

November 30, 2012

John Shaw, Senior Transportation Planner
City of Seattle
Dept. of Planning and Development
700 5th Ave, Suite 2000
P.O. Box 34019
Seattle, WA 98124-4019

Re: ***Scoping for the EIS for Proposed Seattle Arena, DPD project
number 3014195***

Dear Mr. Shaw:

Thank you for the opportunity to provide input into the scoping process for the EIS for the Seattle Arena. Port of Seattle seaport properties comprise the heart of the region's maritime and industrial center. The Port has invested more than \$1 billion to develop modern shipping terminals within the Duwamish MIC to support international trade and export Washington goods. As part of our Century Agenda strategic plan, we intend to increase marine cargo volume to 3.5 million TEUs (twenty-foot equivalent units) and significantly increase the value of export cargo creating thousands of new jobs throughout the region. The Port also anticipates the need to extend hours of operation of our cargo loading / transfer activities in the area to 24/7 levels..

One of the sites under consideration is amongst critical freight corridors to the Port. This EIS process serves as a key step in understanding the risks of jeopardizing the Port and the potential cost to the family wage jobs and tax revenues supported by the seaport. Therefore the Port of Seattle is looking forward to a thorough analysis of the impacts and siting of this facility as well as mitigation of the impacts.

Alternatives To The Proposed SoDo Location

WAC 197-11-928 provides as follows:

When the proposal involves both private and public activities, it shall be characterized as either a private or a public project for the purposes of lead agency designation, depending upon whether the primary sponsor or initiator of the project is an agency or from the private sector. Any project in which agency and private interests are too intertwined to make this characterization shall be considered a public project...



The SEPA provisions concerning the analysis of alternatives to “public projects” are more demanding than the requirements for the consideration of alternatives to private projects. Government agencies proposing public projects have a duty to consider off-site alternatives to the proposal. WAC 197-11-440(5)(d); *Weyerhaeuser*, 124 Wn.2d at 505. In addition, SEPA requires proposals for “public projects” to be described in terms of objectives rather than solutions. WAC 197-11-060(3)(a)(iii).

Here, there are several reasons the City should consider more than one off-site alternative to the SoDo location for the proposed arena independently of the proponent’s preference for the SoDo site. This has already been accepted for one alternative at Seattle Center. However, if the goal of the analysis is to determine lower environmental impacts and reduce public costs, evaluation of additional site(s), outside of Seattle, will be necessary. The proposed arena is clearly a “public” project that is supported and financed with public resources by the taxpayers of the City of Seattle and King County. Second, because the arena is intended to draw spectators from across the Puget Sound region, the EIS should consider alternative sites located outside the City of Seattle. For these reasons, the City should expand the consideration of alternatives to the proposal to review more than the proposed SoDo location and the Seattle Center alternative. See *Weyerhaeuser, supra.*, (consideration of alternatives for proposed public landfill was inadequate under SEPA.)

Direct, Indirect, and Cumulative Environmental Impacts

Among the probable significant adverse environmental impacts that the City should consider are the cumulative impacts of adding this proposed basketball arena to the tightly confined Sodo neighborhood that is already home to football and baseball arenas. WAC 197-11-792(c)(iii)(cumulative impacts are part of the scope of impacts to be considered in an EIS) and WAC 197-11-060(4)(e)(content of environmental review). “Cumulative impacts” are typically considered to be the “past, present and reasonably foreseeable impacts...” of a proposal. See 40 CFR § 1508.7 As explained below, the City should consider the cumulative traffic impacts of adding this high impact facility to a neighborhood that contains the Port’s critical freight corridors for movement of cargo from ships to trucks and rail.

Traffic Analysis

The analysis should cover the transportation-related issues associated with the proposed arena and any ancillary development, including impacts on auto, truck, bus, light and heavy passenger rail, freight rail, pedestrian and bicycle modes.

For the permanent configuration, including both the new arena and any ancillary development that is planned, there are several different scenarios that must be evaluated:

A. “Built” worst-case event scenarios, for both weekday and weekend day/evenings, both with and without the impacts of any permanent roadway changes resulting from the project:

- Arena only –with existing land uses
- Cumulative event analysis (combined with traffic generated by nearby traffic generators with similar traffic patterns/event timing.)

For the SoDo location, and as appropriate, any alternative location that would experience similar peaking characteristics, this analysis should include the impacts of:

- One or both existing facilities having an event/s allowed with current dual event restrictions
- Removal of dual event restrictions

The evaluation of these scenarios should include sensitivity analyses of the impacts of traffic management and police control plans (temporary closures of surrounding roadways on event days). This should cover both the existing scenario, where each individual event venue generates its own individual traffic control plan, and as well as a potential area-wide traffic control plan for multiple events. For the SoDo location, it should cover the proposed guidance for arena patrons to approach the area from the south, rather than the I-5/I-90 interchange. It should also contain sensitivity analyses of the projected transit mode splits and the ability of the transportation system components to handle volumes. Also of importance are the impacts of patrons arriving early for activities related to proposed ancillary development.

B. The project should determine specific roadway and intersections segments to be analyzed for each proposed location, and be similar in scope to the analysis carried out for Century Link Field. At a minimum, in order to determine the project’s impacts to Port access needs, for the SoDo location, the EIS should analyze the following intersections:

-- 1 st Ave S/S Atlantic St	-- 1 st Ave S/S Royal Brougham Wy
-- 1 st Ave S/S Mass. St	-- 1 st Ave S/S Holgate St
-- 1 st Ave S/S Lander St	-- 1 st Ave S/S Spokane St
-- 4 th Ave S/SR-519 Ramps	-- 4 th Ave S/I-90 Off-ramp
--4 th Ave S/S Holgate Street	--S Atlantic St/SR-99 East Frontage Rd
--S Atlantic St/Colorado Ave/Little "h" cluster	

The analysis methodology, analysis periods, and assumptions should be developed in consultation with affected agencies, including the Washington State Department of Transportation and Sound Transit, and for locations in the City of Seattle, the Port of Seattle and AMTRAK prior to initiating the analysis.

- C. All traffic analyses should cover a scenario that assumes night, and weekend gate hours for Port of Seattle terminals and rail intermodal yards.
- D. For the SoDo location, the EIS should evaluate the effect of the street vacations, not only during event times, but also during a non-event day's morning, midday, and afternoon peak hours. The effect on arterial operations along both 1st Avenue S (from S Lander Street to S King Street) and SR 519 (from I-90 to East Marginal Way) should be evaluated.
- E. In addition to the local roadway network, the analysis should include the operational impacts on the regional transportation system (I-5, I-90, SR-99).
- F. The new arena is expected to be completed and in operation before some of the major transit improvements in the region will be in operation. What is the ability of the transit system and services to accommodate arena-related ridership? What are the conflicts with peak period ridership for other purposes—e.g., patrons attempting to reach the arena during the pm rush hour? How does the ability of the transit system change over the years, and what are the strategies for managing periods where gaps will exist?
- G. The analysis should evaluate the impacts of additional and concurrent events on congestion, travel time, and travel time reliability on both general freight mobility, and, in the case of the SoDo location, on the Port's primary access routes, including freeway, intermodal, and transload center connectors such as Hanford St at the entrance to the Main SIG intermodal yard and Spokane St between I-5 and T-5 and T-18.
- H. For the SoDo location, the Port of Seattle is also concerned about the potential for conflict between arena patrons and rail movements. What is the impact of train blockages on the ability of the arena to load/unload both patrons on foot and those using the proposed garage? How will the resulting congestion impact the area, in particular the Port's primary access routes, including freeway, intermodal and transload center connectors? How will the additional arena event-related vehicular and pedestrian crossings of area railroad tracks be accommodated and what are the potential impacts to their safety and to rail operations? What would the impacts on emergency responders be in case of an incident? The following table further details the Port's concerns to be addressed, and the performance measure the EIS should use to evaluate impacts:

Transportation Analysis Needs for New Arena EIS—Focus on SODO location

Concern	Performance measures to evaluate
<p>A. Effect on regional highways (I-5 and I-90)</p>	<ul style="list-style-type: none"> • Net change in peak period and early afternoon travel time related to single event and concurrent event day. • Net change in annual vehicle hours of delay for base and banner year conditions. • Variability in delay created by event traffic (a measure of system reliability)
<p>B. Effect on primary access routes to Port terminals</p>	<ul style="list-style-type: none"> • Level of service analysis for key intersections in SoDo for the commuter peak hour, pre-event arrival peak, and post-event egress peak. The following intersections should be included in any analysis: <ul style="list-style-type: none"> -- 1st Ave S/S Atlantic St -- 1st Ave S/S Mass. St -- 1st Ave S/S Lander St -- 4th Ave S/SR-519 Ramps --4th Ave S/S Holgate Street --S Atlantic St/Colorado Ave/Little "h" cluster -- 1st Ave S/S Royal Brougham Wy -- 1st Ave S/S Holgate St -- 1st Ave S/S Spokane St -- 4th Ave S/I-90 Off-ramp --S Atlantic St/SR-99 East Frontage Rd • Effect that rerouting event traffic to the Spokane Street Viaduct would have on access to Terminals 5 and 18 as well as to the SIG Yard. • Net change in delay related to single-event and concurrent-event day. • Net change in annual vehicle hours of delay for base and banner year conditions. • Variability in delay created by event traffic (a measure of system reliability)
<p>C. Effect of street vacations</p>	<ul style="list-style-type: none"> • Peak period and early afternoon level of service analysis for key intersections listed above to determine Net change in delay without and with the street vacations. • Net change in annual vehicle hours of delay for base and banner year conditions. • Variability in delay created by street vacation(s) and event traffic (a measure of system reliability)
<p>D. Safety of RR Crossings</p>	<ul style="list-style-type: none"> • Net change in pedestrians and vehicles crossing tracks at S Holgate Street. • Frequency and duration of train blockages at the at-grade crossings • Historic rail-vehicle and rail-pedestrian collisions in SoDo (all crossings) • Safety analysis of RR crossing • Pedestrian storage needs when waiting for a train • Effect of additional queues, delays or safety issues on the potential to close S Holgate Street during events or permanently

Parking Analysis

Even with an aggressive traffic management plan encouraging the use of transit, the proposed arena will likely generate significant numbers of personal vehicles looking for parking. The EIS should evaluate the availability of adequate parking, both existing and new, within the walking shed of the site: Are there sufficient spaces? Are they available

when patrons are arriving, both immediately before an event, or early, to take advantage of ancillary development like restaurants and pubs? What are the likely conflicts with daytime and evening use of the available spaces and existing trip generators in the area? For the SoDo location, that should include both a dual event under the current restrictions, and a scenario where those restrictions are removed. What is the impact of the limitations of the parking supply, and its pattern of dispersion, on both passenger and freight traffic, other businesses, and neighborhoods in the study area? What are the differences between weekday, weekday evening, and weekend events? The effort should include a sensitivity analysis that evaluates impacts if likely parking guidance systems and other means of parking management do not achieve the projected goals.

Air Quality

The EIS must analyze issues of air quality given the large trip generation potential of a facility of this size. The air quality analysis must account for the inevitable traffic congestion caused by adding such facility to an already constrained street network. A great deal of the fan base can be expected to live outside of the City of Seattle. Therefore air quality should be analyzed within the framework of the City's goal of being carbon neutral.

Construction

Depending on the timing and location of construction of the proposed new arena, the traffic impacts of construction could be significant. The EIS should include an evaluation of the impacts of construction on both roadway, and, where relevant, rail traffic. This should take into consideration other projects that may impact the capacity and functionality of the impacted transportation infrastructure during the construction timeframe.

Land and Shoreline Use

It should be noted that page three of the Determination of Significant and Scoping Notice incorrectly categorizes the proposed use as "indoor sports and recreation." The correct use is Spectator Sports Facility per SMC 23.84A.010. The distinction is important since the Indoor Sports and Recreation use is characterized by the players whereas the Spectator Sports Facility use is characterized by the fans.

Use Compatibilities

The EIS must analyze issues of incompatible uses created by the proposed arena, particularly for the SoDo site. We are concerned about use compatibility issues emanating from the arena itself as well as from the accompanying commercial uses that would cater to the fans (restaurants, taverns, retail, etc.). Statements by the applicant about planned accompanying uses suggest that they should be considered as part of the arena proposal. Moreover the City will have a stake in the level of utilization of the arena and may try to cultivate related commercial uses as a means of boosting arena utilization.

The proposal harkens back to past planning debates about residential uses adjacent to Port terminals. Experience in Seattle and in other cities show that residential uses are inherently incompatible with intensive marine cargo operations and other industrial uses. As a result, attempts to provide mitigation for use conflicts might ultimately fail and the City's economy would suffer as a result. Even with advance notice of existing conditions, over time new residents will begin to file nuisance complaints, attempt to delay future permits and potentially file law suits once they actually experience living in close proximity to an industrial use. A very similar incompatibility exists between industrial uses and pedestrian-oriented commercial uses. The arena-related commercial uses would be oriented towards an animated street life. For example, the restaurants could be expected to have sidewalk seating. An issue of compatibility with nearby industrial uses is created any time a new use involves patrons who object to the sights and sounds of industry.

Scarcity of Industrial Land and Shorelines

Seattle's working waterfront is a scarce resource. Past generations invested tremendously in the Duwamish manufacturing and industrial district by filling tide flats and straightening the course of the Duwamish River. To this day the district represents prime industrial land by offering access to a deep water port, the interstate highways, and railheads. Presently-adopted City policies underscore the need to preserve industrial designations in this area. (See the Land Use and Container Port elements of the Seattle Comprehensive Plan.) Similar designations for this area exist in King County and Puget Sound Regional Council plans and also fit into the state's planning framework under the Growth Management Act. The EIS must analyze the impacts of the arena consuming industrially-zoned land. This point is timely given that citywide vacancy rates for commercial properties have been higher than for industrial properties for some time now.

Related to the issue of the scarcity of industrial land we note that materials from the applicant have represented the proposed arena facility extending slightly outside two important land use boundaries. The May 31st presentation to the Seattle City Council showed the facility extending outside (to the east) of the Stadium Transition Area Overlay District and also outside of the IC zone into the IG2 zone. (The presentation can be found here:

http://clerk.seattle.gov/~public/meetingrecords/2012/gpnf20120531_1a.pdf) The Spectator Sports Facility use is not permitted in IG2 within the Duwamish MIC. Beyond the regulatory aspect, this is such a conflict with adopted city policies about protecting industrial land that the EIS process must answer how this encroachment will be mitigated.

Speculation Patterns

The EIS must analyze the likely displacement of industrial businesses caused by property speculation. The speculation pattern is well-known: new markets for non-industrial developments lead to increased property valuations which, in turn, lead to increased rents that established industrial businesses can no longer afford. This pattern stems from two different conditions: 1) the existing code allows for a certain amount of non-industrial developments as prescribed by the size-of-use limits for the various I-zones (IC in

particular) and 2) property owners make predictions that their land will experience additional up zoning in the future. There is compelling evidence that the applicant's actions have already caused speculation -- the price they recently paid for land at the SoDo site is reportedly three times the price-per-square-foot that three of the parcels sold for only 18 months earlier.

Utilities

The EIS must analyze whether the arena project would overburden utility infrastructure. City Light is already trying to reduce loads based on substation capacity, particularly in the downtown area. Introducing the arena to an area that has historically been warehouses exacerbates the problem. Similar issues may exist for the sanitary sewer system and should be studied in the EIS.

Thank you for the opportunity to provide input into the EIS scoping process. We are looking forward to working with your staff throughout the EIS process, in particular with regard to the expected transportation and land use compatibility impacts of the proposed project. Please do not hesitate to call Geri Poor at (206) 787 3778 or Joseph Gellings at (206) 787 3368 if you have any questions.

Sincerely,



Stephanie Jones Stebbins
Director, Seaport Division Environmental and Planning

cc: Bob Chandler, Marshall Foster, Tom Hauger *City of Seattle*
Linda Styrk, Patricia Akiyama, Kurt Beckett, Joseph Gellings, Traci Goodwin,
Eric Hanson, Mike Merritt, Geri Poor, Christine Wolf, *Port of Seattle*

Encl: Report: Impact of a SoDo Arena on Port of Seattle Operations, Heffron
Transportation Inc., August 7, 2012
Report: Economic Issues of a Proposed Arena, BST Associates, August 6, 2012
Report: SoDo Arena Proposal, Seattle Duwamish Manufacturing and Industrial
Center, Land Use and Planning Issue, Steinbrueck Urban Strategies, LLC, August
7, 2012