

# **PUGET SOUND GATEWAY PROGRAM – PHASE 1 OF THE SR 509 COMPLETION PROJECT**

## **NEPA Re-Evaluation Public Comment Summary**

**Prepared for**  
Federal Highway Administration  
Washington State Department of Transportation

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# 1. INTRODUCTION

The Washington State Department of Transportation (WSDOT) and the Federal Highway Administration (FHWA) conducted a detailed review of the SR 509 Completion Project (Project), documented in the 2003 Final Environmental Impact Statement (EIS) and Record of Decision (ROD). Since 2003, some project elements have changed (including the assumed operation of tolling of the new SR 509 extension) and WSDOT received Connecting Washington funding to build Phase 1 of the Project. WSDOT and FHWA conducted a NEPA Re-Evaluation to analyze whether there were any new or significant impacts that have occurred with the project since 2003. Overall, the Re-Evaluation found that the 2003 Final EIS and ROD remain valid and no new significant adverse effects were identified.

Findings were based on the following:

- **Smaller project footprint.** - The Phase 1 Improvements are 78-foot wide as compared to 120-foot wide in the 2003 Selected Alternative because Phase 1 proposes to build on 4 lanes instead of 6 lanes for the new SR 509 extension. Therefore, there are fewer impacts on vegetation, wildlife, fish, parks and recreational resources.
- **Addresses stormwater.** - Phase 1 Improvements would result in less new impervious surface area, approximately 50 acres as compared to the 113 acres that was estimated in the Final EIS. Runoff from the new and replaced roadway surfaces would be detained and treated. This is less impervious surface than the 2003 Final EIS.
- **Consistent with regional plans.** - The improvements identified in the Phase 1 Improvements are consistent with current local comprehensive plans and policies which continue to identify the project as a key element in the transportation system. The Puget Sound Regional Council's (PSRC's) Transportation 2040 also identifies the project as a new tolled corridor that is key to enhancing freight mobility.
- **Improved traffic.** - Traffic operations would improve with the Phase 1 Improvements. Both the 2003 Final EIS and the Re-Evaluation found that traffic congestion on I-5 would improve because traffic would shift to the new SR 509. However, the Phase 1 Improvements show a smaller shift in traffic compared to the 2003 Selected Alternative, because the Phase 1 Improvements include tolling.
- **Less Noise impacts.** - The Phase 1 Improvements are expected to result in fewer noise impacts than the 2003 Selected Alternative.
- **Effects of tolling.** - The Re-Evaluation considered the effect that tolling would have on low-income and minority populations. The analysis found that I-5 and surrounding arterials would remain accessible alternatives to the new tolled facility. The new SR 509 is expected to offer improved travel times, compared to if the Phase 1 Improvements were not built.
- **Fewer property acquisitions.** - Phase 1 improvements identify 88 parcels for acquisition in comparison to 133 parcels identified in the 2003 Final EIS.

# 2. ONLINE OPEN HOUSE AND COMMENT PERIOD

Although not required under NEPA, WSDOT and FHWA chose to provide 30-days for interested agencies/tribes and the public to review and provide comments on the Re-Evaluation and Attachments. The SR 509 NEPA Re-Evaluation and Attachments were placed on WSDOT's website at: <https://sr509openhouse.org/>.

Interested agencies/tribes and the public had the ability to explore this website, and learn about the SR 509 Completion Project Phase 1 Improvements as well as review the Re-Evaluation and Attachments. A project overview along with the environmental Re-Evaluation findings, and funding, and schedule information were provided, followed by a comment page.

The Re-Evaluation along with an online open house were available for public, tribal and agency review between January 24, 2018 and February 22, 2018. The open house had a total of 3,663 unique users that visited the site and 43,929 unique page views, which were impressive numbers in comparison to recent in person open house attendees. A total of 20 individual comment submissions, including one letter from the City of Des Moines, were received. Several comments stated opinions in support or opposition to the project. Many comments were opinions against tolling. Other comments included concerns for property impacts and questions about whether the project is needed. The actual comments and WSDOT's responses are provided below.

### 3. RE-EVALUATION COMMENTS AND RESPONSES

The following section provides the comments as provided by the 20 respondents followed by WSDOT/FHWA's responses shown in italics.

#### **SUBMISSION 1**

**1.1. Comment.** Thank you for this opportunity to respond - I've never thought additional freeways have been a great answer, but since this one is going in, I'd really like to advocate for every possible protection against noise pollution for neighborhoods that have already been impacted by more noise than they should have to bear - we are not throwaway people - if our community needs to accommodate this new roadway, we expect every consideration and courtesy for it; and

*Thank you for your comment. In accordance with WSDOT's noise policy, the Project evaluated noise barriers where traffic noise impacts were identified. The analysis is provided in Attachment B of the Re-Evaluation. The Phase 1 Improvements noise abatement analysis evaluated 18 noise wall locations, including new walls, extending existing walls, and increasing the height and/or length of noise walls planned for Sound Transit's Federal Way Link Extension (FWLE) project. The 18 noise walls were evaluated to determine if they would meet feasibility requirements (sound level reductions, constructability) and reasonableness requirements (barrier size/cost, public input, noise reduction design goal). Of these 18 noise wall areas, three were found to be both feasible and reasonable:*

- *Noise Wall Area #1 - Northern extension of existing WSDOT noise wall: east of I-5 and west of Military Road South*
- *Noise Wall Area #2 - Northern extension of existing WSDOT noise wall: east of I-5 and west of 35th Avenue South*
- *Noise Wall Area #3 - Northern extension of existing WSDOT noise wall: east of I-5 and west of 32nd Place South*

*WSDOT Noise Policy defers final consideration of barrier feasibility and reasonableness until the final design phase, when horizontal and vertical alignments are finalized.*

**1.2. Comment.** I'd like to see WSDOT go beyond bare bones requirements as laid out in the tree replacement manual, to create a rich, diverse and dense replanting of native species - particularly trees that will grow large. The Port of Seattle has already developed an Airport Communities Ecology Fund in response to very vociferous citizen advocacy for preservation of the large trees in our community. This is something our communities truly value - as trees provide an important carbon sink, visual relief and some degree of noise barrier. Also, whatever protections can be extended to wildlife (tunnels/barriers/bridges) should be implemented. It pained me to read in this report the dispassionate assessment of the likelihood of animal populations perishing just to put in another freeway. What kind of world is this, that we think this is OK? Please think CREATIVELY and EXPANSIVELY about creating a ROBUST TREE PLANTING AND HABITAT RESTORATION PROGRAM!!!! If this includes citizen involvement, so much the better - count me

in.

*A major planting objective for the Project is to protect the natural environment, including water and air quality protection, wetland and sensitive area protection, weed control, habitat protection and erosion control. As you indicated, the Roadside Policy Manual will be followed along with a set of urban design guidelines developed specifically for this Project. The Manual provides policy and criteria for roadside restoration and advocates the use of native plants, integrated vegetation management (IVM), and a long-term management approach to achieve sustainable roadsides.*

*In addition, WSDOT is dedicated to maintaining a transparent dialogue with the community. The project team hosts briefings with property owners and tenants who are impacted by the project on a regular basis. Additionally, staff attend fairs and festivals in the project area during the spring, summer, and fall every year. To remain engaged as the project progresses, please contact Emily Mannetti at [MannetE@consultant.wsdot.wa.gov](mailto:MannetE@consultant.wsdot.wa.gov) with any questions or recommendations.*

**1.3. Comment.** Thank you for listening carefully - you are coming into our community and it's going to be a very disruptive number of years. Every possible consideration you can extend to us - particularly those that ensure happy long-term results (more trees!) will help to salve those wounds.

*See last paragraph of the response for Comment 1.2 above.*

## **SUBMISSION 2**

**2.1. Comment.** I do not support adding a toll to this highway. If you can't build it with the taxes you are already collecting from us, then find another way to pay for this. One idea would be with a freight tax, as this will have huge benefit to the companies that ship to and from SeaTac Airport.

*Your comment has been noted. Tolling in Washington State is governed by the provisions of RCW 47.56. This statute, passed by the Legislature in 2008, provides the framework for tolling, eligible use of revenues, and governing rules and defines that:*

- *The Legislature authorizes toll facilities, designates toll corridors, and specifies the use of toll revenues;*
- *The Washington State Transportation Commission (WSTC) sets toll rates, policies, fees, and exemptions; and*
- *WSDOT plans, implements, and operates toll collection systems, as well as collects tolls*

*The Legislature has designated the SR 167 and SR 509 Completion Projects (Gateway Program) as tolled facilities. Tolling on the SR 509 extension is expected to raise a portion (\$180 million) of the total estimated \$1.87 billion needed to construct the Project. It will also help manage congestion on the new corridor. Local arterials and I-5 will not be tolled.*

*The WSTC will ultimately set the operational hours, user exemptions, occupancy requirements, and operating parameters for the SR 509 extension. For the Re-evaluation, it was assumed that all vehicles would be tolled and time-of-day tolling would be implemented, with higher tolls in the peak periods and lower tolls in the off-peak periods to manage demand. Tolls were assumed to range between \$1.00 and \$4.00 dollars, depending on the peak period and peak direction, and would be charged 24 hours per day. The range of toll rates used was consistent with that published in the SR 509 Toll Feasibility Study.*

**2.2. Comment.** If you are spending all this time and money on this highway extension, the north end connection needs to be examined. This highway dumps out onto a drawbridge with frequent openings. That doesn't make sense. The connection between this highway and Downtown Seattle needs to be more

seamless.

*WSDOT examined the north end and found that the Project would not make this location significantly worse. The project funding does not include any funds for infrastructure improvements in the area of the 1st Ave S Bridge.*

### **SUBMISSION 3**

**3.1. Comment.** Citizens should not be taxed 2x for road improvements. The impact of tolling would be heavy on locals who live near this. It seems idiotic to go all the way over to I-5 in order to avoid tolls.

*Please see response to Comment 2.1 which explains tolling in the State of Washington. The Legislature has designated the SR 167 and SR 509 Completion Projects (Gateway Program) as tolled facilities. Tolling on the SR 509 extension is expected to raise a portion (\$180 million) of the total estimated \$1.87 billion needed to construct the Project. It will also help manage congestion on the new corridor. Local arterials and I-5 will not be tolled.*

### **SUBMISSION 4**

**4.1. Comment.** I hope for this project to be canceled. While I understand that is extremely unlikely, I believe that now is no longer the time to be continuing our unsustainable methodology of growth, that which places the movement of automobiles over all else. If this cannot be accomplished, I do remain concerned about potential impacts to the airport in the distant future by highway extensions, which may reduce airport expansion prospects.

*We appreciate your comments. The Phase 1 Improvements have been designed to accommodate the proposed improvements to transit service and facilities in the study area, including the future light rail projects. The design of the SR 516/Kent Des Moines Road interchange will accommodate space needed for track guideway to and from the station. Bus stops will be located on eastbound and westbound SR 516/Kent Des Moines Road between 30th Avenue S and Military Road S. Bus stops will also be located on the new frontage road connecting the I-5 northbound on- and off-ramp terminals next to the Kent-Des Moines Park-and-Ride as well as the I-5 southbound on-ramp near the ramp terminal. The SR 509 extension could provide the possibility for transit agencies to shift their routes to the new facility to improve access between SeaTac and areas to the south. In addition, the project will ease congestion on I-5, provide an alternative route for trucks in lieu of I-5, SR 99 and local streets, and improve southern access to Seattle-Tacoma International Airport.*

*The Port of Seattle operates Seattle-Tacoma International Airport and is one of many key agencies partnering with WSDOT on this Project WSDOT continues to coordinate with the Port of Seattle to ensure that the Project is consistent with Sea-Tac's Airport Master Plan (SAMP). See the <https://www.portseattle.org/Business/Construction-Projects/Airport-Projects/Pages/airport-master-plan.aspx> website for more information about the SAMP.*

**4.2. Comment.** Furthermore, I would like to encourage WSDOT and the legislature to fund this using as much as possible user fees (higher tolls, gas tax). User fees are the most equitable way of funding these things. Why should folks who never use it be paying for it, especially given how it's incredibly damaging to the environment all the while encouraging driving and bad land use

*Your comment has been noted. The Legislature has designated the SR 167 and SR 509 Completion Projects (Gateway Program) as tolled facilities. Tolling on the SR 509 extension is expected to raise a portion (\$180 million) of the total estimated \$1.87 billion needed to construct the Project. It will also help manage congestion on the new corridor. Local arterials and I-5 will not be tolled.*

*The Project includes mitigation measures to protect the environment. Runoff from the new and replaced roadway surfaces would be detained and treated. Wetland and stream buffer enhancement will occur within the Des Moines Creek basin area to compensate for any wetland or riparian impacts. The type of mitigation could be enhancement or restoration of the wetland or riparian buffer in locations that are currently biologically or topographically deficient.*

*The improvements identified in the Phase 1 Improvements are also consistent with current local comprehensive plans and policies which continue to identify the project as a key element in the transportation system. The Puget Sound Regional Council's (PSRC's) Transportation 2040 also identifies the project as a new tolled corridor that is key to enhancing freight mobility.*

## **SUBMISSION 5**

**5.1. Comment.** Stop the tolling. People that live in such a small part of the community would be ultimately responsible to fund a state highway. How do you expect us to live with increases property taxes, sales tax, gas tax etc and a toll to get to work.

*Please see response to Comment 2.1 which explains tolling in the State of Washington. The Legislature has designated the SR 167 and SR 509 Completion Projects (Gateway Program) as tolled facilities. Tolling on the SR 509 extension is expected to raise a portion (\$180 million) of the total estimated \$1.87 billion needed to construct the Project. It will also help manage congestion on the new corridor.*

*Local arterials and I-5 will not be tolled. The project will ease congestion on I-5, provide an alternative route for trucks in lieu of I-5, SR 99 and local streets, and improve southern access to Seattle-Tacoma International Airport.*

## **SUBMISSION 6**

**6.1. Comment.** Congratulations to the team for completing the NEPA re-evaluation for this project!! I know getting this done was NOT easy. This project is key to improving traffic congestion and safety for all users of SR 509 and your hard work on the re-evaluation sets the stage for the rest of the project. Best of luck on future phases of design and construction!

*Your comment has been noted.*

**6.2. Comment.** Where do you anticipate starting tolls and will they end at 272nd or further up I-5 to enhance more highway funds?

*Tolls will be collected for travel on the new SR 509 extension only, between I-5 and S 188th Street. A toll point would be located on SR 509 south of the 24th Avenue South/28th Avenue South Interchange.*

**6.3. Comment.** A cloverleaf access to SR 516. Do not have on and off ramps within close proximity which will slow access like at 405 and HWY 167.

*The SR 516 interchange would be reconstructed into a split diamond interchange that keeps the loop ramp in the southeast quadrant and removes the existing loop in the northeast quadrant. The northbound I-5 to westbound SR 516 traffic will be redirected to using the reconstructed northbound I-5 off-ramp on the south side of SR 516.*

## **SUBMISSION 7**

**7.1. Comment.** Just what will happen to homes in the area?

*Maps of the potential property acquisitions are identified in the Noise Discipline Report (Attachment A, Figures A2 through A4). If you have other specific questions about property to be purchased for the SR 509 Project, please contact Jeff Nakken, the project real estate manager, at nakkenj@wsdot.wa.gov or (206) 440-4195.*

**7.2. Comment.** Tolls may be a good idea but just where will it begin and end?

*See response to Comment 6.2.*

**SUBMISSION 8**

**8.1. Comment.** Extending SR 509 will ease congestion on I-5 near Tukwila, add a southern access point to Sea-Tac International Airport, and improve service between industrial districts by allowing general purpose traffic and trucks to bypass I-5, SR 99 and local streets. Do you really believe this will happen? I would like to see efforts to slow down trucks and the anticipated increase in cargo carriers will put a strain on the already crowded roadways sometimes with trucks 2 or more going the same directions. East Hill Kent access is via with the 167 or 516 and more to come with the city of Kent allow more multifamily building at the prior 3-hole golf complex for 500 units. It is already overcrowded and limited access to downtown Kent unless you go early mornings. King county needs to address continued cities building these units which increase local street traffic issues.

*The project will extend the existing Veterans Drive corridor to connect with I-5. This will be a primary freight route in and out of the Kent area, reducing truck trips on SR 516. The existing Veterans Drive corridor was planned and developed in anticipation of the SR 509 project. Land use and development issues are controlled by King County and local jurisdictions.*

**SUBMISSION 9**

**9.1. Comment.** It is very difficult to tell what will happen to my house. Explain in plain English. Give exact streets and houses that have to be purchased. I have no idea what the impact is to me.

*The current funded project will require no purchase of land or buildings on your property. Your property may experience some increase in equipment noises coming from the freeway intermittently during construction of the Project. Please also see maps of the potential property acquisitions identified in the Noise Discipline Report (Attachment A, Figures A2 through A4).*

*If you have other specific questions about property to be purchased for the SR 509 Project, please contact Jeff Nakken, the project real estate manager, at nakkenj@wsdot.wa.gov or (206) 440-4195.*

**SUBMISSION 10**

**10.1. Comment.** Please provide a sound-proofing wall along the existing 509 freeway to muffle the increasing noise from increasing traffic. Our homes are experiencing a disproportionate impact from the freeway and airport. Thank you.

*In accordance with WSDOT's noise policy, this Project evaluated noise abatement measures where traffic noise impacts were identified. The analysis is provided in Attachment B of the Re-evaluation. Please also see the response to Comment 1.1.*

**10.2. Comment.** Please add me to your mailing list.

*You have been added to the mailing list.*

### **SUBMISSION 11**

**11.1. Comment.** Since 2003 there has been changes in the noise impact at Pacific Ridge (224th St.). Sound Transit light rail is aligning its tracks west of your 509 extension, cutting down more Greenbelt noise buffer and resulting in more noise pollution from rail and vehicles. An adequate noise wall will be needed in place, not only for road noise but 5 years of construction noise pollution. Since purchasing our home in 1991 the I-5 traffic noise pollution has increased dramatically in volume and hours. A noise wall was needed decades ago.

*An updated noise analysis was conducted for the Project. Existing noise measurements were taken along the Project corridor. In accordance with WSDOT's noise policy, noise abatement measures were evaluated where traffic noise impacts were identified. The analysis is provided in Attachment B of the Re-evaluation. Please also see the response to Comment 1.1.*

### **SUBMISSION 12**

**12.1. Comment.** I am very excited about these potential transportation improvements in our community, and especially the extension of the Link Light Rail further to the South. Seattle is operating far behind where it should be in terms of public transportation services. My main hope for the planned light rail stations involves parking- established stations do not have nearly enough parking capacity (not even at Angle Lake, whose parking garage is full before 8:00 am every morning), and future stations should plan accordingly so that those wishing to use the light rail have the access they need.

*Information regarding the Federal Way Link Extension can be found on the following Sound Transit website: <https://www.soundtransit.org/Projects-and-Plans/Federal-Way-Link-Extension>*

*See also, Sound Transit's Rider Guide website for information on parking for riders.  
<https://www.soundtransit.org/Rider-Guide/Parking>*

### **SUBMISSION 13**

**13.1. Comment.** The map for the FEIS and Phase 1 don't match - if the analysis result was that the previous recommendation was held, why was there so much that was changed?

*The Phase 1 Improvements include four-general purpose (GP) lanes on the new SR 509 extension as compared to six lanes as analyzed in the 2003 FEIS. The Phase 1 Improvements were based on current needs and driven by the limits of funding provided by the Legislature. In defining the Project, WSDOT undertook a Practical Solutions design approach which allowed a fresh look at the previous project plans to ensure that the revised project is designed according to actual demand and needs. Part of the Practical Solutions approach included reengaging stakeholders to review design and potential changes.*

**13.2. Comment.** It looks like 188th has reduced access to 509??

*Access to SR 509 at South 188th Street will match what is provided currently, access to and/ from the north. By providing the new SR 509 facility, trips on South 188th Street will be reduced as some vehicles shift to use SR 509 to access I-5.*

**13.3. Comment.** Tolling studies suggest that the surrounding arterials can take the additional traffic?? Has the Cities of Burien, SeaTac, and Des Moines weighed in on that?

*Table 4-2 provided in Attachment A of the Re-Evaluation summarizes traffic volumes with and without the Project. As indicated, local roadways will experience a reduction in volumes as traffic shifts onto the new SR 509 extension. WSDOT has worked closely with local agencies on the project development as well as changes in traffic volumes and patterns that would occur.*

**13.4. Comment.** The small unimproved road I live on is now a highway of speeders shortcutting the intersection as a result of the WSDOT project at 200th and Military. I'm skeptical of the analysis by WSDOT regarding existing arterials and roadways being on the receiving end of a missed opportunity

*Your comment has been noted. WSDOT is reviewing the operations at South 200th Street interchange with the City of Sea Tac.*

**13.5. Comment.** Tolling is going to disproportionately affect quite literally the front-page-of-the-newspaper-article poor population of SeaTac. What about a toll exemption for residents in the impact area of the arterials and roadways that are going to absorb the poor people who can't afford to pay the toll and there's a toll on commercial/taxi traffic going into the airport that are conducting their businesses on the backs of the poor who have little recourse time after time???

*Currently, the Washington State Transportation Commission is the Toll Authority. As such, they have the responsibility to establish toll rates and exemptions for state toll facilities in Washington. While tolling is used to raise revenue for capital improvements and to improve traffic flows, the Commission recognizes tolling carries a real financial impact for those drivers who regularly travel on tolled facilities. Whenever called upon to revise toll rates, the Commission carefully reviews traffic and revenue projections, listens to affected members of impacted communities, and seeks to ensure customers are treated fairly. See also the Washington State Transportation Commission website: <http://www.wstc.wa.gov/HighwayTolling/default.htm>.*

*The new tolled facility will provide a mobility option that currently does not exist. Routes currently available to roadway users will remain a free option for travel in the SR 509 area if users choose not to pay the toll to use the facility. The effects of tolling from the SR 509 extension on environmental justice populations was evaluated in the Re-evaluation. Please also see the Environmental Justice Technical Memorandum Appendix Q.*

#### **SUBMISSION 14**

**14.1. Comment.** The SR 509 Completion Project is the most wasteful use of taxpayer money that I have seen in my 45 year real estate development career on the West Coast. The current estimated cost of \$2.2 billion for less than 8 miles of new highway will double or triple once the actual costs are known after all of the inevitable change orders, construction delays, and higher future construction costs are incurred over the next 12 to 15 years if SR 509 gets built.

*The Project costs for the Puget Sound Gateway Program (both the SR 509 Completion Project and the SR 167 Completion project) are estimated at \$1.87 billion and will be funded over a 16-year timeline. Based on the funding plan under Connecting Washington, major construction for the first stage would likely begin in 2022, and a second stage would begin in 2025/2026.*

*WSDOT uses a Cost Estimate Validation Process (CEVP) to provide, promote and support effective project risk management including risks related to project costs. For more information about the process, see the following WSDOT website: <http://www.wsdot.wa.gov/Projects/ProjectMgmt/RiskAssessment/>*

**14.2. Comment.** WSDOT doesn't have final plans for SR 509, has gotten no bids for the construction of

SR 509, or identified a prime contractor for the proposed design/build SR 509 Completion Project. Design/build highway construction contracts are infamous open checkbooks for unscrupulous general contractors. In addition, random toll roads like this, in Washington and everywhere else in the USA, never generate anywhere near the originally estimated tolls as very few drivers will pay a toll that can be easily avoided as is the case with the planned SR 509 toll road.

*See response to Comment 14.1. See also response to Comment 2.1.*

**14.3. Comment.** The SR 509 Completion Project is a very large scar through the heart of the rapidly improving city of SeaTac that will do irreparable damage to two well established residential neighborhoods (Madrona and Mansion Hill) and will remove dozens of sorely needed affordable homes and apartments from King County's rapidly declining supply of affordable housing. As a large tax payer in the state of Washington for the last 32 years, I strongly recommend that the SR 509 Completion Project be abandoned forever and the billions of dollars saved be used for more pressing highway needs in Washington.

*The Phase 1 Improvements are consistent with current local comprehensive plans and policies including the City of Sea Tac because the improvements will provide an alternative route for trucks in lieu of I-5, SR 99 and local streets, and improve southern access to Seattle-Tacoma International Airport.*

*WSDOT will conduct property acquisitions according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act or URA). WSDOT's Relocation Assistance Program is designed to establish uniform procedures in relocation assistance that will assure legal entitlements and provide fair, equitable, and consistent treatment to persons displaced by projects administered by the WSDOT. Please also see WSDOT's website:*

*<http://www.wsdot.wa.gov/RealEstate/default.htm> with additional information concerning property acquisitions.*

## **SUBMISSION 15**

**15.1. Comment.** I am curious how long the toll would be collected on this road? Is it planned to be in place forever or until the road is paid for?

*As required by state law, all toll revenue generated from the Project would be used to construct, improve, preserve, maintain, manage, or operate the SR 509 extension. Tolling on the SR 509 extension will be used to partially fund construction of the corridor and to manage traffic. Federal law and state law provide specific requirements on how toll revenues can be used. Federal law regarding the use of toll revenues is contained in 23 United States Code (USC) Section 129 (a)(3). This law states that all toll revenues received from operation of the toll facility are used for such things as debt service, a reasonable return on investment for any private financiers of the Project, operations and maintenance costs, and payments associated with any public-private partnership agreements.*

*In addition to these federal requirements, the Revised Code of Washington (RCW) 47.56.820 requires that all revenue from an eligible toll facility must be used only to construct, improve, preserve, maintain, manage, or operate the eligible toll facility on or in which the revenue is collected. Similar to the federal law, expenditures of toll revenues must be approved by the Legislature and must be used only to cover operations and maintenance costs; to repay debt, interest and other financing costs; and to make improvements to the eligible toll facilities.*

*See also the Washington State Transportation Commission website:  
<http://www.wstc.wa.gov/HighwayTolling/default.htm>*

**15.2. Comment.** I find that tolls are discriminatory towards lower wage working families and I do not support the use of them.

*Your comment has been noted. The new tolled facility will provide a mobility option that currently does not exist. Routes currently available to roadway users will remain a free option for travel in the SR 509 area if users choose not to pay the toll to use the facility. The effects of tolling from the SR 509 extension on environmental justice populations was evaluated in the Re-evaluation. Please also see the Environmental Justice Technical Memorandum Appendix Q.*

**15.3. Comment.** I am also concerned that once the project is payed for the toll will continue for other projects and that is not fair to the community it is placed on.

*See response to Comment 15.1*

**15.4. Comment.** Also will there be a cap on the toll rate for this road?

*The WSTC will determine and establish toll rates. See response to Comment 2.1.*

## **SUBMISSION 16**

**16.1. Comment.** To whom it may concern, Overall, the latest design looks good. However, there are some points and questions I'd appreciate having answered. 1. S 188th Ave Interchange - Why a north half diamond interchange only when full movement could so easily be provided (and sort of already is provided)? Seems like you're taking away / limiting access to locals and businesses who use that interchange regularly, or who would use it regularly if full movement was provided, especially to and from I-5 south. I can understand trying to limit impacts to the south of 188th, but then why not build a folded diamond interchange (so all ramps are to the north of 188th)? There is plenty of room for such an interchange. Would be interested to know why this wasn't considered?

*The long-term vision is to provide all four ramps at the SR 509/South 188th Street interchange. Funding for the Phase 1 Improvements does not include construction of those ramps. The design of the Project, however, is being developed to accommodate future ramps at this location when funding becomes available.*

**16.2. Comment.** 24th Ave S Half Diamond Interchange - this is going to dump a lot of SeaTac Airport bound traffic into already overly congested city streets, be it 24th Ave or SR 99. Will this be mitigated? If so, how? If not, why?

*The half diamond interchange will connect to the newly constructed roadway at 28th/24th. This new roadway was developed in anticipation of and in coordination with the SR 509 project. This new connection is not projected to create any new trips, rather provide a new access for trips in the area to access I-5 to and from the south.*

**16.3. Comment.** South Access Expressway - this was a fantastic idea, it would have helped mitigate the above issue of local street congestion, made entering and leaving SeaTac far more efficient, and overall greatly increased the capacity of the airport to handle traffic. I'm extremely disappointed this concept has been dropped from the project (and I imagine anyone else who regularly uses SeaTac and lives in the south sound would be as well). Besides cost, were there any other reasons for dropping this concept? Is there any chance this could be re-evaluated in the future? Will the current design still allow for a future expressway like this to be created? (i.e., will the current design keep this possibility open?)

*The South Access Expressway (SAE) is still considered part of a future plan in coordination with the Port of Seattle. The current design will accommodate the SAE when funding is available.*

**16.4. Comment.** What will happen to the current alignment for SR 509 (between Normandy Park and Midway)? And how will the new route to I-5 tie back into the current route that's concurrent with SR 99?

*The route currently identified as SR 509 that follows 1st Avenue South through Des Moines would be relinquished back to the City of Des Moines. Please see the website for the layout, but generally, SR 509 will extend the existing 4-lane SR 509 south from South 188th south Street and east to connect to I-5 just north of the South 216th Street Bridge. The new SR 509 route will cross the southern edge of the old golf course and north end of Des Moines Creek Park, it will continue under and will cross under the new 28th/24th bridge, and under SR 99 at a new bridge just north of 208th.*

**16.5. Comment.** Those are my concerns, questions and thoughts on this most recent design. My only other suggestion would be in regards to the Open House Project Overview page. The section that shows before and after was cool, but the SR 509 image should have been split into two before and after images, instead of just one. A lot is happening in this short section of road, and it would have been better to show this section in more detail and not try to cram it all into one far off perspective shot. Just a friendly suggestion. Thanks for the opportunity to comment and I eagerly looking forward to seeing this project move forward.

*Your comment has been noted.*

#### **SUBMISSION 17**

**17.1. Comment.** Since you will be tolling and there is still no HOV direct connection to the airport, I will not be using it, and therefore do not care. Like the flyover ramp built between SR-405 & SR-167 several years ago this does not solve enough of the problem.

*The 28th/24th interchange will add access to 28th Avenue S which will provide improved access to the south end of the airport.*

#### **SUBMISSION 18**

**18.1. Comment.** Two words: No tolls. Stop the tolling madness that has taken over the state.

*Your comment has been noted.*

#### **SUBMISSION 19**

**19.1. Comment.** This project is entirely frivolous and waste of taxpayer money. The state should be ashamed for moving this forward.

*Your comment has been noted.*

**19.2. Comment.** That said, the proposed designs are unsafe. The interchanges proposed would increase fatalities and injuries in the areas affected. These must be designed down, if you will, with minimal apron flairs to the local roads and no more than one lane for each on-ramp and off-ramp.

*Your comment has been noted. The Project will be designed in accordance with WSDOT Design Manual, Highway Safety Manual, and other applicable standards.*

**19.3. Comment.** The single point urban interchange 188th is unacceptable. This must be removed.

*A diamond interchange is proposed at the interchange of 188th Street.*

**19.4. Comment.** No new net lanes should be added to the local roads. There is ample capacity already

available.

*The Project does not propose adding capacity to local roadways. However, South 208th Street would be permanently closed east of SR 99 and a new neighborhood connection would be created with SR 99 at South 206th Street as a right-in/right-out intersection (see Figure 1-4 in Attachment A to the Re-evaluation). In addition, a new north-south neighborhood collector road parallel and west of I-5 would be constructed along 34th Avenue South that connects to South 204th Street and South 208th Street to maintain neighborhood connectivity and provide pedestrian improvements.*

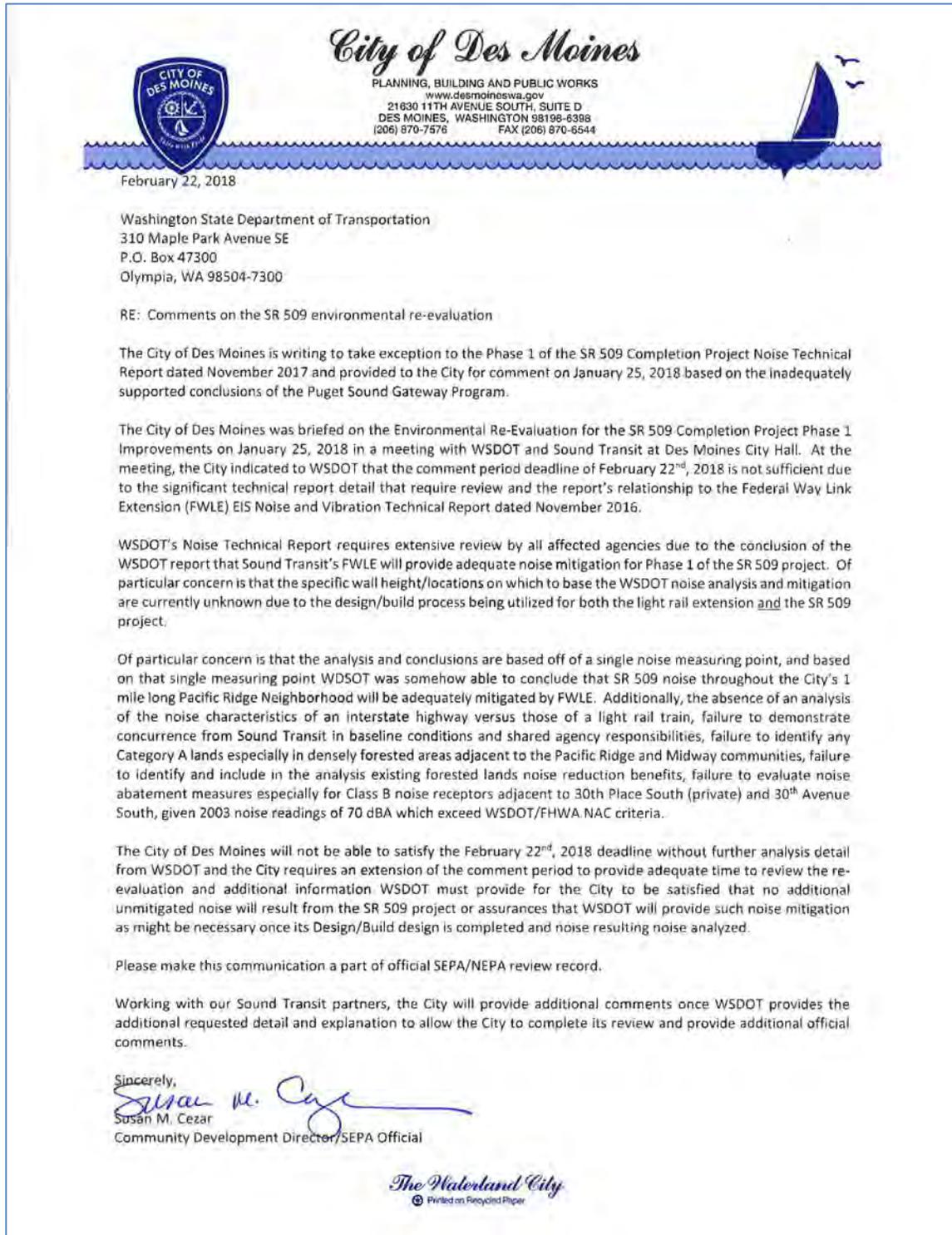
**19.1. Comment.** WSDOT must add bike and urban pedestrian-oriented sidewalks to the local streets. Finally, WSDOT must add a trail along the highway similar to SR-520.

*WSDOT coordinates with local jurisdictions to determine appropriate bike and urban pedestrian-oriented sidewalks where state facilities intersect with local facilities. As part of the project, and in coordination with King County Parks and the City of SeaTac, the last segment of the Lake to Sound Trail is scheduled to be completed in advance of the main SR 509 construction. The Lake to Sound Trail, which will run parallel to the SR 509 extension between S 188th Street and S 200th Street, would provide an alternate route for bicyclists. The Phase 1 Improvements would also maintain pedestrian connections on both sides of the I-5/SR 516 interchange and construct a new pedestrian path from Veterans Drive to SR 516/Kent Des Moines Road, which would help facilitate pedestrian trips to and from the transit centers around this interchange.*

**19.2. Comment.** In terms of the environment, the propose facilities will have severe impacts to streams and fish. The state must focus on extensive riparian improvements and best practices to retain natural environments.

*The Project includes mitigation measures to protect the environment. Runoff from the new and replaced roadway surfaces would be detained and treated. Wetland and stream buffer enhancement will occur within the Des Moines Creek basin area to compensate for any wetland or riparian impacts. The type of mitigation could be enhancement or restoration of the wetland or riparian buffer in locations that are currently biologically or topographically deficient.*

**SUBMISSION 20**



*Response: Thank you for your letter. WSDOT remains committed to working with both the City of Des Moines and Sound Transit to discuss your noise concerns. Since the comment period was voluntary as has been discussed with management at Des Moines, we will not extend the comment period. But*

*the SR 509 project team remains committed to an ongoing dialogue with you regarding your noise concerns and the relation between our improvements and the Federal Way Extension Project that Sound Transit has planned. We look forward to continuing to work with you.*