

**SOUND TRANSIT
STAFF REPORT**

RESOLUTION NO. R2004-06

Establishing a Sound Transit Environmental Policy

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Executive Committee	5/6/04	Discussion/Possible Action to Recommend Board Approval Action	Desmond Brown/General Counsel	(206) 398-5017
Board	5/20/04		Perry Weinberg, Legal Counsel and Environmental Compliance Manager	(206) 689-4931

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	
Sole Source		Amend Existing Contract/Agreement	
Interagency Agreement		Contingency Funds (Budget) Required	
Purchase/Sale Agreement		Budget Amendment Required	

✓ *Applicable to proposed transaction.*

OBJECTIVE OF ACTION

Develop guiding principles that define the scope of Sound Transit's commitment to the environment.

Establish the foundation for implementing an Environmental Management System (EMS).

ACTION

Adopt an environmental policy for Sound Transit.

KEY FEATURES

- Defines Sound Transit's commitment to the protection of the environment for present and future generations.
- Establishes goals for environmental leadership and environmental performance for the agency.
- Authorizes the implementation of an EMS that includes measurable environmental objectives and targets.
- Provides for increased awareness of environmental issues through education and training for staff.

BUDGET IMPACT SUMMARY

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET DISCUSSION

The proposed action has no direct budget impact. The proposed policy encourages the agency to strive to exceed compliance but only where doing so would be cost-effective. The policy ultimately could result in cost-savings by establishing an EMS.

REVENUE, SUBAREA, AND FINANCIAL PLAN IMPACTS

The proposed action is consistent with the current Board-adopted budget and is affordable within Sound Transit's current long-term financial plan and the subarea financial capacity. Technical training, software, and audits related to the development of the EMS are being provided at no cost to Sound Transit through a grant from the Federal Transit Administration (FTA).

M/W/DBE – SMALL BUSINESS PARTICIPATION

Not applicable for this action.

HISTORY OF PROJECT

Prior Board or Committee Actions and Relevant Board Policies

Motion or Resolution Number	Summary of Action	Date of Action
Resolution No. 20	Revised the Code of Ethics for Board members, officers, and employees of the Regional Transit Authority. Requires all Board members, officers, and employees to devote their "best efforts and attention to ... managing human and environmental resources for the benefit and enjoyment of both current and future generations."	2/27/97

In September 2003, Sound Transit was invited by FTA to apply for a grant to receive technical assistance in implementing an EMS. An EMS is a set of proactive management processes and procedures designed to improve environmental compliance and performance. It is based on international standards and provides the option of annual certification. An EMS integrates an environmental ethic into business operations, and environmental stewardship becomes part of daily organizational responsibility. A number of public agencies, including City of Seattle, King County, WSDOT, and Tri-Met already have implemented an EMS.

Some of the benefits of an EMS include managing environmental obligations more effectively, reducing environmental impacts and environmental risk, operating with greater efficiency and control, reducing costs over time, clarifying roles and responsibilities, providing agency-wide consistency, and enhancing credibility with regulatory agencies and the public. Implementing an EMS also strengthens our partnership with FTA and assists FTA in complying with federal Executive Order 13274, *Environmental Stewardship and Transportation Infrastructure Project*

Reviews, which directs federal agencies to promote environmental stewardship in the nation's transportation system and to streamline environmental review and development of proposed transportation projects.

Although Sound Transit has an excellent environmental record, staff recommended pursuing the FTA grant opportunity to formalize and improve upon the existing environmental program. Staff also believed the timing was appropriate as the agency ramps up for major construction activity. On November 14, 2003, staff submitted an application to the FTA Office of Planning and Environment in response to an invitation to apply for the grant. On December 31, 2003, Sound Transit was selected by FTA Administrator Jennifer Dorn as one of ten transit agencies from across the country to receive the training. Other agencies participating in the training include BART in San Francisco, WMATA in Washington D.C., MBTA in Boston, UTA in Salt Lake City, transit agencies in Arizona, Kentucky, Virginia, as well as our partner Community Transit. The first training was held March 1-3, 2004.

Adopting an environmental policy is a prerequisite for implementing an EMS and is the foundation upon which the EMS is constructed. The policy must contain certain required elements and should be endorsed by top management. The proposed Environmental Policy for Sound Transit meets the requirements. The proposed Environmental Policy establishes a strong environmental commitment, but is balanced by acknowledging fiscal responsibility and other considerations. It was drafted by a core team of Sound Transit staff involved in the FTA-sponsored EMS training, and has been reviewed by Sound Transit's staff directors and executive. The policy ultimately will be stronger and more effective if it is formally adopted by the Board.

CONSEQUENCES OF DELAY

There are no direct consequences to delay of Board approval at this time. However, extended delay could impact the agency's ability to implement an EMS. Board approval at this time will provide staff with a strong agency commitment and important success as they attend the next FTA-sponsored training at the end of May.

PUBLIC INVOLVEMENT

Not applicable to this action.

DESCRIPTION OF POLICY

The proposed Environmental Policy further defines the commitment made in RTA Resolution No. 20, requiring all Board members, officers, and employees to devote their "best efforts and attention to ... managing human and environmental resources for the benefit and enjoyment of both current and future generations." The policy defines Sound Transit's mission and core values regarding the environment and provides for environmental leadership. It includes commitments to maintain compliance with environmental laws and regulations, to exceed compliance where cost-effective, to continually assess our performance, to restore the environment through mitigation and corrective action, to manage and account for environmental risk, to avoid environmental degradation and conserve resources, and to provide for increased awareness of environmental issues through education and training. The policy also authorizes the implementation of an EMS that includes measurable environmental objectives and targets.

IMPLICATIONS OF POLICY

The Environmental Policy is a prerequisite for implementing an EMS and is the foundation upon which the EMS is constructed. Developing and implementing an EMS is a good business decision for Sound Transit. An EMS will clarify internal roles and responsibilities and enhance communication and documentation regarding environmental requirements and commitments. It will help to develop consistent practices across LOBs. An EMS also will assist the agency to address those issues that pose the greatest environmental risk and concern. In addition, many of our partner agencies expect clear direction with regard to our environmental goals, commitments and responsibilities. An EMS is a proactive approach that exhibits environmental responsibility, rather than a reactive response to environmental oversight. It will serve to build credibility with regulatory agencies, the public, and our funding and service partners. The policy contains strong commitments but recognizes that going beyond what is required must be cost-effective. Staff does not expect the policy to result in a net increase in cost to the agency. Furthermore, by authorizing implementation of an improved management system, the policy ultimately should help to avoid and reduce environmental costs.

FACTORS TO CONSIDER

An environmental policy is top management's declaration of its commitment to the environment. Adoption of the proposed Environmental Policy is consistent with previously adopted Board policy. Adopting the proposed policy and implementing an EMS strengthens our partnership with FTA, includes Sound Transit among many other public agencies and businesses, and enables Sound Transit to become an environmental leader among transit agencies.

ALTERNATIVES

Staff attempted to craft an Environmental Policy that appropriately balances strong environmental commitment with fiscal responsibility and other considerations. While staff is not proposing any specific alternatives to the proposed policy, staff would develop alternative versions if necessary to address Board comment or revisions.

RECOMMENDATION(S)

Staff recommends approval of the proposed Environmental Policy.

LEGAL REVIEW

PW 4/23/04

SOUND TRANSIT

RESOLUTION NO. R2004-06

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority adopting an environmental policy.

WHEREAS, a Regional Transit Authority, hereinafter referred to as Sound Transit, has been created for the Pierce, King, and Snohomish County region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, on November 5, 1996, at a general election held within the Central Puget Sound Regional Transit Authority district, the voters approved local funding for Sound Move, the ten-year plan for high capacity transit in the Central Puget Sound Region; and

WHEREAS, Sound Transit recognizes that a healthy and sustainable environment is important to our citizens, our economy, and our future; and

WHEREAS, Sound Transit's Code of Ethics (Resolution 20) requires Board members, officers, and employees to devote their best efforts and attention to managing environmental resources for the benefit and enjoyment of both current and future generations; and

WHEREAS, consistent with this environmental commitment, Sound Transit is implementing an Environmental Management System (EMS) to improve and document our environmental performance; and

WHEREAS, Sound Transit has been selected by the Federal Transit Administration to receive a technical assistance grant to implement the EMS; and

WHEREAS, the EMS is based on principles established by the International Organization for Standardization (ISO) governing environmental management and compliance, and the first step in implementing an EMS is the adoption of an Environmental Policy.

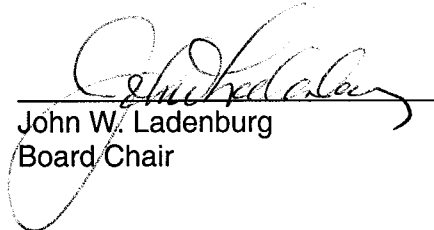
NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that

Section 1: The Sound Transit Board hereby adopts the Environmental Policy, as attached, to govern Board members, officers, and agency employees in all activities including planning, design, construction, and operation. The Board authorizes the Chief Executive Officer to make minor revisions to the Policy that do not substantially alter the fundamental commitments contained in the Policy.

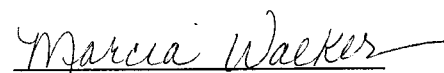
Section 2: The Environmental Policy will be communicated on a regular basis to all Sound Transit employees and the public. In addition, the Environmental Policy will be communicated to all contractors, vendors, and others who supply materials or undertake activities on behalf of the agency. Sound Transit will strongly encourage them to support our commitment.

Section 3: Sound Transit will maintain an Environmental Management System (EMS), including measurable environmental objectives and targets consistent with the Environmental Policy. The Board authorizes the Chief Executive Officer or designee to oversee the EMS and ensure that all employees are committed to its ongoing implementation and success.

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on May 20, 2004.


John W. Ladenburg
Board Chair

ATTEST:


Marcia Walker
Board Administrator

Sound Transit Environmental Policy

Sound Transit is committed to the protection of the environment for present and future generations as we provide high capacity transit to the Puget Sound Region. Sound Transit has been a catalyst and model for engaging federal and state partners to resolve environmental issues that apply to our program. We will continue to be an environmental leader in the State of Washington through the integration of the following principles into our daily business practices:

- We will be in full compliance with all environmental laws and regulations. We will strive to exceed compliance by the continual improvement of our environmental performance through cost-effective innovation and self-assessment.
- We will restore the environment by providing mitigation and corrective action, and will monitor to ensure that environmental commitments are implemented. We will improve our ability to manage and account for environmental risk.
- We will avoid environmental degradation by minimizing releases to air, water, and land. We will prevent pollution and conserve resources by reducing waste, reusing materials, recycling, and preferentially purchasing materials with recycled content.
- We will increase the awareness of environmental issues among agency employees through education and training. We will continue to educate the public about the environmental benefits of our transit system. We will build relationships with our contractors, vendors, consultants, and transit partners during planning, design, construction, and operation to protect and enhance the environment.
- In order to implement this Policy, Sound Transit will establish and maintain an Environmental Management System (EMS) with environmental objectives and targets that are measurable, meaningful and understandable. The goals and progress of this Policy and the EMS will be communicated to agency board members, officers, employees and the public.

April 2004