



U.S. Department
of Transportation
**Federal Transit
Administration**

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October 1, 2020

Sam Zimbabwe
Director
Seattle Department of Transportation
Seattle Municipal Tower
P.O. Box 34996
700 Fifth Avenue, Suite 3800
Seattle, WA 98124-4996

**Subject: Seattle Department of Transportation
Madison Bus Rapid Transit Project
NEPA Environmental Re-Evaluation (No. 2)
Grant Number: WA-2019-049**

Dear Mr. Zimbabwe:

The Federal Transit Administration (FTA) has received National Environmental Policy Act (NEPA) environmental re-evaluation documentation from the Seattle Department of Transportation (SDOT) dated June 16, 2020 related to changes to the design of the Madison Bus Rapid Transit Project (Project) in the city of Seattle, Washington. This letter addresses the design changes described in the June 16, 2020 documentation, which modify the design of the Project as described in the NEPA Documented Categorical Exclusion (DCE) approved by FTA on December 27, 2017, and the NEPA Environmental Re-Evaluation approved by FTA on September 6, 2019.

Under FTA environmental regulations, changed conditions since the approval of the DCE, and the design changes proposed by SDOT, make it necessary to re-evaluate the earlier NEPA determination (See 23 Code of Federal Regulations (CFR) Part 771.129(c)).

(c) After approval of the ROD, FONSI, or CE designation, the applicant shall consult with the Administration prior to requesting any major approvals or grants to establish whether or not the approved environmental document or CE designation remains valid for the requested Administration action. These consultations will be documented when determined necessary by the Administration.

The June 16, 2020 re-evaluation documentation submitted by SDOT outlines the changed conditions since the December 27, 2017 DCE and the September 6, 2019 re-evaluation, and describes the details of the Project design changes as follows:

Reduced Platform Height

- The platform heights would be lowered from 13 to 9 inches at the following stations: eight sidewalk platforms east of 14th Avenue, five sidewalk platforms in Downtown and the sidewalk platform on Spring Street at 8th Avenue, and the island platform on Madison Street at 8th Avenue. Attachment 1 of the June 16, 2020 re-evaluation shows the locations of the stations with lowered platforms.
- The new bus fleet under procurement for the Project will be designed to adjust bus levels to provide near-level boarding at both 13-inch and 9-inch platforms.

Changes in impacts compared to those described in the December 27, 2017 DCE and the September 6, 2019 re-evaluation include the following:

- No change in environmental impacts.
- This design change would not change previous determinations made under the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act, or Section 4(f) of the Department of Transportation Act.

New Americans with Disabilities Act (ADA)-Accessible Curb Ramps

- SDOT has identified a concurrent non-project activity to add ADA-accessible curb ramps at some intersections with unmarked crosswalks along the Project corridor. The Project would not affect the existing unmarked crosswalks, but through paving and other work, the Project would trigger a City policy requirement under Director's Rule 01-2017 "Right-of-Way Opening and Restoration Rules" to add ADA ramps where they are missing.
- Given that the Project triggers the need to update or install ADA ramps, the concurrent non-project activity would add up to 25 ADA curb ramps at the locations shown in Attachment 2 of the June 16, 2020 re-evaluation.
- The proposed changes would improve safety and accessibility along the corridor.

Changes in impacts compared to those described in the December 27, 2017 DCE and the September 6, 2019 re-evaluation include the following:

- No change in environmental impacts.
- This design change would not change previous determinations made under the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act, or Section 4(f) of the Department of Transportation Act.

Additional Permanent Easement

- During final design of the Project, SDOT determined that the location of two existing traffic signal poles proposed to be replaced, and a new pedestrian light pole, were on private property outside of the right-of-way, and therefore would require an easement

from the property owner. The two traffic signal poles and the pedestrian light pole were included in the Project described in the December 27, 2017 DCE, and there is no change to the Project design.

- SDOT would acquire a permanent easement from Seattle University on the south side of the intersection of 11th Avenue and East Madison Street to replace the two traffic signal poles, and construct the new pedestrian light pole. Attachment 3 of the June 16, 2020 re-evaluation shows the location of the permanent easement.

Changes in impacts compared to those described in the December 27, 2017 DCE and the September 6, 2019 re-evaluation include the following:

- No change in environmental impacts. The easement will be acquired in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.
- This design change would not change previous determinations made under the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act, or Section 4(f) of the Department of Transportation Act.

Eliminate Environmental Commitment

- The following environmental commitment was included in the December 27, 2017 DCE: Install traffic calming measures and improved bicycle and pedestrian crossings at arterial streets on the following non-arterial streets to provide safe bicycle and pedestrian access to BRT Stations: 9th Avenue and University Street between Spring Street and Boylston Avenue; Denny Way between Broadway and 21st Avenue; 22nd Avenue between Denny Way and Pine Street; and Pine Street and 29th Avenue between 22nd Avenue and Madison Street.
- This environmental commitment was not included in the December 27, 2017 DCE to mitigate an impact, but rather to respond to requests from stakeholders to include a bicycle connection on or parallel to Madison Street.
- SDOT proposes to delete this environmental commitment since other bicycle facilities in the city's updated Bicycle Master Plan Implementation Plan would provide connectivity and meet the intent of the environmental commitment by the Project.

Changes in impacts compared to those described in the December 27, 2017 DCE and the September 6, 2019 re-evaluation include the following:

- No change in environmental impacts.
- The elimination of the environmental commitment would not change previous determinations made under the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act, or Section 4(f) of the Department of Transportation Act.

Additional Construction Staging Areas

- The Project has recently incorporated five new construction staging areas. The five new staging areas are located within the public right-of-way, and are shown in Attachment 4 of the June 16, 2020 re-evaluation.
- Access to adjacent properties fronting the right-of-way at the new staging areas will be maintained. The staging areas will be secured by chain link fencing, and used for the

storage of construction materials and equipment. Personal vehicles and field offices will not be allowed in the staging areas. Material stockpiles within the staging areas will be limited to 10 feet in height. The staging areas will be used for up to 6 months. SDOT may grant an extension of the staging area use time period, subject to considerations of impacts on the community, and to the Project schedule.

Changes in impacts compared to those described in the December 27, 2017 DCE and the September 6, 2019 re-evaluation include the following:

- No change in environmental impacts.
- This design change would not change previous determinations made under the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act, or Section 4(f) of the Department of Transportation Act.

Schedule Change

- The Project start of construction has been delayed from 2020 to the first quarter of calendar year 2021, due to an extended design schedule and funding commitments. The Project will start operations in 2024. As provided in FTA's "Project Development Initiation" letter dated April 1, 2016, SDOT currently has pre-award authority to incur costs for as much engineering and design as necessary to develop a reasonable cost estimate and financial plan for the Project, utility relocation, and real property acquisition and associated relocations.

Changes in impacts compared to those described in the December 27, 2017 DCE and the September 6, 2019 re-evaluation include the following:

- No change in environmental impacts.
- This schedule change would not change previous determinations made under the Endangered Species Act, the Magnuson-Stevens Fishery Conservation and Management Act, Section 106 of the National Historic Preservation Act, or Section 4(f) of the Department of Transportation Act.

Based on a review of the June 16, 2020 re-evaluation documentation provided by SDOT, FTA finds that the Project design changes are not considered substantial, and will not result in significant environmental impacts that were not evaluated in the December 27, 2017 DCE or the September 6, 2019 re-evaluation. No additional environmental review is required.

Please contact John Witmer at 206-220-7964 or john.witmer@dot.gov if you have any questions.

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Thank you for coordinating with FTA.

Sincerely,

Linda M. Gehrke
Regional Administrator

cc: Eric Tweit, Project Manager, Seattle Department of Transportation
Joel Hancock, Environmental Manager, Seattle Department of Transportation