brings the total increase over the financial plan (which will require additional funding) to \$510 million in 2019\$. Pursuing this alternative relies on commitment by the City of Seattle and Sound Transit to partner to facilitate the acquisition of property needed for construction to accommodate off-street construction staging and jointly explore disposition and redevelopment of that property in a manner that maximizes the value of the surplus property not needed after construction to allow the value of the surplus property to be recaptured by the project. As part of the efforts over the next year noted above to develop a funding agreement, the City of Seattle and Sound Transit will develop ways to meet the project delivery framework defined during the realignment process while remaining consistent with Sound Transit's financial plan.

Disadvantaged and small business participation

Not applicable to this action.

Public involvement

Sound Transit has engaged stakeholders, the public and various agencies at the local, regional, state and federal levels to solicit early and continued feedback since project development was initiated in 2017. The main focus during the Draft EIS phase was on engagement activities leading up to and during the formal Draft EIS public comment period, which was held for 90 days from January 28 to April 28, 2022.

In July 2022, the Board in Motion No. M2022-57 identified a preferred alternative for the West Seattle Link Extension and directed further studies and public engagement to inform a future action to confirm or modify the preferred alternative for the Ballard Link Extension. Further studies engagement activities included open houses, community workshops, community briefings, meeting with business, residents and property owners and participating in events and tours. Opportunities were provided for engagement in person and online, with an online open house and surveys that complemented other further studies engagement.

In March 2023, the Board in Motion No. M2023-18 identified a preferred alternative for the Ballard Link Extension and requested further clarification of the technical, financial, schedule and risk implications of both the Denny Station on Westlake (DT-1) Draft EIS Station alternative and Denny Station on Terry (i.e. South Lake Union Mix-and-Match) alternative. Between March and May, over 20 technical work sessions were conducted on topics including utilities, constructability, construction schedule, roadway closures and cost. A status report was provided to the Board in May followed by additional work to assess ridership and transit integration solutions of the Denny Westlake Shifted West concept. Results of the ridership assessment were made available publicly in mid-July and opportunities were provided

for engagement in person and online including webinars, community briefings and an online open house.

Time constraints

The Board previously identified the preferred alternative for the Ballard Link Extension in March 2023 and staff has been proceeding with environmental review and design development. Direction to modify the preferred alternative in the Denny station area would need to be provided in July to avoid additional delay to the project schedule.

Prior Board/Committee actions

Motion No. M2023-18: Confirmed or modified the preferred light rail route and station locations for the Ballard Link Extension Final Environmental Impact Statement.

Motion No. M2022-57: Modified the preferred light rail route and station locations for the West Seattle Link Extension for the Final Environmental Impact Statement and requested further studies in some areas.

Motion No. M2019-104: Recommended additional alternatives for study in the West Seattle and Ballard Link Extensions Draft Environmental Impact Statement.

Motion No. M2019-51: Identified the preferred alternative(s) and other alternatives for study in the Draft Environmental Impact Statement for the West Seattle and Ballard Link Extensions project.

Motion No. M2017-161: Authorized the chief executive officer to execute a Partnering Agreement with the City of Seattle for the West Seattle and Ballard Link Extensions Project.

Resolution No. R2017-32: Amended the Adopted 2017 Budget to create the West Seattle and Ballard Link Extensions Project by (a) establishing the Project Allocation to Date through the completion of the Preliminary Engineering Phase in the amount of \$285,896,000 and (b) establishing the 2017 Annual Budget in the amount of \$4,150,000; (2) authorized the project to advance through Gate 1 within Sound Transit's Phase Gate Process; and (3) established the name of the project as the West Seattle and Ballard Link Extensions Project.

Environmental review – KH 7/24/23

Legal review – DLB 7/26/23



Motion No. M2023-57

A motion of the Board of the Central Puget Sound Regional Transit Authority confirming or modifying the preferred station location for the Denny Station for the Ballard Link Extension Environmental Impact Statement.

Background

The West Seattle Link Extension and Ballard Link Extension projects are part of the Sound Transit 3 Plan (ST3) of regional transit system investments, approved for funding by voters in the region in 2016. The projects will provide fast, reliable light rail connections to dense residential and job centers throughout the region. The Ballard Link Extension will add a new downtown Seattle light rail tunnel to provide efficient operating capacity for the entire regional system. The extension to West Seattle will operate from downtown Seattle to West Seattle's Alaska Junction neighborhood with four stations and will eventually connect to Everett Link. The Ballard extension will operate from downtown Seattle to Ballard's Market Street area with nine stations and will include a new rail-only tunnel from the Chinatown/International District to South Lake Union and Seattle Center/Uptown. It will eventually connect with the Tacoma Dome Link Extension.

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Comments were accepted by mail, email, online and hardcopy comment forms, transcribed phone messages and via a court reporter at the public hearings.

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In March 2023 (Motion No. M2023-18), the Board modified the preferred alternative for the Ballard Link Extension. In the Denny Station area, while the previously-identified preferred alternative was not modified, staff was directed to carry forward both the Denny Station on Westlake (DT-1) Draft EIS Station alternative and Denny Station on Terry (i.e., South Lake Union Mix-and-Match) alternative as part of ongoing environmental review. Staff was also directed to continue collaboration with City of Seattle and community partners to further clarify the technical, financial, schedule and risk implications of both alternatives and return to the Board with a status report by May 25, 2023. As part of that status report, staff noted the technical, cost and schedule challenges associated with the Denny Station on Terry (South Lake Union Mix-and-Match) alternative and presented two potential new alternatives – Denny Westlake Shifted North and Denny Westlake Shifted West. Staff also noted the need to assess ridership and transit integration solutions of the Denny Westlake Shifted West concept and return to the Board with a status report and potential board action in July.

This Motion to confirm or modify the preferred alternative station location for the Denny Station for the Ballard Link Extension is a statement of the Board's current intent regarding the project based on the Board's review of the WSBLE Draft EIS findings; comments from Tribes and Tribal organizations, local and regulatory agencies, businesses and business organizations, community and arts organizations, and individuals during the comment period; review of the results of the further studies directed by the Board in July 2022 and additional work directed by the Board in March 2023, and new feedback received through public engagement. It is not a final decision. The Board will make a final decision on the Ballard Link Extension project to be built, including the route and station locations, after publication of the Final EIS.

Motion

Based on the Board's review of the findings from the West Seattle and Ballard Link Extensions Draft Environmental Impact Statement (January 2022); comments from Tribes and Tribal organizations, local and regulatory agencies, businesses and business organizations, community and arts organizations, and individuals during the Draft EIS comment period; review of the results of the further studies directed by the Board in July 2022 and additional work directed by the Board in March 2023, feedback received through public engagement and other information developed to date, it is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that:

The preferred alternative station location for the Denny Station for the Ballard Link Extension is the Denny Westlake Shifted North alternative. Staff is directed to also carry forward the Denny Station on Westlake (DT-1) Draft EIS station alternative as part of ongoing environmental review. Staff is also directed to carry forward the Denny Westlake Shifted West alternative as part of ongoing environmental review. Staff is also directed to no longer study the Denny Station on Terry (i.e., South Lake Union Mix-

and-Match) alternative as part of ongoing environmental review. Additionally, as part of the Draft EIS, staff is directed to document the City and Sound Transit's review of the Denny Westlake Shifted West alternative in combination with a South Lake Union Shifted West alternative.

As noted in the March 2023 Board Motion (Motion No. M2023-18), based on current cost estimates and revenue projections, the preferred alternatives for the West Seattle and Ballard Link extensions are anticipated to exceed the assumptions in the realigned financial plan. Sound Transit, City of Seattle, and King County acknowledged there may be shared responsibility to address the additional cost of the delta between the final project to be built and the realigned financial plan through either additional funding or cost savings opportunities. Together, they have identified up to \$400 million in additional potential funding for the West Seattle and Ballard Link extensions through various sources including publicly-owned property, value capture from increased development, and in-kind contributions. The City of Seattle and King County provided letters on March 23, 2023, indicating their intent to work with Sound Transit to further analyze costs and funding sources over the next year and develop a funding agreement in advance of the Board actions to select projects to be built for the West Seattle and Ballard Link extensions.

Identification of Denny Westlake Shifted North as the preferred alternative would further exceed the assumptions in the realigned financial plan. Pursuing this alternative relies on commitment by the City of Seattle and Sound Transit to partner to facilitate the acquisition of property needed for construction to accommodate off-street construction staging and jointly explore disposition and redevelopment of that property in a manner that maximizes the value of the surplus property not needed after construction to allow the value of the surplus property to be recaptured by the project. As part of the efforts over the next year noted above to develop a funding agreement, the City of Seattle and Sound Transit will develop ways to meet the project delivery framework defined during the realignment process while remaining consistent with Sound Transit's financial plan.

This motion authorizes staff to advance any necessary environmental review and additional design, including Preliminary Engineering. The Board will not make a final decision on the project to be built until after completion of the Final EIS.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on July 27, 2023.



Dow Constantine
Board Chair

ATTEST:



Adam Montee, on behalf of
Kathryn Flores
Board Administrator