



Operations and Maintenance Facility South

Federal Transit
Administration
Record of Decision

August 2024

Table of Contents

1	DECISION	1
	1.1 Project Description	2
	1.1.1 OMF South Site	4
	1.1.2 Mainline Track and Test Track Alignment	4
	1.2 Basis for the Decision.....	7
	1.2.1 Local Planning.....	7
	1.2.2 Environmental Review	7
	1.2.3 Public Involvement.....	8
2	ALTERNATIVES CONSIDERED IN THE FINAL EIS	8
	2.1 No-Build Alternative.....	8
	2.2 Build Alternatives	8
	2.2.1 Preferred Alternative.....	8
	2.2.2 South 344th Street Alternative	8
	2.2.3 Midway Landfill Alternative.....	9
	2.2.4 Environmentally Preferred Alternative	10
3	MEASURES TO MINIMIZE HARM AND ENVIRONMENTAL COMMITMENTS	10
4	MONITORING AND ENFORCEMENT	10
	4.1 Final EIS Comments	11
5	DETERMINATION AND FINDINGS	13
	5.1 Executive Order 13175 Consultation and Coordination with Indian Tribes	13
	5.2 Executive Order 12372 Intergovernmental Review of Federal Programs and 23 United States Code 139 Coordination Requirements.....	13
	5.3 Clean Air Act.....	14
	5.4 Clean Water Act Section 404	14
	5.5 Clean Water Act Sections 401 and 402	14
	5.6 Coastal Zone Management Act	15
	5.7 Endangered Species Act.....	15
	5.8 Magnuson-Stevens Fisheries Conservation and Management Act	16
	5.9 Migratory Bird Treaty Act.....	16
	5.10 Orders 12898 and 14096 Environmental Justice	16
	5.11 Section 106 of the National Historic Preservation Act	17
	5.12 Section 4(f) of the United States Department of Transportation Act	17
	5.13 National Environmental Policy Act	18
6	REFERENCES	20

Figures

Figure 1	Link System Future Expansion and OMF Site Locations	3
Figure 2	Preferred Alternative Conceptual Layout	5
Figure 3	Preferred Alternative Site and Connecting Mainline Track	6

Tables

Table 1	EPA Final EIS Comments and Responses	11
Table 2	Summary of Effect Determinations for the OMF South Project	15

Appendices

A	Alternatives Considered in the Final EIS
B	Mitigation Plan
C	Comments Received on the Final EIS

Acronyms and Abbreviations

BA	Biological Assessment
BMP	best management practice
BPA	Bonneville Power Administration
CFR	Code of Federal Regulations
Corps	United States Army Corps of Engineers
DOT	United States Department of Transportation
Ecology	Washington State Department of Ecology
EFH	essential fish habitat
EIS	environmental impact statement
EO	Executive Order
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FWLE	Federal Way Link Extension
I-5	Interstate 5
IDP	inadvertent discovery plan
LRV	light rail vehicle
MBTA	Migratory Bird Treaty Act
MOW	maintenance of way
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
OMF	operations and maintenance facility
OMF South	Operations and Maintenance Facility South

PM	particulate matter
Project	Operation and Maintenance Facility South Project
PSCAA	Puget Sound Clean Air Agency
ROD	Record of Decision
SEPA	State Environmental Policy Act
SHPO	State Historic Preservation Officer
Sound Transit	Central Puget Sound Regional Transit Authority
Sound Transit 3	Sound Transit 3: The Regional Transit System Plan for Central Puget Sound
TDLE	Tacoma Dome Link Extension
U.S.C.	United States Code
WSDOT	Washington State Department of Transportation

1 DECISION

The Federal Transit Administration (FTA), pursuant to 23 Code of Federal Regulations (CFR) § 771.127, issues this Record of Decision (ROD) finding that the requirements of the National Environmental Policy Act (NEPA) have been satisfied for the construction and operation of the Operation and Maintenance Facility South (OMF South) Project (Project) by the Central Puget Sound Regional Transit Authority (Sound Transit). This ROD also contains findings on other environmentally related federal statutory requirements.

This ROD is based on FTA's close review and independent assessment of Sound Transit's planning and environmental process for developing project alternatives and evaluating their effects. The following cooperating and participating agencies were engaged as part of the environmental review process:

Cooperating Agencies

- Federal Highway Administration (FHWA)
- U.S. Army Corps of Engineers (Corps)
- U.S. Environmental Protection Agency (EPA)
- Washington State Department of Transportation (WSDOT)
- City of Federal Way
- City of Kent

Participating Tribes and Agencies

- Muckleshoot Indian Tribe
- Nisqually Indian Tribe
- Puyallup Tribe of the Puyallup Reservation
- Snoqualmie Indian Tribe
- Squaxin Island Tribe of the Squaxin Island Reservation
- Suquamish Indian Tribe of the Port Madison Reservation
- Confederated Tribes and Bands of the Yakama Nation
- Bonneville Power Administration (BPA)
- National Marine Fisheries Service
- U.S. Fish and Wildlife Service
- Washington State Department of Archaeology and Historic Preservation
- Washington State Department of Ecology (Ecology)
- Washington State Department of Fish and Wildlife
- Seattle Public Utilities
- King County
- Puget Sound Clean Air Agency
- Puget Sound Regional Council

The environmental review process produced the OMF South Draft Environmental Impact Statement under the Washington State Environmental Policy Act (SEPA) in March 2021, the OMF South NEPA Draft/SEPA Supplemental Draft Environmental Impact Statement in September 2023, and the OMF South NEPA/SEPA Final Environmental Impact Statement in June 2024 (collectively referred to as the “environmental review documents”) and led to the determinations and environmental mitigation commitments included in this ROD (see Appendix B, Mitigation Plan).

This ROD summarizes the key elements of the Project; the factors and process that led to its development; the alternatives that FTA considered; the various opportunities to comment on project design and environmental review documents; agency comments on the Final Environmental Impact Statement (EIS) and responses (see Section 4.1, Final EIS Comments and Appendix C, Comments Received on the Final EIS); the basis for FTA’s decision; and the environmental mitigation commitments (see Section 3, Measures to Minimize Harm and Environmental Commitments and Appendix B, Mitigation Plan) the Project requires. The ROD does not replace or negate any of the information or descriptions in the environmental review documents.

Based on its consideration of the environmental review documents, FTA finds that Sound Transit has met all applicable requirements for the OMF South Project. FTA further finds that this ROD is complete and supports the determination that all NEPA requirements have been met. To mitigate the Project impacts, Sound Transit will implement, monitor, and report on the list of environmental commitments in Appendix B, Mitigation Plan.

FHWA will issue a separate ROD for elements of the Project affecting interstate right-of-way requiring FHWA approvals. FTA expects those actions to include an air space lease(s) for use of interstate right-of-way, breaks in access, operations/maintenance agreement and project design approvals.

1.1 Project Description

Sound Transit plans to build and operate a light rail operations and maintenance facility—OMF South—in its South Corridor. The facility will meet Sound Transit’s need to store, maintain, and operate an expanded fleet of light rail vehicles (LRVs) to support the expansion of the Link light rail system as part of Sound Transit 3: The Regional Transit System Plan for Central Puget Sound (Sound Transit 3). The Project will also help implement the Puget Sound Regional Council VISION 2050 (PSRC 2020) and the Sound Transit Regional Transit Long Range Plan (Sound Transit 2014).

Under Sound Transit 3, the light rail system in central Puget Sound is planned to grow to 116 miles, with over 80 stations and a total fleet of approximately 460 LRVs. The system would expand north to Everett; south to Federal Way and Tacoma; east to Redmond, south Kirkland, and Issaquah; and west to West Seattle and Ballard by 2042. To meet the system expansion goals, Sound Transit needs two additional operations and maintenance facilities: one each in the North and South Corridors. Figure 1 shows the planned future expansion of the Link light rail system and operation and maintenance facility (OMF) sites. The OMF South study area is in Kent and Federal Way. While located in the South Corridor, it will support Sound Transit’s system-wide expansion by providing a facility to receive, test, commission, store, maintain, and deploy an increased LRV fleet for the entire light rail system.



Figure 1 Link System Future Expansion and OMF Site Locations

The purpose of OMF South is to:

- Provide a facility with the capacity to receive, test, commission, store, maintain, and deploy vehicles to support the intended level of service for the system-wide light rail system expansion.
- Support efficient and reliable light rail service that minimizes system operating costs.
- Support and connect efficiently to the regional system and be technically and financially feasible to build, operate, and maintain, consistent with the Sound Transit 3 Plan and Sound Transit's Regional Transit Long-Range Plan.

The Project is needed because:

- The current regional system lacks a facility with sufficient capacity and suitable location to support the efficient and reliable long-term operations for system-wide light rail expansion, including the next phase of expansion in King and Pierce counties.
- New light rail maintenance and storage capacity needs to be available with sufficient time to accept delivery of and commission new vehicles to meet the expansion needs outlined in Sound Transit 3 and to store existing vehicles while the new vehicles are tested and prepared.

The Sound Transit Board selected the South 336th Street Alternative with the 40 mph Alignment in Federal Way as the project to be built, and it is the project approved in this ROD. This alternative was identified in the Final EIS as the Preferred Alternative. The Final EIS describes in detail the Preferred Alternative's site location and design, the mainline alignment and profile, and other project components, including lead tracks, tail tracks, and a test track.

1.1.1 OMF South Site

The OMF South site is approximately 66 acres. It includes the OMF building, the Maintenance of Way (MOW) building, the Link System-Wide Storage building, OMF tracks that provide storage for LRVs, parking, training tracks, and yard areas with 480 parking spaces. Figure 2 shows a conceptual layout.

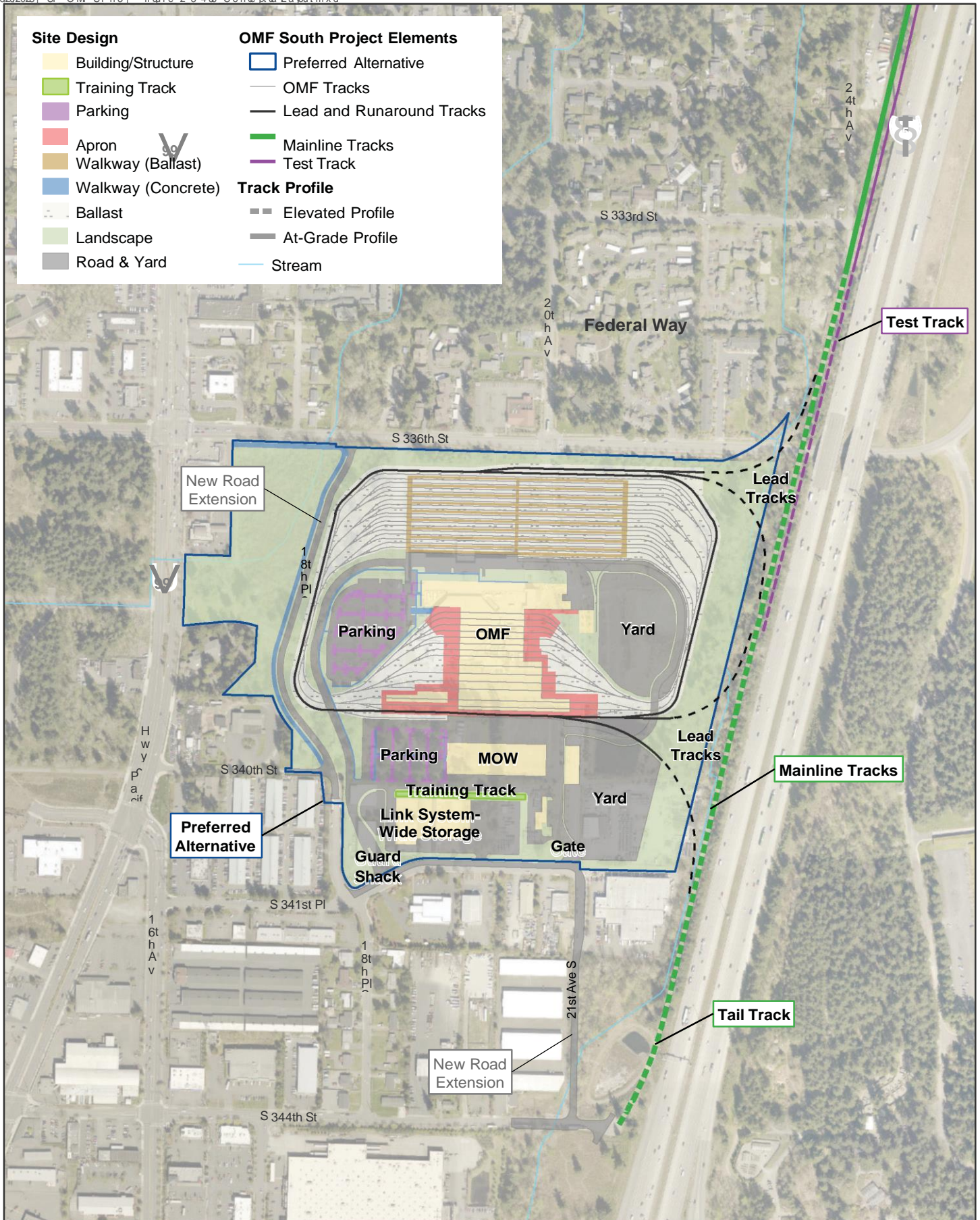
Lead tracks will allow LRVs to access the mainline tracks. Elevated lead tracks will extend from the northeast corner of the site to the mainline tracks. Similarly, elevated lead tracks will extend from the southeast corner of the site connecting to the tail tracks.

The Project includes an extension of 18th Place S from S 336th Street to S 340th Street. Additionally, 21st Avenue S will be extended south to a new intersection with S 344th Street.

1.1.2 Mainline Track and Test Track Alignment

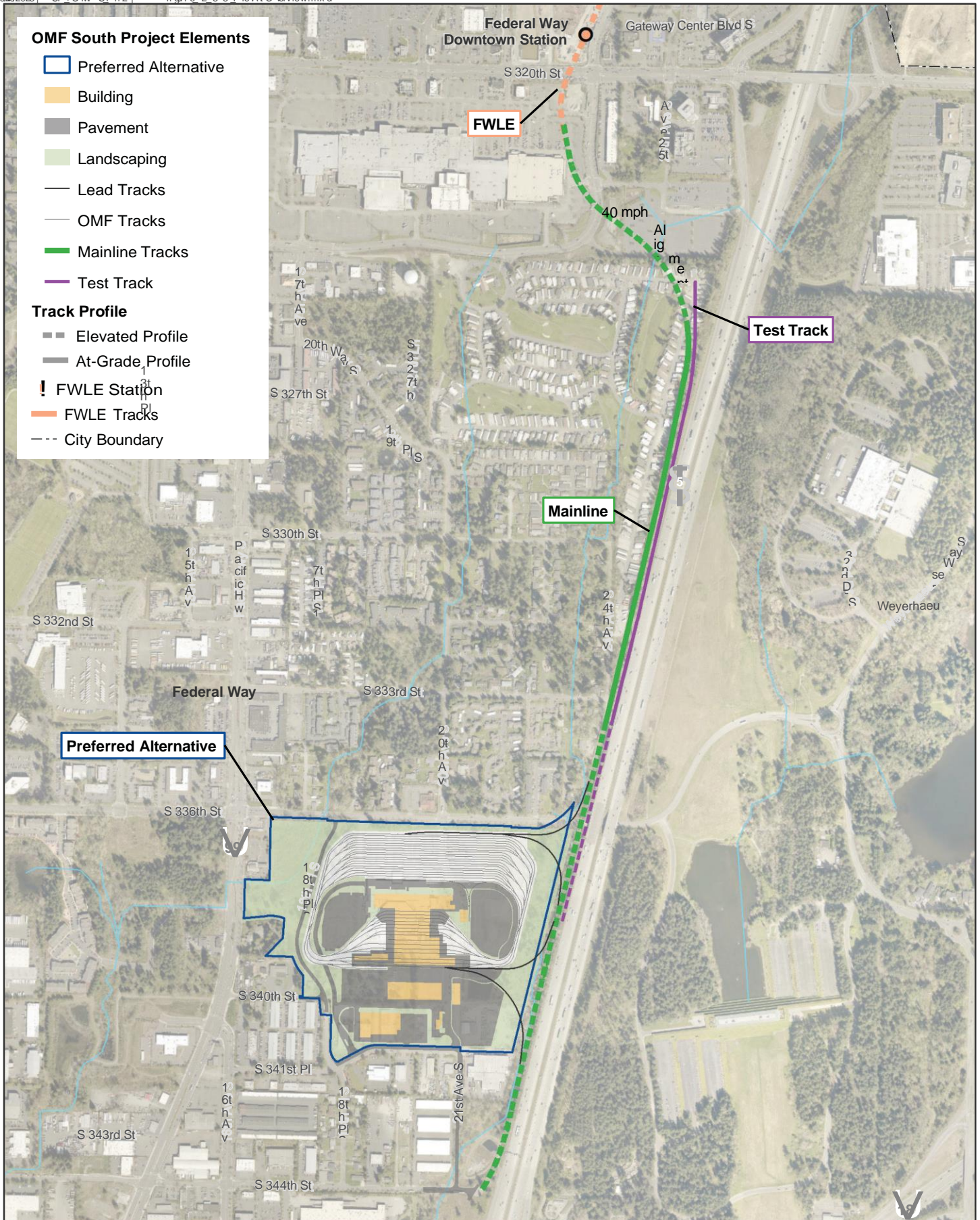
The OMF South site requires approximately 1.4 miles of connecting mainline tracks, including a tail track, from the Federal Way Downtown Station to the facility (Figure 3). These tracks may serve as revenue mainline tracks if the Tacoma Dome Link Extension (TDLE) is constructed and operational as proposed. TDLE is currently under environmental review.

The mainline is elevated from the Federal Way Downtown Station to near S 328th Street and south of S 330th Street to the OMF South facility. The tracks will be at grade between S 328th Street and S 330th Street. The mainline track structure also includes traction power substations, signal/communication bungalows, and end-of-track protection.



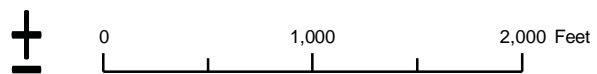
Data Sources: King County; Cities of Des Moines, Federal Way, Kent (2019).

FIGURE 2
 Conceptual Layout
 Preferred Alternative
 OMF South



Data Sources: King County; Cities of Des Moines, Federal Way, Kent (2019).

FIGURE 3
Preferred Alternative Site and
Connecting Mainline Track



Tail tracks will extend approximately 1,000 feet past the southeast corner of the OMF South site. Until light rail is extended farther south, the tail tracks will be used to allow trains to access the Link system if the northern lead tracks are out of service.

In addition to the mainline and tail tracks, a 0.9-mile test track will run parallel to the mainline tracks from S 324th Street to just south of S 336th Street. The test track will be at the same elevation as the mainline tracks, except for the north end of the track near S 324th Street, where the test track will be at grade and the mainline tracks will be elevated. A building near the test track will include a breakroom and facilities for employees.

1.2 Basis for the Decision

1.2.1 Local Planning

Decades of planning and investments have focused on the need for effective regional transit serving the region's communities. Sound Transit was created to build a regional mass transit system connecting the urban centers of King, Pierce, and Snohomish counties. Figure 1 shows the regional light rail system with planned extensions and the locations of existing and planned OMFs. In 1996, the first phase of investment in the mass transit system began with Sound Move, which included regional express buses, commuter rail, and light rail (Sound Transit 1996). Sound Transit began operating the first phase of the Link light rail system, Central Link, with the line from downtown Seattle south to SeaTac in 2009. OMF Central was built in Seattle as part of the first phase of Central Link construction. Throughout this time, Sound Transit, WSDOT, Pierce Transit, King County Metro, and Community Transit have also invested in high-occupancy vehicle lanes, park-and-ride facilities, transit centers, direct access ramps, and freeway transit stations to expand regional transit opportunities.

The third phase of investment began in 2016, with Sound Transit 3 (Sound Transit 2016). In addition to bus, bus rapid transit, and commuter rail service expansion, Sound Transit 3 includes 62 new miles of light rail for a regional system reaching 116 miles. Sound Transit 3 would extend light rail to Tacoma, Everett, south Kirkland, Issaquah, downtown Redmond, and the Seattle neighborhoods of West Seattle and Ballard.

Sound Transit 3 calls for a total fleet (existing plus new) of approximately 460 LRVs. To meet the system expansion goals of Sound Transit 3, Sound Transit needs two additional OMFs: one in both the North and South Corridors. The OMF South Project will address the need for an OMF in the South Corridor to support system expansion and provide LRV testing, maintenance, and storage.

1.2.2 Environmental Review

Beginning in early 2018, Sound Transit conducted early scoping under SEPA, followed by alternatives development, including site identification, prescreening, and alternatives evaluation. In early 2019, several alternatives were presented to the public to get public input during SEPA scoping and in May 2019, the Sound Transit Board identified three project alternatives for environmental evaluation. The SEPA Draft EIS was published in March 2021, and Sound Transit held a 45-day comment period. Based on the 2021 SEPA Draft EIS and comments received, the Board identified the South 336th Street Alternative as the Preferred Alternative in December 2021 (Motion M2021-81).

Following publication of the 2021 SEPA Draft EIS, Sound Transit applied for federal funds administered by FTA for the Project. On July 19, 2023, FTA issued a notice of intent in the Federal Register to prepare an EIS under NEPA and announced a 30-day scoping comment

period. FTA and Sound Transit issued a NEPA Draft/SEPA Supplemental Draft EIS in September 2023, with a 45-day comment period. FTA, in coordination with Sound Transit, addressed substantive comments received on the Draft EIS in the NEPA/SEPA Final EIS that was issued in June 2024. A 30-day comment period was provided, and substantive comments received by FTA on the Final EIS have been addressed and summarized in Section 4.1.

1.2.3 Public Involvement

Throughout the 7 years of alternatives development/scoping and environmental review processes, Sound Transit provided frequent opportunities for interested members of the public, agencies, and Tribes to engage, share concerns, and discuss specific project details with Sound Transit staff. Sound Transit's public involvement activities to date have included public open houses and workshops, community event participation, stakeholder briefings, email and website updates, web and print advertisements, mailers, and meetings with groups of interested businesses, residents, affected property owners, and others. Appendix B, Public Involvement and Agency Coordination, of the Final EIS provides a comprehensive summary of public engagement opportunities for the Project.

2 ALTERNATIVES CONSIDERED IN THE FINAL EIS

The Final EIS analyzed the Preferred Alternative, two other build alternatives, and a No-Build Alternative.

2.1 No-Build Alternative

The No-Build Alternative represents the transportation system and environment as they would exist without the planned project and provides a benchmark against which the build alternatives can be compared.

The No-Build Alternative assumes other planned projects would be built. This includes public and private projects as well as other Link light rail system improvements listed in Sound Transit 3, such as extensions to West Seattle, Ballard, Everett, downtown Redmond, Kirkland, Issaquah, and Tacoma. The No-Build Alternative also assumes that the new North Corridor OMF would be constructed. Under the target schedule for Sound Transit's System Expansion Plan, each of these projects would be constructed and operating by 2042.

2.2 Build Alternatives

The EIS analyzes three OMF South alternatives: the South 336th Street (Preferred) Alternative, the South 344th Street Alternative, and the Midway Landfill Alternative. It also summarizes other alternatives and explains why they were not carried forward for analysis.

2.2.1 Preferred Alternative

The Preferred Alternative is the basis for this ROD.

2.2.2 South 344th Street Alternative

The South 344th Street Alternative is in Federal Way between S 336th Street and S 344th Street and between I-5 and 18th Place S.

2.2.2.1 OMF South Site

The South 344th Street Alternative site is approximately 64 acres. In Appendix A of this ROD, Figure A-1 shows a conceptual layout. It includes the OMF building, the MOW building, the Link System-Wide Storage building, storage tracks, training tracks, parking, and yard areas. There would be approximately 480 parking spaces, including spaces for employees, visitors, accessible parking, and spaces for nonrevenue Sound Transit vehicles. The site would also require lead tracks for LRVs to access the mainline tracks. The elevated lead tracks would leave the northeast and southeast corners of the site to connect to the mainline and tail tracks.

2.2.2.2 Mainline Tracks

The South 344th Street Alternative would require approximately 1.8 miles of connecting mainline tracks from the Federal Way Downtown Station to the OMF South site, including a tail track. These tracks include a 40 mph Alignment and 55 mph Design Option (see Appendix A, Figure A-2). Both mainline alignments have elevated tracks from the Federal Way Downtown Station to near S 328th Street and south of S 330th Street to the OMF South facility. The tracks would be at grade between S 328th Street and S 330th Street. The mainline track structure would also include traction power sub-stations, signal/communication bungalows, and end-of-track protection.

The mainline tracks would extend past the southeast corner of the site to serve as tail tracks. These tail tracks would be used to allow trains to access the Link system if the northern lead tracks are out of service. There are two options for the South 344th Street Alternative tail tracks that would allow for potential future extension of the Link system to the south, either along I-5 or SR 99. Both options are completely elevated. The South 344th Street Alternative also includes a test track and a test track facility adjacent to the mainline tracks.

2.2.3 Midway Landfill Alternative

The Midway Landfill Alternative is in Kent between S 246th Street and S 252nd Street and between I-5 and SR 99.

2.2.3.1 OMF South Site

The Midway Landfill Alternative site is approximately 68 acres. Figure A-3 of Appendix A shows a conceptual site layout. It includes the OMF building, the MOW building, the Link System-Wide Storage building, storage tracks, training tracks, parking, and yard areas. There would be approximately 480 parking spaces, including spaces for employees, visitors, accessible parking, and nonrevenue Sound Transit vehicles. There are three subsurface construction design options for the Midway Landfill Alternative, discussed further in the Final EIS in Section 2.3.5, Midway Landfill Site Subsurface Construction Design Options.

The Midway Landfill Alternative would connect to the mainline tracks via a series of lead tracks between the Kent/Des Moines and South 272nd Street stations. An approximately 3,200 foot-long lead track would run parallel to the Federal Way Link Extension (FWLE) mainline tracks, and five shorter (approximately 400 foot-long) lead tracks would connect it to the OMF South site. The lead track parallel to FWLE would be elevated for approximately 35 percent of its length; the shorter lead tracks would be primarily at grade.

2.2.4 Environmentally Preferred Alternative

All of the build alternatives in the Final EIS advance environmental and sustainability goals of the State and region by supporting the expansion of regional light rail, which is expected to reduce vehicle miles traveled and greenhouse gas emissions (Sound Transit 2016). In addition, the build alternatives improve availability and reliability of public transportation in the corridor and throughout the region. They also indirectly support local and regional land use plans that identify the need for high-capacity transit options to help reduce dependency on single occupancy vehicles. Pursuant to 40 CFR § 1505.2, FTA determines that all the build alternatives are environmentally preferable over the No-Build Alternative.

The Final EIS discusses how impacts vary among the build alternatives. While there are trade-offs, FTA also determines that no build alternative is materially more environmentally preferable than another.

After considering the analysis in the Final EIS, comments on the Draft EIS documents from the public and affected jurisdictions, and other factors, the Sound Transit Board selected the Preferred Alternative (South 336th Street) as the Project to be built. FTA concurs with Sound Transit's decision.

3 MEASURES TO MINIMIZE HARM AND ENVIRONMENTAL COMMITMENTS

Sound Transit has designed the Project to avoid and minimize harm to the natural and built environment. Appendix J, Mitigation Plan, of the Final EIS identifies environmental commitments that Sound Transit will implement to mitigate impacts. These commitments are incorporated herein and included in Appendix B of this ROD. Sound Transit will implement, monitor, and report on these environmental commitments identified biannually, unless it receives concurrence from FTA to do otherwise. In addition, Sound Transit will meet the conditions of all applicable state, federal, and local permits and approvals, and employ best management practices (BMPs).

The environmental mitigation commitments described in Appendix B are conditions of this OMF South ROD and are incorporated into the definition of the Project. Where appropriate, Sound Transit will incorporate environmental commitments into its contracting documents that may be awarded for final design and construction of the Project. These environmental commitments may be adopted by other federal permitting agencies. FTA considers these commitments to be material conditions of this ROD and will incorporate them in any future funding agreement that it may award Sound Transit for the construction of the OMF South. FTA finds that with the accomplishment of these environmental commitments, Sound Transit will have taken all reasonable, prudent, and feasible means to avoid or minimize environmental harm from this Project.

4 MONITORING AND ENFORCEMENT

To ensure compliance with required mitigation and to assist with FTA oversight, Sound Transit will use its mitigation monitoring program to track, monitor, and report the status of the environmental commitments identified in the ROD to FTA biannually for the Project. Upon FTA approval, and in coordination with agencies with jurisdictions, the environmental commitments, may be modified during the final design, permitting, and construction processes.

4.1 Final EIS Comments

After issuance of the Final EIS, FTA accepted public comments during a 30-day review period prior to issuing the ROD. These letters are included in Appendix C.

FTA and Sound Transit received two comment letters on the Final EIS for OMF South: one from the Environmental Protection Agency (EPA) and a second from the Washington State Department of Ecology (Ecology).

EPA’s comments focused primarily on air quality. They asked for further information regarding the area’s relatively high PM_{2.5} air quality levels in 2022. They also asked for background information for PM₁₀, given the possibility of fugitive dust emissions from construction.

EPA recommends that the ROD provide a summary of project construction emissions and calculations for criteria pollutants and hazardous air pollutants. If significant impacts are identified, a discussion of potential mitigation measures should also be included. EPA also recommends the ROD include a fugitive dust emission inventory and a draft fugitive dust control plan.

Finally, EPA states that Sound Transit should continue discussion with the U.S. Army Corps of Engineers (Corps) regarding the Clean Water Act Section 404 permit, noting that the Preferred Alternative has greater impacts to the waters of the U.S. relative to the other alternatives that were evaluated.

Ecology’s comment stated support for the selection of the Preferred Alternative with the 40 mph Alignment. Ecology also supports off-site compensatory mitigation for the wetland, stream, and buffer impacts, specifically use of the Port of Tacoma’s Upper Clear Creek mitigation bank and King County’s mitigation reserves program.

Table 1 lists EPA’s comments and the response of FTA and Sound Transit. As the Ecology letter was a statement of support that does not necessitate a response, it is not included in the table.

Table 1 EPA Final EIS Comments and Responses

EPA Comment	FTA/Sound Transit Response
<p>Per Table 3.8-1 of the FEIS, nearby monitoring data shows that PM_{2.5} air quality levels were high in 2022 and were not below the National Ambient Air Quality Standards (NAAQS) in all cases. Therefore, for clarity, we recommend presenting the three-year average design values, where applicable, to demonstrate the area is meeting the NAAQS, despite the exceedances in 2022. To better support the FEIS conclusion that concentrations are below the NAAQS, EPA recommends that the ROD:</p> <ul style="list-style-type: none"> • Include an additional column for Table 3.8-1 to show the 3-year average design concentration for the PM_{2.5} background concentrations for comparison to the NAAQS, providing support to the conclusion that background air quality meets the NAAQS and is sufficiently low. 	<p>The data in Table 3.8-1 of the Final EIS includes days affected by wildfire. The relatively high readings for PM_{2.5} in 2022 were attributable to the number of wildfires that year. The monitoring results presented in the table are for both the annual mean and the 98th percentile 24-hour value averaged over 3 years.</p> <p>According to the Puget Sound Clean Air Agency (PSCAA) 2022 Air Quality Data Summary (PSCAA 2023), wildfire smoke impacted air quality on 26 days in September and October 2022. EPA allows data from such events to be excluded from regulatory calculations. When days impacted by wildfire smoke are excluded, the background air quality is below the NAAQS and monitors in PSCAA’s four-county region fell below the federal standard for PM_{2.5} of 35 micrograms per cubic meter (µg/m³).</p>

Table 1 Final EIS Comments and Responses (continued)

EPA Comment	FTA/Sound Transit Response
<ul style="list-style-type: none"> Include background PM₁₀ concentrations in the air analysis, given the majority of possible fugitive dust impacts from the project could be due to PM₁₀ emissions. 	<p>Background PM₁₀ concentrations are no longer available. PSCAA ended direct monitoring of PM₁₀ in 2006 because the region had met PM₁₀ federal standards for several years (PSCAA 2023).</p>
<p>To better support the FEIS conclusions regarding significance of construction emissions, the EPA recommends that the ROD:</p> <ul style="list-style-type: none"> Provide a summary of project emission calculations (both criteria and HAP) for the construction phase of the project. Although the use of a fugitive dust plan and construction best management practices will minimize particulate pollution, criteria pollutants and HAPs will still be generated by the operation of construction equipment (e.g., through engine exhaust, etc.). A summary will provide transparency to the public and may help support the FEIS conclusion that the facility construction will not lead to an exceedance of a NAAQS standard. If significant impacts are identified, discuss potential mitigation to sensitive receptors and vulnerable populations, including communities with environmental justice concerns. 	<p>At this stage of the project design, Sound Transit does not have a comprehensive construction schedule nor a final list of the types and numbers of construction equipment that will be used. Any construction emissions calculations included in the ROD would be speculative.</p> <p>To address construction emissions, the following text has been included into the ROD Section 1.3, Air Quality: "Sound Transit commits to following all applicable federal and state regulations concerning air quality emissions, including use of a fugitive dust control plan and best management practices during construction and operation of the facility."</p>
<p>We continue to recommend that the ROD disclose a fugitive dust emission inventory and include a draft fugitive dust plan.</p>	<p>The Project is not currently designed to a level that would enable Sound Transit to prepare a meaningful inventory of potential fugitive dust emissions.</p> <p>As the project owner, Sound Transit will require the contractor to develop and implement a fugitive dust control plan. Please see the text included in the ROD Section 1.3, Air Quality (above response).</p>
<p>Given that the FEIS indicates the Preferred Alternative would result in greater impacts to waters of the U.S. than all other alternatives evaluated, the EPA recommends continuing discussions with the Corps prior to issuing the ROD to ensure the Sound Transit Board understands how the restrictions on discharges contained within the CWA Section 404(b)(1) Guidelines may affect authorization of this alternative. More specifically, the Corps is only able to issue a CWA Section 404 permit for the least environmentally damaging practicable alternative. The Corps may need additional information to fully evaluate whether the Preferred Alternative complies with the restrictions on discharges provided in the CWA Section 404(b)(1) Guidelines.</p>	<p>Sound Transit has been consulting with the Corps and other resource agencies over the past 2 years to explore opportunities to decrease the potential Project impacts to waters of the U.S. and, where that is not possible, to find appropriate mitigation. Discussions with the Corps are continuing. As shown in Appendix K of the Final EIS, Sound Transit is working on potential design refinements to reduce the impacts of the Preferred Alternative to waters of the U.S. A Clean Water Act Section 404(b)(1) alternative analysis is being prepared to provide additional information and to demonstrate how the Preferred Alternative with the proposed design refinements is the least environmentally damaging practicable alternative.</p>

5 DETERMINATION AND FINDINGS

5.1 Executive Order 13175 Consultation and Coordination with Indian Tribes

Under Executive Order 13175 and other Federal authorities, FTA conducted government-to-government consultation and coordination with the following Federally recognized Tribes:

- Muckleshoot Indian Tribe
- Nisqually Indian Tribe
- Puyallup Tribe of the Puyallup Reservation
- Snoqualmie Indian Tribe
- Squaxin Island Tribe of the Squaxin Island Reservation
- Suquamish Indian Tribe of the Port Madison Reservation
- Confederated Tribes and Bands of the Yakama Nation

Tribal comments and suggestions provided through the consultation process and in response to the Draft EIS have been addressed and incorporated into the Final EIS. Tribal coordination will continue as the Project moves forward.

FTA finds that the requirements of Executive Order 13175 have been met.

5.2 Executive Order 12372 Intergovernmental Review of Federal Programs and 23 United States Code 139 Coordination Requirements

Executive Order 12372 directs Federal agencies to consult with and solicit comments from State and local governments whose jurisdictions will be affected by a federal action. Similarly, 23 United States Code (U.S.C.) § 139 directs lead agencies to invite interested agencies and Tribes to comment on the purpose and need for the Project, the range of alternatives to be considered, and the Draft EIS. FTA accepted comments and offered briefings to agencies and Tribes during the scoping period, development of the 2023 Draft EIS, and preparation of the Final EIS. Several agencies and Tribes reviewed and commented on the Draft EIS documents. In the Final EIS, Appendix L, Draft EIS Comments and Responses, contains responses to all public, agency, and Tribal comments received during the Draft EIS comment periods.

Section 1 of this ROD identifies the State and local agencies that accepted invitations to be Cooperating Agencies for the Project. Appendix B, Public Involvement and Agency Coordination, of the Final EIS, provides more details.

FTA finds that the requirements of Executive Order 12372 and 23 U.S.C. § 139 have been met.

5.3 Clean Air Act

Under the Clean Air Act, EPA has established National Ambient Air Quality Standards (NAAQS), which specify maximum allowable concentrations for certain criteria pollutants. Washington State and the Puget Sound Clean Air Agency have adopted these standards. Proposed transportation projects requiring Federal funding or approval must demonstrate compliance with EPA's Transportation Conformity Rule (40 CFR Part 93) to confirm the Project will not cause or contribute to any new violation of any NAAQS, increase the frequency or severity of any existing NAAQS violations, or delay timely attainment of the NAAQS.

The Project meets project-level air quality conformity in accordance with State and Federal regulations. Alternatives are located within attainment areas for particulate matter (PM_{2.5} and PM₁₀) and carbon monoxide standards, and carbon monoxide and PM hot-spot analyses are not required. In addition, a conformity determination under Federal regulations is not needed.

FTA finds that the requirements of the Clean Air Act have been met.

5.4 Clean Water Act Section 404

The Clean Water Act (33 U.S.C. § 1251 et seq.) establishes the basic structure for regulating discharges of pollutants (including dredged materials) into Waters of the United States and for regulating quality standards for surface waters. Section 404 of the act applies to the Project wetland and stream impacts and stormwater discharges.

Sound Transit will fill approximately 4.3 acres of wetlands under the authority of a Section 404 permit from the Corps. Other State and local permits may be required, and the Project will satisfy all permit conditions, including compensatory mitigation.

Accordingly, FTA finds that with the environmental mitigation commitments identified in Appendix B of this ROD, the Project meets the requirements of Section 404 of the Clean Water Act.

5.5 Clean Water Act Sections 401 and 402

Clean Water Act Sections 401 and 402 address discharges into water. Section 401 provides for EPA certification (delegated to Ecology) that a project's discharges to water or to wetlands will meet State water quality standards. Under Section 402, a discharge of domestic or industrial wastewater into surface water requires a National Pollutant Discharge Elimination System permit, including a General Construction Permit for applicable construction activities.

Stormwater management will meet the requirements of the Ecology Stormwater Management Manual for Western Washington. Within the WSDOT right-of-way, Sound Transit will meet the requirements of the Highway Runoff Manual. Sound Transit will also meet the stormwater management requirements of local jurisdictions.

Sound Transit will apply on-site water quality and flow control treatment to all runoff from pollution-generating impervious surfaces before discharging it. Sound Transit shall obtain and comply with the requirements of a project-specific Construction Stormwater General Permit and will implement measures defined for the Project through a Stormwater Pollution Prevention Plan.

Accordingly, FTA finds that with the mitigation measures identified in Appendix B of this ROD, the Project meets the requirements of Sections 401 and 402 of the Clean Water Act.

5.6 Coastal Zone Management Act

Within Washington’s 15 coastal counties, projects with a federal nexus require Coastal Zone Management Act (16 U.S.C. §§ 1451–1462) consistency certification.

Sound Transit will coordinate with the Corps and Ecology to obtain a determination confirming that the Project is consistent and compliant with the Washington State Coastal Zone Management Program.

FTA finds that with Sound Transit’s coordinating work with the Corps and Ecology, the Project meets the requirements of the Coastal Zone Management Act.

5.7 Endangered Species Act

The Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.) is intended to protect threatened and endangered species and the ecosystems on which they depend. Section 7 of ESA generally requires that any action authorized, approved, or funded by a federal agency is not likely to jeopardize the continued existence of any threatened or endangered species or adversely modify any designated critical habitat of such species. Federal lead agencies must consult with federal fish and wildlife conservation agencies to ensure their actions satisfy these requirements. Section 3.10, Ecosystem Resources, and Appendix G-3, Ecosystem Resources Technical Report, of the Final EIS provide additional information.

Sound Transit prepared a Biological Assessment (BA) (Appendix I of the Final EIS) that evaluated the Project’s potential effects on ESA listed species. Table 2 is a summary of FTA’s effect determinations based on the BA. FTA submitted the BA to the U.S. Fish and Wildlife Service and National Marine Fisheries Service on December 26, 2023. On April 29, 2024, the U.S. Fish and Wildlife Service concurred with FTA’s effects determination. On May 23, 2024, the National Marine Fisheries Service issued a Biological Opinion that concurred with FTA’s determination. The Biological Opinion contains terms and conditions that are included as environmental mitigation commitments in Appendix B of this ROD.

FTA finds that with the mitigation measures identified in Appendix B of this ROD, the Project meets the requirements of ESA.

Table 2 Summary of Effect Determinations for the OMF South Project

Species or Critical Habitat	Effect Determinations
Bull trout	Not likely to adversely affect
Puget Sound Chinook salmon	Likely to adversely affect
Puget Sound Chinook salmon critical habitat	Likely to adversely affect
Puget Sound steelhead	Likely to adversely affect
Puget Sound steelhead critical habitat	Likely to adversely affect
Puget Sound/Georgia Strait bocaccio	Not likely to adversely affect
Puget Sound/Georgia Strait yelloweye rockfish	Not likely to adversely affect
Southern Resident killer whale	Not likely to adversely affect
Southern Resident killer whale critical habitat	Not likely to adversely affect

5.8 Magnuson-Stevens Fisheries Conservation and Management Act

The Magnuson-Stevens Fisheries Conservation and Management Act (16 U.S.C. § 1801 et seq.) directs agencies to identify and conserve habitat that is essential to federally managed fish species, defining “essential fish habitat” (EFH) as “those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.”

The BA prepared by Sound Transit also analyzed the effects on EFH under the provisions of the Act. The BA found that EFH for Pacific Coast salmon is present in the action area. Contaminants in effluent from stormwater facilities that discharge to streams in and near the Project limits may pose adverse effects on EFH for this species group.

Based on the anticipated presence of contaminants in stormwater runoff discharged to receiving waters, combined with the possibility that those contaminants may persist at levels capable of degrading water quality as far downstream as the mouth of Hylebos Creek, FTA determined that the planned action may adversely affect EFH for Pacific Coast salmon and Pacific Coast groundfish. The Project will not adversely affect EFH for coastal pelagic species. In their May 23, 2024, Biological Opinion, the National Marine Fisheries Service concurred with FTA’s determination. FTA prepared a response to the recommendations dated June 18, 2024.

FTA finds that with the mitigation measures identified in Appendix B of this ROD, the Project meets the requirements of the Magnuson-Stevens Act.

5.9 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 U.S.C. §§ 703–712) prohibits taking, killing, or possessing migratory birds. Sound Transit will establish schedule restrictions to have clearing activities occur outside the active bird nesting period, to the extent possible. If avoidance scheduling is infeasible, Sound Transit will work with qualified wildlife staff at the U.S. Department of Agriculture, Animal and Plant Health Inspection Services to conduct preconstruction surveys for nesting migratory birds in the corridor and help Sound Transit comply with the MBTA.

Accordingly, FTA finds that, with the minimization measures identified in Section 3.10, Ecosystem Resources, and Appendix G-3, Ecosystem Resources Technical Report, of the Final EIS, the Project meets the requirements of the MBTA.

5.10 Orders 12898 and 14096 Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations (1994), directs federal agencies to identify and address disproportionately high and adverse human health or environmental effects of their programs, policies, and activities on minority and low-income populations. U.S. Department of Transportation (DOT) Order No. 5610.2C to Address Environmental Justice in Minority Populations and Low-Income Populations requires agencies to 1) explicitly consider human health and environmental effects related to transit projects that may have a disproportionately high and adverse effect on minority and low-income populations and 2) implement procedures to provide “meaningful opportunities for public involvement” by members of these populations during project planning and development. Executive Order (EO) 14096, Revitalizing Our Nation’s Commitment to Environmental Justice for All, was enacted on April 21, 2023. EO 14096 on environmental justice does not rescind EO 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which has been in effect since February 11, 1994, and is currently implemented through DOT Order 5610.2C.

As part of the Project planning process and continuing through completion of the Final EIS, FTA and Sound Transit performed meaningful and extensive outreach efforts to minority and low-income communities to ensure their active participation. Appendix E, Environmental Justice Assessment, of the Final EIS describes these outreach efforts.

FTA finds that the Project will not have disproportionate and adverse effects on minority or low-income populations, particularly in light of the mitigation and offsetting benefits, and that appropriate outreach has been conducted such that meaningful opportunities for public involvement for those populations have been provided. Therefore, the Project meets the requirements of Executive Orders 12898 and 14096 and DOT Order 5610.2C.

5.11 Section 106 of the National Historic Preservation Act

The National Historic Preservation Act (NHPA) (54 U.S.C. § 10010 et seq.) establishes government policy and procedures regarding “historic properties,” which include districts, sites, buildings, structures, and objects that are listed in or eligible for listing on the National Register of Historic Places (NRHP). Section 106 of the NHPA requires federal agencies to consider the effects of their actions on historic properties.

Sound Transit reviewed published literature, historical records, and historic-period maps to gather information on specific locations and land uses during the ethnographic period reflecting Native American use of the area. It also conducted pedestrian surveys and subsurface probes and did not identify significant archaeological resources in the Project area. The study area generally has a low probability for containing intact archaeological resources. FTA has consulted with the State Historic Preservation Officer (SHPO), Muckleshoot Indian Tribe, Nisqually Indian Tribe, Puyallup Tribe of the Puyallup Reservation, Snoqualmie Indian Tribe, Squaxin Island Tribe of the Squaxin Island Reservation, Suquamish Indian Tribe of the Port Madison Reservation, Confederated Tribes and Bands of the Yakama Nation, and BPA on the Project.

The BPA Tacoma-Covington Nos. 2, 3, and 4 and Tacoma-Raver No. 1 transmission lines are the only resources in the study area that have been determined eligible for listing in the NRHP. Construction of the mainline tracks would require relocation of the BPA transmission lines. In consultation with SHPO, FTA determined that the Project would have no adverse effect to these resources.

The unanticipated discovery of archaeological resources may occur during project activities. Sound Transit will implement an Inadvertent Discovery Plan (IDP) to minimize damage should archaeological resources be encountered.

FTA finds that the Project will have no adverse effect to resources eligible for listing on the NRHP and meets the requirements of the NHPA.

5.12 Section 4(f) of the United States Department of Transportation Act

Section 4(f) of the DOT Act (49 U.S.C. § 303, as implemented by 23 CFR Part 774) requires that the use of land from important public parks, recreation areas, wildlife refuges, or land containing historical sites of local, state, or federal significance be approved and constructed only if (a) there is no feasible and prudent alternative and (b) the Project includes all possible planning to minimize harm to these resources. If resources protected by Section 4(f) are involved in a project’s planning, a determination is required to confirm whether there is a “use” of those resources. Although the use of Section 4(f) property is generally prohibited, a transportation use of a Section 4(f) property can be approved if it meets the requirements for a regulatory exemption, the use will have a *de minimis* impact on the property (meaning that it

does not adversely affect the activities, features, and attributes of a resource), or there is no feasible and prudent avoidance alternative to using the property.

In consultation with the official with jurisdiction, FTA determined that the Project would have a *de minimis* impact to the NRHP-eligible BPA Tacoma-Covington Nos. 2, 3, and 4 and Tacoma-Raver No. 1 transmission lines. The Project will not use any other 4(f) resources. FTA finds that the Project meets the requirements of Section 4(f).

5.13 National Environmental Policy Act

Specific sections of NEPA (42 U.S.C. §§ 4321–4347 and 4372–4375) as well as Executive Order 11514, Protection and Enhancement of Environmental Quality, require that federal agencies evaluate the environmental impacts of their actions, integrate such evaluations into their decision-making processes and implement appropriate policies.

The environmental record for OMF South includes the OMF South SEPA Draft EIS (March 2021), the OMF South NEPA Draft/SEPA Supplemental Draft EIS (September 2023), the OMF South Final EIS (May 2024), and the supporting materials incorporated therein. These documents represent the detailed statement required by NEPA describing:

- The environmental impacts of the planned action.
- The adverse environmental effects that cannot be avoided should the planned action be implemented.
- Alternatives to the planned action.
- Irreversible and irretrievable commitments of resources that will be involved should the planned action be implemented.

Having carefully considered the environmental record, environmental commitments listed in Appendix B of this ROD, Tribes, public and agency comments, and the findings below, FTA has determined that:

- The environmental review documents include a record of the environmental impacts of the proposal, adverse environmental effects that cannot be avoided, alternatives to the proposal, and irreversible and irretrievable impacts on the environment.
- The environmental process included cooperation and consultation with FHWA, the Corps, EPA, WSDOT, and the cities of Federal Way and Kent.
- All reasonable steps have been taken to minimize adverse environmental effects of the Project.
- The Project meets its purpose and need and satisfies the requirements of NEPA.

Signed by:

Susan Fletcher

August 7, 2024

F6BB9953F95147F...

Susan Fletcher
Regional Administrator, Region 10
Federal Transit Administration

6 REFERENCES

PSCAA (Puget Sound Clean Air Agency). 2023. Air Quality Data Summary 2022. Available at: <https://pscleanair.gov/615/Data-Summary>. Accessed July 2024.

PSRC (Puget Sound Regional Council). 2020. Vision 2050: A plan for the Central Puget Sound Region. Available at: <https://www.psrc.org/vision>.

Sound Transit. 2008. Sound Transit 2: A Mass Transit Guide. The Regional Transit System Plan for Central Puget Sound. Adopted July 2008. Available at: https://www.soundtransit.org/sites/default/files/documents/st2_plan_web.pdf.

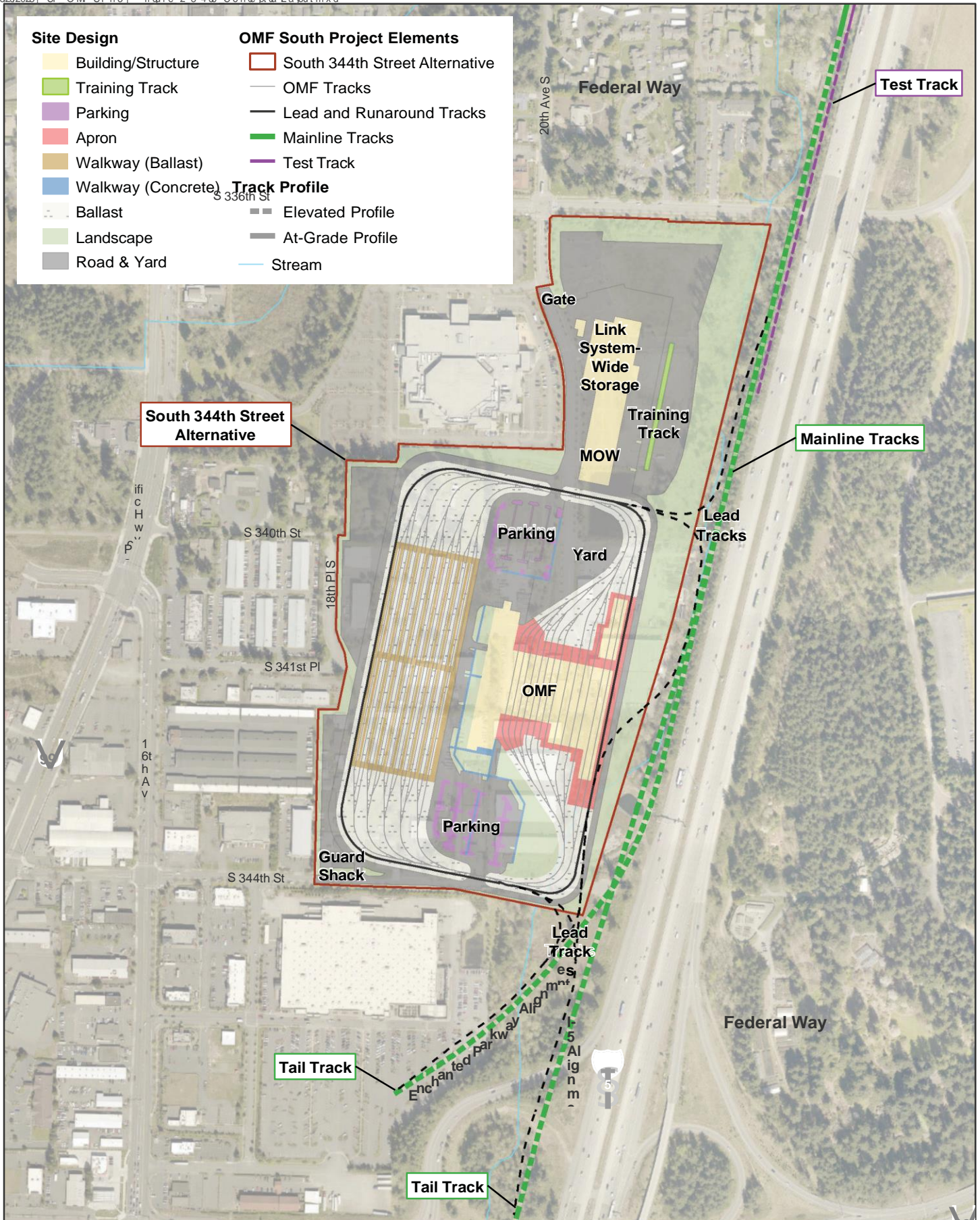
Sound Transit. 2014. Regional Transit Long-Range Plan Update. Adopted December 18, 2014. Available at: https://www.soundtransit.org/sites/default/files/documents/2015123_lrpupdate.pdf.

Sound Transit. 2016. Sound Transit 3: The Regional Transit System Plan for Central Puget Sound. Adopted June 2016. Available at: <https://www.soundtransit.org/get-to-know-us/documents-reports/sound-transit-3>.



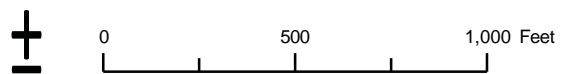
Appendix A Alternatives Considered in the Final EIS

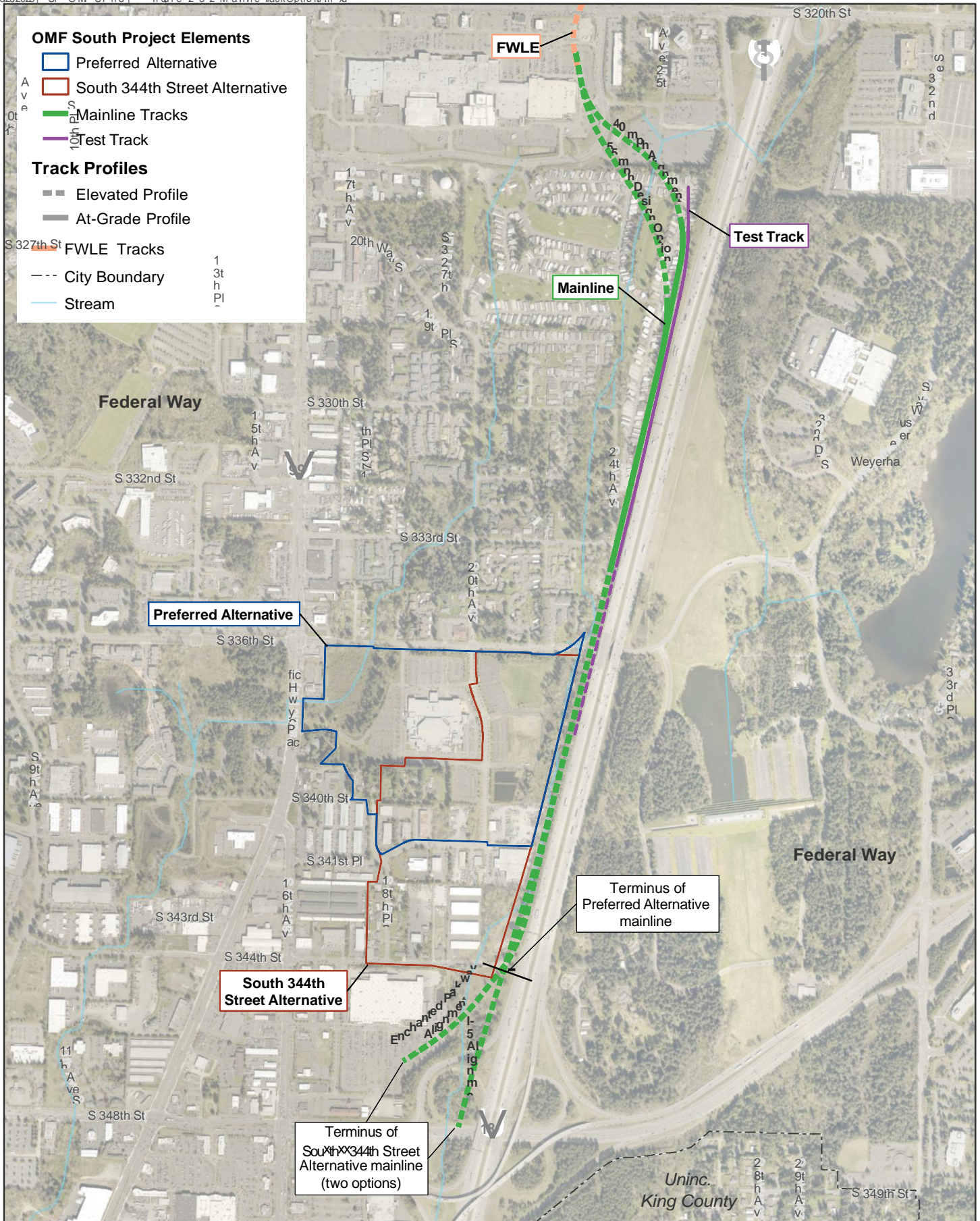
August 2024



Data Sources: King County; Cities of Des Moines, Federal Way, Kent (2019).

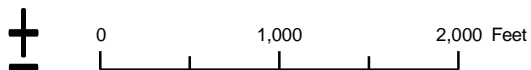
FIGURE A-1
 Conceptual Layout
 South 344th Street Alternative
 OMF South





Data Sources: King County; Cities of Des Moines, Federal Way, Kent (2019).

FIGURE A-2
Mainline Track Options
Preferred and South 344th Street Alternatives





Appendix B Mitigation Plan

August 2024

MITIGATION PLAN

The mitigation plan for the Operations and Maintenance Facility (OMF) South (Table B-1) describes the Central Puget Sound Regional Transit Authority's (Sound Transit's) environmental mitigation commitments that will be implemented to avoid or minimize the Project impacts identified in the Final Environmental Impact Statement (EIS). Many of the impacts identified through the EIS process have been addressed through incorporation of avoidance, minimization, or improvement elements that are now included in the definition and design of the Project and are not listed in this list of commitments.

The environmental mitigation commitments described in this appendix are based on measures identified in the Final EIS. This plan describes the environmental mitigation commitments associated with the operating (long-term) impacts of OMF South first, followed by measures associated with construction. The Federal Transit Administration (FTA) considers the environmental mitigation commitments to be conditions of this Record of Decision (ROD) and incorporates them into the definition of the Project. The environmental mitigation commitments will be incorporated into any future funding agreements that FTA may award Sound Transit for construction of the Project. Sound Transit will track these measures and report periodically to FTA to ensure that the mitigation commitments are being met. Where appropriate, Sound Transit will incorporate mitigation requirements into its contracting documents for final design and construction.

The commitments described in Table B-1 are based on those listed in the Final EIS for the Preferred Alternative. As the Project moves into final design, these measures may be revised, and additional measures or design features may be identified to address Project impacts associated with operations or construction. As additional measures are identified or revised during the final design of the Project, FTA will review and approve such measures to ensure that they are consistent with previously awarded federal grants and to determine if additional environmental review is needed.

Some of the environmental mitigation commitments listed in Table B-1 will require coordination with other parties, such as state and federal agencies or local jurisdictions, as part of the Project's permitting or approvals process. These outside agencies and jurisdictions may request additional or other measures than those proposed in Table B-1 which would require further coordination.

Mitigation is generally required when an environmental impact or effect is determined to be significant and adverse. Measures to avoid or minimize project effects are already part of Sound Transit's established policies, design criteria standards, procedures, and general construction specifications. These measures will automatically be included as part of the Project. As the Project advances to final design, additional measures to avoid potential impacts to the environment will continue to be identified and implemented.

Table B-1 Mitigation Plan

Resource	Final EIS Chapter/ Section	Impact Topic	Period	Environmental Commitments
Transportation	3.2	Arterial and Street Operations	Long-Term	No mitigation required.
			Construction	A construction transportation management plan will be implemented to address site access, traffic control, hauling routes, impacts to transit, construction employee parking, impacts to local businesses, and pedestrian and bicycle control. This plan will be developed in coordination with Federal Way and Washington State Department of Transportation (WSDOT).
		Freight Mobility	Long-Term	No mitigation required.
			Construction	No mitigation required.
		Transit	Long-Term	No mitigation required.
			Construction	Transit service modifications will be coordinated with King County Metro to minimize construction impacts and disruptions to bus facilities and service. This could include posting informational signage before construction at existing transit stops that will be affected by construction activities. Prior to closing a portion of the Federal Way/S 320th Street Park & Ride for construction, Sound Transit will work with King County Metro and WSDOT to determine its utilization rates and that of the nearby Federal Way Downtown Station. If the lots are at or near capacity, Sound Transit will implement alternative measures, such as routing transit riders that use these locations to available spaces at nearby park-and-ride lots, such as the Star Lake Park & Ride, or leasing parking lots or new parking areas within the vicinity of the temporarily closed lot.
		Nonmotorized Facilities	Long-Term	No mitigation required.
			Construction	No mitigation required.
		Parking	Long-Term	No mitigation required.
			Construction	No mitigation required.
		Safety	Long-Term	No mitigation required.
			Construction	No mitigation required.

Table B-1 Mitigation Plan (continued)

Resource	Final EIS Chapter/ Section	Impact Topic	Period	Environmental Commitments
Acquisitions, Displacements, and Relocations	3.3	Displacements	Long-Term	Sound Transit will compensate all affected property owners that are displaced by the Project. This compensation will comply with Sound Transit’s Real Property Acquisitions and Relocation Policy, Procedures, and Guidelines; the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the “Uniform Act”); and the State of Washington’s relocation and property acquisition laws and regulations, including Revised Code of Washington (RCW) 8.26 and Washington Administrative Code (WAC) 468-100. In addition to compensating property owners for property rights, other forms of compensation, including moving expenses, replacement housing payments, nonresidential reestablishment, and other eligible expenses, could be provided, depending on the individual case.
			Construction	No mitigation required.
Land Use	3.4	Land Use	Long-Term	No mitigation required.
			Construction	No mitigation required.
Economics	3.5	Local Businesses	Long-Term	No mitigation required.
			Construction	<p>During construction, Sound Transit will develop measures to address the potential impacts to local businesses. Depending on the specific circumstances, these measures could include:</p> <ul style="list-style-type: none"> • Providing a 24-hour construction telephone hotline. • Establishing effective communications with the public through measures such as meetings and construction updates, alerts, and published schedules. • Providing an ombudsman consistent with Sound Transit policy. • Providing detour, open-for-business, and other signage as appropriate. • Maintaining access as much as possible to each business and coordinating in advance with businesses during times of limited access.
Environmental Justice, Social, Community, and Neighborhoods	3.6	Social	Long-Term	Mitigation will include that identified for Transportation, Acquisition, Displacements and Relocations, Visual and Aesthetic Resources, and Noise and Vibration.
			Construction	No mitigation required.

Table B-1 Mitigation Plan (continued)

Resource	Final EIS Chapter/Section	Impact Topic	Period	Environmental Commitments
Visual and Aesthetic Resources	3.7	Visual	Long-Term	<p>In addition to design criteria for the final Project, specific environmental mitigation commitments will be implemented to reduce long-term visual impacts of the Project. These include the following:</p> <ul style="list-style-type: none"> • Mitigation Measure 1: In areas adjacent to residents where there is adequate space, add on-site landscaping adjacent to residential areas to help screen views of Project components while ensuring safety and security of residents. • Mitigation Measure 2: In areas adjacent to residences where not enough room exists for landscaping to screen views of retaining or noise walls, or in addition to landscaping under Mitigation Measure 1, Sound Transit will treat the walls with visually interesting elements, such as design treatments that incorporate textures, patterns, color, or climbing vines. <p>Mitigation Measure 3: Within the WSDOT right-of-way, Sound Transit will consult with WSDOT to develop appropriate site-specific measures for roadside vegetated areas, consistent with the WSDOT Roadside Policy Manual (WSDOT 2022). The manual describes the extent of mitigation that will be required for lost vegetation, vegetation types, and tree replacement ratios, including irrigation requirements and plant establishment criteria. To address impacts to Resource Conservation Areas Sound Transit will consult with WSDOT staff to develop appropriate site-specific measures and off-site mitigation.</p> <p>Sound Transit will refine the environmental mitigation commitments as the Project design is further developed and feedback from reviewing agencies and the public is received. Environmental mitigation commitments will be compatible with Sound Transit’s maintenance and operations requirements, which include long-term maintenance, safety, and security consideration.</p>
			Construction	Where practicable considering, for example, space, safety, and constructability, Sound Transit will place construction screens and/or barriers to limit the visibility of work areas when adjacent to visually sensitive receivers.
Air Quality and Greenhouse Gas Emissions	3.8	Air Quality	Long-Term	No mitigation required.
			Construction	No mitigation required.

Table B-1 Mitigation Plan (continued)

Resource	Final EIS Chapter/Section	Impact Topic	Period	Environmental Commitments
Noise and Vibration	3.9	Light rail noise	Long-Term	When noise will exceed Federal Transit Administration (FTA) moderate or severe impact criteria, Sound Transit will provide noise environmental mitigation commitments consistent with its Link Light Rail Noise and Vibration Policy (Resolution No. R2023-15) and FTA’s 2018 Transit Noise and Vibration Impact Assessment Manual. During final design, an updated Noise and Vibration Analysis will be prepared to confirm impacts during operations, incorporating any design changes. All predicted noise levels and environmental mitigation commitments will be reviewed, and mitigation will be modified as needed to reduce noise levels to below the FTA impact criteria. If equivalent mitigation could be achieved by a less costly means or if the final design analysis shows no impact, then the mitigation measure may be modified or eliminated.
		Traffic noise	Long-Term	Sound Transit will provide traffic noise mitigation measures where traffic noise levels are predicted to be above the 2042 No-Build levels as a result of removal of the existing WSDOT berm and noise wall. Mitigation would be designed to maintain 2042 No-Build noise levels or result in lower noise levels and could include replacement of noise walls and berms. Sound Transit will conduct additional noise analysis during final design in coordination with WSDOT to confirm whether noise mitigation is needed.
		Vibration and ground borne noise	Long-Term	No mitigation required.
		Construction noise and vibration	Construction	Sound Transit will require a detailed Noise and Vibration control plan, including monitoring protocols, from the contractor as part of construction.

Table B-1 Mitigation Plan (continued)

Resource	Final EIS Chapter/Section	Impact Topic	Period	Environmental Commitments
Ecosystem Resources	3.10	Ecosystems	Long-Term	<p>For unavoidable long-term impacts on streams and stream buffers, Sound Transit will develop a compensatory mitigation plan during the permitting phase in accordance with applicable federal, state, and local requirements and guidelines. Impacts on streams will be mitigated through restoration actions developed in collaboration with federal, state, local, and tribal biologists.</p> <p>For unavoidable long-term impacts on wetlands and wetland buffers, including conversion of wetlands from one vegetation type to another, Sound Transit will develop a compensatory mitigation plan in accordance with applicable federal, state, and local requirements and guidelines. Sound Transit will use a combination of mitigation strategies to achieve no net loss of wetland function and area, such as off-site compensatory mitigation within the Hylebos Creek watershed, use of King County's in-lieu fee program, and/or use of wetland mitigation banks.</p> <p>The Biological Opinion identified two "reasonable and prudent measures" (RPMs) to minimize the impact of the amount or extent of incidental take. RPM 1 is to minimize take from stormwater discharge. RPM 2 is to monitor and report post-construction conditions indicating that the metrics for take are not exceeded.</p> <p>The following terms and conditions implement RPM 1:</p> <ul style="list-style-type: none"> • Incorporate enhanced stormwater treatment, choosing a method or methods with a high rating from Appendix 4-1 in the Washington State Department of Ecology (Ecology) Stormwater Treatment of Tire Contaminants Best Management Practices Effectiveness (2022). • Ensure that, if any effectiveness monitoring from the Ecology Stormwater Action Monitoring collective reveals the need for a more stringent maintenance protocol, such protocol will be adopted for the enhanced treatment method. <p>The following terms and conditions implement RPM 2:</p> <ul style="list-style-type: none"> • The report will be provided within 60 days of Project completion and shall indicate: <ul style="list-style-type: none"> – The final amount of new impervious surface (in square footage). – The selected method of enhanced treatment. – The maintenance frequency of the selected treatment method.
			Construction	<p>On-site restoration will be undertaken to offset temporary construction impacts. Examples of such restoration activities include restoring in-stream habitat with large woody debris and planting temporarily disturbed wetlands and riparian buffers with native species.</p> <p>Compensatory mitigation will be provided for construction impacts that last for more than one growing season.</p>

Table B-1 Mitigation Plan (continued)

Resource	Final EIS Chapter/ Section	Impact Topic	Period	Environmental Commitments
Water Resources	3.11	Water Resources	Long-Term	No mitigation is required. Mitigation related to stream and wetland impacts is described under Ecosystems Resources.
			Construction	Best management practices will be utilized to protect water quality during construction. No mitigation required. Mitigation related to stream and wetland impacts is described under Ecosystems Resources.
Geology and Soils	3.12	Geology and Soils	Long-Term	No mitigation required.
			Construction	No mitigation required.
Hazardous Materials	3.13	Hazardous Materials sites	Long-Term	No mitigation required.
			Construction	No mitigation required.
Public Services	3.14	Public Services	Long-Term	No mitigation required.
			Construction	No mitigation required.
Utilities, Energy, and Electromagnetic Fields	3.15	Utilities	Long-Term	No mitigation required.
			Construction	No mitigation required.
		Energy	Long-Term	No mitigation required.
			Construction	No mitigation required.
		EMF	Long-Term	No mitigation required.
			Construction	No mitigation required.
Historic and Archaeological Resources	3.16	Historic and archaeological resources	Long-Term	No mitigation required.
			Construction	An Inadvertent Discovery Plan, which addresses the process and procedures for potential archaeological finds during construction, has been developed and will be implemented during construction.
Parks and Recreational Resources	3.17	Parks and Recreational Resources	Long-Term	No mitigation required.
			Construction	No mitigation required.
Section 4(f) and 6(f) Resources	3.18	Section 4(f) and 6(f) Resources	Long-Term and Construction	No mitigation required.



Appendix C Comments Received on the Final EIS

August 2024

Sent via email by Don Gresham, Wetland Specialist, Ecology on June 25, 2024.

Ecology comments on the Operations and Maintenance Facility South Final Environmental Impact Statement (EIS) prepared by the Federal Transit Administration (FTA) and Sound Transit.

Ecology supports selection of the preferred alternative at South 336th Street versus the two other alternatives at South 344th Street and Midway Landfill sites. For the preferred alternative, Ecology specifically supports selection of the 40 mph alignment. This alignment has less temporary construction and permanent wetland and buffer impacts versus the 55 mph alignment. This alignment also has less impacts to the East Fork Hylebos Creek and West Fork Hylebos Creek channels and associated stream buffers.

Ecology supports off-site compensatory mitigation for these wetland, stream, and buffer impacts versus on-site permittee-responsible mitigation. This involves use of the Port of Tacoma's Upper Clear Creek mitigation bank and King County mitigation reserves program that utilizes in-lieu fee credits.



REGION 10
SEATTLE, WA 98101

July 3, 2024

Justin Zweifel, Environmental Protection Specialist
Federal Transit Administration
915 2nd Avenue, Suite 3192
Seattle, Washington 98174

Erin Green, South Corridor Environmental Manager
Sound Transit
401 S Jackson Street
Seattle, Washington 98194

Dear Justin Zweifel and Erin Green:

The U.S. Environmental Protection Agency has reviewed Federal Transit Administration's Final Environmental Impact Statement for the Operations and Maintenance Facility South Project (CEQ Number 20240094, EPA Project Number 23-0027-FTA). The EPA has conducted its review pursuant to the National Environmental Policy Act and our review authority under Section 309 of the Clean Air Act. The CAA Section 309 role is unique to the EPA and requires the EPA to review and comment publicly on any proposed federal action subject to NEPA's environmental impact statement requirement.

The Final EIS evaluates the potential environmental impacts associated with the construction and operation of a light rail facility in south King County, Washington. The proposed facility will be used for light rail vehicle storage, inspection, maintenance and repair, cleaning, and testing and commissioning of new light rail vehicles. The FEIS includes a No-Build Alternative and three build alternatives: the South 336th Street Alternative (Preferred Alternative), South 344th Street Alternative, and Midway Landfill (a Superfund site) Alternative.

As a Cooperating Agency, the EPA provided scoping comments in August 2023 and Draft EIS comments in November 2023 for the project. Our November 2023 DEIS comments identified that the proposed action has the potential to disproportionately impact communities with environmental justice concerns, including Tribal, minority, and low-income communities, and provided recommendations to address these impacts and other concerns in the FEIS.

The EPA appreciates that several of our DEIS comments have been addressed. In reviewing the FEIS, the EPA has identified remaining environmental quality concerns from project impacts to air quality

and waters of the U.S., including wetlands, and offers recommendations for the Record of Decision. The enclosed Detailed Comments provide greater detail of these concerns, as well as recommendations for the ROD.

In the event FTA selects the Midway Landfill Alternative as the Preferred Alternative in the ROD, the EPA reiterates our recommendation to coordinate with the EPA Region 10 Superfund Program so that project activities are consistent with agreed upon remedies for the Midway Landfill Superfund site.

Thank you for the opportunity to review the FEIS for this project. If you have questions about this review, please contact Susan Sturges of my staff at (206) 553-2117 or sturges.susan@epa.gov, or me, at (206) 553-6518 or at roesler.caitlin@epa.gov.

Sincerely,

Caitlin Roesler, Acting Manager
NEPA Branch

Enclosure

**U.S. EPA Detailed Comments on the
Operations and Maintenance Facility South Project FEIS
King County, Washington
July 2024**

Air Quality

Particulate Matter

The EPA appreciates that the FEIS includes the addition of background PM_{2.5} and ozone air quality information. Per Table 3.8-1 of the FEIS, nearby monitoring data shows that PM_{2.5} air quality levels were high in 2022 and were not below the National Ambient Air Quality Standards (NAAQS) in all cases. Therefore, for clarity we recommend presenting the three-year average design values, where applicable, to demonstrate the area is meeting the NAAQS, despite the exceedances in 2022. To better support the FEIS conclusion that concentrations are below the NAAQS, EPA recommends that the ROD:

- Include an additional column for Table 3.8-1 to show the 3-year average design concentration for the PM_{2.5} background concentrations for comparison to the NAAQS, providing support to the conclusion that background air quality meets the NAAQS and is sufficiently low.
- Include background PM₁₀ concentrations in the air analysis given the majority of possible fugitive dust impacts from the project could be due to PM₁₀ emissions.

Construction Emissions

The EPA appreciates the FEIS includes additional information concerning sensitive receptors and EJScreen findings that EJ indexes are above the 90th percentile for diesel particulate matter, air toxics cancer risk, and air toxics respiratory hazard index at all alternative locations, and above the 80th percentile for particulate matter at the Preferred Alternative location. While a mobile source air toxics analysis may not be warranted from an operational standpoint, the FEIS does not account for potential construction impacts as both criteria pollutants and hazardous air pollutants (HAPs) will be generated from construction equipment. As noted, during project site preparation, the FEIS indicates that there will be up to 564 truck trips per day traveling to and from the project site, not accounting for project construction impacts.

To better support the FEIS conclusions regarding significance of construction emissions, the EPA recommends that the ROD:

- Provide a summary of project emission calculations (both criteria and HAP) for the construction phase of the project. Although the use of a fugitive dust plan and construction best management practices will minimize particulate pollution, criteria pollutants and HAPs will still be generated by the operation of construction equipment (e.g., through engine exhaust, etc.). A summary will provide transparency to the public and may help support the FEIS conclusion that the facility construction will not lead to an exceedance of a NAAQS standard.
- If significant impacts are identified, discuss potential mitigation to sensitive receptors and vulnerable populations, including communities with environmental justice concerns.

Fugitive Dust

The EPA appreciates the additional information and measures added to address fugitive dust emission control. We continue to recommend that the ROD disclose a fugitive dust emission inventory and include a draft fugitive dust plan.

Waters of the U.S. Including Wetlands

The EPA provided previous comments for the NEPA analysis to 1) include sufficient information that can serve as a basis to determine whether the project would satisfy the requirements for the Clean Water Act Section 404 permit or identify appropriate measures to mitigate the project's impacts to all waters of the U.S., and 2) structure the alternatives analysis so that it is consistent with meeting requirements of both the CWA and NEPA.

The EPA appreciates the agency coordination summarized in FEIS Appendix B and that preapplication meetings have been held with the U.S. Army Corps of Engineers (Corps) to discuss requirements for the CWA Section 404(b)(1) Alternative Analysis. Given that the FEIS indicates the Preferred Alternative would result in greater impacts to waters of the U.S. than all other alternatives evaluated, the EPA recommends continuing discussions with the Corps prior to issuing the ROD to ensure the Sound Transit Board understands how the restrictions on discharges contained within the CWA Section 404(b)(1) Guidelines¹ may affect authorization of this alternative. More specifically, the Corps is only able to issue a CWA Section 404 permit for the least environmentally damaging practicable alternative.² The Corps may need additional information to fully evaluate whether the Preferred Alternative complies with the restrictions on discharges provided in the CWA Section 404(b)(1) Guidelines.

¹ 40 C.F.R. § 230.

² 40 CFR § 230.10(a).