



# APPENDIX A

## RECEIVED COMMENTS

*Personal information such as names, email addresses, and phone numbers have been omitted for privacy reasons*





# PHASE 1

February 14, 2023 – March 15, 2023



## Phase 1: Comment Table

Number	Submission Date	Submission Type	Scoping Comment (Alternative Suggestions and EIS Issues of Concern)	EIS Process Feedback (Opt.)	Neighborhood (Opt.)	PDF Available
1	1/31/2023	Email	I understand that Mark Hass will be handling the EIS study. It is very important that Baker Commodities is included when evaluating where bridge would be placed. Potential bridge placement on 48th Ave S is our biggest concern on how it would affect or accommodate our equipment coming in and out of our plant 24 hours a day.			Yes
2	2/15/2023	Online	Pedestrian safety and traffic problems in our neighborhoods indicate to me that the Airport Way South or South 112 Street alternatives should be chosen. Allentown is a residential neighborhood which should receive an investment in infrastructure to cut back on the impacts from the freight transfer yard. Further, my neighborhood (West Hill) has been severely impacted from freight truck traffic to/from M.L. King Jr. Way South along S 129 Street. Road and sidewalk / walkway damage resulting from trucks driving over surfaces not designed for the weights. And safety risks (steep hill and limited sight distances among others) would not allow truck traffic on this scale would it be built today. There have been accidents / injuries on S 129 Street involving trucks. Large Trucks should not be allowed on South 129 Street west of M.L. King Jr. Way South. Air / noise pollution from these trucks only add to the same from Interstate 5. These neighborhoods are long overdue for some respect from BNSF and our local/state/federal representatives.		West Hill	
3	2/16/2023	Online	I am only one person sending this comment in for all of us residents at 5711 S. 129th St., Seattle, WA 98178--Empire View Mobile Home Park. We attended Councilman Girmay Zahilay's September Zoom Town Hall meeting and expressed the same concerns as several others. The truck noise and vibrations have disturbed us day and night. This is especially annoying at night when we are sleeping, and have had our sleep disrupted, continuously, even when we use earplugs. This really is a health issue from that standpoint as well as from the pollution spewed into the air. In addition, the trucks have torn up the road, making driving up and down 129th St. like driving on a washboard, very rutted and damaged. We expressed these concerns before, as well as to BNSF. It almost seems like this will continue unless someone in authority, such as your Tukwila group, or another entity, is able to make them	We wonder how soon the Re-Routing can be accomplished, and what alternatives there might be for the trucks in the interim period. We also wonder what "clout" your group has along with other	Unincorporated King County just across the I-5 overpass from Allentown	

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			change their ways. For a period of time, the truck noise seemed to have subsided, but that was not permanent. The trucks have still been roaring by on 129th St. Thank you very much for your concern on behalf of us here at 5711 S. 129th St.	government entities who represent us. We realize BNSF is about money, but there should be reasonable consideration for the community's health and well-being.		
4	2/18/2023	Online	There is a chemical in tires that is suppose to make them wear less and more rubbery. These huge particles from truck tires get left behind. These chemicals are extremely toxic to salmon. I expect the EIS to research for potential impacts. (there are 18 huge tires on trucks)		Allentown	
5	2/18/2023	Online	Allentown bridge should be open for both lanes north and south to private vehicles and school bus only. BNSF should open another route specific only for trucks such as the railroad ave to Interurban.		Allentown	
6	2/19/2023	Online	Semi truck weight is too much on 42nd Ave S. I live on this road, & do not want the road, collapsing due to that extra, heavy weight. Also, the extra noise & exhaust, from those semi trucks."		Allentown/ Duwamish	
7	2/20/2023	Online	Truck traffic should be directed into the yard from the north end where there are commercial businesses and direct access to Interstate 5. There is an old road on the west side of the BNSF property that use to be utilized for this purpose. It lacks basic common sense to go through the residential neighborhood on the south end of the BNSF rail yard.		Allentown	
8	2/21/2023	Online	Truck traffic should not ever be routed through neighborhoods directly in front of Community Centers or schools. Duh. Safety, pollution, runoff, etc... truck traffic should be routed from north end of transfer facility since a bridge south to 48th Ave South freeway exits is not a city priority.			
9	2/21/2023	Online	Over 43% of people living in Allentown were born in another country. These people have been taken advantage of because their voices are not heard.		Allentown	

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10	2/21/2023	Online	<p>Please be aware that at various times during the day, traffic, including intermodal truck traffic, backs up on Southeast bound 129th Street as it approaches Martin Luther King Jr Way South.</p> <p>These traffic back ups affect the ability of residents at Empire View Mobile Home Park at 5711 S. 129th St. and Vue Mobile Home Park at 12929 Martin Luther King Jr Way South to enter and leave their homes.</p> <p>This may be a matter of adjusting traffic light timing.</p> <p>I am the property manager of both of these properties.</p>	Skyway	
11	2/21/2023	Online	<p>Please explore how the trucks are polluting the Duwamish River, a critical salmon habitat. Explore how the trucks impact the banks of the Duwamish River. Explore how the trucks impact restoration sites along the Duwamish River. Explore how PAH chemicals come off of truck tires. Explore the impact of large trucks on nearby children and pedestrians. Explore the impact of noise pollution in a local population. Explore the impact of having large trucks surround a community center which basically cuts the community center off from the neighborhood. Explore the undue burden put on marginalized communities by having large trucks in their neighborhood. Please find a re-route that takes the trucks out of Allentown.</p>	What is the expected time frame?	Riverton
12	2/22/2023	Online	<p>Explore PaH chemicals going into the river, a critical salmon habitat. Truck traffic hinders walking in the neighborhood, which disproportionately impacts minorities. Please look into that. Large trucks circling the community center make it unsafe. Please look into that.</p>		
13	2/22/2023	Online	<p>Over the 40 years the neighborhood has been trying to reroute the truck traffic that travels through a residential neighborhood and 50 feet from a community center there have been multiple studies. The last one in 2015 stated that 48th Ave S was the best alternative. This road has truck related businesses such as a motel with semi truck spaces for parking, a truck parts store, diesel fueling, Penske truck rentals, and a drilling equipment supplier to name a few.</p> <p>The City gave many contradicting explanations why they didn't move forward because they told the community at the time that they were going to move forward. One of the explanations was that the 42nd Ave street bridge was deemed extremely unsafe and the city focus was turned to that. Nothing was done about that issue until five years later when they were forced to. They attempted to do something</p>		Allentown

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14	2/22/2023	Online	<p>under the radar to the community and with a lack of transparency. Fear of litigation was a reason given as well. This is a whole other story of lack of transparency.</p> <p>The major issues, in my opinion, are air quality or lack thereof, noise pollution, and vibrations all due to ever increasing truck traffic in the neighborhood. There are many mornings when the smell of diesel fumes is overwhelming, the noise, especially when windows are open, is disturbing, and the vibrations have caused many cracks in my walls and ceilings.</p> <p>I know that there is non-used entry/exit on the north end of the truck yard which needs to be developed to get the trucks out of the neighborhood. Thank you</p>	Allentown	
15	2/23/2023	Online	<p>GPPD, which is used to keep tires from breaking down too quickly, acts with the ozone in the environment and transforms into multiple chemicals, including 6PPD-quinone, which is responsible for killing salmon.</p> <p>BNSF is not currently required to test for 6PPD in its stormwater. Many other chemicals related to tire wear have been found to be toxic to humans and wildlife.</p> <p>Air pollution from tire wear particles can be 2,000 times worse than what comes out of a car's exhaust.</p> <p>During their lifetimes truck tires produce 8 x more particles because of their size.</p> <p>Tires wear quicker on local roads than they do on freeways and highways.</p> <p>Expect these items to be researched for potential impact of truck traffic within 50 feet of residential neighborhood and community center.</p>	Allentown	
16	2/24/2023	Online	<p>PAHs have been previously shown to be associated with adverse health effects resulting from both short-term and long-term exposure. In addition to dermal exposure, a potential PAH exposure pathway is via inhalation where PM size, the concentration of PM with bound PAHs, and the relationship between PM active surface area and bound PAHs determine the potential for adverse health effects (Polidori et al., 2008).</p> <p>Previous research has suggested that potential long-term exposure to PAHs include disease manifestation such as an increased risk of skin,</p>	Allentown	

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			lung, bladder, and gastrointestinal cancer (Boffetta et al., 1997; Armstrong et al., 2004; Olsson et al., 2010; Diggs et al., 2011). I expect the EIS to research the potential impacts to this residential community.			
17	2/26/2023	Online	<p>Why is BNSF not required to test for 6PPD in their storm water? Certainly if they were to move their operations whomever they sold to would be required to adhere to today's standards and permitting and not those of late 1960's. !!</p> <p>What BNSF is getting away with is unacceptable.</p> <p>Look at what is happening currently in East Palestine, Ohio! Another rail company not adhering to regulations.</p>	Allentown		
18	2/26/2023	Online	<p>6PPD, which is used to keep tires from breaking down too quickly, acts with the ozone in the environment and transforms into multiple chemicals, including 6PPD-quinone, which is responsible for killing salmon.</p> <p>BNSF is not currently required to test for 6PPD in its stormwater</p> <p>Many other chemicals related to tire wear have been found to be toxic to humans and wildlife</p> <p>Air pollution from tire wear particles can be 2,000 times worse than what comes out of a car's exhaust</p> <p>During their lifetimes truck tires produce 8 x more particles because of their size</p> <p>Tires wear quicker on local roads than they do on freeways and highways.</p> <p>Thank you Neighbors !!</p>	Allentown		
19	2/27/2023	Online	<p>Why haven't the concrete barricades been removed on 56th ave so and railroad street, the placement looks like special treatment for certain city residents. Especially after the new bridge over the river was built, everyone else can drive around except those few in that neighborhood?</p>	Riverton		
20	2/27/2023	Online	<p>The issue is that BNSF has corporate power and influence over the city and the residents are a nuisance to them. Reroute the entrance to Airport way! Done. BNSF has stated that this is too cost prohibitive for them but is perfectly fine with the city/state/feds paying to build them a new bridge. Protect our neighborhood and the Duwamish river that we live on. Get the trucks out of Allentown/Duwamish! The repeated accidents due to the railroads looking out for their shareholders and not the safety of the communities that they travel</p>	Allentown/ Duwamish/ Quarry	My concern is that regardless of what the EIS determines and all the input from the residents that the BNSF will get exactly	

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			through should be enough of a reason to relocate the entire Intermodal yard. But this is about the trucks and the time has come for BNSF to utilize their own property and leave the residential area alone.	what they want. The people who live in this neighborhood would be much better off without all the trucks. The city knows it, BNSF know it and they are going to do nothing but placate us with this EIS.	
21	2/28/2023	In-person Comment Form	Translated into other languages. Allentown is mostly comprised of minorities that do not speak English.		Yes
22	2/28/2023	In-person Comment Form	Residents breathe in truck and diesel fumes constantly. This includes burning rubber, burning breaks, idle fumes and general exhaust. At times my lungs sting and I can't breathe from the strong fumes. Fresh air and having windows open should not be a luxury. North entry avoids residential neighborhoods!	Allentown	Yes
23	2/28/2023	In-person Comment Form	Consider impacts on Chinook winds restoration Consider health impacts - fuel, tires leave chemicals in the river River is major salmon habitat. Trucks are on 115th by the river Consider socio-economic impacts Can Burlington Northern relocate?		Yes
24	2/28/2023	In-person Comment Form	Can I-5 have its own exit Consider Chinook winds restoration - PAH Chemicals from tires! Trucks are using 115 a lot, why? Consider health impacts! 115 is a ROUTE.		Yes
25	2/28/2023	In-person Comment Form	The Airport Way entrance is the only feasible option that avoids trucks driving by homes and parks. This will improve the quality of life for the entire neighborhood and reduce the environmental impacts to our homes and natural resources. It is imperative that the trucks not drive by our community center and parks	Allentown	Yes



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26	2/28/2023	In-person Comment Form	The Airport Way option is the only feasible, realistic, practical option. No bridge is involved, no residential neighborhood is impacted, it is all industrial, flat ground and truck assessable. There is already a maintenance road there that could be developed easily		Allentown	Yes
27	2/28/2023	In-person Comment Form	Why are trucks using 42nd Ave S?			Yes
28	2/28/2023	Letter	<p>Over 35 years ago, the Burlington Northern Rail redirected truck traffic to our residential neighborhood supposedly on a temporary basis. We have been trying to reroute the truck traffic every since. The last traffic count in 2018 cited 3000 trucks a day going through our neighborhood 50 feet from a community center where there are ball fields, a water park, picnic area, playgrounds and residential homes. Whether the count is 3000 or 30 it is still too many trucks going through a residential neighborhood.</p> <p>The community now has 40% of the people who live here born in another country. They have been and are being taken advantage of because their voices can not be heard.</p> <p>GPPD which is used to keep tires from breaking down too quickly acts with the ozone in the environment and transforms into multiple chemicals, including 6PPD-quinonem which is responsible for killing salmon. I expect this to be researched for potential impacts to the community wildlife and river.</p> <p>Many other chemicals related to tire wear have been found to be toxic to humans and wildlife. Air Pollution from tire wear particles can be 2,000 times worse than what comes out of a car's exhaust. I expect this to be researched for potential impacts to the community, wildlife, and Duwamish River.</p> <p>During their lifetimes, truck tires produce 8x more particles because of their size. Tires wear quicker on residential roads than they do on freeways and highways. I expect this to be researched for potential impact.</p>		Allentown	Yes

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		<p>The Duwamish River runs through Allentown. I expect the EIS to research the potential impacts of tire particles from exhaust being left behind which are extremely toxic to salmon.</p> <p>I expect the EIS to research the PAH chemicals in truck exhaust that fall onto streets, roofs, storm sewers and directly into the Duwamish River. They have been found to be in diesel emissions at truck stops and terminals They have been observed in soils and truck exhaust. Can major contributors to carcinogenic properties in diesel exhaust. Can be transported by air water and the soles of shoes. Some can readily evaporate into the air from soil or surface waters. Most do not dissolve easily in water. They stick to solid particles and settle to the bottoms of rivers and lakes. The PAH levels can be much higher in plants and animals than the soil or water in which they live. PAH chemicals have been previously shown to be associated with adverse health effects resulting from both short term and long term exposure. In addition to skin exposure, a potential exposure is via inhalation. Research has suggested that potential long exposure is via inhalation. Research has suggested that potential long term exposure to PAH's include disease such as increased risk of skin, lung, bladder, and gastrointestinal cancer. (Armstrong et. al., 2004; Olson et al., 2010; Diggs et al., 2011 Boffetta et al., 1997) The more research I do the scarier to gets!!! How is all this air and water pollution being documented and analyzed?</p> <p>Why is BNSF not required to test for 6PPD in their storm water? Certainly if they were to move their operations whomever they sold to would be required to adhere to today's standards and permitting and not those of late 1960's!! What BNSF is getting with is unacceptable.</p> <p>The noise is intolerable with the constant truck traffic. They are always ignoring the no truck signs on 115th that turns into 42nd Ave S heading south and consequently the truck weight can damage the river banks and the water main that runs along that route.</p>		
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			<p>Both of our important infrastructures are severely damaged due to truck traffic. (the 42nd Ave. s. Bridge and the freeway overpass on 129th going up to Skyway)</p> <p>The last study in 2015 found the 48th Ave. S. off of Interurban Ave. S. option the best alternative. The entire street is commercial and dedicated to truck activity. It has two diesel fueling businesses, a motel that has 18 parking spots dedicated to semi trucks, two freight yards, a truck rental business, truck sales dealer, and a ditch witch business on this street. This street ends at the river. A bridge at this location would connect the south end of the yard. A bridge at this location would be approximately one hundred feet shorter across the river than the span across the river on 42nd Ave. Street bridge.</p> <p>The north end of the BNSF yard is commercial as well. There is an old road on the west end of the BNSF property and a gate at very north end of their property off of Airport Way S. This option is very close to Interstate 5 as well.</p> <p>It is important to for the EIS to have a full understanding of the decades long issue with these trucks we have had to deal with in our neighborhood. You should know how many studies we have gone through already and what that research determined was the best alternate routes. Tour the area more than once to fully understand the issue.</p> <p>This issue affects the quality of life of an entire residential neighborhood. Our health, our children's health, our safety, the killing of salmon (thirty years ago the river was full of fisherman actually catching multitude of salmon here in Allentown) damage to river water, air quality, and chemical that run off into the storm sewers and soil.</p> <p>I would be happy with the trucks being rerouted at either than the north end of the yard in the commercial area close to the freeway or on 48th Ave. S in another commercial area close to the freeway as long as the trucks are out of our residential neighborhood. Enough is enough!!!"</p>		
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29	3/1/2023	Online	The neighborhood right next to the Tukwila Community Center should not be disturbed by massive trailers passing through the main roads. Causing traffic and going through tight spaces and getting stuck. Ruining the roads quicker and breaking our bridges. The bridge next to the community center should be for the residents or passing cars only not heavy duty vehicles. Now residents face the consequences of rerouting just to get home! Reroute the trucks out of the neighborhood!	When will the city actually begin to fix the bridge next to the Tukwila community center for two way traffic?	Allentown
30	3/1/2023	Online	I live in Allentown next to the Duwamish Hill Preserve. I would like to see trucks re-routed out of our river side neighborhood, to a route along Airport Way or otherwise away from any rivers and family residences. The pollution, noise, and increased traffic from the trucks negatively impacts my quality of life as a resident, and negatively impact the river and environment here. 6PPD, which is used to keep tires from breaking down too quickly, acts with the ozone in the environment and transforms into multiple chemicals, including 6PPD-quinone, which is responsible for killing salmon. BNSF is not currently required to test for 6PPD in its stormwater Many other chemicals related to tire wear have been found to be toxic to humans and wildlife Air pollution from tire wear particles can be 2,000 times worse than what comes out of a car's exhaust During their lifetimes truck tires produce 8 x more particles because of their size Tires wear quicker on local roads than they do on freeways and highways.		Allentown
31	3/6/2023	Online	As I drive on Boeing Access Road, there are two road ways in & out, of BNRailyards that the semi trucks, should use to access & depart the, BN rail yards instead of them, driving on 42nd Ave S.		
32	3/6/2023	Online	This is my opinion on the reroute. I feel that the best route would be a ramp up to Airport Access Road and or I-5. If you have to put it on the road where Harley and Denny's used to be I think it would disrupt the hotel and other businesses with traffic unless you build a completely separate road and ramps to I-5. I've lived in Tukwila since 1978; the trucks shouldn't be going through neighborhoods and they should get an easier route to access the freeways.		

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33	3/6/2023	Online	BNSF has at least two dozen catch basins. They are required to treat the water and filter it but there is no testing for chemicals. The catch basins can only take so much. During extreme weather when the catch basins are overwhelmed do chemicals go directly into the Duwamish River and endanger salmon and wildlife? I expect the EIS to research and analyze this issue.	Allentown	
34	3/7/2023	Online	What do I love about my community? Its diversity, the people are wonderful neighbors, the Duwamish river flowing through, the wildlife of salmon, seals, otters, raccoons and eagles, how I-5 and I 405 are merely 2-5 minutes away, how any store or business is mere minutes away, my healthcare is mere minutes away, police and fire come when called and are excellent professionals, ( when living in Tacoma police were not guaranteed to come when needed ) and the community center.	Allentown	
35	3/8/2023	Online	I have lived in Allentown for over 30 years. I always called us the ""forgotten neighborhood"" and until the sewers went in (we were all septic tanks) we were. Now there are \$800,000 houses next to trailers...lol. We are growing and the truck traffic has grown as well. The rail yard has increased its business along with all that. The traffic count in 2018 said that over 10,000 vehicles a day come through Allentown and a third of that are trucks. That would be 3000!! That makes one every 30 seconds 24 hours a day. The railroad disputes that number, they say it is only about 800 coming in. Well 800 in and 800 out is 1600 and that is one every 60 seconds or so.. Still too many in a residential neighborhood. I have seen all the studies and seen all the different routes they have proposed and there is really only one feasible, practical, economical option... Airport Way entrance could be developed in a matter of months without the need to build a bridge. It is away from any rivers, residential neighborhoods, small businesses and the route in would be entirely in industrial areas. A no brainer.	I do have concerns that the BNSF has so much influence over the decision that they will just shoot down anything that has them rearranging their yard in any way. It seems that we put in all kinds of effort in on our side of the property line but they are not willing to meet us half way to make changes.	Allentown
36	3/9/2023	In-person Comment Form	Acknowledge entire neighborhood is truck route What warrants a study Community impact River impact Lack of sidewalk - combined w truck traffic		Yes

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37	3/9/2023	In-person Comment Form	*Norfolk  Trucks broke the (Allentown) bridge – should be required to pay to replace it! This damage has caused public to detour a residential St. – more dangerous (no shoulder, blind turns, drug dealing). Unfair to public. BNSF railroads should be heavily repurified ( <i>sp?</i> )		Yes
38	3/9/2023	Email	<p>Dear Mark Hafs,</p> <p>Thank you for the opportunity to comment on the Allentown Truck Reroute for the BNSF Intermodal Facility.</p> <p>Our Tribe has been on the Duwamish, Black, Cedar and Green Rivers since at least the Vashon Stage of the Fraser glaciation thousands of years ago. We have also been present around Lake Washington and Lake Sammamish as well as tributary streams in and around King County, Washington. Our culture and practices fostered trade and relationships between tribes in the immediate vicinity as well as in other regions of the state. Our presence helped the European Americans establish themselves in and around West Seattle, the city of Seattle and the ensuing suburbs in the central Puget Sound region. Within a decade or less of welcoming the settlers, the Duwamish were marginalized and relationships between the Duwamish and the European Americans became deadly. Places that the Duwamish and other tribes inhabited, used for resources and sacred sites, were occupied by the settlers, and stripped of their natural resources. The careful land management by the Tribe was discarded and traditional food and natural resources began to dwindle for the Duwamish and other tribes.</p> <p>By 1920 engineering projects around Seattle permanently changed the landscape for the Duwamish and other tribes. The straightening of the Duwamish River eliminated the estuary and marshlands used by the Duwamish and other fish and wildlife. The Duwamish River is a salt wedge river that gradually becomes fresh water some distance up the river. This is a place where salmon can acclimatize to fresh water when they return to their spawning grounds. Without the estuary and the natural meandering of the Duwamish River, this severely reduced fish and wildlife and starved out our people. The straightening of the river also allowed for industrial transport and pollution of the water. To further allow transport for larger marine traffic, the river was</p>		Yes



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			<p>dredged. The dredged sediments and the sediments from the regraded areas of Seattle created Harbor Island, a shipping container location for transport. The dredged materials were also used to fill in the estuary, covering our waterways and lookouts, and created what is now known as SODO (south of downtown). The creation of the Ballard Locks allowed for the Montlake Cut, which had been a seasonal canoe passage between Lake Washington and Lake Union by our people. These projects lowered Lake Washington which subsequently dried up the Black River to a now riparian forest. The Black River is the birthplace of the Duwamish and its chief, Chief Seattle. The Black River was home to abundant salmon and was the outlet for Lake Washington and drained into the Green/Duwamish Waterway – and at times, the Black River reversed flow during high tides and flooding.</p> <p>Within a short span of time, our land, people, and resources were devastated. To preserve our ancestors’ memories and our way of life, the cultural preservation department is vital to our tribe and its link to the past. The knowledge of our ancestors has been lost due to the occupation and the transformation of our waterways. To continue our existence, we need to maintain and relearn what we have lost for our children. The awareness and culture of the Duwamish is not just vital to our children, but to those who now live on our occupied land. Our ways and traditions stewarded the land, conserved resources, and respected life.</p> <p>Our ancestors left behind tools of their lives that are now buried within sediments a few feet underground in and around Seattle and along our river, the Duwamish. After reviewing the draft cultural resources assessment for the BNSF Intermodal facility provided by the City of Tukwila, the Duwamish Tribe would favor an alternative access route that is farthest from a known archaeological site, that does not adversely impact the environment of the Duwamish River and does not cross near our current sacred sites which include, but not limited to, the Duwamish Hill Preserve, Chinook Winds and North Winds Weir.</p>		
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			<p>For all the alternatives currently listed in the BNSF draft cultural assessment from 2016, the DAAP WISAARD predictive model indicates that an archaeological survey is highly advised with a very high risk of encountering cultural resources. The Duwamish Tribe would recommend an archaeological review performed for this project if there will be any development that involves ground breaking or excavation below current fill. We would also request that any bore logs and/or a geotechnical report associated with the project is made available to us to help narrow down future comments. This is in an area the Duwamish Tribe considers culturally significant and has a high probability to have unknown archaeological deposits, especially if excavation cuts below fill.</p> <p>We also request that if any archaeological work or monitoring is performed, we would like notification. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The Tribe would also like the opportunity to be present if or when an archaeologist is on site in the event that an artifact or cultural resource is encountered.</p> <p>While our focus is on preserving our cultural resources, we also support and recommend the removal of invasive species and noxious weeds and replace any proposed landscaping with only native vegetation to increase habitat for native fish, wildlife, avian life and pollinators.</p> <p>Thank you</p>		
39	3/10/2023	Online	<p>There are three options to access the north end of the BNSF rail yard. Through their old gate off of Airport Way, directly off of Boeing Access road and off the corner of Boeing Access Road and E.M.W. S. This commercial side of the yard is definitely a preferred alternative. A plus... a bridge wouldn't have to be built.</p> <p>Studies should be done on the soils, noise, air quality, ground water, vibrations, river and wildlife. ( wildlife in Allentown include salmon, geese, eagles, raccoons, seals, and otters that live by the Duwamish river. )</p>	Allentown	
40	3/10/2023	Online	<p>There is no reason for BNSF truck traffic to continue going through the Allentown neighborhood. There are more suitable sites both north and south of the neighborhood that would make better</p>	How will you be more inclusive of non-English	Allentown

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			entrances. The neighborhood has grown rapidly in recent years with new families, and the truck traffic - with the additional issue of the 42nd Ave bridge currently down to one lane - cannot continue at the same rate. Yes, there are restrictions on speed and weight, but that does not mean that the trucks are following these laws, and there aren't police resources available to be able to monitor them on a daily basis. Trucks are still using 115th and 42nd ave along the river even though there are multiple signs saying NO TRUCKS. The intersection of 42nd Ave and 124th is heavily used, with residential traffic, truck traffic, school bus stops, community center access, etc. Having trucks speed up and down 124th is not ideal for the community. Additionally, heavy truck traffic causes additional air pollution and extensive wear and tear on roads, all of which impact residents' health. I feel that the BNSF truck entrance can be moved, but it all comes down to politics and money, and not what is good for the residents of Tukwila.	speakers in this process? Even the announcement that interpreters can be requested was in English.	
41	3/10/2023	Online	Are quiet and slow neighborhood is home to many different birds, ducks, geese, and rabbits I've even seen a otter cross the road. The trucks have no regard for them I have seen many dead on their route out of allentown. The river here is a safe haven for these animals. The train company really should just build their own Road I mean come on they've got more money than Jesus right?		Allentown
42	3/11/2023	Email	Hello, I am submitting comment for the Scoping period, Allentown Truck Reroute Project.  I am glad to see that maybe, finally, at the end of this process, Tukwila will have been able to fulfill the 30 plus year promise of moving a steady stream of trucks out of a residential neighborhood and also provide better access to the intermodal yard for freight movement.  I have attached a PowerPoint as part of my comment. Submitted to the City a year ago, most of it continues to be valid.  In addition, I'm disappointed the city has lacked imagination on this whole project; from not repurposing the old bridge (even for		Yes*

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			pedestrians), to simply picking the proposed boring replacement bridge out of a catalog.			
43	3/12/2023	Online	<p>* PowerPoint presentation available in PDF</p> <p>Reroute commercial trucks to an alternate route. Residential streets have become to dangerous the increase of commercial trucks and the city has a perfect opportunity to reroute the traffic now. Especially since the bridge is being rebuilt allows both residents and truckers to acclimate to new routes and signage.</p> <p>Constant truck traffic negatively affects the health of the Duwamish River and all of its inhabitants, fish, birds, seals, otters, beavers, etc. Exhaust emissions, tire emissions, noise emissions etc, all affect the environment. Allentown is residential neighborhood, not a freeway thoroughfare. Our roads and bridges not equipped to handle the impact of all these heavily weighted vehicles at all times. Please reroute all trucks asap</p>	Please listen to the residents valid concerns	McMicken	
44	3/12/2023	Online	<p>Constant truck traffic negatively affects the health of the Duwamish River and all of its inhabitants, fish, birds, seals, otters, beavers, etc. Exhaust emissions, tire emissions, noise emissions etc, all affect the environment. Allentown is residential neighborhood, not a freeway thoroughfare. Our roads and bridges not equipped to handle the impact of all these heavily weighted vehicles at all times. Please reroute all trucks asap</p>	Heavily concerned with the impact of the Duwamish River during any rerouting process. Please respect the river and surrounding wetlands	Allentown	
45	3/13/2023	Email	<p>Dear Mr. Hafs,</p> <p>On behalf of The Northwest Seaport Alliance (NWSA), we welcome the opportunity to provide scoping comments on the Allentown Truck Reroute Project.</p> <p>The Northwest Seaport Alliance is a port development authority governed by the ports of Seattle and Tacoma. The NWSA unifies management of the ports' marine cargo facilities and businesses to strengthen the Puget Sound gateway and attract more marine cargo and jobs to the region. In 2017, facilities managed by the NWSA supported 58,400 jobs and \$5.8 billion in economic impact. The BNSF's South Seattle Intermodal Yard has long been an important facility in its rail network, supporting the movement of domestic cargo. This includes import cargo arriving at the Port's and NWSA's container facilities destined for the Midwest and East Coast. That cargo first moves to transload facilities in the region, where it is transferred from ocean-going 40' to domestic 53' containers before it is trucked to the South Seattle Intermodal Yard. This provides Washington exporters with empty 40' ocean-going containers that can be used to move agricultural and other products made in</p>			Yes

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			<p>Washington through NWSA facilities. The railyard benefits the entire state.</p> <p>The NWSA appreciates that the City of Tukwila has provided a home for this important facility for many years. We encourage the movement of cargo by rail over long distances because it is more sustainable than the movement of cargo by truck: Freight trains can carry a ton of cargo for almost 500 miles with just a single gallon of diesel. At the same, we understand that the proximity of the railyard to the Allentown neighborhood poses safety, environmental and health risks, raising equity considerations.</p> <p>For these reasons, the NWSA would like to congratulate Tukwila on the restart of the effort to find a better route for trucks serving the BNSF's railyard. In reviewing prior alternatives assessment materials, we noticed that these efforts did not yet include an assessment of traffic impacts. We would like to encourage you to include a thorough analysis of the traffic impacts of the potential new routes both on trucks serving the rail yard, and on trucks that may be impacted by these routes, in the transportation element of the EIS. Travel time and reliability are important criteria for truck freight performance, with related impacts on air quality and noise.</p> <p>We look forward to the results of the scoping process and the Draft EIS. Please do not hesitate to contact me at XXX or XXX with any questions or comments.</p>		
46	3/14/2023	Online	<p>6PPD chemicals from truck tires are killing Coho Salmon. Please research this as the Duwamish River runs directly adjacent to Allentown.</p>	Allentown	
47	3/14/2023	Online	<p>Please move Truck traffic from our neighborhood. Issues are pollution, public / kids safety as S. 124th is where Community Center is and preschool.</p> <p>There are South and North alternatives that do not go through any neighborhood but commercial properties. Thank you.</p>	Allentown	
48	3/15/2023	Online	<p>My name is Bryce Weaver and I live off 44th Ave S and S 118th St in the Allentown neighborhood. I have lived in this neighborhood since June of 2018. I am a registered nurse, have a background in community health, and am currently working with people with sleep disorders. I can't ignore my responsibility to advocate for and protect my family, neighbors, and community from the dangers of having semi-trucks routed through our neighborhood.</p>	Allentown	

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			<p>Last time I checked, the Duwamish river and surrounding area is listed as a “Critical Area” with signage to support this. The signs say “Protection of this area is in your care.” I am extremely environmentally conscious and have witnessed the positive changes in the type and amount of wildlife that also call this community their home.</p> <p>My concerns regarding the environmental impact of semi-trucks using our neighborhood to get to and from the freeways include increased risk to pedestrians and car accidents, physical, noise and air pollution, increased waste runoff into the river, degradation of the riverbanks and arterial roads that line the river, increased traffic, and more.</p> <p>I strongly support the commonly held preference of not allowing semi-trucks to use the surface streets and arterials of the Allentown neighborhood. I think that BNSF needs to have access to their facilities for the semi-trucks serving their rail yard that does not include the use of surface streets and arterials in the Allentown neighborhood. These trucks should not be allowed to use S. 124th St as it passes between the homes of Allentown's residents and the community center, they should not be allowed to pass through the Allentown neighborhood, and they should not be allowed to use the 42nd Avenue S bridge, S. 115th Street, or 42nd Avenue S. I do not think that the S. 129th Street Bridge is a viable long term solution for accessing Martin Luther King Jr. Way, as it has a strict weight limit, steep grade, and a history of events that have likely weakened it's structure.</p> <p>BNSF needs a direct connection to Boeing Access Road or I-5, period.</p> <p>Allentown is a neighborhood where families live, and children play. We walk and ride our bikes. We enjoy this small pocket of the river valley that is Allentown, and I like to think that many of us are caretakers of the Duwamish River Valley. I strongly believe that this neighborhood is no place for semi-trucks. I am so tired from the nonstop noise from BNSF and the trucking industry. We need the City of Tukwila to help protect our community.</p>		
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49	3/15/2023	Online	<p>Allentown is positioned along the Duwamish river, our nation's largest superfund site. This river was the center of multiple indigenous native communities and has remained poisoned by literal war profiteering during WWII. Allentown is textbook example of Environmental Racism that requires Environmental Justice to remediate.</p> <p>We've seen how powerful railroads which lobbied for laxer safety standards and workers benefits while executive receive record bonuses. Meanwhile Norfolk Southern has had at least 4 (5?) accidents since the catastrophic crash in East Palestine. Any EIS should weigh our neighborhood's proximity to a railroad company who had record profits during the pandemic and who've refused for decades to spend any resources to reroute their heavy truck traffic through the neighborhood-- those trucks' emissions and the threat that degrading commercial tires present to the native salmon population that relies on the Duwamish. The trucks and railroad's hostility to mitigating their impact is just the latest ways in which the health of a working class community with a high BIPOC populations' health subsidizes the profits of big industry in the present.</p> <p>We have two bridges in this neighborhood in critical need of repair/replacement that receive heavy commercial traffic. The damage to the 44th St. bridge is a direct result of negligence on the part of that commercial traffic impacting our neighborhood everyday. If either bridge is further damaged, the neighborhood becomes cut off from the rest of the city as well as neighboring cities directly impacting every person in this neighborhood's ability to work, access grocery stores, and would further exacerbate the impact of the already heavy truck traffic.</p>	Allentown	
50	3/15/2023	Online	<p>There is a proposal that cuts through ""behind"" (to the East) of the Duwamish Hill Preserve. The Allentown community already fought long and hard to save the Preserve from industrialization. Let's not risk undoing all of that hard work.</p> <p>Possibly more importantly, my understanding is that there are wetlands back there.</p>	Allentown 44 <sup>th</sup> Ave	
51	3/15/2023	Online	<p>I support the alternative that has BNSF receiving directly off of Airport Way.</p>	Allentown 44 <sup>th</sup> Ave S	

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52	3/15/2023	Online	<p>It is the only 100% already industrialized space and poses the least long term environmental impact. No trucks driving over waterways, specifically.</p> <p>I support the alternative that has BNSF receiving directly off of Airport Way.</p> <p>The placement would provide the opportunity for the project costs to be divided among stakeholders since the area of this proposed alternative would include multiple jurisdictions - City of Seattle, City of Tukwila, King County, State of WA, Federal? &amp; private (BNSF/Warren Buffet).</p>	Allentown 44th Ave S	
53	3/15/2023	Online	<p>I was late to the start of this party but in my opinion this study should have originally been called Minimization and Mitigation of Overall Impacts of BNSF Intermodal to the residents of Tukwila's Allentown Neighborhood. The negative truck influence along the existing ingress/egress route on S. 124th St maybe at the top of the list of priorities but it is just part of the many negative impacts related to this incompatible adjacent land use that should never have been allowed to evolve to this magnitude in this location. More on this below.</p> <p>On the truck re-route I think the most feasible options in terms of an expedited time frame and reasonable costs are #1. Going out the north end of the yard under the Boeing Access Rd Bridge to a reconfigured and lighted intersection at Airport Way S. or #2. Going out the northwest end of the yard at the Seattle City Light Transmission Corridor that aligns with S. 112th St. I've heard comments that this is not a good option because there are existing utilities there. Almost all significant road improvement projects include wet and dry utility installation or modifications as needed. I wouldn't think this should be a deal breaker. The other 2 or three re-route options would require a new bridge which is probably cost prohibitive and could take a decade or more to achieve which combined is probably a deal breaker.</p> <p>More from above and issues that need to be addressed whether the truck traffic is routed north through the yard or not: Just as the residents along S 124th St and users of the Community Center experience direct truck traffic conflict hazards along with engine fluid</p>		

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			<p>and tire residue laden runoff, ground tremors and noise pollution at all hours of the day/night, so do the residents of the 60 to 70 dwelling units immediately adjacent to or within the influence zone of the entire property boundary with BNSF. Railroad design studies indicate that truck, and moreover, rail tremors can be equal to a 2.2 earthquake and these occur multiple times a day in Allentown. The cracks in my interior plaster are proof of the long-term impacts that surely many other home owners have experienced.</p> <p>The noise pollution from the engines of the top loaders rev'n up and dropping containers or the three different ear piercing back up safety beepers going off from different vehicles at 3:30 a.m. all at once is ridiculous. The equipment drivers can be heard playing tootsie horn greetings back and forth in the middle of the night. Completely careless and seemingly unaware that folks are trying to sleep. The safety beepers are only required to be loud enough to create an alert over the ambient noise level in the vicinity during a quiet night! Similar to the muffled and much more palatable Fed-X or Amazon delivery truck beepers that back up on our residential streets with kids on bikes, pedestrians, people in wheelchairs etc.</p> <p>The area lights in the yard glare directly into the neighbor's properties and residential bedrooms / living spaces. Given the size and proximity of this facility to so many homes it would be considerate if these lights were lower and equipped with 45 degree cut off shields to minimize the nuisance as suggested in typical Dark Sky Ordinances.</p> <p>I have suggested the truck re-route options that I prefer but in considering the options the consultant team needs to weigh the existing impacts that the above items have on this community. BNSF needs to be held to becoming a better neighbor. No where else in this entire region does a train yard of this scope exist immediately next to a residential community. They are all shrouded in other industrial or commercial land uses. Light rail corridors that just pass by many neighborhoods have a noise attenuating wall or fence along the interface. This should be a minimal expectation and prudent best management practice to consider for this unfortunate disruptive industrial condition that has been allowed to occur next to this</p>		
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			neighborhood. This area was a residential community that existed here well before this monstrosity of an industrial operation was allowed to develop next to us and the residents deserve reasonable peace and quiet and safety just the same as every other neighborhood in Tukwila.			
54	3/15/2023	Email	<p>To Whom It May Concern:</p> <p>I support any re-routing proposal which will remove heavy truck traffic to and from the BN from the Allentown neighborhood streets without just rerouting the same traffic through another residential area where it would cause the same problems or shaken hopes, cracked walls and foundations, noise pollution, exhaust fumes, etc..</p> <p>The rerouted traffic should also avoid any sensitive environmental areas such as river banks and wetlands except for the immediate vicinity of any new bridge which may need to be constructed.</p> <p>The location for a truck bridge which makes the most sense to me would be one across the Duwamish River connecting the rail yard to 48th Place S. and to Interurban Avenue. Alternatively, the north entrance from Airport Way S. just north of the Boeing Access Road Bridge seem to be another logical choice.</p> <p>The Duwamish Allentown neighborhood is both thriving because of its excellent location and relatively affordable housing, but it is also struggling because of the ongoing fight against overdevelopment and heavy truck traffic issues.</p> <p>Please take these concerns and preferences into consideration when making the final rerouting decision.</p>			Yes
55	3/15/2023	Email and Letter	<p>Re: Comments on the Scope of the Environmental Impact Statement for the Allentown Truck Reroute Project (the "Project")</p> <p>Dear Mr. Hafs:</p> <p>This firm represents Strander Family, LLC I and Strander Family, LLC II (the "Strander Companies"), owners of six properties leased to four commercial tenants along 48th Avenue South, in matters related to the above-referenced Project. We write on the Strander Companies'</p>			Yes*

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			<p>behalf to submit comments on the scope of review under the State Environmental Policy Act (SEPA) being carried out by the City of Tukwila (the “City”) for the Project.</p> <p>The current iteration of the Project is not the City’s first time considering a potential alternative location for a primary vehicular access route to the Burlington Northern Santa Fe (“BNSF”) Intermodal Facility, which currently runs along 42nd Avenue South (over the existing 42nd Avenue South Bridge) and South 124th Street (the “Current Route”). Most recently, the Project was studied in 2015-2016, though the effort was ultimately tabled. See BNSF Access Study Project Update, August 10, 2015; City of Tukwila Endangered Species Act Screening Checklist (December 6, 2016) (“2016 Checklist”). Two decades prior, in the late 1990s, the City similarly studied and considered alternatives for new access to the BNSF Intermodal Facility. See City of Tukwila Transportation Committee Agenda, March 10, 1998. One alternative considered was a route along 48th Avenue South (the “48th Ave. S. Alternative”). As the Strander Companies detailed then, the 48th Ave S. Alternative was (and is) costly compared to alternatives; would significantly disrupt existing businesses; and would severely and negatively impact traffic flow to and from I-5. In response to these concerns and others, the 48th Ave. S. Alternative was removed from the City’s considerations. See Tukwila City Council Meeting Minutes, September 25, 2000. While the same concerns that caused the City to abandon the 48th Ave. S. Alternative remain—and more have arisen since—the City has signaled its openness to reconsidering that route as a potential alternative for the Project.</p> <p>The Strander Companies would be significantly affected by and are opposed to the 48th Ave. S. Alternative. We and our client understand and share the City’s interest in creating a harmonious solution that balances safe and efficient commercial truck traffic and the peace and safety of Allentown residents. As the City reiterates in its scoping notice, “[t]he purpose and need for this project is to develop an alternative route to the BNSF Intermodal Facility in Allentown to improve livability and safety in Allentown, without compromising the operations of the intermodal facility.” We do not</p>		
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			<p>believe that goal is served by the 48th Ave. S. Alternative, which will have significant and disproportionate impacts on the natural and built environment well beyond those caused by other viable alternatives.</p> <p>While the 48th Ave. S. Alternative has been part of the Project discussion for decades, we encourage the City to take a fresh look at the environmental context and exercise its due discretion in considering only those alternatives that are reasonable today. See Solid Waste Alt. Proponents v. Okanogan County, 66 Wn. App. 439, 446 (1992) [hereinafter “SWAP”] (The [City] is not required to explore every conceivable alternative.”); WASH. ADMIN. CODE1 [hereinafter “WAC”] 197-11-440 (clarifying that, under SEPA’s mandate to explore “reasonable alternatives,” “[t]he word ‘reasonable’ is intended to limit the number and range of alternatives, as well as the amount of detailed analysis for each alternative”) (emphasis added). As our courts have made clear, community displeasure alone cannot be the basis for selection of alternatives. See Maranatha Mining, Inc. v. Pierce County., 59 Wn. App. 795, 804, cited in SWAP, supra. Rather, the City’s selection of alternatives—and ultimately, of the Project site—should be driven by current data regarding the wide variety of appropriately considered environmental impacts, not by adherence to an outdated list of potential sites that was developed more than two decades ago.</p> <p>Accordingly, we urge the City to decline to include the 48th Ave. S. Alternative in its Environmental Impact Study (EIS) and to focus on more viable alternatives, including the Current Route.2 For the reasons outlined below, the 48th Ave. S Alternative should be excluded from the City’s ongoing SEPA review of the Project.</p> <p>I. SCOPING</p> <p>The Determination of Significance/Scoping Notice for the Project, issued by the City on February 14, 2023, states that an EIS will be prepared for the Project. Given its scale and geographic context, we agree that the Project is likely to have significant impacts on various aspects of the built and natural environment, which will be heightened or decreased depending on the alternative chosen.</p>		
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			<p>We encourage the City to take a hard look at the breadth of these impacts in choosing alternatives and evaluating the Project. Because “scoping is intended to identify and narrow the EIS to the significant issues[,]” 3 we particularly urge analysis of the following:</p> <p>A. Duwamish River Water and Habitat Impacts.</p> <p>The presence of the Duwamish River in the Project area should factor heavily into the City’s evaluation of the Project alternatives and their relative impacts. Any proposal that involves construction of a new bridge across the Duwamish River—rather than a non-river route or use of an existing bridge—is likely to significantly and negatively impact the river. Construction and the placement of permanent support structures will impact the river banks. Road runoff from cars and trucks crossing the new bridge will impact water quality, in turn affecting the plants and animals therein, including endangered salmonoid species. The increased traffic over a previously undisturbed section of the river will ultimately impact fish migration. Any such impacts to fish habitat and access may also constitute a violation of tribal treaty rights.</p> <p>B. Traffic.</p> <p>The 2015 BNSF Access Study SEPA Checklist suggested the Project in its then-current iteration would cause no significant traffic impacts because there would be no net change in the number of vehicle trips that would occur in light of a reroute of existing traffic. However, there will be significant impacts to the flow of traffic throughout the Project area depending on the alternative chosen, impacts that we encourage the City to fully evaluate. The impact of the addition of a significant amount of truck traffic to existing traffic along the alternative routes must be considered, including the impacts to businesses and residences along those routes.</p> <p>C. Current Route Updates Since Previous Study.</p> <p>Since the City’s previous studies of the Project in the late 1990s and 2015-2017, the City has recently and independently approved replacement of the 42nd Ave. S. Bridge, which is part of the Current Route. Therefore, many of the assumptions of environmental and economic impacts identified in previous studies must be</p>		
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				<p>reevaluated, in light of the separate 42nd Ave. S. Bridge replacement already underway. For example, the 2017 Alternative Screening assumes replacement of the 42nd Ave. S. Bridge would be a required component of the Current Route. Because the replacement of the 42nd Ave. S. Bridge and related traffic improvements already are occurring independently, any associated environmental impacts should not be included in an assessment of the environmental impact of the Current Route alternative under this EIS.</p> <p>D. Loss of Commercial Lands.</p> <p>Several of the alternatives identified in previous study, including the 48th Ave. S. Alternative, would cause significant loss of important industrial and commercial lands in the City. The proposed conversion of commercial and industrial lands ought to be thoroughly analyzed in the EIS because such losses will affect the long-term economic prospects of the City and its residents. Relatedly, the Strander Companies urge the City to realistically and accurately analyze the costs associated with acquiring private property necessary for each of the alternatives, including appropriate compensation that may be required in the taking of any private land for the Project.<sup>4</sup></p> <p>E. Alternatives Analysis</p> <p>An EIS must focus on a project’s “probable significant adverse impacts and <u>reasonable alternatives</u>.” WAC 197-11-408(1) (emphasis added). A “reasonable alternative” is “an action that could feasibly attain or approximate a proposal’s objectives, but at a lower environmental cost or decreased level of environmental degradation.” WAC 197-11-786 (emphasis added). As has been the case for the nearly three decades during which the City has considered some iteration of the Project, the 48th Ave. S. Alternative is not a reasonable alternative given its significant environmental impacts, as described below. Accordingly, the Strander Companies encourage the City not to include the 48th Ave. S. Alternative in the EIS, and instead focus on reasonable alternatives that do not involve such significant construction, costs, environmental impacts, and private property takings.</p>
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			<p>II. THE 48<sup>TH</sup> AVE. S. ALTERNATIVE IS NOTE A REASONABLE ALTERNATIVE.</p> <p>A. Air Quality.</p> <p>The 48th Ave. S. Alternative would involve the construction of a new bridge spanning the Duwamish River, located only approximately 350 feet north of the existing I-5 bridge. So much car and truck traffic concentrated in such a small area, especially one crossing a river, is likely to lead to significant air (and water) pollution concentrations. Those cumulative effects would be avoided through adoption of any of the other alternatives already under consideration, or new alternatives that don't involve additional construction so close to the interstate.</p> <p>B. Water Quality.</p> <p>As explained in Section I(A) of this Comment, the construction of a new bridge will significantly impact the water quality of the Duwamish River by causing runoff from the new roadway and other water impacts. These water quality impacts are significantly greater for the alternatives that require construction of a new bridge over the Duwamish River than for the Current Route and alternatives that do not require construction of new river crossings. Moreover, like air pollution, the water quality effects of placing two highly trafficked bridges only 350 feet apart must be considered.</p> <p>C. Animals, Specifically Endangered Species.</p> <p>Relatedly, the inevitable and detrimental impacts to the Duwamish River that the 48th Ave. S. Alternative would cause would directly impact the fish species therein. The 2017 BNSF Intermodal Facility Access Study identified the presence of Chinook salmon, steelhead trout, and bull trout in the Duwamish River, all of which are identified as "threatened" under the Endangered Species Act. David Evans and Associates, BNSF Study, April 17, 2017. Building a new bridge across the River would unnecessarily harm these threatened species. In particular, as explained by the Muckleshoot Tribe in 2000, any alternative that involves construction of a new bridge over the Duwamish River will have problematic direct and indirect impacts upon Chinook salmon's spawning and migration routes. Letter from Tribal Attorney K. Allston to K. Adams Pratt, dated April 14, 2000</p>		
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			<p>(“Muckleshoot 2000 Letter”) (attached). Since that time, the fragility and health of our native salmon populations has only become more dire. Road runoff from chemicals in tires (specifically, 6PPD-quinone) are directly responsible for the death of coho salmon in the area.<sup>5</sup> Construction of a new bridge would increase turbidity in the River and unnecessarily increase shade over the River, further harming habitat. 2016 Checklist at 5.</p> <p>In addition, a new bridge would increase public access over the River, which may impede or delay upstream Chinook salmon migration, increasing the level of stress experienced by the salmon and increasing pre-spawn mortality. Muckleshoot 2000 Letter at 2. Finally, not only would a new bridge harm the fish directly, but it would violate the Muckleshoot Tribe’s federally protected treaty rights to access its usual and accustomed fishing areas and right to take fish from these areas. <i>Id.</i> at 3. The proposed 48th Ave. S. bridge is the location of such historic treaty fishing, and impairment of these treaty fishing rights is unlawful. <i>Id.</i></p> <p>D. Shoreline, Recreation, and Land Use</p> <p>The Duwamish River is a shoreline of statewide significance, within the City of Tukwila’s Shoreline Overlay District. See Tukwila Shoreline Master Program at 2 (Mar. 2, 2020). Therefore, selecting any alternative involving construction of a new bridge across the Duwamish River, including the 48th Ave. S. Alternative, would significantly and unnecessarily impact a portion of shoreline land. In addition, construction of the bridge would require significant land disturbing activities in Critical Areas regulated under Tukwila Municipal Code 18.45.030.</p> <p>Relatedly, the 48th Ave. S. Alternative would interfere with the existing Green River Trail, one of the longest continuous regional trails in the Puget Sound region. The Green River Trail runs along the western portion of the Duwamish River and would be interrupted or need significant modification to accommodate a new bridge along 48th Ave. S. Construction of a 48th Ave S. bridge would also require removal of the several public parking stalls located on the west side of</p>		
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			<p>the river, which are used for access to the Green River Trail. These unnecessary modifications to the Green River Trail would appear to conflict with the City’s Comprehensive Plan Parks, Recreation and Open Space goals. See Tukwila Comprehensive Plan, Policy 6.1.5 (“Increase physical and scenic connectivity with the Green/Duwamish River.”); Policy 6.2.1 (encouraging “[p]reservation of and public access to community landmarks that help make up the City’s identity, including the river and historic sites”).</p> <p>The 48th Ave. S. Alternative would also require the acquisition of a significant portion of fully developed private property. While 48th Ave. S. spans a relatively short distance, it is home to numerous businesses including several gas stations, a hotel, a construction equipment supplier, and a truck rental company. We understand that the 48th Ave. S. Alternative would involve the widening of the road, so as to physically impact the existing businesses. The cost of doing so—</p> <p>including providing appropriate compensation for any such takings—will be significant, especially in comparison to the other proposed alternatives with fewer existing improvements at risk.</p> <p>E. Historic and Cultural Preservation</p> <p>As discussed in the attached Muckleshoot 2000 Letter, the development of a new bridge at 48<sup>th</sup> Ave. S. over the Duwamish River would directly and illegally violate the Muckleshoot Tribe’s federally protected treaty fishing rights. See <i>United States v. Washington</i>, 694 F.2d 1374, 1381 n.15 (“The State’s obligation to take reasonable steps to preserve and enhance the fishery applies to the grant of State permits as well as to the State’s own projects.”); <i>Muckleshoot Indian Tribe v. Hall</i>, 696 F. Supp. 1504, 1510 (W.D.WA 1988) (“The right to take fish at all usual and accustomed fishing places may not be abrogated without specific and express Congressional authority.”).<sup>6</sup> The City is required to consider the legality of the Project in reviewing the significance of its impacts under SEPA. See, e.g., WAC 197-11-330(3)(e)(iii). Given the potential for the invasion of the Tribe’s treaty rights, the 48th Ave. S. Alternative cannot be considered a “reasonable alternative” for the Project.</p>		
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			<p>F. Traffic and Arterial System Impacts</p> <p>For all options except the Current Route, the traffic impacts would be significant and must be a central consideration. The 48th Ave. S. Alternative would be particularly problematic. Trucks traveling south along I-5 to the BNSF Intermodal Facility would exit I-5 at exit 156 on a short offramp, turn right onto Interurban Avenue S. then almost immediately right again onto 48th Ave. S. This will predictably create a traffic backup not only for trucks and other vehicles turning onto 48th Ave. S. but also for any cars getting off at exit 156 and attempting to travel elsewhere along Interurban S.</p> <p>Moreover, unlike each of the other identified alternatives, 48th Ave. S. is not a designated arterial.<sup>7</sup> Accordingly, routing trucks along 48th Ave. S. would either violate or require revision to the Tukwila Municipal Code’s functional arterial system.</p> <p>G. Impacts to the Built Environment</p> <p>The 48th Ave. S. Alternative would have significant impacts on existing businesses and infrastructure in the area, which previous SEPA review of the Project has underestimated and downplayed. For example, the 2016 SEPA Checklist concedes that “[g]uests at the Days Inn could experience intermittently higher noise levels” from the truck traffic. 2016 Checklist at 14. Such noise impacts would be detrimental to the Days Inn’s business, as increased truck traffic noise outside a hotel would inevitably and significantly decrease demand of the hotel. In addition, the 48th Ave. S. Alternative, unlike the other alternatives, would require the City’s acquisition of at least 25,000 square feet of private property, the cost of which was not adequately addressed in prior study, and has only increased in the time since last considered.</p> <p>III. CONCLUSION</p> <p>We appreciate the City’s serious consideration of the potential environmental impacts of the Project as it completes scoping and selects appropriate alternatives for study. As is evident from past study and the concerns and impacts discussed herein and in other comments, the Project will result in significant adverse environmental impacts to many elements and sub-elements of the natural and built</p>		
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## Phase 1: Comment Table

			<p>environments. We have laid out several of the impacts we understand to be of most concern at this early juncture but trust the City will conduct a full and appropriate analysis of all elements, taking into account changes in conditions since previous studies of the Project were conducted. In so doing, we believe it will be clear that the 48<sup>th</sup> Ave. S. Alternative is unreasonable, disproportionately harmful to the environment, and should not be included in the Project EIS.</p> <p>Thank you for your consideration of these comments.</p> <p>* Additional attachments available in PDF</p>			
56	3/16/2023	Online	<p>As long time Allentown resident I've always believed 48th is the best alternative route for trucks, anyone who's actually been on that street is foolish not to agree. Almost all truck related businesses on that street, including truck shipping depot. Please see the two previous studies that also indicated 48th was the best option.</p> <p>I live at 4023 S. 114th St., on the hill directly above the North end of the BNSF intermodal yard. Thus I'm NOT in support of the Airport Way alternative, because it will impact my home and my neighbors homes with added noise, pollution, and all the negative aspects of truck traffic moving near our homes 24/7.</p>	<p>In my opinion the worst case scenario is the EIS determines the existing truck route (brand new 42nd bridge) is the most feasible solution. Second worst case is the EIS determines the preferred route should be 48th (for example), but then the City doesn't have the will, intention, or money to make it a reality. Thus essentially sticking with the old route (new bridge), also meaning the whole EIS</p>	Allentown (Heights)	



Phase 1: Comment Table

					process was kind of a waste of time and money unfortunately.		
--	--	--	--	--	--	--	--

# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



SCOPING PHASE

## COMMENT FORM

The formal EIS scoping comment  
period is February 14th through  
March 15th, 2023

Scoping is where we ask you to share your input on what issues and alternatives should be analyzed in the EIS. Per State Environmental Protection Act (SEPA) guidelines, all formal comments **must be written down and submitted within the formal scoping comment period.**

### Other ways to provide a formal comment:



**Submit** a comment on our project website



**Email** your comment to  
AllentownTruckReRoute@TukwilaWA.gov



**Mail** your comment to Mark Hafs  
6300 Southcenter Blvd. Suite 200  
Tukwila, WA 98188



*Mailer comments  
must be postmarked  
by March 15, 2023*

## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☐ YES ☐ NO

NAME \_\_\_\_\_ EMAIL \_\_\_\_\_

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

Translated into other languages.  
Allentown is mostly comprised of  
minorities that do not speak english.

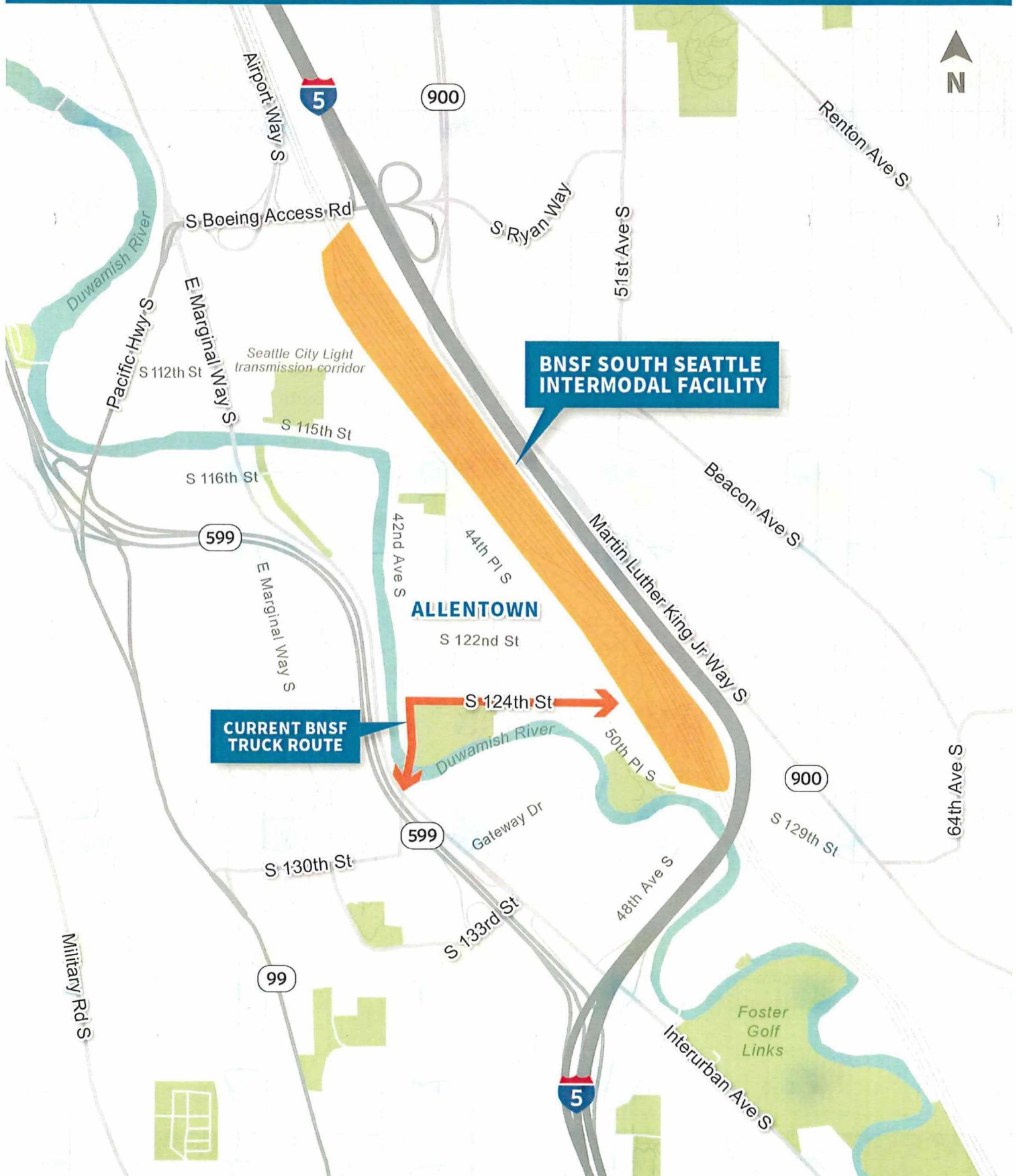
Do you have questions or concerns regarding the  
Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

Turn over to draw route suggestions on the map

## STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



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## SHARE YOUR INPUT

NAME \_\_\_\_\_

JOIN OUR MAILING LIST?



☐ NO

EMAIL \_\_\_\_\_

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

Residents breathe in TRUCK and diesel fumes constantly. This includes burning RUBBER, burning breaks, idle fumes and general exhaust. At times my lungs sting and I can't breathe from the strong fumes. Fresh air and having windows open should not be a luxury.

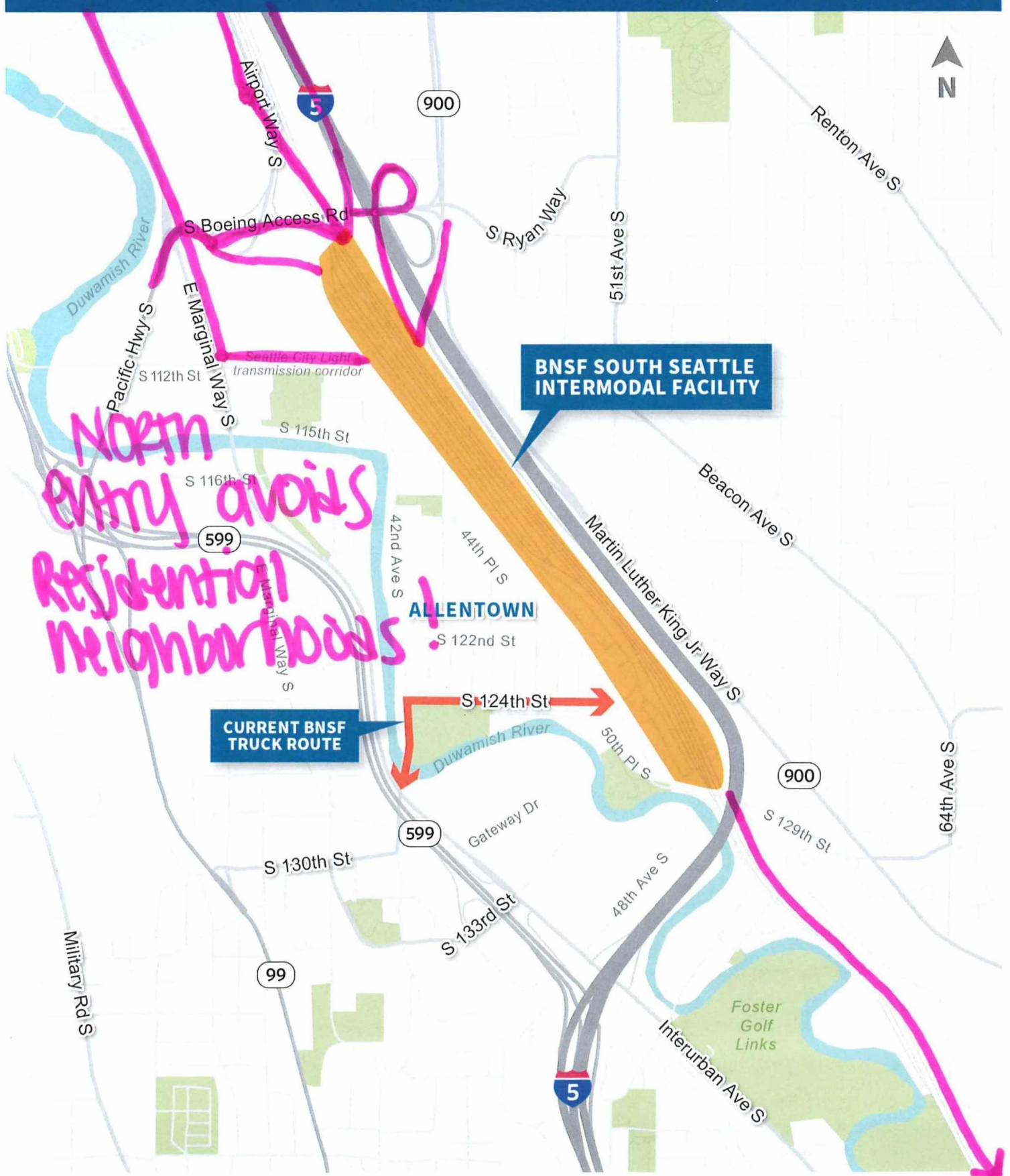
Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

Allentown

Turn over to draw route suggestions on the map

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS

SCOPING PHASE

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Tukwila, WA 98188



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## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☐ YES ☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

Consider impacts on chinook winds Restoration  
Consider Health impacts - fuel, tires leave chemicals  
in the River.  
River is major Salmon Habitat. Trucks are  
on 115th By the River.

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

Consider Socio-economic impacts.  
Can Burlington Northern Relocate?

What neighborhood do you live in? (Optional)

Turn over to draw route suggestions on the map

## STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS

SCOPING PHASE

## COMMENT FORM



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Tukwila, WA 98188



*Mailer comments must be postmarked by March 15, 2023*

## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☐ YES ☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.

Comments -

can I.S. have its own exit  
Consider chinook woods Restoration - PATH  
chemicals on trees!  
Trucks are using 115 a lot, why?  
Consider health impacts!

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

115th is a ROUTE.

Turn over to draw route suggestions on the map

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



SCOPING PHASE

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by March 15, 2023*

## SHARE YOUR INPUT

JOIN OUR MAILING LIST?



YES



NO

NAME

EMAIL

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

THE AIRPORT WAY ENTRANCE IS THE ONLY FEASIBLE OPTION  
THAT AVOIDS TRUCKS DRIVING BY HOMES AND PARKS.  
THIS WILL IMPROVE THE QUALITY OF LIFE FOR THE ENTIRE  
NEIGHBORHOOD AND REDUCE THE ENVIRONMENTAL IMPACTS TO  
OUR HOMES AND NATURAL RESOURCES. IT IS IMPARTIAL THAT  
THE TRUCKS NOT DRIVE BY OUR COMMUNITY CENTER AND PARKS

Do you have questions or concerns regarding the  
Environmental Impact Statement (EIS) process?

NO.

What neighborhood do you live in? (Optional)

ALLENTOWN.

Turn over to draw route suggestions on the map

## STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



SCOPING PHASE

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*Mailer comments must be postmarked by March 15, 2023*

## SHARE YOUR INPUT

JOIN OUR MAILING LIST?



YES



NO

NAME

EMAIL

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

*The Airport Way option is the only feasible, realistic, practical option. No bridge is involved, no residential neighborhood is impacted, it is all industrial, flat ground and truck accessible. There is already a maintenance road there that could be developed easily.*

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

*Allentown*

Turn over to draw route suggestions on the map

# STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



SCOPING PHASE

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by March 15, 2023*

## SHARE YOUR INPUT

JOIN OUR MAILING LIST?

☐ YES

☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

Why are trucks using  
42nd ave S?

Do you have questions or concerns regarding the  
Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

Turn over to draw route suggestions on the map



## STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.



# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS

SCOPING PHASE

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Mailer comments  
must be postmarked  
by March 15, 2023

## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☐ YES ☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

*already on it*

COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.

*(Allentown)  
Trucks broke the bridge - should be required  
to replace it! This damage has caused public to  
pay to  
detour on residential str - more dangerous (no shoulder, blind  
turns, drug dealing) - unfair to public.  
BNSF - railroads & should be more heavily regulated.*

Do you have questions or concerns regarding the  
Environmental Impact Statement (EIS) process?

*No*

What neighborhood do you live in? (Optional)

Turn over to draw route suggestions on the map



## STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



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## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☐ YES ☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share your input on what issues and alternatives we should analyze in the EIS.

Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.

Acknowledge entire neighborhood as Truck Route  
What warrants a study  
Community Impact  
River Impact  
Lack of Sidewalk - considered by Truck Traffic  
\* Norfolk

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

Turn over to draw route suggestions on the map



# STUDY AREA

Use the following map to propose an alternative route, indicate sensitive areas, and/or support your written comment.





# DUWAMISH TRIBE

dx<sup>w</sup>dəwʔabš

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03/09/2023

City of Tukwila

Allentown Truck Reroute BNSF Intermodal Facility

Dear Mark Hafs,

Thank you for the opportunity to comment on the Allentown Truck Reroute for the BNSF Intermodal Facility.

Our Tribe has been on the Duwamish, Black, Cedar and Green Rivers since at least the Vashon Stage of the Fraser glaciation thousands of years ago. We have also been present around Lake Washington and Lake Sammamish as well as tributary streams in and around King County, Washington. Our culture and practices fostered trade and relationships between tribes in the immediate vicinity as well as in other regions of the state. Our presence helped the European Americans establish themselves in and around West Seattle, the city of Seattle and the ensuing suburbs in the central Puget Sound region. Within a decade or less of welcoming the settlers, the Duwamish were marginalized and relationships between the Duwamish and the European Americans became deadly. Places that the Duwamish and other tribes inhabited, used for resources and sacred sites, were occupied by the settlers, and stripped of their natural resources. The careful land management by the Tribe was discarded and traditional food and natural resources began to dwindle for the Duwamish and other tribes.

By 1920 engineering projects around Seattle permanently changed the landscape for the Duwamish and other tribes. The straightening of the Duwamish River eliminated the estuary and marshlands used by the Duwamish and other fish and wildlife. The Duwamish River is a salt wedge river that gradually becomes fresh water some distance up the river. This is a place where salmon can acclimatize to fresh water when they return to their spawning grounds. Without the estuary and the natural meandering of the Duwamish River, this severely reduced fish and wildlife and starved out our people. The straightening of the river also allowed for industrial transport and pollution of the water. To further allow transport for larger marine traffic, the river was dredged. The dredged sediments and the sediments from the regraded areas of Seattle created Harbor Island, a shipping container location for transport. The dredged materials were also used to fill in the estuary, covering our waterways and lookouts, and created what is now known as SODO (south of downtown). The creation of the Ballard Locks allowed for the Montlake Cut, which had been a seasonal canoe passage between Lake Washington and Lake Union by our people. These projects lowered Lake Washington which subsequently dried up the Black River to a now riparian forest. The Black River is the birthplace of the Duwamish and its chief, Chief Seattle. The Black River was home to abundant salmon and was the outlet for Lake Washington and drained into the Green/Duwamish Waterway – and at times, the Black River reversed flow during high tides and flooding.

Within a short span of time, our land, people, and resources were devastated. To preserve our ancestors' memories and our way of life, the cultural preservation department is vital to our tribe and its link to the past. The knowledge of our ancestors has been lost due to the occupation and the transformation of our waterways. To continue our existence, we need to maintain and relearn what we



# DUWAMISH TRIBE

dx<sup>w</sup>dəwʔabš

have lost for our children. The awareness and culture of the Duwamish is not just vital to our children, but to those who now live on our occupied land. Our ways and traditions stewarded the land, conserved resources, and respected life.

Our ancestors left behind tools of their lives that are now buried within sediments a few feet underground in and around Seattle and along our river, the Duwamish. After reviewing the draft cultural resources assessment for the BNSF Intermodal facility provided by the City of Tukwila, the Duwamish Tribe would favor an alternative access route that is farthest from a known archaeological site, that does not adversely impact the environment of the Duwamish River and does not cross near our current sacred sites which include, but not limited to, the Duwamish Hill Preserve, Chinook Winds and North Winds Weir.

For all the alternatives currently listed in the BNSF draft cultural assessment from 2016, the DAAP WISAARD predictive model indicates that an archaeological survey is highly advised with a very high risk of encountering cultural resources. The Duwamish Tribe would recommend an archaeological review performed for this project if there will be any development that involves ground breaking or excavation below current fill. We would also request that any bore logs and/or a geotechnical report associated with the project is made available to us to help narrow down future comments. This is in an area the Duwamish Tribe considers culturally significant and has a high probability to have unknown archaeological deposits, especially if excavation cuts below fill.

We also request that if any archaeological work or monitoring is performed, we would like notification. Cultural and archaeological resources are non-renewable and are best discovered prior to ground disturbance. The Tribe would also like the opportunity to be present if or when an archaeologist is on site in the event that an artifact or cultural resource is encountered.

While our focus is on preserving our cultural resources, we also support and recommend the removal of invasive species and noxious weeds and replace any proposed landscaping with only native vegetation to increase habitat for native fish, wildlife, avian life and pollinators.

Thank you,

Cultural Preservation





March 13, 2023

via email: [AllentownTruckReRoute@TukwilaWA.gov](mailto:AllentownTruckReRoute@TukwilaWA.gov)  
Allentown Truck Reroute Project  
City of Tukwila

Re: Scoping comments for the EIS for the Allentown Truck Reroute Project

Dear Mr. Hafs,

On behalf of The Northwest Seaport Alliance (NWSA), we welcome the opportunity to provide scoping comments on the Allentown Truck Reroute Project.

The Northwest Seaport Alliance is a port development authority governed by the ports of Seattle and Tacoma. The NWSA unifies management of the ports' marine cargo facilities and businesses to strengthen the Puget Sound gateway and attract more marine cargo and jobs to the region. In 2017, facilities managed by the NWSA supported 58,400 jobs and \$5.8 billion in economic impact. The BNSF's South Seattle Intermodal Yard has long been an important facility in its rail network, supporting the movement of domestic cargo. This includes import cargo arriving at the Port's and NWSA's container facilities destined for the Midwest and East Coast. That cargo first moves to transload facilities in the region, where it is transferred from ocean-going 40' to domestic 53' containers before it is trucked to the South Seattle Intermodal Yard. This provides Washington exporters with empty 40' ocean-going containers that can be used to move agricultural and other products made in Washington through NWSA facilities. The railyard benefits the entire state.

The NWSA appreciates that the City of Tukwila has provided a home for this important facility for many years. We encourage the movement of cargo by rail over long distances because it is more sustainable than the movement of cargo by truck: Freight trains can carry a ton of cargo for almost 500 miles with just a single gallon of diesel. At the same, we understand that the proximity of the railyard to the Allentown neighborhood poses safety, environmental and health risks, raising equity considerations.

For these reasons, the NWSA would like to congratulate Tukwila on the restart of the effort to find a better route for trucks serving the BNSF's railyard. In reviewing prior alternatives assessment materials, we noticed that these efforts did not yet include an assessment of traffic impacts. We would like to encourage you to include a thorough analysis of the traffic impacts of the potential new routes both on trucks serving the rail yard, and on trucks that may be impacted by these routes, in the transportation element of the EIS. Travel time and reliability are important criteria for truck freight performance, with related impacts on air quality and noise.

We look forward to the results of the scoping process and the Draft EIS. Please do not hesitate to contact me at [cwolf@nwseaportalliance.com](mailto:cwolf@nwseaportalliance.com) or 253-888-4414 with any questions or comments.

Sincerely,



Christine Wolf, Senior Transportation Planner

March 15, 2023

Mark Hafs  
6300 Southcenter Blvd. Suite 200  
Tukwila, WA 98188  
[AllentownTruckReRoute@TukwilaWA.gov](mailto:AllentownTruckReRoute@TukwilaWA.gov)

**Via U.S. Mail and Email**

Re: Comments on the Scope of the Environmental Impact Statement for the Allentown Truck Reroute Project (the “**Project**”)

Dear Mr. Hafs:

This firm represents Strander Family, LLC I and Strander Family, LLC II (the “**Strander Companies**”), owners of six properties leased to four commercial tenants along 48<sup>th</sup> Avenue South, in matters related to the above-referenced Project. We write on the Strander Companies’ behalf to submit comments on the scope of review under the State Environmental Policy Act (SEPA) being carried out by the City of Tukwila (the “**City**”) for the Project.

The current iteration of the Project is not the City’s first time considering a potential alternative location for a primary vehicular access route to the Burlington Northern Santa Fe (“**BNSF**”) Intermodal Facility, which currently runs along 42<sup>nd</sup> Avenue South (over the existing 42<sup>nd</sup> Avenue South Bridge) and South 124<sup>th</sup> Street (the “**Current Route**”). Most recently, the Project was studied in 2015-2016, though the effort was ultimately tabled. *See* BNSF Access Study Project Update, August 10, 2015; City of Tukwila Endangered Species Act Screening Checklist (December 6, 2016) (“**2016 Checklist**”). Two decades prior, in the late 1990s, the City similarly studied and considered alternatives for new access to the BNSF Intermodal Facility. *See* City of Tukwila Transportation Committee Agenda, March 10, 1998. One alternative considered was a route along 48<sup>th</sup> Avenue South (the “**48<sup>th</sup> Ave. S. Alternative**”). As the Strander Companies detailed then, the 48<sup>th</sup> Ave S. Alternative was (and is) costly compared to alternatives; would significantly disrupt existing businesses; and would severely and negatively impact traffic flow to and from I-5. In response to these concerns and others, the 48<sup>th</sup> Ave. S. Alternative was removed from the City’s considerations. *See* Tukwila City Council Meeting Minutes, September 25, 2000. While the same concerns that caused the City to abandon the 48<sup>th</sup> Ave. S. Alternative remain—and more have arisen since—the City has signaled its openness to reconsidering that route as a potential alternative for the Project.

The Strander Companies would be significantly affected by and are opposed to the 48<sup>th</sup> Ave. S. Alternative. We and our client understand and share the City’s interest in creating a harmonious solution that balances safe and efficient commercial truck traffic and the peace and safety of Allentown residents. As the City reiterates in its scoping notice, “[t]he purpose and need for this project is to develop an alternative route to the BNSF Intermodal Facility in Allentown to improve livability and safety in Allentown, without compromising the operations of the intermodal facility.” We do not believe that goal is served by the 48<sup>th</sup> Ave. S. Alternative, which will have significant and disproportionate impacts on the natural and built environment well beyond those caused by other viable alternatives.

While the 48<sup>th</sup> Ave. S. Alternative has been part of the Project discussion for decades, we encourage the City to take a fresh look at the environmental context and exercise its due discretion in considering only those alternatives *that are reasonable today*. See *Solid Waste Alt. Proponents v. Okanogan County*, 66 Wn. App. 439, 446 (1992) [hereinafter “**SWAP**”] (The [City] is not required to explore every conceivable alternative.”); WASH. ADMIN. CODE<sup>1</sup> [hereinafter “**WAC**”] 197-11-440 (clarifying that, under SEPA’s mandate to explore “reasonable alternatives,” “[t]he word ‘reasonable’ is *intended to limit the number and range of alternatives*, as well as the amount of detailed analysis for each alternative”) (emphasis added). As our courts have made clear, community displeasure alone cannot be the basis for selection of alternatives. See *Maranatha Mining, Inc. v. Pierce County*, 59 Wn. App. 795, 804, *cited in SWAP, supra*. Rather, the City’s selection of alternatives—and ultimately, of the Project site—should be driven by current data regarding the wide variety of appropriately considered environmental impacts, not by adherence to an outdated list of potential sites that was developed more than two decades ago.

Accordingly, we urge the City to decline to include the 48<sup>th</sup> Ave. S. Alternative in its Environmental Impact Study (**EIS**) and to focus on more viable alternatives, including the Current Route.<sup>2</sup> For the reasons outlined below, the 48<sup>th</sup> Ave. S Alternative should be excluded from the City’s ongoing SEPA review of the Project.

## I. SCOPING

The Determination of Significance/Scoping Notice for the Project, issued by the City on February 14, 2023, states that an EIS will be prepared for the Project. Given its scale and geographic context, we agree that the Project is likely to have significant impacts on various aspects of the built and natural environment, which will be heightened or decreased depending on the alternative chosen. We encourage the City to take a hard look at the breadth of these impacts in choosing alternatives

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<sup>1</sup> The chapter of the Tukwila Municipal Code that contains the City’s SEPA regulations requires that “[t]he SEPA rules contained in WAC Chapter 197-11 must be used in conjunction with this chapter.” TUKWILA MUNI. CODE Sec. 21.04.010(B).

<sup>2</sup> See WAC 197-11-440(5)(b)(ii) (“The ‘no-action’ alternative shall be evaluated and compared to other alternatives.”)

and evaluating the Project. Because “scoping is intended to identify and narrow the EIS to the significant issues[,]”<sup>3</sup> we particularly urge analysis of the following:

**A. Duwamish River Water and Habitat Impacts.**

The presence of the Duwamish River in the Project area should factor heavily into the City’s evaluation of the Project alternatives and their relative impacts. Any proposal that involves construction of a new bridge across the Duwamish River—rather than a non-river route or use of an existing bridge—is likely to significantly and negatively impact the river. Construction and the placement of permanent support structures will impact the river banks. Road runoff from cars and trucks crossing the new bridge will impact water quality, in turn affecting the plants and animals therein, including endangered salmonoid species. The increased traffic over a previously undisturbed section of the river will ultimately impact fish migration. Any such impacts to fish habitat and access may also constitute a violation of tribal treaty rights.

**B. Traffic.**

The 2015 BNSF Access Study SEPA Checklist suggested the Project in its then-current iteration would cause no significant traffic impacts because there would be no net change in the number of vehicle trips that would occur in light of a reroute of existing traffic. However, there *will* be significant impacts to the flow of traffic throughout the Project area depending on the alternative chosen, impacts that we encourage the City to fully evaluate. The impact of the addition of a significant amount of truck traffic to existing traffic along the alternative routes must be considered, including the impacts to businesses and residences along those routes.

**C. Current Route Updates Since Previous Study.**

Since the City’s previous studies of the Project in the late 1990s and 2015-2017, the City has recently and independently approved replacement of the 42<sup>nd</sup> Ave. S. Bridge, which is part of the Current Route. Therefore, many of the assumptions of environmental and economic impacts identified in previous studies must be reevaluated, in light of the separate 42<sup>nd</sup> Ave. S. Bridge replacement *already underway*. For example, the 2017 Alternative Screening assumes replacement of the 42<sup>nd</sup> Ave. S. Bridge would be a required component of the Current Route. Because the replacement of the 42<sup>nd</sup> Ave. S. Bridge and related traffic improvements already are occurring independently, any associated environmental impacts should not be included in an assessment of the environmental impact of the Current Route alternative under this EIS.

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<sup>3</sup> WAC 197-11-793.

#### **D. Loss of Commercial Lands.**

Several of the alternatives identified in previous study, including the 48<sup>th</sup> Ave. S. Alternative, would cause significant loss of important industrial and commercial lands in the City. The proposed conversion of commercial and industrial lands ought to be thoroughly analyzed in the EIS because such losses will affect the long-term economic prospects of the City and its residents. Relatedly, the Strander Companies urge the City to realistically and accurately analyze the costs associated with acquiring private property necessary for each of the alternatives, including appropriate compensation that may be required in the taking of any private land for the Project.<sup>4</sup>

#### **E. Alternatives Analysis.**

An EIS must focus on a project's "probable significant adverse impacts and reasonable alternatives["]." WAC 197-11-408(1) (emphasis added). A "reasonable alternative" is "an action that could feasibly attain or approximate a proposal's objectives, but *at a lower environmental cost or decreased level of environmental degradation*." WAC 197-11-786 (emphasis added). As has been the case for the nearly three decades during which the City has considered some iteration of the Project, the 48<sup>th</sup> Ave. S. Alternative is not a reasonable alternative given its significant environmental impacts, as described below. Accordingly, the Strander Companies encourage the City not to include the 48<sup>th</sup> Ave. S. Alternative in the EIS, and instead focus on reasonable alternatives that do not involve such significant construction, costs, environmental impacts, and private property takings.

### **II. THE 48<sup>TH</sup> AVE. S. ALTERNATIVE IS NOT A REASONABLE ALTERNATIVE.**

#### **A. Air Quality.**

The 48<sup>th</sup> Ave. S. Alternative would involve the construction of a new bridge spanning the Duwamish River, located only approximately 350 feet north of the existing I-5 bridge. So much car and truck traffic concentrated in such a small area, especially one crossing a river, is likely to lead to significant air (and water) pollution concentrations. Those cumulative effects would be avoided through adoption of *any of the other alternatives already under consideration, or new alternatives* that don't involve additional construction so close to the interstate.

#### **B. Water Quality.**

As explained in Section I(A) of this Comment, the construction of a new bridge will significantly impact the water quality of the Duwamish River by causing runoff from the new roadway and

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<sup>4</sup> See *Kucera v. State Dep't of Transp.*, 140 Wn.2d 200, 224 (2000) (en banc) ("[SEPA] does not require that those evaluating a proposed action consider environmental factors alone. Rather, the essential factors balanced frequently are the substantiality and likelihood of environmental cost and economic cost.").

other water impacts. These water quality impacts are significantly greater for the alternatives that require construction of a new bridge over the Duwamish River than for the Current Route and alternatives that do not require construction of new river crossings. Moreover, like air pollution, the water quality effects of placing two highly trafficked bridges only 350 feet apart must be considered.

### **C. Animals, Specifically Endangered Species.**

Relatedly, the inevitable and detrimental impacts to the Duwamish River that the 48<sup>th</sup> Ave. S. Alternative would cause would directly impact the fish species therein. The 2017 BNSF Intermodal Facility Access Study identified the presence of Chinook salmon, steelhead trout, and bull trout in the Duwamish River, all of which are identified as “threatened” under the Endangered Species Act. David Evans and Associates, BNSF Study, April 17, 2017. Building a new bridge across the River would unnecessarily harm these threatened species. In particular, as explained by the Muckleshoot Tribe in 2000, any alternative that involves construction of a new bridge over the Duwamish River will have problematic direct and indirect impacts upon Chinook salmon’s spawning and migration routes. Letter from Tribal Attorney K. Allston to K. Adams Pratt, dated April 14, 2000 (“**Muckleshoot 2000 Letter**”) (attached). Since that time, the fragility and health of our native salmon populations has only become more dire. Road runoff from chemicals in tires (specifically, 6PPD-quinone) are directly responsible for the death of coho salmon in the area.<sup>5</sup> Construction of a new bridge would increase turbidity in the River and unnecessarily increase shade over the River, further harming habitat. 2016 Checklist at 5.

In addition, a new bridge would increase public access over the River, which may impede or delay upstream Chinook salmon migration, increasing the level of stress experienced by the salmon and increasing pre-spawn mortality. Muckleshoot 2000 Letter at 2.

Finally, not only would a new bridge harm the fish directly, but it would violate the Muckleshoot Tribe’s federally protected treaty rights to access its usual and accustomed fishing areas and right to take fish from these areas. *Id.* at 3. The proposed 48<sup>th</sup> Ave. S. bridge is the location of such historic treaty fishing, and impairment of these treaty fishing rights is unlawful. *Id.*

### **D. Shoreline, Recreation, and Land Use**

The Duwamish River is a shoreline of statewide significance, within the City of Tukwila’s Shoreline Overlay District. *See* Tukwila Shoreline Master Program at 2 (Mar. 2, 2020). Therefore, selecting any alternative involving construction of a new bridge across the Duwamish River, including the 48<sup>th</sup> Ave. S. Alternative, would significantly and unnecessarily impact a portion of

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<sup>5</sup> *See* Z. Tian et al., A Ubiquitous Tire Rubber-Derived Chemical Induces Acute Mortality in Coho Salmon, 371 SCI. 185 (2020).

shoreline land. In addition, construction of the bridge would require significant land disturbing activities in Critical Areas regulated under Tukwila Municipal Code 18.45.030.

Relatedly, the 48<sup>th</sup> Ave. S. Alternative would interfere with the existing Green River Trail, one of the longest continuous regional trails in the Puget Sound region. The Green River Trail runs along the western portion of the Duwamish River and would be interrupted or need significant modification to accommodate a new bridge along 48<sup>th</sup> Ave. S. Construction of a 48<sup>th</sup> Ave S. bridge would also require removal of the several public parking stalls located on the west side of the river, which are used for access to the Green River Trail. These unnecessary modifications to the Green River Trail would appear to conflict with the City’s Comprehensive Plan Parks, Recreation and Open Space goals. *See* Tukwila Comprehensive Plan, Policy 6.1.5 (“Increase physical and scenic connectivity with the Green/Duwamish River.”); Policy 6.2.1 (encouraging “[p]reservation of and public access to community landmarks that help make up the City’s identity, including the river and historic sites”).

The 48th Ave. S. Alternative would also require the acquisition of a significant portion of fully developed private property. While 48<sup>th</sup> Ave. S. spans a relatively short distance, it is home to numerous businesses including several gas stations, a hotel, a construction equipment supplier, and a truck rental company. We understand that the 48<sup>th</sup> Ave. S. Alternative would involve the widening of the road, so as to physically impact the existing businesses. The cost of doing so—including providing appropriate compensation for any such takings—will be significant, especially in comparison to the other proposed alternatives with fewer existing improvements at risk.

## **E. Historic and Cultural Preservation**

As discussed in the attached Muckleshoot 2000 Letter, the development of a new bridge at 48<sup>th</sup> Ave. S. over the Duwamish River would directly and illegally violate the Muckleshoot Tribe’s federally protected treaty fishing rights. *See United States v. Washington*, 694 F.2d 1374, 1381 n.15 (“The State’s obligation to take reasonable steps to preserve and enhance the fishery applies to the grant of State permits as well as to the State’s own projects.”); *Muckleshoot Indian Tribe v. Hall*, 696 F. Supp. 1504, 1510 (W.D.WA 1988) (“The right to take fish at all usual and accustomed fishing places may not be abrogated without specific and express Congressional authority.”).<sup>6</sup> The City is required to consider the legality of the Project in reviewing the significance of its impacts under SEPA. *See, e.g.*, WAC 197-11-330(3)(e)(iii). Given the potential for the invasion of the

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<sup>6</sup> The Muckleshoot Tribe has federally protected rights to access its usual and accustomed fishing areas under the Treaty of Point Elliott. 12 Stat. 927 (1855); *United States v. Washington*, 384 F. Supp. 312, 365-66 (W.D.WA 1974). Article 5 of the Treaty of Point Elliott secures the Muckleshoot Tribe’s “right of taking fish at usual and accustomed fishing grounds and stations.” “Because the right of each treaty tribe to take anadromous fish arises from a treaty with the United States, that right is reserved and protected under the supreme law of the land, does not depend on state law, is distinct from rights or privileges held by others, and may not be qualified by any action of the state.” *United States v. Washington*, 384 F. Supp. 312, 402 (W.D.WA 1974).



Tribe’s treaty rights, the 48<sup>th</sup> Ave. S. Alternative cannot be considered a “reasonable alternative” for the Project.

## **F. Traffic and Arterial System Impacts**

For all options except the Current Route, the traffic impacts would be significant and must be a central consideration. The 48<sup>th</sup> Ave. S. Alternative would be particularly problematic. Trucks traveling south along I-5 to the BNSF Intermodal Facility would exit I-5 at exit 156 on a short off-ramp, turn right onto Interurban Avenue S. then almost immediately right again onto 48<sup>th</sup> Ave. S. This will predictably create a traffic backup not only for trucks and other vehicles turning onto 48<sup>th</sup> Ave. S. but also for any cars getting off at exit 156 and attempting to travel elsewhere along Interurban S.

Moreover, *unlike each of the other identified alternatives*, 48<sup>th</sup> Ave. S. is not a designated arterial.<sup>7</sup> Accordingly, routing trucks along 48<sup>th</sup> Ave. S. would either violate or require revision to the Tukwila Municipal Code’s functional arterial system.

## **G. Impacts to the Built Environment**

The 48th Ave. S. Alternative would have significant impacts on existing businesses and infrastructure in the area, which previous SEPA review of the Project has underestimated and downplayed. For example, the 2016 SEPA Checklist concedes that “[g]uests at the Days Inn could experience intermittently higher noise levels” from the truck traffic. 2016 Checklist at 14. Such noise impacts would be detrimental to the Days Inn’s business, as increased truck traffic noise outside a hotel would inevitably and significantly decrease demand of the hotel. In addition, the 48th Ave. S. Alternative, unlike the other alternatives, would require the City’s acquisition of at least 25,000 square feet of private property, the cost of which was not adequately addressed in prior study, and has only increased in the time since last considered.

## **III. CONCLUSION**

We appreciate the City’s serious consideration of the potential environmental impacts of the Project as it completes scoping and selects appropriate alternatives for study. As is evident from past study and the concerns and impacts discussed herein and in other comments, the Project will result in significant adverse environmental impacts to many elements and sub-elements of the natural and built environments. We have laid out several of the impacts we understand to be of most concern at this early juncture but trust the City will conduct a full and appropriate analysis of all elements, taking into account changes in conditions since previous studies of the Project

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<sup>7</sup> See TMC 9.18.030(4) (designating 42<sup>nd</sup> Ave. S. as a “collector arterial”); TMC 9.18.030(2) (designating S. 112th Street as a “collector arterial”); TMC 9.18.020(B)(1) (designating Airport Way South as a “minor arterial”); TMC 9.18.040(6) (designating Gateway Drive as a “conceptual arterial”).

City of Tukwila – Allentown Truck Reroute Project  
March 15, 2023  
Page 8

were conducted. In so doing, we believe it will be clear that the 48th Ave. S. Alternative is unreasonable, disproportionately harmful to the environment, and should not be included in the Project EIS.

Thank you for your consideration of these comments.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in blue ink, appearing to read "Clayton P. Graham", is written over the printed name.

Clayton P. Graham

cc: Louise Strander  
Megan Raymond

# CURRAN MENDOZA

A T T O R N E Y S

*Curran Mendoza P.S.*

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August 25, 1998

**HAND DELIVERED**

Transportation Committee  
City of Tukwila  
Tukwila, Washington 98188

Re: 48th Ave. SE project

Dear Committee Members:

Our firm represents Ms. Louise Strander and her family regarding the City's relocation of Burlington Northern (BN) truck traffic onto 48th Avenue Southeast (48th). It appears you have received and are acting upon seriously flawed information, and you are missing important information, all of which is leading you towards incorrectly adopting 48th as supposedly the best alternative for alleviating the BN truck noise from the Allentown area.

The purpose of this letter is to point out the flaws in the information you are using, and address information you are apparently not considering, in the hopes that you will reconsider which is the best alternative. We want to show you that 48th is not the best, nor even the logical choice for handling the BN truck issue. Ms. Strander wants to avoid having to officially challenge the City on this matter, and this letter is submitted in a good faith effort to handle these matters without resort to other measures.

You, or rather the City's studies have stated that the following reasons support 48th as the appropriate choice among the alternatives considered so far:

1. 48th is the cheapest solution or alternative;
2. it is the least disruptive to businesses;
3. it does not require large or expensive property acquisition;
4. it is closest to a major freeway; and
5. it is best for BN.

There are serious flaws with the information and analysis leading to the above reasons. Please consider the following information, which shows the above reasons are incorrect.

A Professional Service Corporation combining Curran, Kleweno & Johnson, P.S. and Cromwell, Mendoza & Belur, P.S.

*Theresa M. Ahern  
Jerry J. Belur  
John M. Casey*

*Gregory F. Cromwell  
Mark W. Davis  
David G. Hobson*

*David T. Hokit  
Chad V. Horner  
Stephen L. Johnson*

*Melvin L. Kleweno, Jr.  
Frederick Mendoza  
Kim Adams Pratt*

*June C. Rhodes  
Of Counsel:  
C. Peter Curran*



1. 48th is not the cheapest overall solution/alternative:

The figures given to the Committee in the studies show that the East Marginal Way alternative would cost \$8,987,691.00, the Gateway alternative would cost \$6,785,981.00, and the 48th alternative would cost \$2,838,608.00. The problem is that these figures do not accurately compare because of the "apples and oranges" approach used in arriving at those figures.

The East Marginal Way alternative is greatly inflated because it includes an estimated \$3,380,000.00 that BN has stated it will need to alter its facility. This "cost" is omitted as a factor in the 48th alternative, even though alterations will still be needed for BN if the 48th alternative is used. The omission seems intentional, in light of the size of the figure for BN's alterations and the obvious need for such alterations regardless of which alternative is used. The point is that the bottom line figures in the Harding Lawson study (the "study") have been artificially inflated, resulting in misleading and incorrect information because you are dealing with figures based on different (sometimes omitted) factors.

Another category of costs within the study which is flawed regards the costs of traffic impact for the three (3) alternatives. The most severe traffic impact out of all the alternatives occurs at 48th and Interurban Avenue. The City's study indicates: "Excessive queues and long delays would occur ... for westbound traffic on 48th at the approach to Interurban Avenue. These queues would also interfere with driveway access for the adjacent mini mart/filling stations." "The increased traffic volumes ... on 48th as alternative access for the Hub Center would also increase traffic frictions and delays at the other driveways on those streets." "The increased traffic turning volumes at the South 129th Street/South 130th Place intersection under the 48th alternative will increase traffic delay and hazard at that severely skewed intersection, even with some improvement in the intersection geometry."

In addressing severity of these traffic impacts, the study considered potential mitigating roadway and traffic control measures such as providing additional lanes on 48th, a second left-turn lane for movement from Southbound Interurban Avenue onto Eastbound 48th, and a revision in the southbound I-5 off-ramp channelization lane designations. It is clear from the study that some and most likely all of these mitigation measures will have to be implemented to address the severe traffic impact of the 48th alternative. However, no money for such mitigation is figured into the costs presented to you for the 48th alternative. Showing even further the unbalanced way in which factors were applied



for the alternatives, \$100,000.00 was added for a traffic signal to the costs for the East Marginal Way alternative. Because nothing is shown for traffic mitigation costs for the 48th alternative, the figures for 48th are grossly underreported.

Yet another area where the cost figures used by the study are critically flawed is found in the amount of condemnation costs for the 48th alternative. The study estimates these costs as \$7,600.00. This is grossly underestimated. Consider the condemnation and inverse condemnation costs of taking property along the south side of 48th. This will be tremendously expensive for the City. The study apparently considers only a per square foot cost of the real property that would be taken by the City. The study does admit that the 48th alternative will impact the BP station and access to the Penske yard, but utterly fails to consider the costs of the impact in the bottom line figures. Even worse, and more expensive, the study fails to recognize and consider the very severe impact and large costs to Hertz, Denny's, and the Silver Cloud Motel. Washington case law is clear that in this situation, the City, as the condemning authority, will bear the costs of mitigating impact, not the owner or users of the property. Those costs will be extremely large because of the devastating impact such condemnation will have on those business and properties.

Please note that you apparently take into consideration all costs to BN, and even make that a key factor in choosing a sight, but you are not giving any consideration to the very great costs the City will incur to the owner/businesses on the south side of 48th.

2. Disruption to Businesses:

The traffic impact of the 48th alternative on the BP station will be devastating to that business. It will likely result in closure of that business. Condemnation on the south side of 48th will render the Penske truck bays virtually unusable. The City's condemnation costs will include relocation on that site and construction of new truck bays, as well as reconfiguration of the Penske operation to accommodate the forced relocation. The same is true for Hertz' facilities and operations. The Hertz building/facilities are located very close to the existing right of way. The large equipment that must be maneuvered through that facility will no longer be able to do so if any condemnation occurs by the City. Accordingly, there will be relocation, reconstruction and reconfiguration costs payable to Hertz, along with condemnation value to pay to the owner of that property.

Note that costs of building demolition were included in the figures for both the Gateway



and East Marginal Way alternative, but completely omitted from the 48th alternative.

The information, factors and figures omitted in the study regarding the 48th alternative begin to look peculiar. How could the study miss so many obvious issues and costs, especially when they are considered in the other alternatives for other matters?

Note Denny's very close location to the existing right of way. The costs of mitigating noise and access impacts will have to be borne by the City. The impact of noise will most adversely effect the Silver Cloud Motel. Consider the obvious incompatibility of the motel use with the truck traffic which has peak hours during 1:00 a.m to 3:00 a.m. Yet not even minimum noise abatement costs are considered in the study. The noise impact on the Silver Cloud Motel will be ruinous. Not only that, the entrance and the fire lane there will be completely eliminated from condemnation along the south side side of 48th.

3. Property acquisition and impact expenses will be very high:

It is obvious that the \$7,600.00 included in the study for condemnation costs is woefully inadequate. That figure overlooks very large impact costs the City will have to bear with both the land users and owner along the south side of 48th. That figure will not even begin to cover the City's litigation expenses which will arise during the condemnation process.

These impact costs regarding the businesses and owner of the property involved on 48th are not included in the bottom line figures for the 48th alternative. Any attempt to mitigate these costs by a suggested crossover road from Gateway will do nothing to decrease these business/property impacts and costs.

The conclusion that the 48th alternative is the least disruptive to business and does not require large property acquisitions is incorrect. It is one of the most business disruptive of all the alternatives. Although the land to condemn along 48th may be small in amount, the costs, which will include mitigation measures, reconstruction and reconfiguration of business facilities, will be the highest for the City.

4. 48th being closest to I-5 is not a benefit:

The belief that the 48th alternative is a good one because it is close to the freeway is fundamentally flawed. The study itself points out that precursory traffic impact studies show that 48th is actually too close to I-5, which causes severe traffic impact.



5. Best for BN?

You have publicly acknowledged that the East Marginal Way alternative is the cheapest for the citizens of Tukwila, yet it was decided to not pursue that alternative. Instead, the City is apparently willing to spend millions of dollars so that BN does not have to do so.

Our experts confirm, after reviewing the study, and examining the site and surroundings, that the City will end up spending perhaps millions more than has been publicly admitted by the City or shown in the study.

Aside from the costs of pursuing the 48th alternative for the benefit of BN, Washington law prohibits condemnation for a private purpose. Washington courts are very clear that a condemning authority will not get past the first step of a condemnation action, which requires a showing of public use and necessity, if the true purpose behind the condemnation is private rather than public.

Based on the above information, which shows the three alternatives do not use the same factors or considerations for arriving at the figures shown, the reasons of the City for choosing the 48th alternative are not supported by the real facts or figures, unless the City is simply choosing it because that is what is wanted by BN.

Failure to comply with SEPA requirements:

The City has taken "action" and has clearly chosen 48th as its choice of the alternatives. However, no SEPA review has been submitted or started. Compliance with SEPA review procedures is past due, yet the environmental impacts remain to be addressed by the City.

Lack of notices:

Our client is very disturbed by the nature, timing and lack of notice of any committee meetings or hearings on this matter. It appears that public hearings on this project have been carefully selected for favorable target groups so that only biased information is being received by you. Our client is going to be severely impacted by the City's choice of 48th, yet she has not been notified of hearings on this subject. She found out about one (1) information session only by chance.

Transportation Committee  
City of Tukwila  
August 25, 1998  
Page 6

Conclusion/request:

Given the flaws in the information and lack of complete information provided to you, we respectfully request that you revisit and reconsider the decision to pursue the 48th alternative. You should demand, receive, and use complete facts and figures information before committing to spend millions of dollars pursuing the 48th design. It is fair and appropriate to expect this from you. After all, Ms. Strander is a long-time citizen of Tukwila, and City decisions which will prove very harmful to citizens should be carefully and fully scrutinized before being implemented.


Please understand that any condemnation or inverse condemnation actions by the City on the south side of 48th will be vigorously contested on every possible legal basis. Ms. Strander has no choice. Such condemnations will ruin some of the businesses there and seriously harm the others.

Nothing herein may be construed as a waiver, limitation or release of any legal remedies, claims or rights, and all rights and remedies, at law and in equity, are expressly reserved.

Thank you for your time and consideration. We request a formal response at earliest convenience.

Sincerely,

CURRAN MENDOZA, P.S.



Kim A. Pratt



Gregory F. Cromwell

cc: Ms. Louise M. Strander



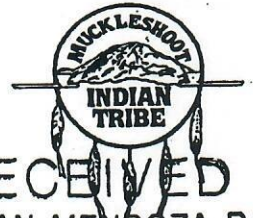


# MUCKLESHOOT INDIAN TRIBE

OFFICE OF THE TRIBAL ATTORNEY

39015 - 172ND Avenue S.E. • Auburn, Washington 98092-9763

Phone: (253) 939-3311 • FAX: (253) 931-8570



RECEIVED  
CURRAN MENDOZA P.S.

APR 17 2000

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

April 14, 2000

Kim Adams Pratt  
Curran Mendoza P.S.  
555 West Smith Street  
P.O. Box 140  
Kent, WA 98035- 0140

**BY FACSIMILE AND U.S. MAIL**

Dear Ms. Pratt:

The Muckleshoot Tribe understands that you represent property owners in the City of Tukwila in regard to the City's desire to reroute Burlington Northern Sante Fe ("BNSF") truck traffic. The Muckleshoot Indian Tribe's Fisheries Department ("MITFD") has reviewed the City of Tukwila's proposals to improve road access for trucks utilizing the BNSF railyard located in Tukwila next to the Duwamish River. Three of the proposals involve the construction of a new bridge over the Duwamish River just downstream of the I-5 crossing of the Duwamish River. The Gateway options involve bridge construction over an area known as Codiga Farm. The 48th Avenue alternative would occur several hundred yards upstream. Bridge construction at either site will have direct and indirect impacts upon chinook salmon, the impacts varying with the alternative selected. Therefore, alternatives that do not require the construction of a bridge are available and the bridge alternatives should be excluded from further consideration.

## **Environmental Background**

The area is tidally influenced and some mud and sandflats are located within the river channel. The salt water wedge extends through and upstream of the site during the low flow season at low tide. During high tide, the salt wedge can reach the project area after May, a time period when juvenile chinook are known to be rearing in the Duwamish Estuary. Juvenile chinook migrate downstream until they reach the leading edge of the saltwater wedge. Upon reaching the saltwater wedge, the juvenile chinook began acclimation to salt water. As the upstream extent of the saltwater wedge moves with the tides and freshwater inflows, juvenile chinook move with the wedge, but as they acclimate to saltwater exhibit a net downstream movement. Thus, the project location is located at the upper edge of where juvenile chinook begin adapting to saltwater. Adult chinook also pass through this area to reach the upstream spawning grounds.

Copy to Client 04/20/00  
(Strander, Zitnik, Griffith & Morrow)



## **Project Impacts**

### **Gateway Drive and Gateway Drive (B)**

#### **Direct Impacts**

The alternative involves construction a new bridge which will cross the Duwamish River and Codiga Farms. The narrative description states that the bridge span is designed to keep the abutments out of the river during flooding events, but that the center pier will be submerged at flood stage and will cause a minor backwater effect. However, the flood event mentioned is not described. Thus, I am unsure if it is a 1 year flood event or a hundred year flood event. The smaller the flood event, the greater the potential physical impact to juvenile salmon rearing habitat by physical displacement of sandflat, mudflat, or riparian area. Additionally, the river is intertidal in this reach. The bridge will shade the intertidal area and depending upon the extent of shading may reduce the primary production in the shaded area. Juvenile chinook feed upon organisms dependent upon primary productivity. Thus, it is possible this project may result in a minor reduction of food production for chinook. Given that there has been a 98% loss in the intertidal wetlands contributing to this food chain, further reductions could pose a problem.

The proposed new bridge will include paths for pedestrians and bicyclists. This will increase public access over this part of the River. The River is expected to be warm during the upstream migration of adult chinook, temperatures exceeding preferred limits, and indeed, the NMFS Properly Functioning Conditions ("PFC"). Based upon MITFD observations of upstream coho migration in the Sammamish River, it is possible that people standing on the bridge to observe the upstream migration of adult chinook may impede or delay the upstream chinook migration. Delays of upstream migration in stream reaches with elevated temperatures will increase the level of stress upon chinook and increase pre-spawn mortality.

#### **Indirect Impacts**

The two Gateway alternatives will pass over an area known as Codiga Farm. This site is under consideration for use as a major restoration project in the Duwamish Estuary. The bridge spans will pass over this site. Thus, the bridge will shade the planted riparian and intertidal vegetation. Additionally, the presence of a bridge will preclude the planting of trees under the bridge due to maintenance and safety concerns.

### **48th Ave**

#### **Direct Impacts**

The same direct impacts as previous described are likely to occur, though some will be less in magnitude for the following reasons:

- (1) the site appears to be several hundred yards upstream and thus the influence of salt water during the chinook juvenile outmigration period is less;
- (2) the river channel is narrower and thus shading impacts cover a less area.

### **Treaty Fishing Rights**

The Tribe has federally-protected rights to access to its usual and accustomed fishing areas, as well as a right to take fish from these areas. U.S. v. Washington, 384 F. Supp. 312 (W.D. Wash. 1974); U.S. v. State of Oregon, 718 F.2d 299, 303-4 (9th Cir. 1983). Treaty fishing occurs at the site at which the bridges are proposed and would be impacted by bridge construction. Impairment of access to treaty fishing rights is unlawful and constitutes an unacceptable consequence of the proposed project. Protection of the Tribe's reserved treaty rights is paramount. Case law reinforces this position and obligates federal agencies to protect treaty fishing rights by denying permits for projects that impact a tribe's right to access. See, Muckleshoot Indian Tribe v. Hall, 698 F. Supp. 1504 (W.D. Wash. 1988); Northwest Sea Farms, Inc. v. United States Army Corps of Engineers, WL 387756 (W.D. Wash. 1996). Accordingly, the Tribe would oppose any applications for federal permits required for this proposed project.

The Tribe has successfully opposed projects in the past that impact its treaty fishing rights. The Tribe urges the Task Force to consider other alternatives than construction of a bridge over the Green River in order to avoid formal opposition by the Tribe in the future. Please contact me if you have any questions or need further information.

Cordially,



Karen Allston  
Tribal Attorney

## Allentown Resident Public Comments for EIS

February 28, 2023

Over 35 years ago, the Burlington Northern Rail redirected truck traffic to our residential neighborhood supposedly on a temporary basis. We have been trying to reroute the truck traffic every since.

The last traffic count in 2018 cited 3000 trucks a day going through our neighborhood 50 feet from a community center where there are ball fields, a water park, picnic area, playgrounds and residential homes. Whether the count is 3000 or 300 it is still too many trucks going through a residential neighborhood.

This community now has over 40% of the people who live here born in another country. They have been and are being taken advantage of because their voices can not be heard.

6PPD which is used to keep **tires** from breaking down too quickly acts with the ozone in the environment and transforms into multiple chemicals, including 6PPD-quinone which is responsible for killing salmon. I expect this to be researched for potential impacts to the community, wildlife and river.

**Many other chemicals related to tire wear have been found to be toxic to humans and wildlife.** Air Pollution from tire wear particles can be **2,000 times worse** than what comes out of a car's exhaust. I expect this to be researched for potential impacts to the community, wildlife and the Duwamish River.

During their lifetimes, **truck tires** produce 8 x more particles because of their size. **Tires** wear quicker on local residential roads than they do on freeways and highways. I expect this to be researched for potential impact.

The Duwamish River runs through Allentown. I expect the EIS to research the potential impacts of tire particles from **exhaust** being left behind which are **extremely toxic to salmon**.

I expect the EIS to research the PAH chemicals in truck **exhaust** that fall onto streets, roofs, storm sewers and directly into the Duwamish River. They have been found to be in diesel emissions at truck stops and terminals. They have been observed in soils at truck stops. PAH's major contributors to carcinogenic properties in diesel exhaust. Can be transported by air, water and the soles of shoes. Some can readily evaporate into the air from soil or surface waters. Most do not dissolve easily in water. They stick to solid particles and settle to the bottoms of rivers and lakes. The PAH levels can be much higher in plants and animals than of soil or water in which they live. PAH chemicals have been previously shown to be associated with adverse health effects resulting from both short term and long term exposure. In addition to skin exposure, a potential exposure is via inhalation. Research has suggested that potential long term exposure to PAH's include disease such as **increased risk of skin, lung, bladder and gastrointestinal cancer.** (Armstrong et al., 2004; Olson et al., 2010; Diggs et al., 2011; Boffetta et al., 1997) The more research I do the scarier it gets!!! How is all this air and water pollution being documented and analyzed?

Why is BNSF not required to test for 6PPD in their storm water? Certainly if they were to move their operations wherever they sold to would be required to adhere to today's standards and permitting and not those of late 1960's.!! What BNSF is getting away with is unacceptable.



The noise is intolerable with the constant truck traffic. They are always ignoring the no truck signs on 115<sup>th</sup> that turns into 42<sup>nd</sup> Ave. S heading south and consequently the truck weight can damage the river banks and the water main that runs along that route.

Both of our important infrastructures are severely damaged due to truck traffic. (the 42<sup>nd</sup> Ave. S. Bridge and the freeway overpass on 129<sup>th</sup> going up to Skyway)

The last study in 2015 found the 48<sup>th</sup> Ave. S. off of Interurban Ave. S. option the best alternative. The entire street is commercial and dedicated to truck activity. It has two diesel fueling businesses, a motel that has 18 parking spots dedicated to semi trucks, two freight yards, a truck rental business, truck sales dealer, and a ditch witch business on this street. This street ends at the river. A bridge at this location would connect the south end of the yard. A bridge at this location would be approximately one hundred feet shorter across the river than the span across the river on the 42<sup>nd</sup> Ave. Street bridge.

The north end of the BNSF yard is commercial as well. There is an old road on the west end of the BNSF property and a gate at very north end of their property off of Airport Way S. This option is very close to Interstate 5 as well.

It is important to for the EIS to have a full understanding of the decades long issue with these trucks we have had to deal with in our neighborhood. You should know how many studies we have gone through already and what that research determined was the best alternate routes. Tour the area more than once to fully understand the issue.

This issue affects the quality of life of an entire residential neighborhood. Our health, our children's health, our safety, the killing of salmon, (thirty years ago the river was full of fisherman actually catching multitudes of salmon here in Allentown) damage to river water, air quality, and chemicals that run off into the storm sewers and soil.

I would be happy with the trucks being rerouted at either the north end of the yard in the commercial area close to the freeway **or** on 48<sup>th</sup> Ave. S in another commercial area close to the freeway **as long as the trucks are out of our residential neighborhood. Enough is enough!!!**



---

**From:**  
**Sent:** Sunday, February 19, 2023 12:23 PM  
**To:** AllentownTruckReRoute@tukwilawa.gov  
**Subject:** Semi trucks

**Categories:** Allentown

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As I drive on Boeing Access Road,  
there are two road ways in & out,  
of BNRailyards that the semi trucks,  
should use to access & depart the,  
BN rail yards instead of them,  
driving on 42nd Ave S.  
Robert Boling resident

Sent from my iPhone

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**From:**  
**Sent:** Monday, February 20, 2023 2:10 PM  
**To:** AllentownTruckReRoute@tukwilawa.gov  
**Subject:** Truck reroute

**Categories:** Allentown

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is my opinion on the reroute. I feel that the best route would be a ramp up to Airport Access Road and or I-5. If you have to put it on the road where Harley and Denny's used to be I think it would disrupt the hotel and other businesses with traffic unless you build a completely separate road and ramps to I-5. I've lived in Tukwila since 1978; the trucks shouldn't be going through neighborhoods and they should get an easier route to access the freeways.

Thanks

Sent from my iPhone

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**From:**  
**Sent:** Tuesday, January 31, 2023 9:27 AM  
**To:** AllentownTruckReRoute@TukwilaWA.gov  
**Subject:** EIS Scoping

**Categories:** Allentown

**CAUTION:** [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I understand that Mark Hass will be handing the EIS study. It is very important that Baker Commodities is included when evaluating where bridge would be placed. Potential bridge placement on 48<sup>th</sup> Ave S is our biggest concern on how it would affect or accommodate our equipment coming in and out of our plant 24 hours a day

Division General Manager



**Baker Commodities, Inc.**  
Recycling for Life®

Baker Commodities Inc.  
Seattle Division  
PO Box 58368  
Seattle, WA 98138  
206 243 7387  
1 800 562 5058  
<http://www.bakercommodities.com>  
[mbulleri@bakercommodities.com](mailto:mbulleri@bakercommodities.com)

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**From:**  
**To:** [allentowntruckreroute@tukwilawa.gov](mailto:allentowntruckreroute@tukwilawa.gov)  
**Subject:** Allentown Truck ReRoute Project  
**Date:** Wednesday, March 15, 2023 5:19:40 PM

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To Whom It May Concern:

I support any re-routing proposal which will remove heavy truck traffic to and from the BN from the Allentown neighborhood streets without just rerouting the same traffic through another residential area where it would cause the same problems or shaken hopes, cracked walls and foundations, noise pollution, exhaust fumes, etc..

The rerouted traffic should also avoid any sensitive environmental areas such as river banks and wetlands except for the immediate vicinity of any new bridge which may need to be constructed.

The location for a truck bridge which makes the most sense to me would be one across the Duwamish River connecting the rail yard to 48th Place S. and to Interurban Avenue. Alternatively, the north entrance from Airport Way S. just north of the Boeing Access Road Bridge seem to be another logical choice.

The Duwamish Allentown neighborhood is both thriving because of its excellent location and relatively affordable housing, but it is also struggling because of the ongoing fight against overdevelopment and heavy truck traffic issues.

Please take these concerns and preferences into consideration when making the final rerouting decision.

Thank you.

Respectfully,

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**From:**  
**Sent:** Saturday, March 11, 2023 8:54 AM  
**To:** allentowntruckreroute@tukwilawa.gov  
**Subject:** EIS Scoping Comment  
**Attachments:** Bridge powerpoint show 04.07.21 sml.ppsx

**Categories:** Allentown

**CAUTION:** [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,  
I am submitting comment for the Scoping period, Allentown Truck Reroute Project.

I am glad to see that maybe, finally, at the end of this process, Tukwila will have been able to fulfill the 30 plus year promise of moving a steady stream of trucks out of a residential neighborhood and also provide better access to the intermodal yard for freight movement.

I have attached a PowerPoint as part of my comment. Submitted to the City a year ago, most of it continues to be valid.

In addition, I'm disappointed the city has lacked imagination on this whole project; from not repurposing the old bridge (even for pedestrians), to simply picking the proposed boring replacement bridge out of a catalog.

Sincerely,

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# 30 years later... The Allentown bridge SNAFU



# Overview:

- BNSF truck traffic was to be only “temporary” on the 42<sup>nd</sup> Ave. bridge.
- 30 years later, trucks still rumble through the Allentown neighborhood, spewing diesel exhaust; creating noise, health and safety hazards for residents.
- Tukwila does NOT seem to maintain the 42<sup>nd</sup> bridge to modern standards. It can not handle the continuous weight of the trucks in its current condition
- An “alternative” truck bridge had been proposed by the City at 48<sup>th</sup> S. in 2016
- The City seems to have forgotten about the need for a new truck bridge on 48<sup>th</sup> S. and is planning on a new bridge on 42<sup>nd</sup> to handle even more trucks:

“  
Design opportunities  
BNSF requests that the new bridge be designed to handle current and future load capacity as well as incorporate the ability to support double-trailer trucks. Baker Commodities also advocates that the bridge be designed with large trailer trucks in mind. The Tukwila Community Center viewed the design of the new 42nd Ave S Bridge as an opportunity to create better cohesion between the community center, the bridge, and the Green River Trail in an effort create a welcoming gateway to the Allentown neighborhood.”

42<sup>nd</sup> Ave. steel truss bridge.

An important link for the community but neglected by the City of Tukwila.





42<sup>nd</sup> Ave. steel truss bridge.

An important link for the community but neglected by the City of Tukwila.

## WSDOT bridge criteria:



Traffic & Cameras | Projects | Business | Environment | Maps & Data

[Home](#) » [Bridge](#) » [Our bridges around the state](#) » [Bridges & structures condition ratings](#)

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[Condition ratings](#)

[Inspecting](#)

[Preserving](#)

[Movable bridges on state routes](#)

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Email/text updates

## Bridges & structures condition ratings

The safety of bridge structures in Washington state is ensured through a meticulous [inspection system](#). All public bridge owners, such as Washington State Department of Transportation, counties and cities, follow the same bridge inspection procedures. The condition rating of all bridge decks, superstructures and substructures and other elements based on these inspections.

USDOT's Federal Highway Administration (FHWA) requires all public bridge owners (state, city, and county) to inspect and their bridges and report information including bridge condition ratings as part of their requirements in the National Bridge Inventory Standards (NBIS).

- All states must perform periodic inspections of bridges greater than 20 feet in span on at least a biennial basis.
- Data collection was standardized and must be reported to FHWA.
- Qualifications for inspection personnel were defined.
- Training programs were developed and implemented.
- The Bridge Replacement Program (BRP) was established to provide funding for bridge replacement on the system.

[wsdot.wa.gov/bridges-condition](https://wsdot.wa.gov/bridges-condition)

# King County bridge criteria:

## VII. BRIDGE PRESERVATION

The intent of a bridge preservation program is to perform cost-effective projects to extend the useful life of the bridge. The bridge preservation program includes the following work categories:

- Load Upgrades
- Bridge Re-decks
- Bridge Painting
- Scour/hydraulic Projects
- Bridge Seismic Retrofits
- Bridge Maintenance Repairs

### *King County DLS Road Services Division 2019 Annual Bridge Report*

#### **Bridge Washing**

Bridge washing is an annual program to pressure wash steel truss bridges and other vulnerable structures. The intent of the program is to extend the life of the paint and the steel and to remove dirt and debris which would obscure inspection of the bridge. Most of the steel bridges are fracture critical and a clean surface will allow a quality inspection of the fracture critical elements. The following bridges were pressure washed by County forces in 2019: Green River Gorge Bridge No. 3032, Raging River Bridge No. 1008E, Mt. Si Bridge No. 2550A, and Stossel Bridge No. 1023A.



*Mt. Si Bridge No. 2550A during bridge washing process.*



42<sup>nd</sup> Ave. steel truss bridge.

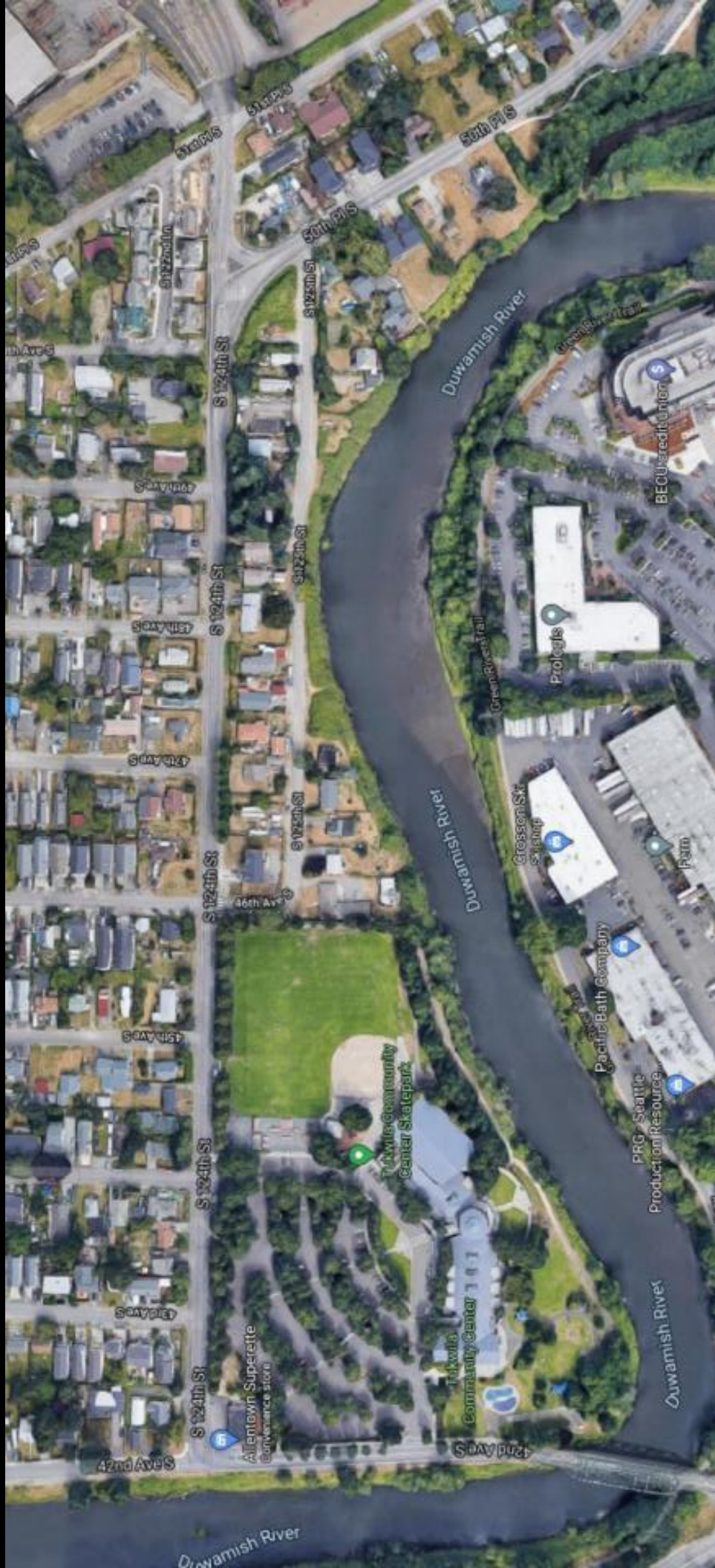
An important link for the community but neglected by the City of Tukwila.





42nd and 124th: All about Residents, Rest and Recreation

## Allentown Neighborhood

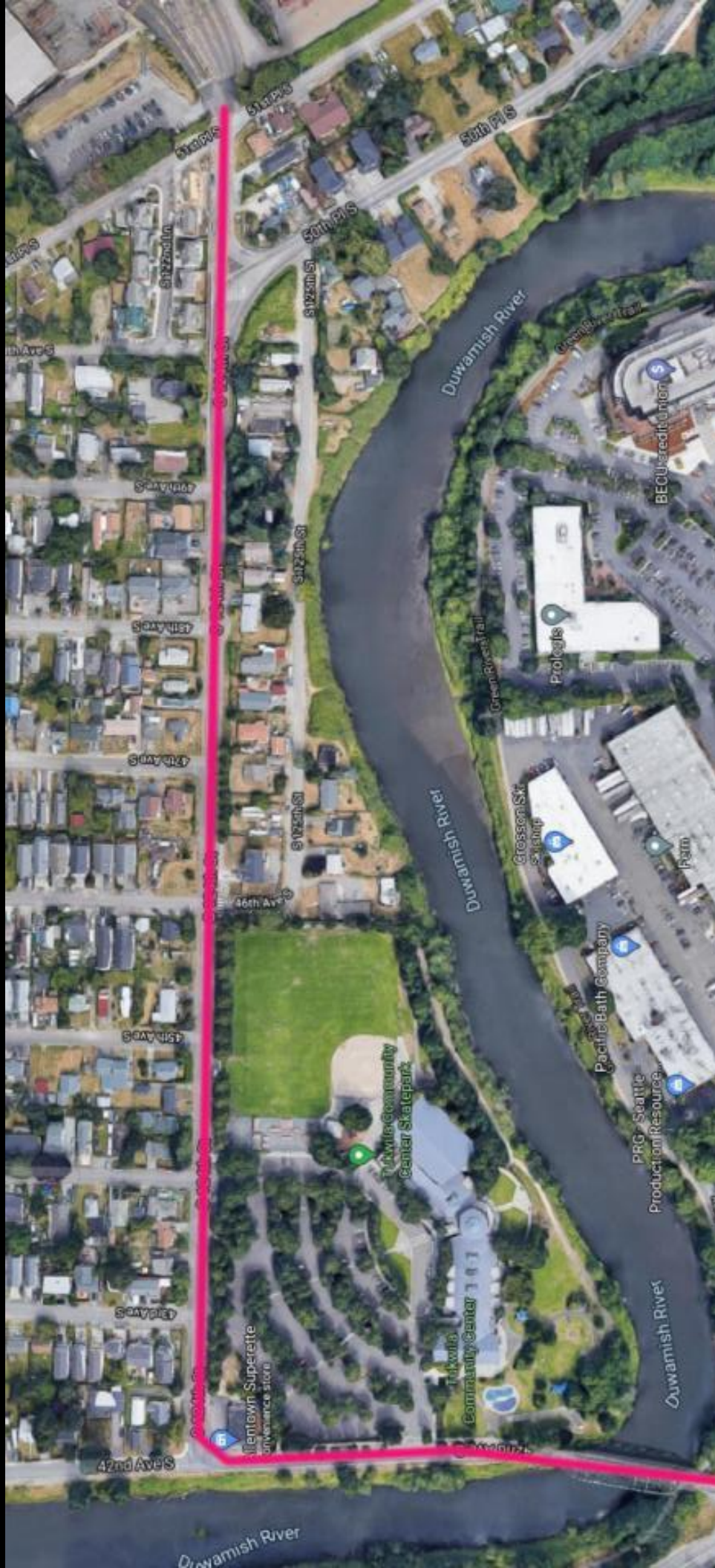




42nd and 124<sup>th</sup>: All about Residents, Rest and Recreation

## Allentown Neighborhood

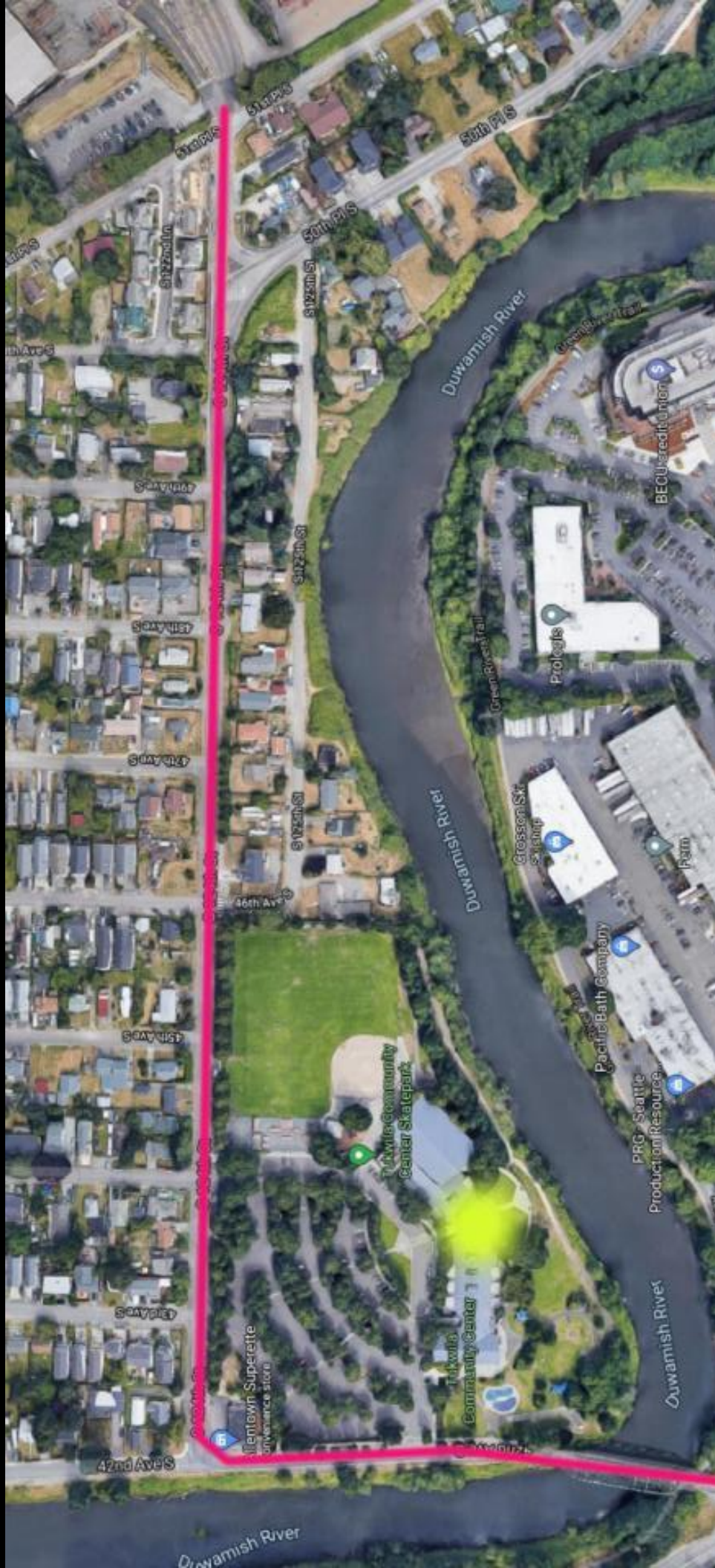
Current Truck Route





# 42nd and 124<sup>th</sup>: All about Residents, Rest and Recreation

- Tukwila Community Center







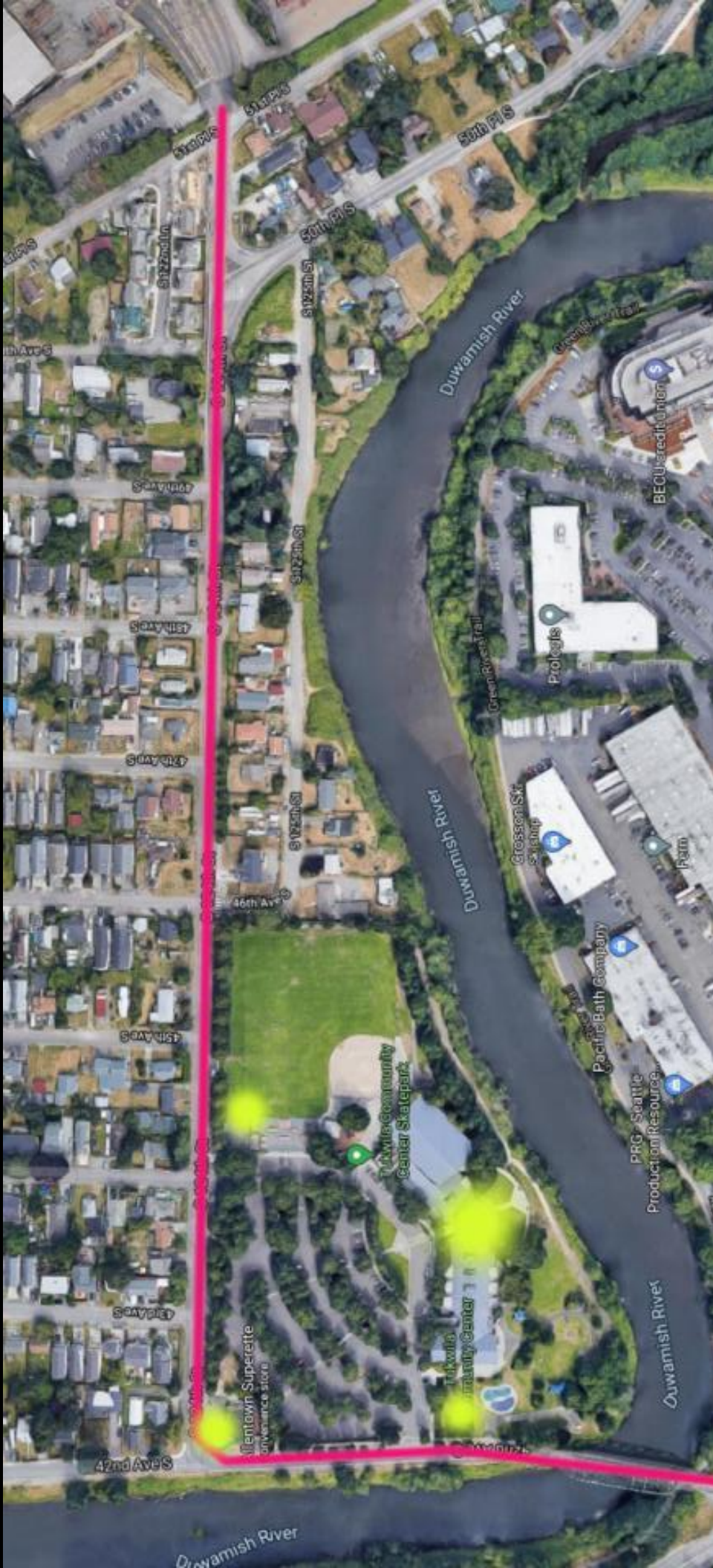






## 42nd and 124<sup>th</sup>: All about Residents, Rest and Recreation

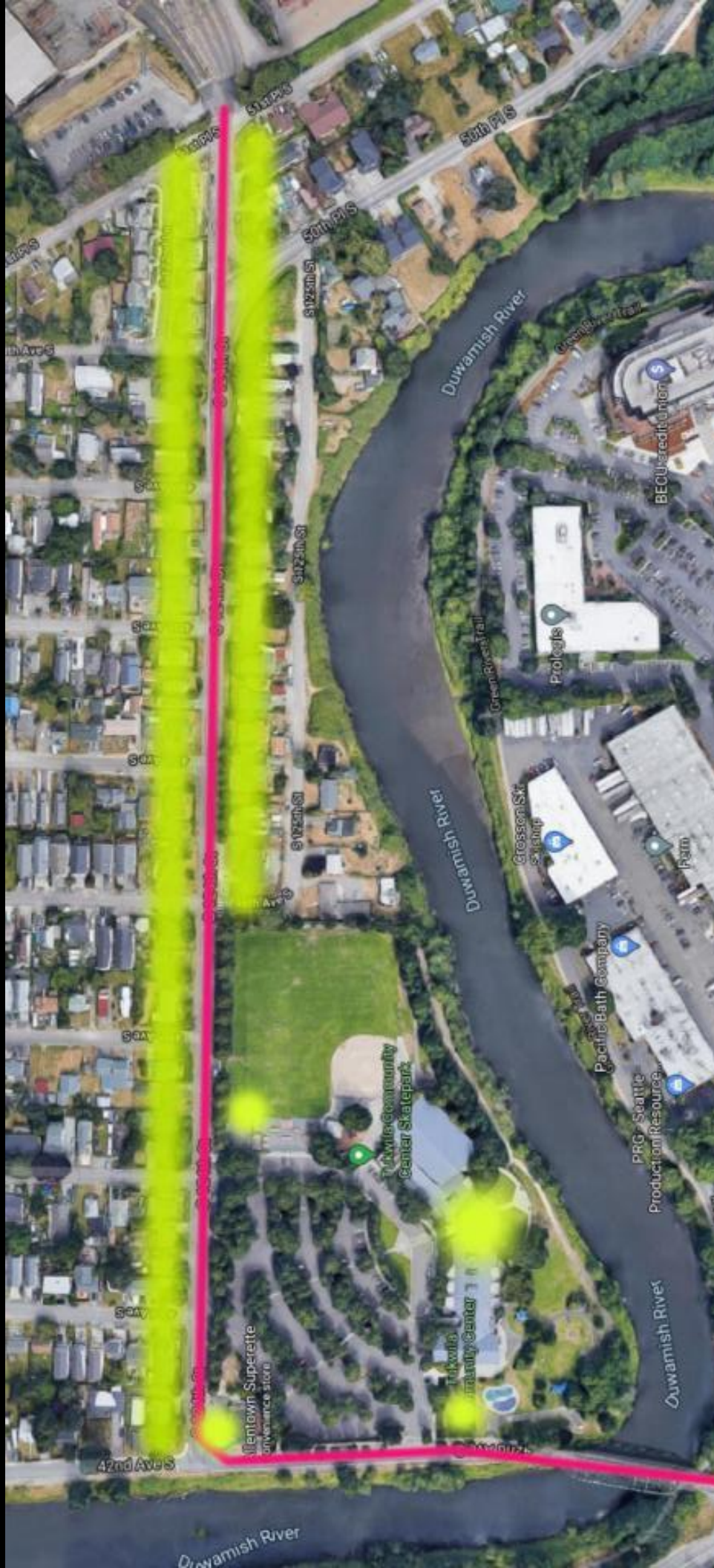
- Tukwila Community Center
- Allentown Superette
- Children's Splash Park
- Skate park and Playfield





## 42nd and 124<sup>th</sup>: All about Residents, Rest and Recreation

- Tukwila Community Center
- Allentown Superette
- Children's Splash Park
- Over 45 homes and yards front truck route
- Skate park and Playfield





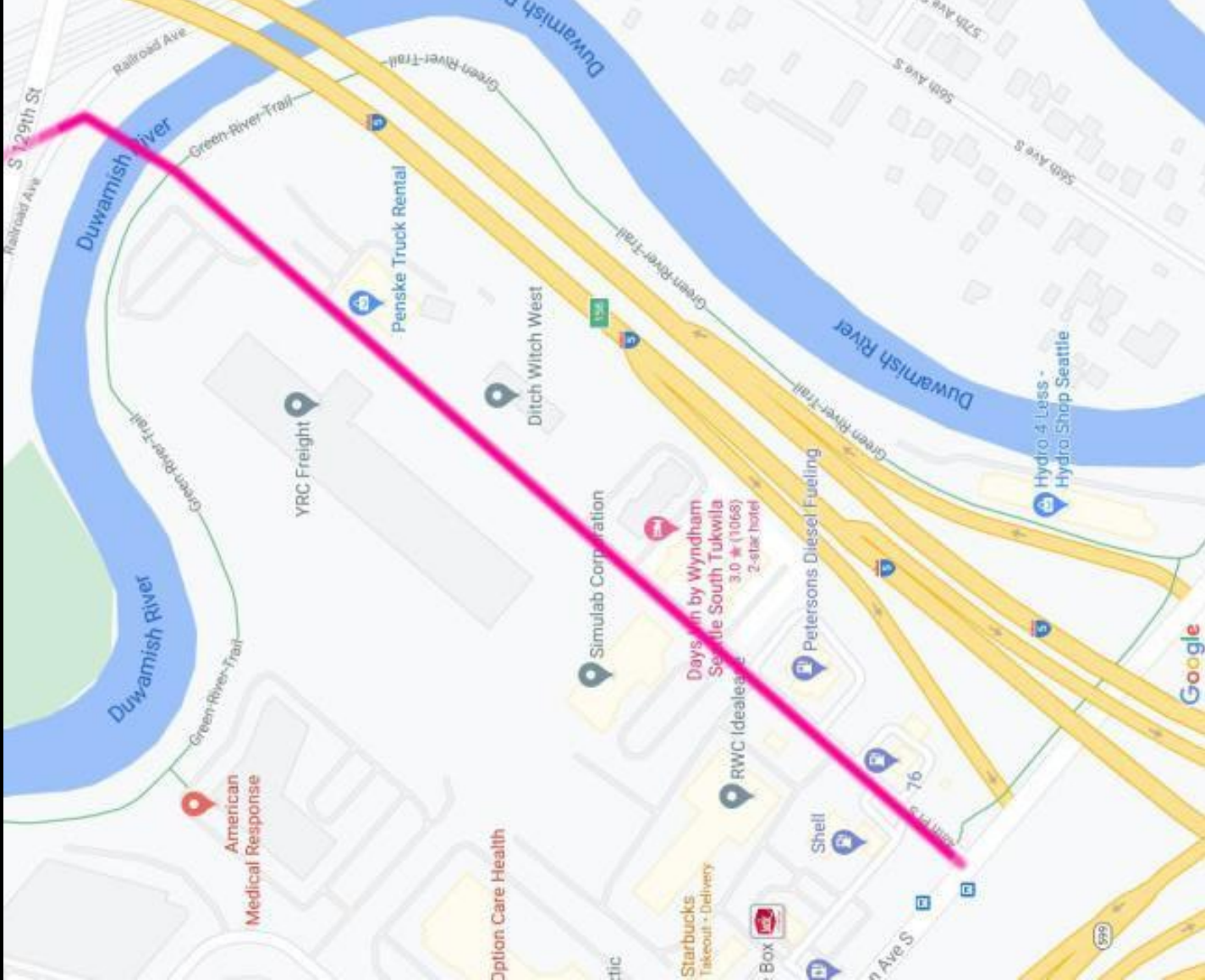
## 48th Place S: All about Trucking, Transportation and Travel

# Alternate Route



# 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

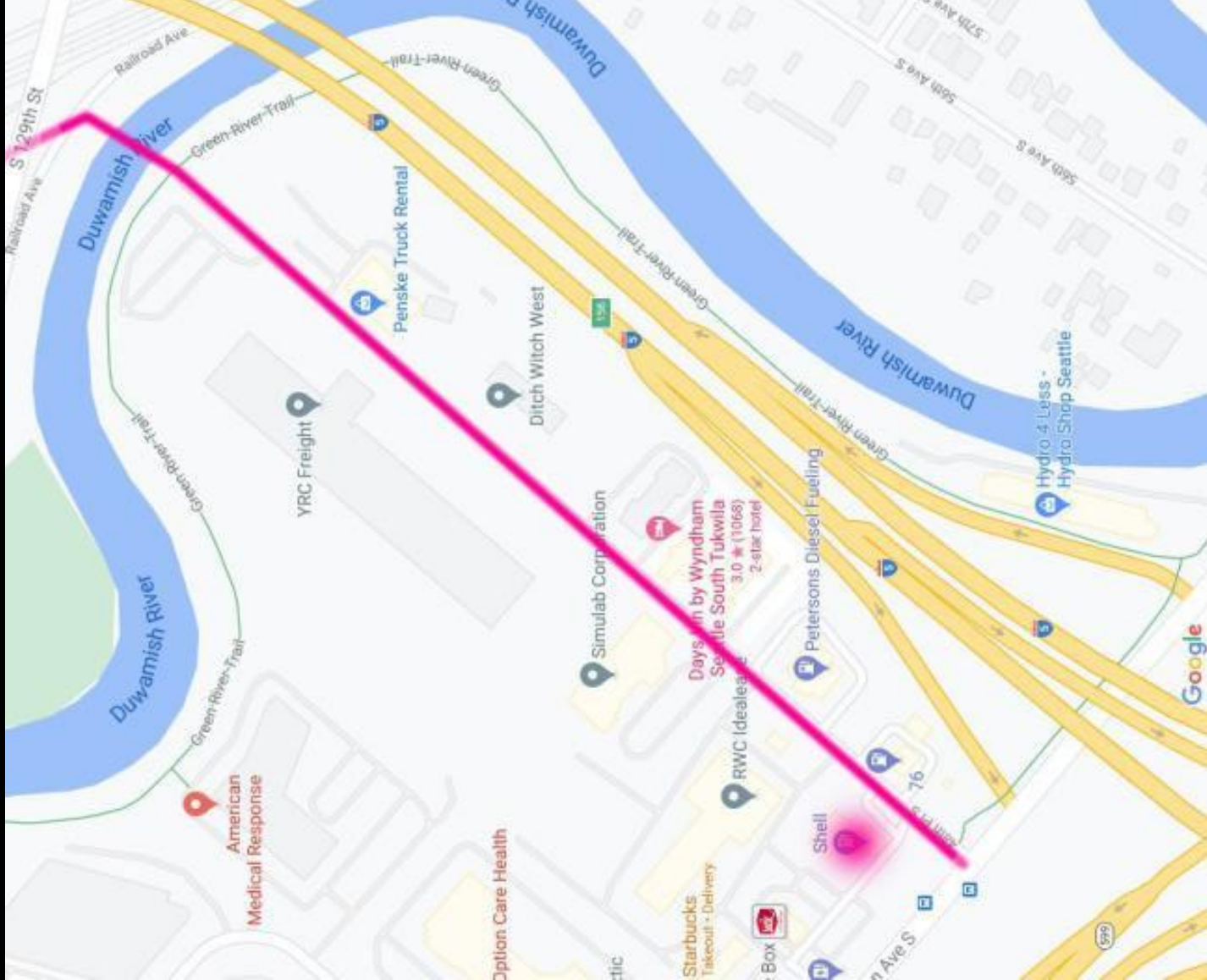
# Alternate Route





# 48th Place S: All about Trucking, Transportation and Travel

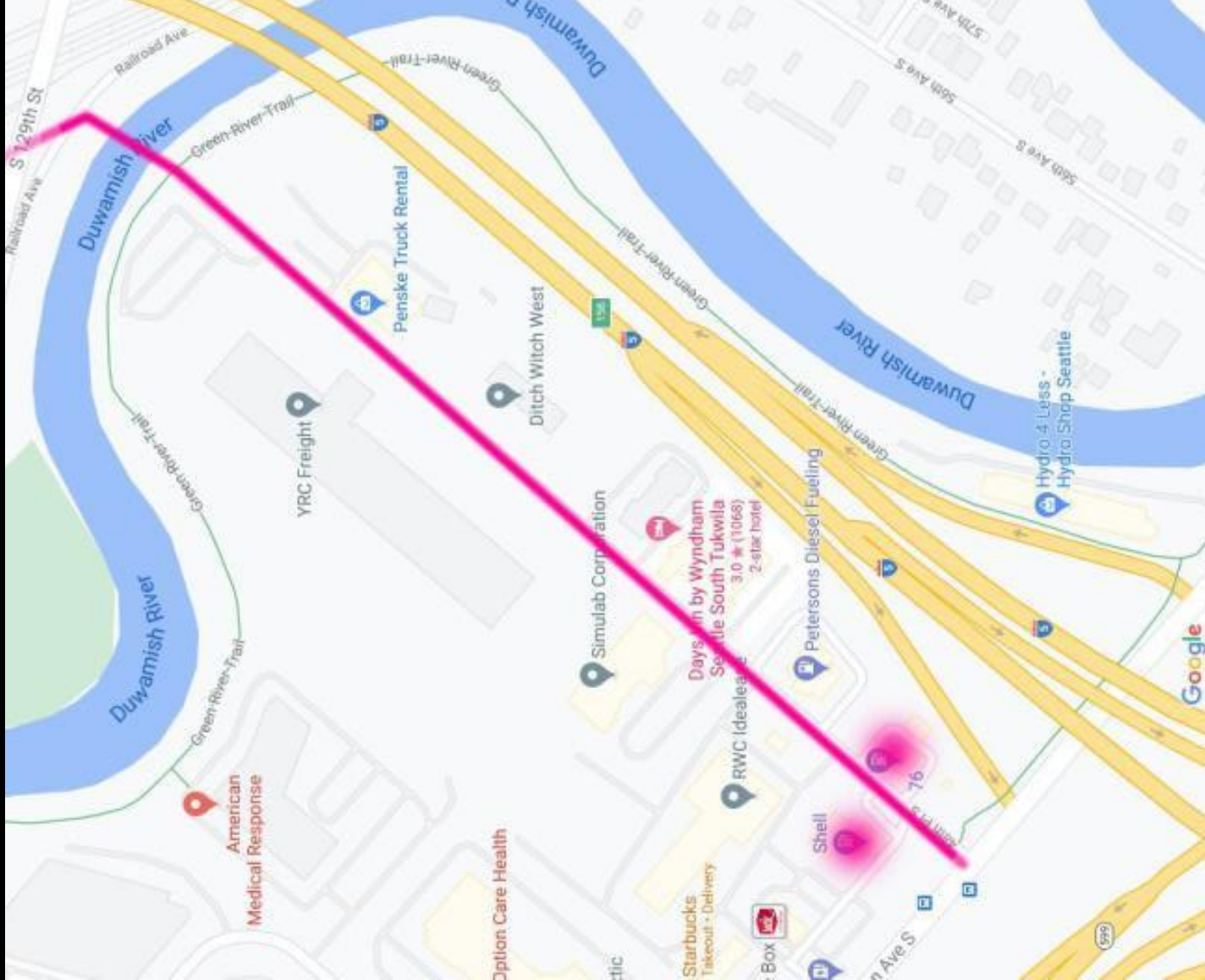
- Shell Fuel Station





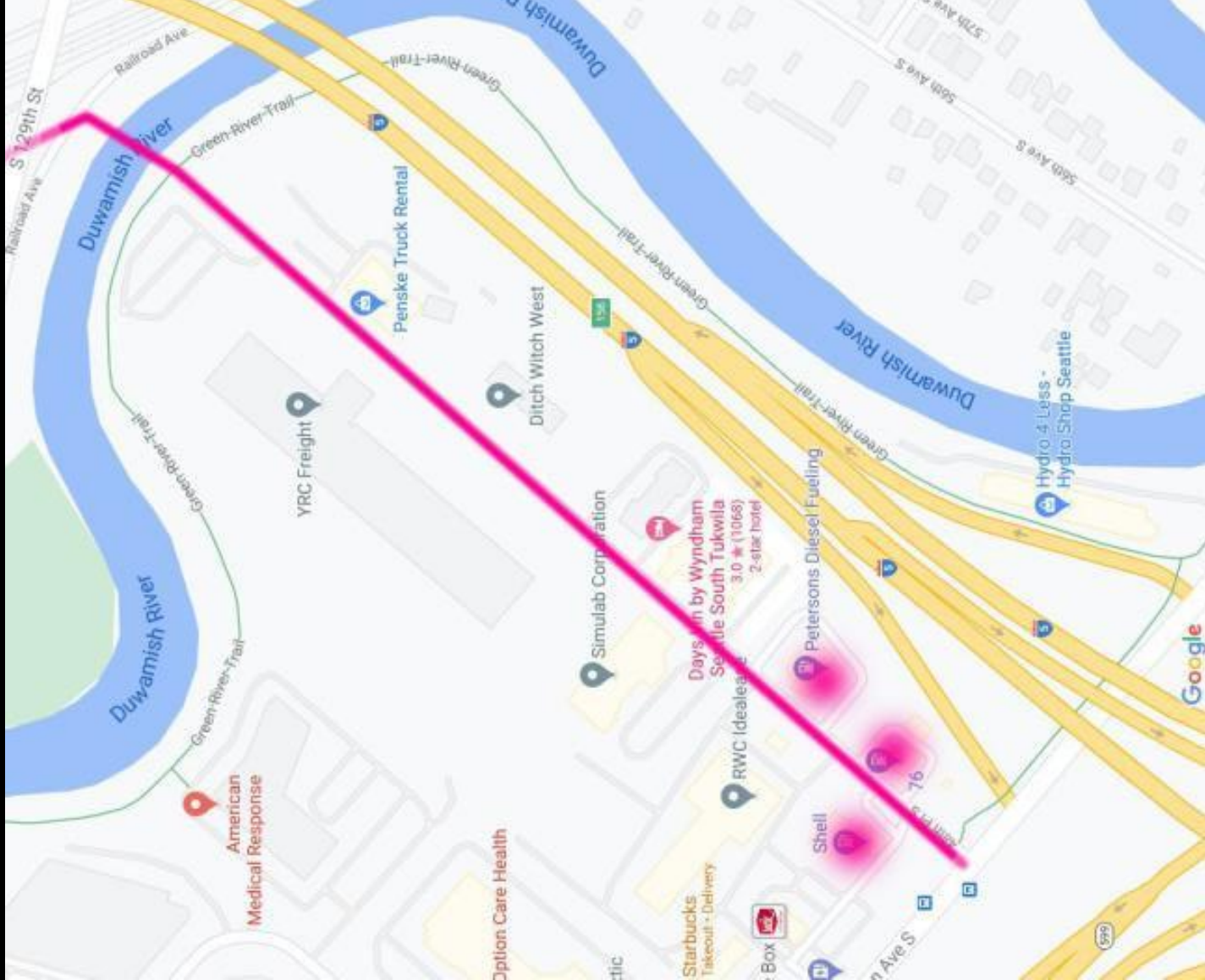
# 48th Place S: All about Trucking, Transportation and Travel

- Shell Fuel Station
- 76 Fuel Station



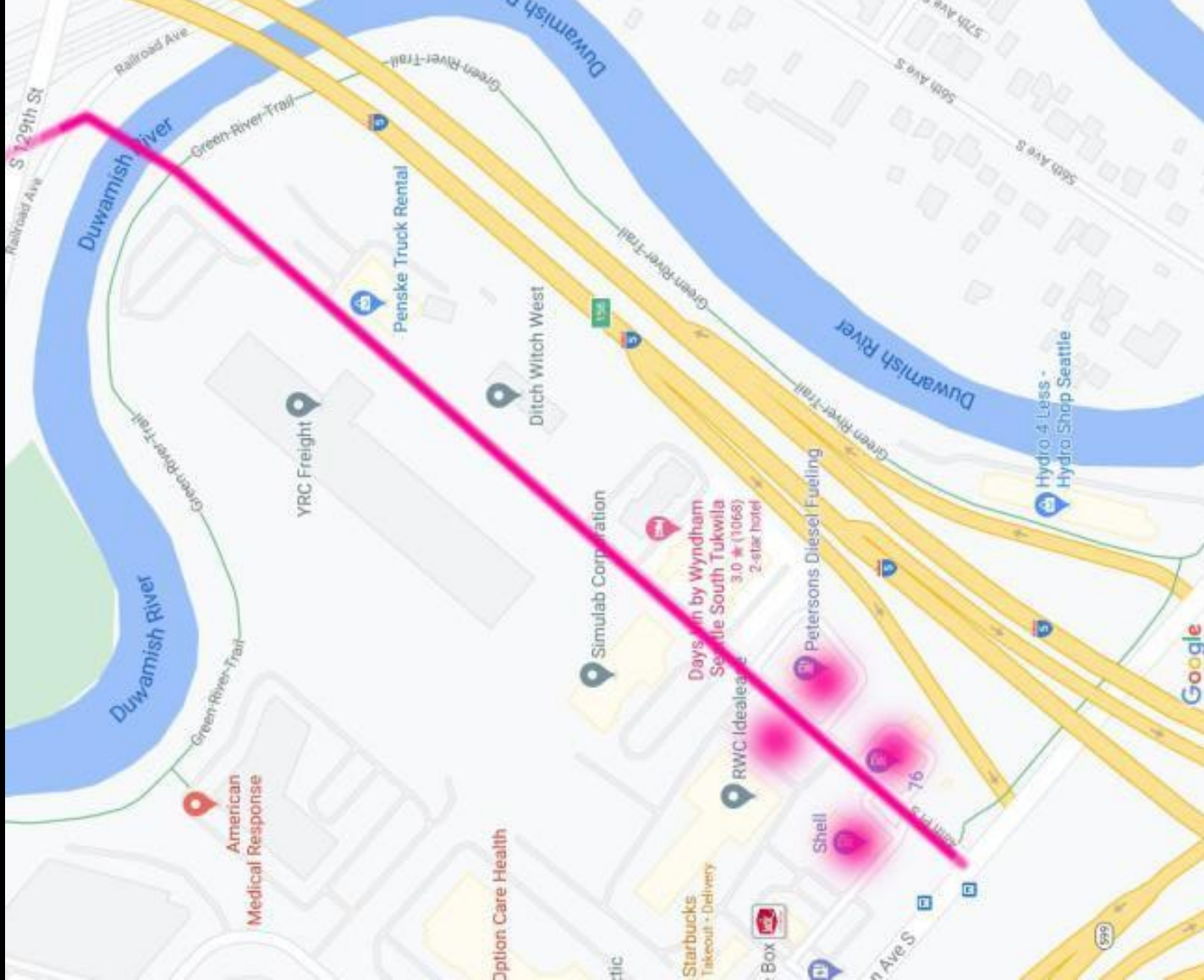
## 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station



## 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

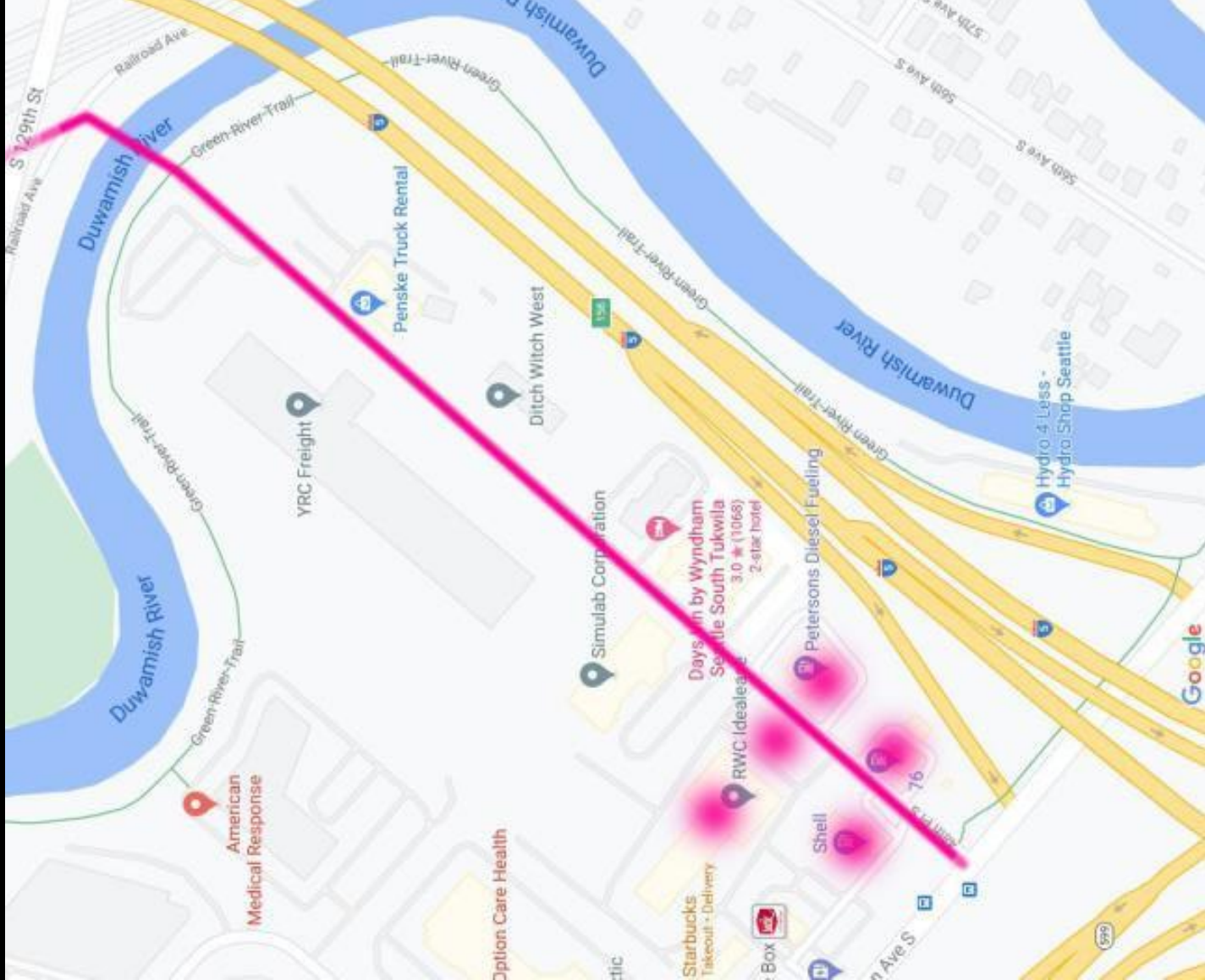
- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station
- APP Diesel Station





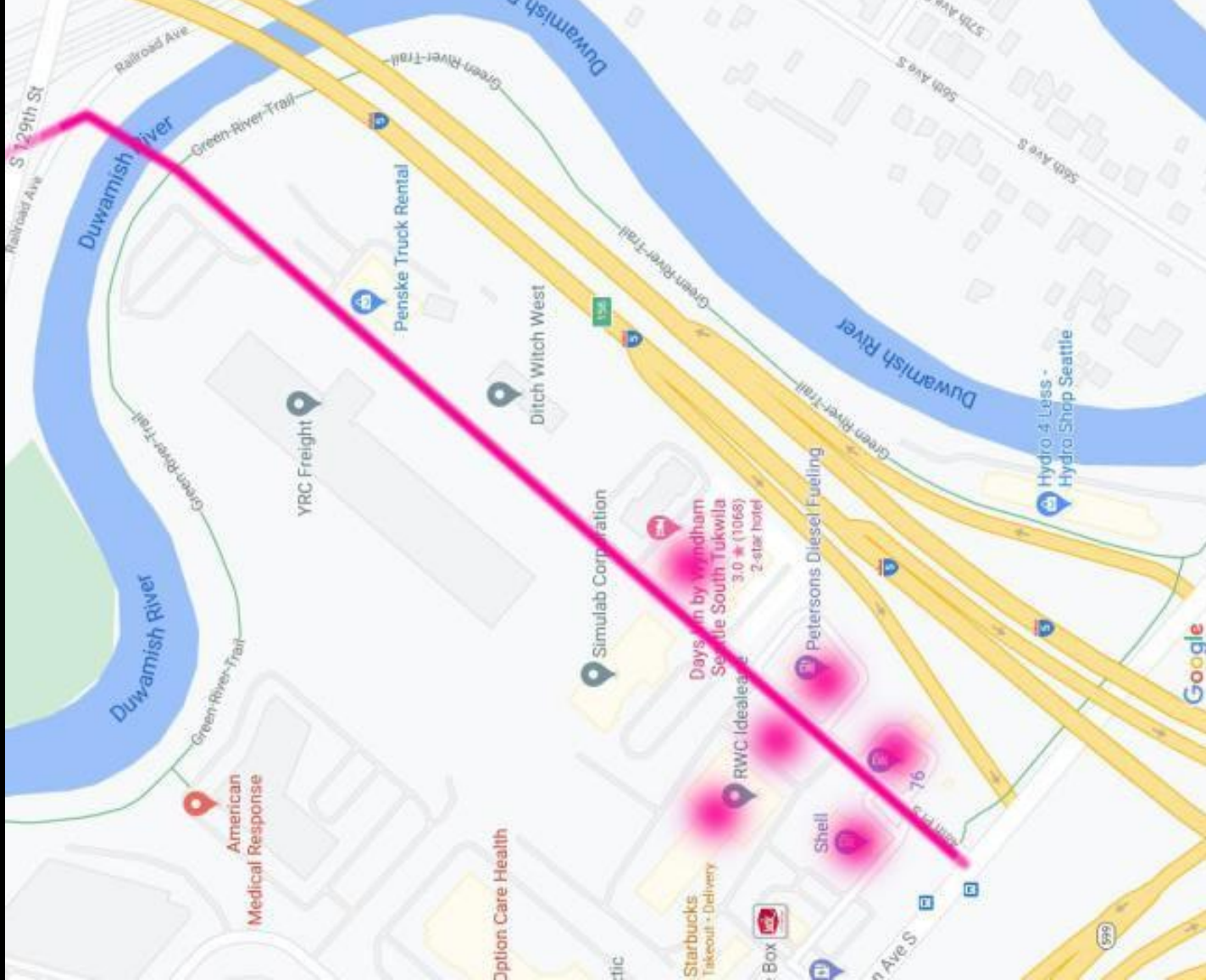
## 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station
- APP Diesel Station
- RWC Truck Dealership



## 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station
- APP Diesel Station
- RWC Truck Dealership
- Days Inn (18 semi parking spots)





## 48th Place S: All about Trucking, Transportation and Travel

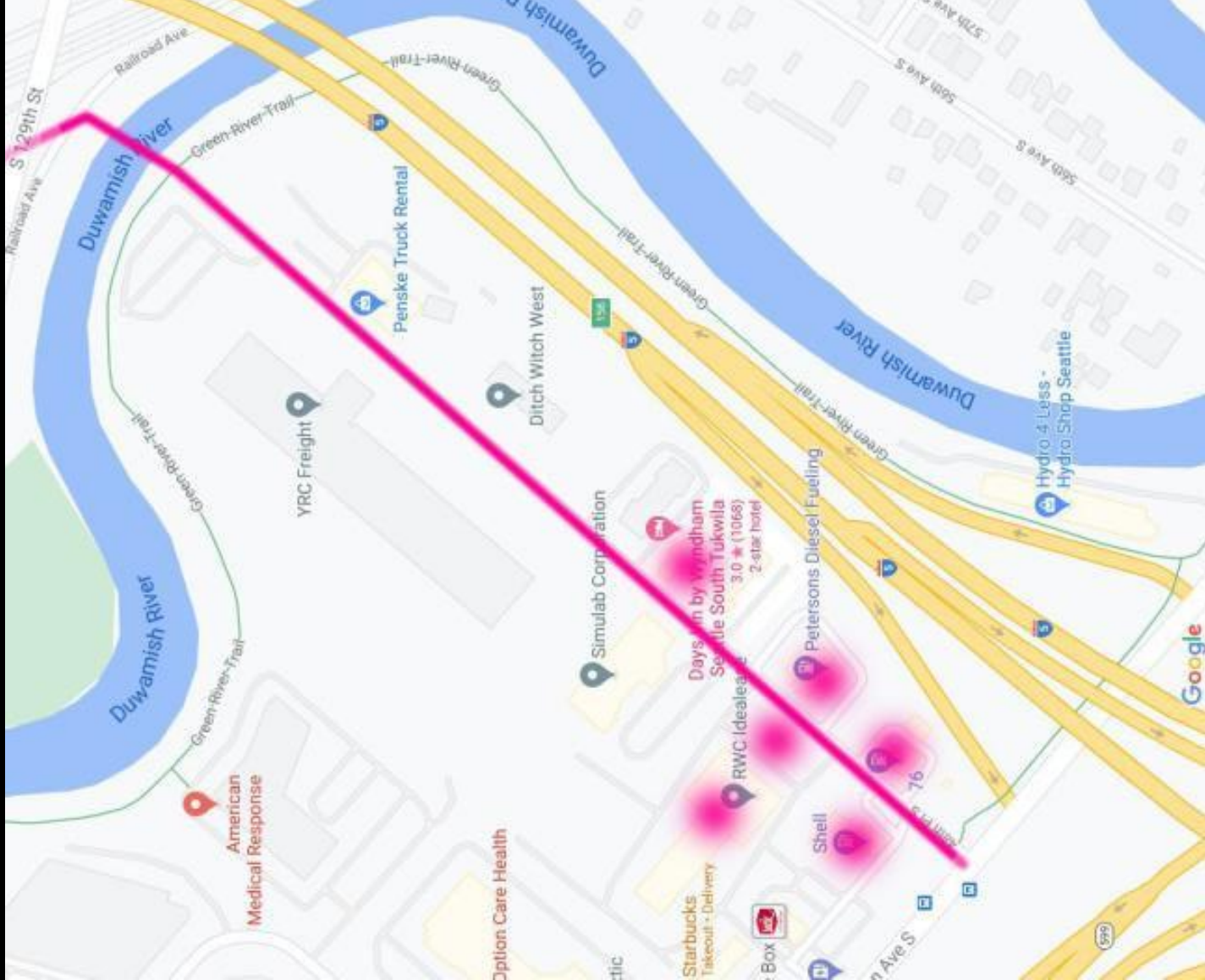
- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station
- APP Diesel Station
- RWC Truck Dealership
- Days Inn (18 semi parking spots)





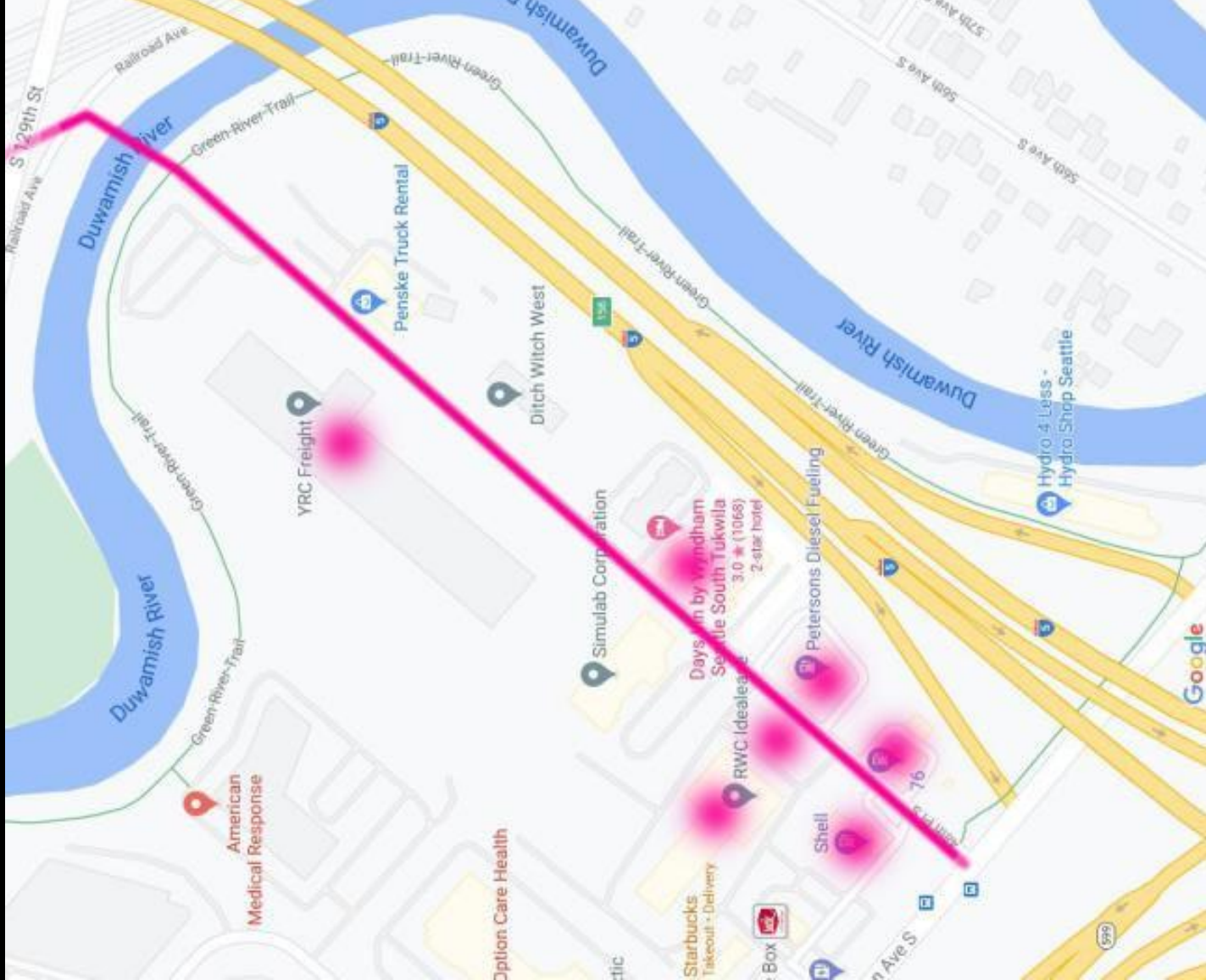
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- APP Diesel Station
- RWC Truck Dealership
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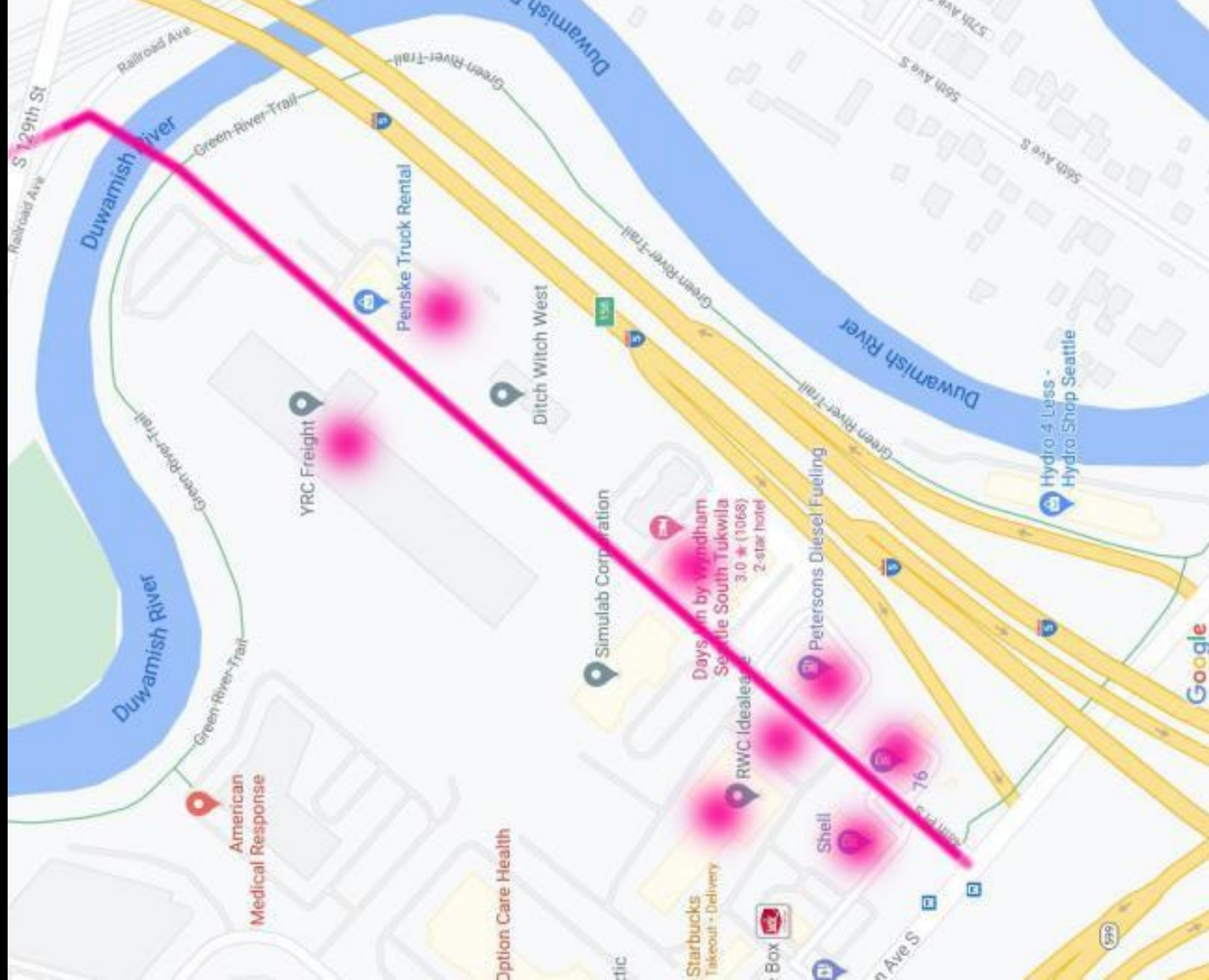
## 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station
- APP Diesel Station
- RWC Truck Dealership
- Days Inn (18 semi parking spots)
- YRC Freight Depot



# 48<sup>th</sup> Place S: All about Trucking, Transportation and Travel

- Shell Fuel Station
- 76 Fuel Station
- Petersons Diesel Station
- APP Diesel Station
- RWC Truck Dealership
- Days Inn (18 semi parking spots)
- YRC Freight Depot
- Penske Truck Rental





# Aerial Comparison

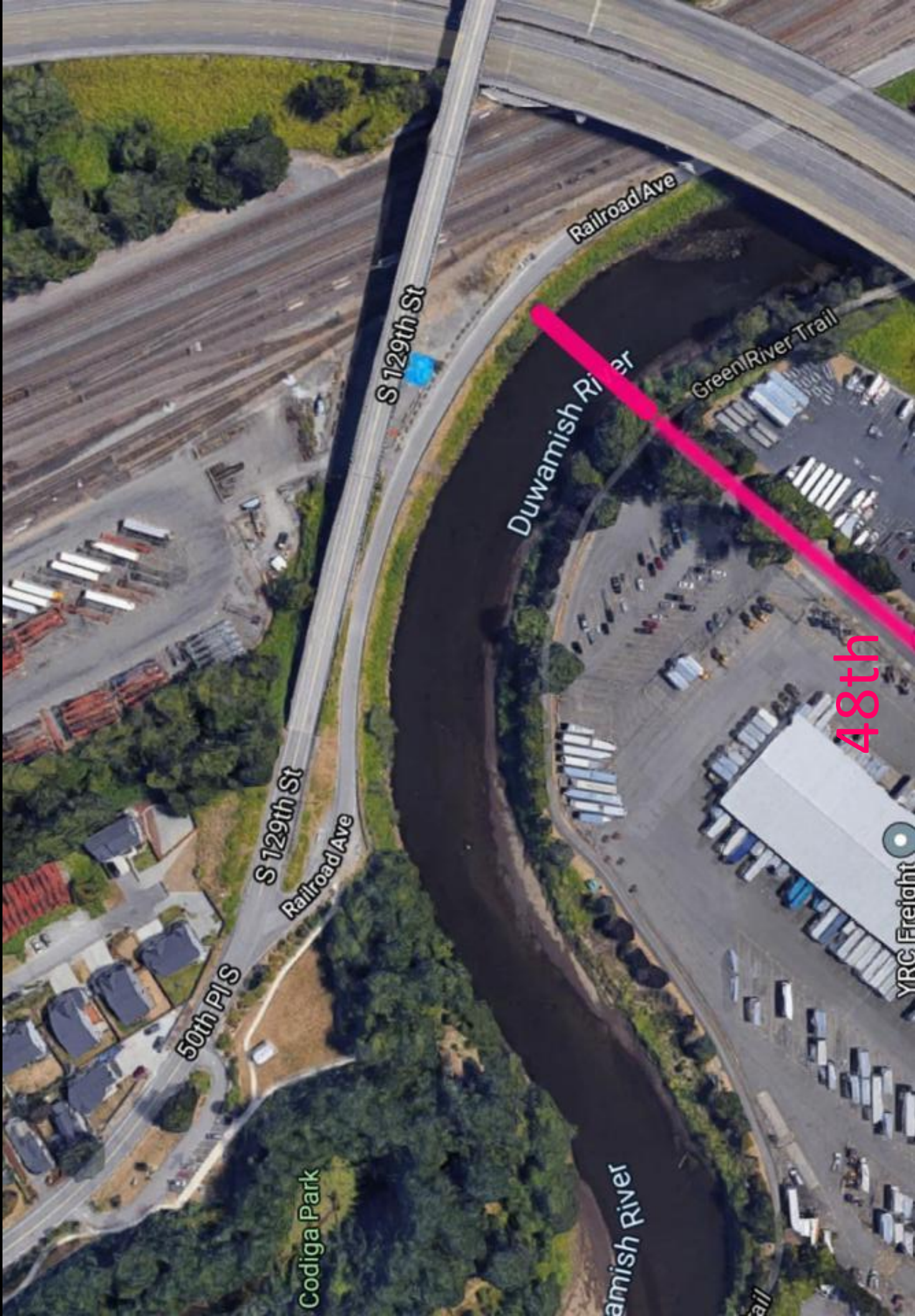
42nd Bridge and Truck Route

48th Bridge and Truck Route

I-5 / 599  
Interchange







S 129th St

Railroad Ave

Green River Trail

Duwamish River

48th

S 129th St

Railroad Ave

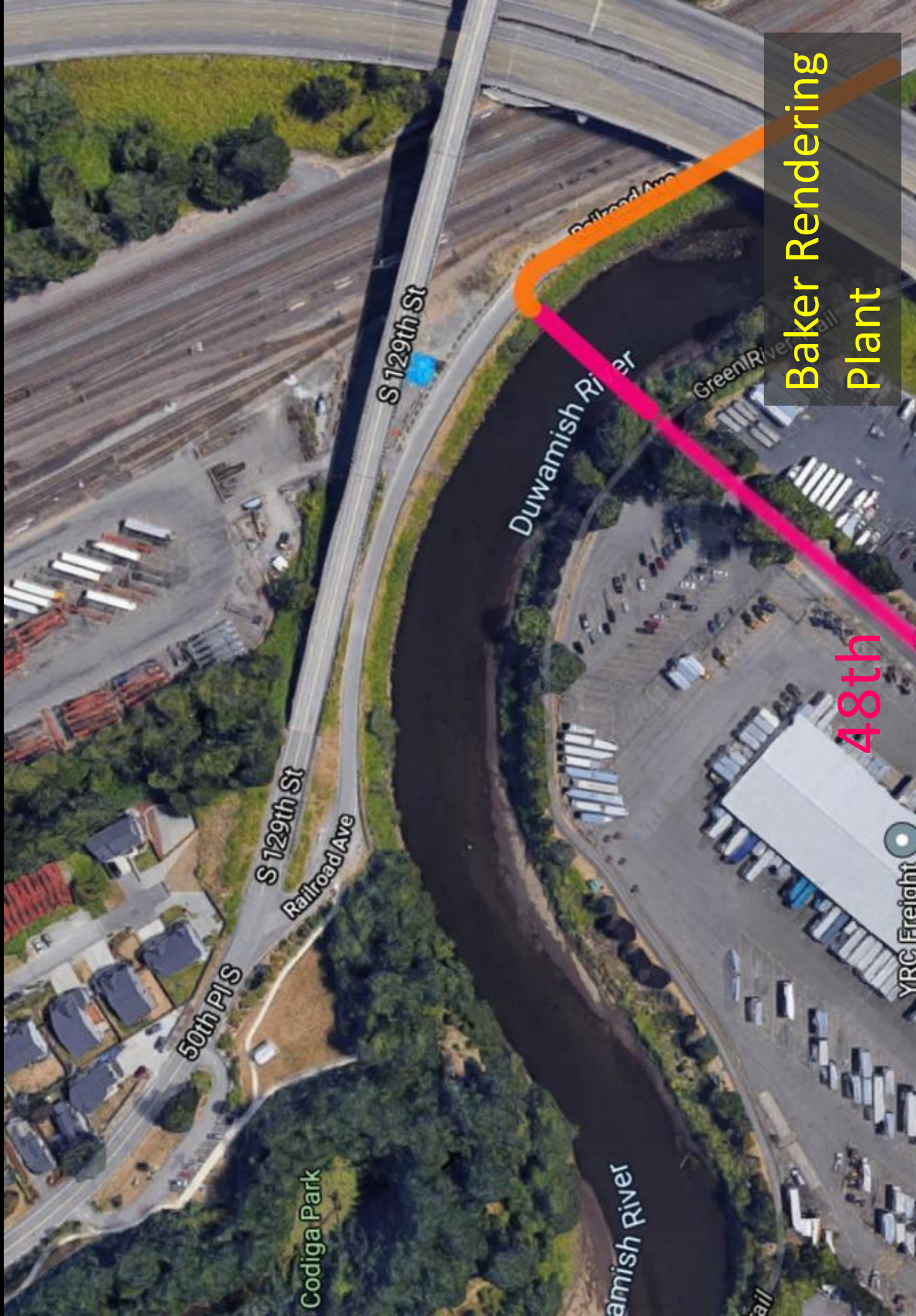
50th Pl S

Codiga Park

amish river

YRC Freight





Baker Rendering  
Plant

48th



BNSF Yard

S 129th St

Railroad Ave

Duwamish River

Green River Trail

S 129th St

Railroad Ave

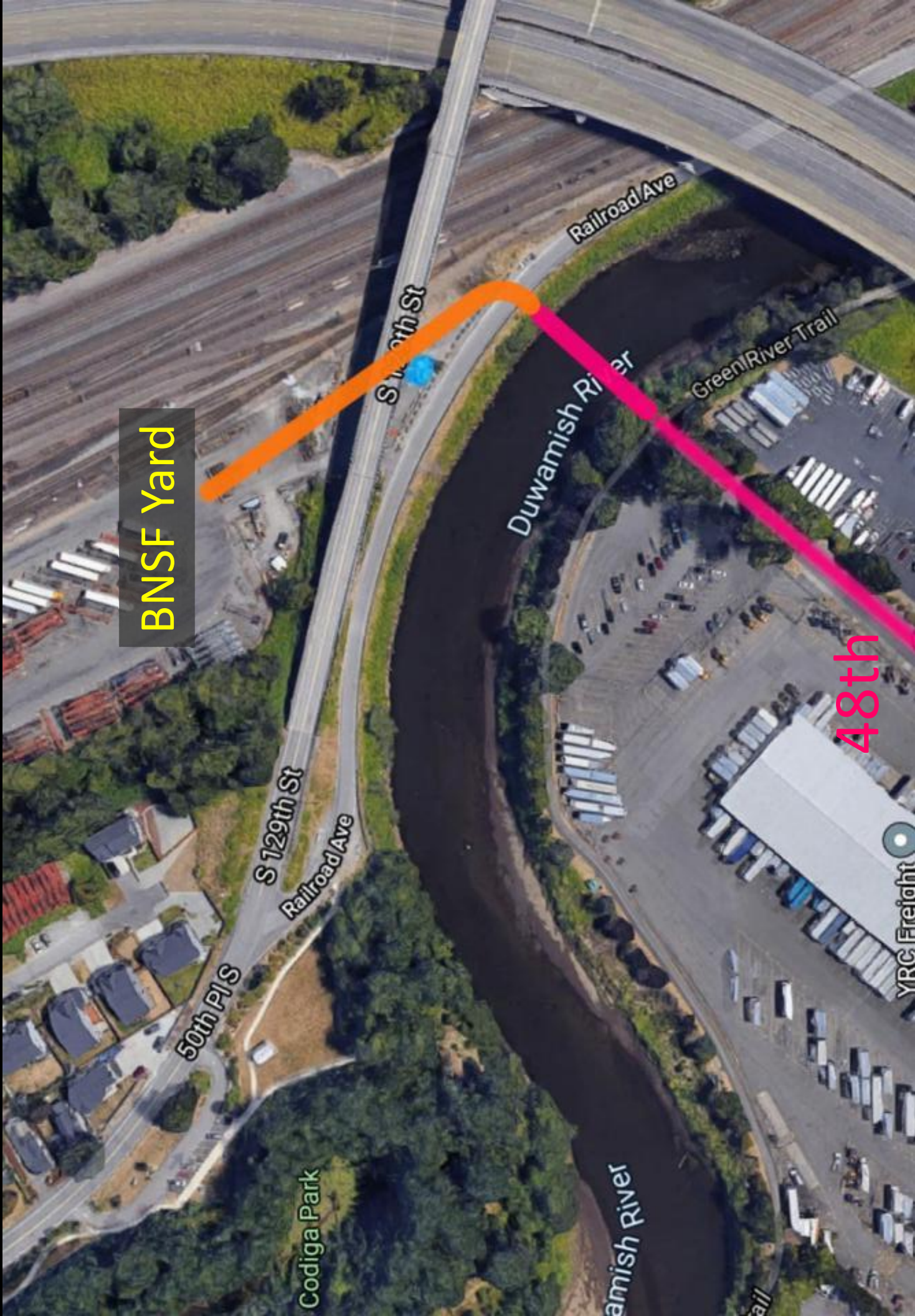
50th Pl S

Codiga Park

amish river

48th

YRC Freight





Auto Traffic

50th Pl

S 129th St

S 129th St

Railroad Ave

Duwamish River

Green River Trail

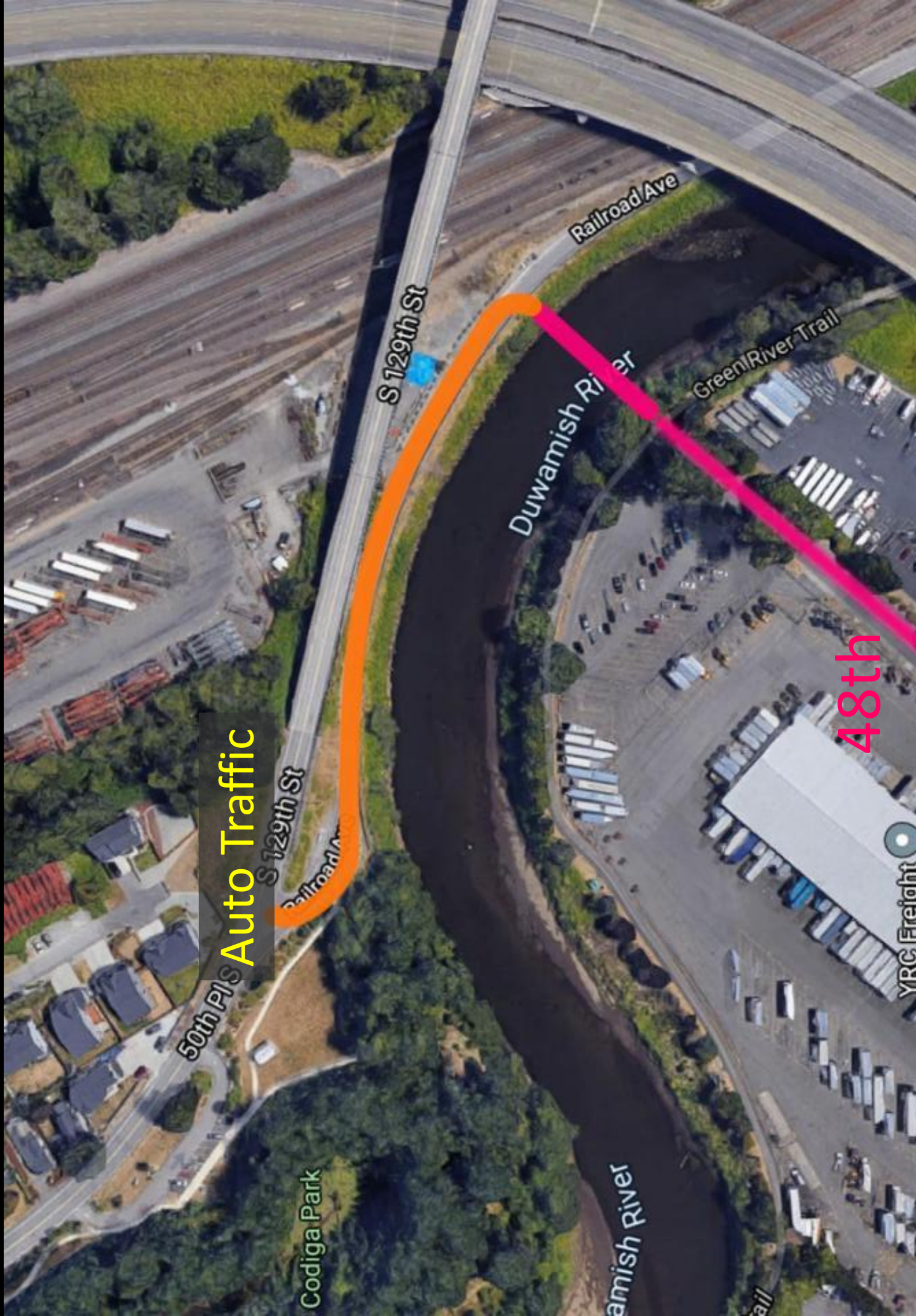
Codiga Park

amish river

ail

48th

YRC Freight





- 42<sup>nd</sup> bridge crossing is aprox. 280'**
- Shallow river depth = greater width.
  - Obtuse angle to align with road.
  - Temp. bridge would wipe out Children's Splash Park.







### 48th bridge crossing is aprox. 190'

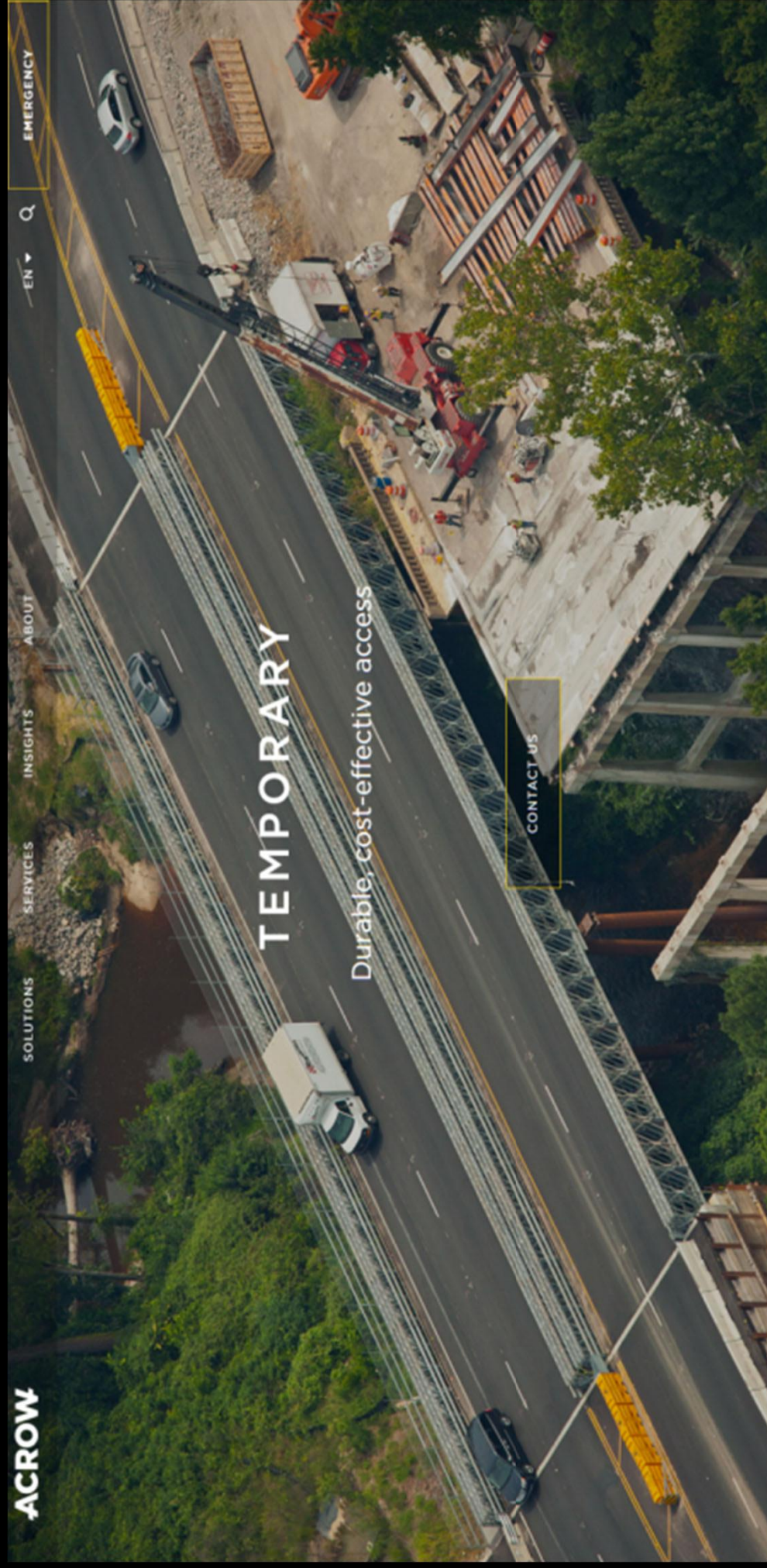
- Much narrower river width.
  - Shorter bridge, less cost.
- Plenty of room for temp. bridge

- 42<sup>nd</sup> bridge crossing is aprox. 280'**
- Shallow river depth = greater width.
  - Obtuse angle to align with road.
  - Temp. bridge would wipe out Children's Splash Park.





Putting a temporary bridge in at 48<sup>th</sup> should be the first step.

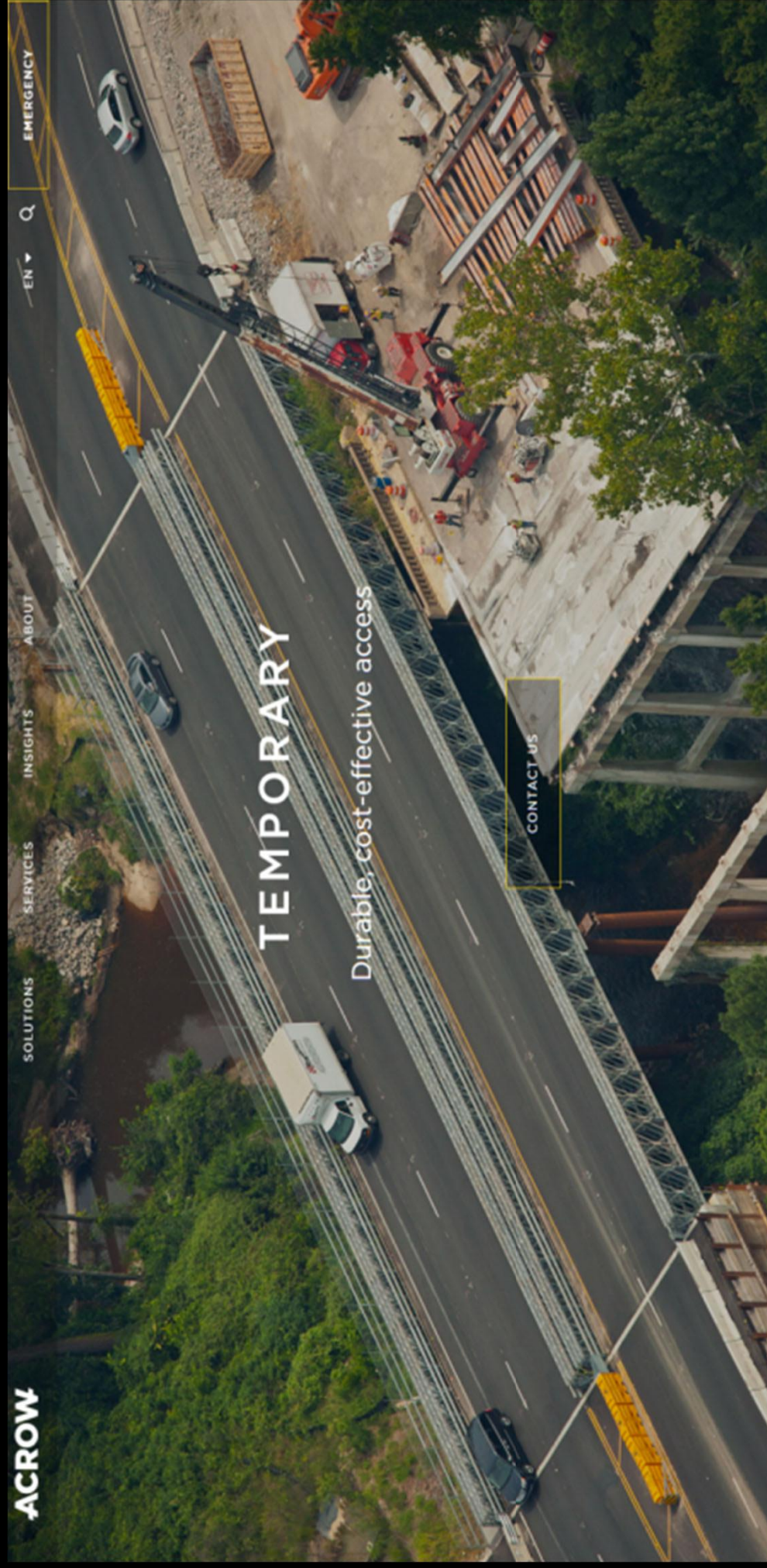


[acrow.com temporary-bridges](https://acrow.com/temporary-bridges)



Putting a temporary bridge in at 48<sup>th</sup> should be the first step.

**Declaring this an emergency** will allow time for the permanent bridge SEPA process.



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[acrow.com temporary-bridges](https://acrow.com/temporary-bridges)



Putting a temporary bridge in at 48<sup>th</sup> should be the first step.

**Declaring this an emergency** will allow time for the permanent bridge SEPA process.

form within 10 days of commencing the action, and the proponent must later file an EIR after the emergency action is taken. *Id.* § 11.13(2).

By comparison, the **Washington** State Environmental Policy Act (SEPA) does not include any relevant statutory or regulatory provisions that would exempt emergency actions. However, the **Washington** Department of Ecology guidance on SEPA provides that a lead agency can grant an emergency exemption if an action meets two conditions. First, the action must be "needed to avoid an imminent threat to public health or safety," and second, there must not be "adequate time to complete SEPA procedures." 

Similarly, after major disasters, states issue many waivers. For example, after Hurricane Katrina in 2005, the Louisiana Department of Environmental Quality granted relief from the rules applicable to wastewater discharges.

<https://www.arnoldporter.com/emergency-environmental-laws->

## **A Way Forward:**

- Put the temporary bridge in place immediately at 48<sup>th</sup>. Get trucks off 42<sup>nd</sup> bridge and out of the neighborhood.
- Concurrently design a new, permanent 48<sup>th</sup> bridge and apply for SEPA, construction funds, etc.
- Concurrently repair, reinforce, existing 42<sup>nd</sup> bridge. Without truck traffic, a few more years of life might be available. Then design and install a replacement .
- Auto traffic can also use 48<sup>th</sup> bridge during any 42<sup>nd</sup> bridge work.

## Further Reading:

[acrow.com temporary-bridges](http://acrow.com/temporary-bridges)

<https://wsdot.wa.gov/bridge/our-bridges/bridges-structures-condition-ratings>

<https://kingcounty.gov/depts/local-services/roads/bridges.aspx#reports>

[https://en.wikipedia.org/wiki/National Bridge Inventory](https://en.wikipedia.org/wiki/National_Bridge_Inventory)





# PHASE 2

May 3, 2023 – June 1, 2023

## Phase 2: Comment Table

Number	Submission Date	Submission Type	Scoping Comment (Routing Alternatives and EIS Issues of Concern)	EIS Process Feedback (Opt.)	Neighborhood (Opt.)	PDF Available
1	5/3/2023	Online	<p>I have read the information on what each alternative entails. I believe the least impactful would be Alt 2</p> <p>Many of the alts involve construction of a new bridge. We already are facing the replacement of the 42nd Street Bridge with all the dust, noise, disruption and inconvenience that will cause. I believe it would be profoundly deleterious to the quality of life in Allentown to subject the citizens here to another major construction project (ie another bridge build)</p>		Allentown 42 <sup>nd</sup> Ave S	
2	5/3/2023	Online	<p>I believe alternative #2 is the ONLY viable re route. It is the easiest to accomplish in the shortest amount of time. It would not need excessive funding from the public to benefit BNSF. It is the financial burden of BNSF to re route their trucks causing the environmental damage to our neighborhood.</p>		Allentown/ Duwamish	
3	5/4/2023	Online	<p>I believe that the Alternative route 2 would be the best proposed idea. This route doesn't include any new bridges across the Duwamish river and the route is long. The route also doesn't cross by any homes which would reduce the chance of negatively impacting the residents of Tukwila from the noise and air pollutants that the trucks produce. However, the route is a little near to the Duwamish river, which may have the possibility of polluting that side of the river</p> <p>Some issues you should analyze would be how close it is to the river. The river could be negatively impacted by the air pollutants or waste.</p>		Foster High School	
4	5/4/2023	Online	<p>I think the best routing alternative is the one that will cost the least amount of money to construct, the one that has the least environmental impact to the Duwamish river and the least amount of truck traffic through the neighborhood of Allentown.</p> <p>The Duwamish river is already so polluted. Any construction near the river will make it even worse. Roads would have to be widened, which can lead to cutting down trees and other plants. Construction close to the neighborhood, would cause even more of a disturbance.</p>		Foster High School	

## Phase 2: Comment Table

5	5/4/2023	Online	<p>I think number 2 its a good route because there is not houses and thats good because they dont impact people with the air pollution from the trucks.</p> <p>I think the smoke of the trucks can afect the air... for the people who work closely from there or actually can afect the animlas too.. and they can also affect the businesses that are around</p>	Foster High School	
6	5/4/2023	Online	<p>I believe route 3 is the best decision for re-routing the trucks because they're creating a new bridge, a new noise cancellation wall so people wont hear the trucks pass by and its the most convenient for trucks enter and exiting. With this rerouting this will save many people's live because of the health hazards these passing trucks come with.</p> <p>We should analyze the area of the duwamish river and find out whether it is busy or not at the moment. The population of this area, the amount of houses, businesses beside this location, and also how the new bridge will effect the Duwamish river.</p>	Foster High School	
7	5/4/2023	Online	<p>I think that the best route is Alternative 3 because it has a New noise wall that can help prevent the sound of trucks passing by. I like this idea because with the current route residents/homeowners can hear the loud noise of trucks passing by their houses.</p> <p>With the alternative 3 route issues that they can have is how the new bridge can have problems.</p>		
8	5/4/2023	Online	<p>Route number 2 seems a lot more safe to me beause it would cause less damage to allentown community. There arent any houses near route 2. we wouldnt be polluting areas in allentown. this route would cause less damage to our nature resores then compare to the other routes.</p> <p>Will the road be built it will distroy our natural resource? How will the river be impacted by this route option?</p>	Foster High School	
9	5/4/2023	Online	<p>Alt.1 &amp; 2 are direct routes, to &amp; from the rail yard, These are the best alternatives!</p> <p>Alt.routes 1&amp; 2 are the best, routes to &amp; from the, rail yard!</p>	Allentown	



## Phase 2: Comment Table

10	5/4/2023	Online	<p>i feel that route 3 is better because its next to a truck stop and gas station so the trucks have easier access and its also not a longer route compared to route 4 and 5.</p> <p>how this route would affect the new bridge being built and how it will affect the duwamish river.</p>			
11	5/4/2023	Online	<p>Routing 1 and 2 is preferred (on north side of the terminal) because trucks will no longer go through our neighborhood--the noise and vibrations have caused much disruption on many levels to us here at Empire View Mobile Home Park--5711 S. 129th St., Seattle, WA 98178</p> <p>Thank you for considering our well-being!</p> <p>Impact on the people, air, animals and birds!</p> <p>Regarding Trucking on S. 129th St. and Re-Route Project</p> <p>I have submitted several comments before about this issue. I do not know how this can be allowed to happen, and continue. Besides impacting my health, which my doctor has been concerned about, the noise and vibrations have interfered with my sleep and rest, day and night.</p> <p>Then those horrible CO2 emissions! Major impacts on me and others here—and trees and birds!</p> <p>The truck tires cause damage to the road and residual damage to the environment. My car is being trashed with the hideous ruts all over the roadway—tires, alignment, etc.</p> <p>Please make these awful trucks stop their rumbling on 129th Sreet! Route should be north of the yard--#1 and #2.</p> <p>Thank you for consideration of the very real issues around the impacts of these trucks.</p> <p>CO2 emissions and impact of truck tires--also what the volume of trucks has done to the I-5 overpass--is this sustainable?</p>	Unincorporated King County near Allentown		
12	5/6/2023	Online	<p>How soon will this truck traffic be re-routed? It really isn't sustainable with the status quo. Thank you.</p> <p>I think I might be on the email list, but please add me if I'm not.</p>	Unincorporated King County near Allentown		

## Phase 2: Comment Table

				In general, truck traffic should not be allowed in the residential neighborhoods.			
13	5/10/2023	Online		<p>Many environmental and human impacts. Common sense, please.</p> <p>I am really concerned about the the road get to my home. It is always truck and a lot of truck. They are big and sometimes drive really fast! Not just that! The bridge next to the Tukwila community center is closed one way and it is really inconvenient for me to go back home! It is take way longer! And take more expenses!</p> <p>I am hoping that the Tukwila city can fix it so that we can be more convenient to get home and safer !</p>			
14	5/10/2023	Letter		<p>We are the tenants of the Empire View Mobile Homes located near S. 129<sup>th</sup> St. We are writing this letter to request you to re-route the trucks away from S. 129<sup>th</sup> St and other residential neighborhoods. Several of us have made concerns regarding the trucks using this route. Please see details below:</p> <ul style="list-style-type: none"> <li>• S. 129<sup>th</sup> St is currently on a hill. We have been concerned as truck drivers have been driving really fast down this hill. We are afraid that one day they may swerve into the houses. Even during rainy days or snow, these trucks are still going downhill fast.</li> <li>• There are local children in this neighborhood. Trucks driving down this hill may not see children and or not be able to break as fast due to the steep slope.</li> <li>• We are worried about the amount of trucks driving past this street posing a direct threat to human health and the environment. This causes parents not wanting their children to play in the front yard or elders going on their walks.</li> <li>• Residents are not able to be well rested due to the noise and vibrations caused by the numerous trucks rumbling up and down the street.</li> <li>• Pavements and crosswalks are ruined by the trucks causing multiple pot holes on this street. Uneven pavements pose a fall risk to the residents.</li> <li>• Everytime a truck drives on this hill, it makes the homes in the neighborhood vibrate very similarly to a small earthquake.</li> </ul>	Empire View Mobile Homes	Yes	

## Phase 2: Comment Table

			<p>We hope that you take our concerns regarding this matter seriously and re-route the trucks away from S. 129<sup>th</sup> St and away from residential neighborhoods. Thank you for your consideration, we will be glad to answer any questions you have.</p> <p>Sincerely, Tenants of the Empire View Mobile Home Park.</p>			
15	5/22/2023	Online	<p>I am leaning toward the north end options. No costly bridges required and the logic of the truck traffic being in a commercial area next to the freeway.</p> <p>I have a lot of questions about the alternatives.</p>	I feel the comment period was not organized properly. The community only has 8 days to comment after they have the opportunity at the community meeting to ask questions.	Allentown	
16	5/23/2023	In-person Comment Form	<p>Alt 3 Bridge to 48<sup>th</sup></p> <ol style="list-style-type: none"> <li>1. Will there be a traffic light on Interurban?</li> <li>2. Costly</li> <li>3. Impacts to rille (<i>sp?</i>)</li> <li>4. BNSF like it best</li> <li>5. Need to partner w/ Muckleshoot &amp; US Coast Guard</li> <li>6. Some elevation engineering issues</li> <li>7. Build an underpass</li> <li>8. Like</li> <li>9. Much prefer to the current route</li> </ol>			Yes
17	5/23/2023	In-person Comment Form	<p>EIS Considerations:</p> <ol style="list-style-type: none"> <li>1. 6 PPDs/tire dust</li> <li>2. Air quality – how will it change?</li> <li>3. Sound Levels – how will it change?</li> <li>4. Light pollution – how will it change?</li> <li>5. Water quality – how will it change?</li> <li>6. Water table (<i>sp?</i>) – how will it be impacted?</li> <li>7. Residential/neighborhood safety</li> </ol>			Yes



## Phase 2: Comment Table

			<p>8. Death rates – how will it change? Mortality rates</p> <p>9. Rates of heart disease, infant mortality, incomplete pregnancies, etc.</p> <p>10. Environmental justice</p> <p>11. Cultural impacts</p>			
18	5/23/2023	In-person Comment Form	<p>Alt 5 – Build New</p> <ol style="list-style-type: none"> <li>1. Cost of creating a whole new structure</li> <li>2. Like the idea of dedicated lane for truck.</li> <li>3. This makes more sense than 4 will let trucks go North &amp; South</li> <li>4. Good that it uses the “lay down” yard.</li> <li>5. Good there will be a sound wall</li> <li>6. How impact to neighborhood</li> <li>7. Better than Alt 4</li> </ol>			Yes
19	5/23/2023	In-person Comment Form	<p>Alt 4 – Codiga Bridge (129<sup>th</sup>)</p> <ol style="list-style-type: none"> <li>1. How will trucks make the sharp turn?</li> <li>2. Existing bridge needs to be enhanced – 3<sup>rd</sup> lane + strengthen</li> <li>3. Will use “lay down yard” – good!</li> <li>4. Will be close to 1 home</li> <li>5. Need a noise wall (barrier)</li> <li>6. Would need to coordinate this w/ Skyway (unincorporated)</li> <li>7. No good route to I-5 South (create an on ramp!)</li> </ol>			Yes
20	5/23/2023	In-person Comment Form	<p>Alt 1 Comments:</p> <ol style="list-style-type: none"> <li>1. Will there be a stoplight on E. Marginal Way for truck ingress/egress</li> <li>2. Can there be a sound wall to protect Duwamish Preserve from truck noise?</li> <li>3. How will you manage all the things that BNSF placed there blocking this route</li> <li>4. Good: No new ramps, no new bridges</li> <li>5. Are there any protected wetlands on this route?</li> </ol>			Yes
21	5/23/2023	In-person Comment Form	<p>Alternative 2</p> <ol style="list-style-type: none"> <li>1. Easiest route</li> <li>2. Least impact</li> <li>3. Low cost</li> <li>4. Trucks always in industrialized zones (not in residential streets)</li> <li>5. Safety concerns?</li> <li>6. Security concerns?</li> </ol>			Yes

## Phase 2: Comment Table

			7. Not near the river 8. Noise reduction in neighborhoods 9. Pollution reduction in neighborhood BEST OPTION			
22	5/23/2023	In-person Comment Form	<p>Alternative 4 &amp; 5 I am against as it would be across the street from my home on 51<sup>st</sup>. There is a new home that would be in the front of the road that is planned. I do not want to look at a wall across from my home. Alternative 2 is the best route. There are evergreen trees there now and they would stay if Alternative 2.</p> <p>Evergreen trees would not be cut down if Alternative 2</p> <p>Noise, fuel smell, house rattling, dust</p>	Allentown	Yes	
23	5/23/2023	In-person Comment Form	<p>Prefer Alt 2 –</p> <p>Reduces noise and safety impacts in our neighborhood. Alt 2 also appears to be the easiest and least expensive option.</p> <p>Noise and safety are #1 concern</p>	Allentown	Yes	
24	5/24/2023	Letter	<p>To whom It May Concern</p> <p>It was noted by Baker Commodities that there are some changes to the previous reroute of truck traffic through Allentown. Also a comment in last night's meeting about removing all trucks from access to 124<sup>th</sup> and the 42<sup>nd</sup> Ave Bridge. Our concern is that you are not taking into consideration the Baker Commodities truck fleet in your conversations when looking at or developing new truck routes. Baker does not run the same type of equipment as what is going into or out of the B&amp;N facility. Our truck and trailer configurations are much longer at 68 feet.</p> <p>Alternative Routes #1, #2 look to be the best option for removal of B&amp;N traffic but does nothing for Baker traffic. Same goes for option #5 but putting in another bridge coming off MLK does not look feasible due to grade and winter weather issues. Same goes for option #4. The 129<sup>th</sup> bridge is bad enough when we have snow or freezing weather which opens up 42<sup>nd</sup> Ave bridge and 124<sup>th</sup> as alternatives during snow or freezing weather.</p>		Yes	

## Phase 2: Comment Table

			<p>Alternate route #3 our concern is design and how it would accommodate current businesses along this route and enable our equipment to use this access.</p> <p>Baker Commodities currently remains neutral but we have concerns that the City is not considering Baker equipment when discussing alternative routes</p>			
25	5/24/2023	Online	<p>Options 1 and 2 are financially logical due to not needing a new bridge. The area is located close to the freeways, is a commercial area not residential and FLAT. Large and steep hills are not logical for trucks. These options are farthest from the river as well for environmental issues. Airport Way directly to the north end of the railyard seems so logical and cheaper.</p> <p>Option 3 is costly for a new bridge. Have you looked at using the existing commercial Gateway Drive instead of a new road 100 feet from that. Again, hate ugly noise walls. Environmental issues because too close to river. Tribal will have to happen.</p> <p>Option 4 is on a steep hill which is not desirable for trucks. The cost would be very high with new ramp to I-5, noise walls are ugly, trucks will sneak through on 124th rather than go down or up a steep hill, still close to river, noise, air pollution. We would have the same problems.</p> <p>Option 5 Again so expensive with new ramp and new bridge. Not logical. Trucks would still sneak through on 124th to avoid a steep hill. Hate ugly noise walls.</p> <p>Double trucks are 68 feet long. How are they going to make turn at bottom. Trees and new homes affected. Noise and air pollution a concern as well. Too close to river.</p> <p>Funding through infrastructure bill.</p> <p>What is BNSF use of the north gate ? ( It is unlocked at times ) Anything close to the river will have to go through tribal.</p>	Suggestions for future: use satellite maps for group discussions.	Allentown	



## Phase 2: Comment Table

26	5/25/2023	Online	<p>BNSF revenue was up 11.9 % to 25.2 billion last year reflecting 18.9 % increase in average revenue per car. I think they can afford a few million to rearrange a small yard.</p> <p>Support option 2 first ( airport way ) The north option is more cost effective, the furthest from the river, in a commercial area and close to the freeway. No new bridges or ramps required.</p> <p>6PPD should be researched and the impacts to the environment and salmon</p> <p>Impacts of other chemicals related to tire wear which are harmful to humans and wildlife</p> <p>That tires wear quicker on local roads than on freeways</p> <p>Truck exhaust impacts to air, environment wildlife, salmon and humans</p> <p>Twelve eagles were spotted near the rail yard in Allentown a couple of weeks ago</p> <p>Long term exposure to PPH's and the different diseases such as risks of skin cancer, lung, bladder and gastrointestinal cancers.</p> <p>Chemicals that run off into storm sewers and soil.</p> <p>Noise Impacts</p>	Allentown	
27	5/26/2023	Online	<p>Based upon concurrent projects along transportation corridors, shared concerns with neighborhood traffic impacts, Alt.2 shows much promise; improvements/investment needed along the BNSF corridor/yard is no excuse for inaction.</p> <p>Routing Alternatives (and BNSF improvements) should seek to offset the ongoing issue of idling/camping freight traffic and streamlined loading processes.</p> <p>The Reconnect South Park project is underway, and concurrently performing an existing conditions analysis, with EIS coming in Fall 2023. We highly encourage the Allentown EIS team to connect with</p>	<p>Will the EIS team work with the Reconnect South Park consultant team? connect@reconnectsouthpark.org</p>	South Park

## Phase 2: Comment Table

				the RSP project group to identify opportunities between the two interconnected projects. We share a similar timeline, and SR-99 freight traffic rerouting alternatives have regional impact/opportunity.		
28	5/26/2023	Email	<p>I. Introduction</p> <p>The South Seattle Hub (SSH) in the Allentown neighborhood of Tukwila, WA is an important economic link to the Puget Sound Region. It serves as an inland port, providing domestic intermodal transloading between truck and rail. The ability for trucks to access the facility both safely and efficiently is essential for consumers and industry throughout the region. BNSF recognizes the City of Tukwila is developing an Environmental Impact Statement (EIS) process to vet the alternatives to the 42nd Ave S bridge replacement. As a key stakeholder in the proposed project that contemplates potential reroutes to the truck traffic patterns relative to the South Seattle BNSF Intermodal Facility, BNSF Railway provides the following comments on the preliminary alternatives that are being considered.</p> <p>II. Alternatives</p> <p>1. Alternative 1</p> <p>Alternative 1 is not feasible.</p> <ul style="list-style-type: none"><li>• Trucking entrance/exit functions are handled at the southern end of the facility.</li><li>• The north end exists currently as the most congested part of the facility.</li><li>• Shifting traffic to the north would mix incoming and outgoing trucks with live transloading operations, creating both safety concerns and traffic congestion in and around the facility.</li><li>• Inbound/outbound truck traffic from the north would interfere with the car department and mechanical maintenance shop at the north end of the facility.</li><li>• Significant modifications to the existing facility would be required as part of Alternative 1 to prevent gridlock in the facility and surrounding area.</li><li>• Additional concerns integrating truck traffic with an existing utility corridor due to powerline clearances, weight restrictions, etc.</li><li>• The alternative would require multiple left turns coming from I-5.</li></ul>		Yes	

## Phase 2: Comment Table

			<p>2. Alternative 2 Alternative 2 is not feasible.</p> <ul style="list-style-type: none"> <li>• Trucking entrance/exit functions are handled at the southern end of the facility.</li> <li>• The north end exists currently as the most congested part of the facility.</li> <li>• Shifting traffic to the north would mix incoming and outgoing trucks with live transloading operations, creating both safety concerns and traffic congestion in and around the facility.</li> <li>• Inbound/outbound truck traffic from the north would interfere with the car department and mechanical maintenance shop at the north end of the facility.</li> <li>• Significant modifications to the existing facility would be required as part of Alternative 2 to prevent gridlock in the facility and surrounding area.</li> <li>• Trains are built on the northern ladder tracks of the facility and the proposed Alternative 2 parallel road would route trucks in conflict with on-the-ground switchmen and mechanical forces in an active rail corridor</li> <li>• A parallel access road would put constraints on facility infrastructure</li> <li>• Significant truck traffic backup predicted with this option due to anticipated challenges with bi-directional traffic along the proposed route in and out of the facility</li> <li>• Potential impacts to Sound Transit Link Light Rail bridge as well as the S. Boeing Access Rd Overpass to accommodate this option.</li> </ul> <p>3. Alternative 3 Alternative 3 is BNSF's preferred alternative.</p> <ul style="list-style-type: none"> <li>• Alternative 3 would have the least impact on current trucking and transload operations at the facility.</li> <li>• Maintains existing and consistent access to on and off ramp highway infrastructure while reducing truck impacts on the local road network and Allentown residents.</li> <li>• Creates simplified opportunities to reconfigure the south end portion of the facility as part of the city's project scope with minimal changes to existing operations.</li> </ul>		
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## Phase 2: Comment Table

			<ul style="list-style-type: none"> <li>• Avoids residential neighborhoods in Allentown to the west and residences off of S 129th St to the east.</li> <li>• Prevents conflicts with both facility operations and rail traffic presented with other alternatives. This alternative does not provide the same level of conflict to existing operations as other alternatives do.</li> <li>• Avoids building new structures over BNSF right-of-way which would put constraints on facility operations and infrastructure.</li> </ul> <p>4. Alternative 4 &amp; 5</p> <p>Alternative 4 &amp; 5 requires more information.</p> <ul style="list-style-type: none"> <li>• Alternative 4 &amp; 5 is not feasible as an option as preliminarily presented.</li> <li>• Additional questions and design considerations need to be addressed prior to determining the full viability of the alternative. <ul style="list-style-type: none"> <li>○ What will the roadway geometry and verticle profile on the proposed structure in Alternative 5 be that would allow trucking operations in all weather conditions?</li> <li>○ Does the alternative propose to shift truck traffic from one residential area to another?</li> <li>○ If either alignment requires the construction of a new bridge over BNSF right-of-way, what will the impacts of this structure be during and after construction?</li> <li>○ Any new structure must clear span the right-of-way to avoid facility operations and infrastructure constraints.</li> </ul> </li> </ul> <p>III. Additional Design Considerations</p> <p>BNSF's key areas of concern can be summarized as follows:</p> <p>A. What are the impacts to existing operations at the Hub facility? Safe and efficient ingress and egress of trucking operations is most important to the selected alternative. BNSF's ability to serve the Puget Sound Region is directly linked with the fluidity of trucks accessing the facility.</p> <p>B. Where trucks go when they enter or exit the facility matters. The facility is wholly designed and flows around the existing south end gate location. Changing the location of the entry</p>		
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## Phase 2: Comment Table

			<p>gate, especially on proposed Alternatives 1 and 2 which move the gate to the north end of the facility, would require substantial changes to the internal layout and operations of the Hub facility in order to maintain fluidity and avoid network congestion.</p> <p>C. Alternative 4 &amp; 5 appear to move trucks from one neighborhood to another, creating new conflict points for neighboring communities both during construction of the alternatives, and as a permanent condition.</p> <p>IV. Conclusion</p> <p>Maintaining fluid truck access to the nations rail network is of critical importance to BNSF, the region, our service partners, and our customers. We appreciate the careful consideration of the comments above and look forward to the continuing discussion on alternatives for the area. BNSF Railway is a key stakeholder in the decision and is a willing partner in the ongoing process to determine a viable solution that is mutually beneficial for BNSF's operations, the City of Tukwila, and Allentown residents.</p>		
29	5/27/2023	Online	<p>YES to alternatives #1 and #2.</p> <p>NO to alternative #3,#4 and #5</p>	Allentown	
30	5/27/2023	Online	<p>Airport Way option is the most cost effective and logical solution. It is also the farthest option from the Duwamish River.</p> <p>Noise walls serve a purpose but are usually ugly in neighborhoods.</p> <p>What is BNSF's currant use of gate on Airport Way ?</p> <p>The grade of the hill is severe for options 4 and 5</p> <p>I expect the EIS to research the PAH chemicals in truck exhaust that fall onto streets, roofs, storm sewers and directly into the Duwamish river. The health effects to humans and the river and the wildlife including salmon that live there.</p> <p>I expect noise, human health and safety, air pollution, environmental justice, salmon, tribal and traffic impacts all studied.</p>	Allentown	

## Phase 2: Comment Table

31	5/29/2023	Online	<p>Why isn't 51 pl so on the map? It would show how close the roads you are planing to the residents homes. The plan is to get the trucks off of both 124th and 50th pl so let's do that without building bridges and ramps. Alternative 1 is the best choice.</p> <p>How close to homes plans 3,4 and 5 will be. Noise, pollution, bright lights and a wall. Bridges would disturb the environment.</p>	<p>51st pl so should be showing on your Alternate map plan as our homes will be greatly affected. People living on 51st pl so and 50th pl so should have had better communication preferably in person as we are the ones with the most impact.</p>	Allentown	
32	5/30/2023	Online	<p>I attended the community meetings for both phase one and two and was surprised at the lack of BNSF public participation in this project - including the emergency work to the 42 AVE S bridge work that was necessary because of activity directly related to BNSF. Hopefully some teamwork between our officials (city, county, state and federal) can work together to bring BNSF to the table.</p> <p>That said, I strongly prefer alternatives 1 and 2 because in my view they do the most to reduce the adverse impacts to communities both in Tukwila and West hill (where I live). We have endured the noise, pollution and traffic safety impacts related to the BNSF multi modal facility for decades and these alternatives address the baseline issues - including the acute level of truck traffic that has resulted following the 42 AVE S bridge closure. Our neighborhoods have deserved better and these alternatives go the farthest in improving conditions where we live.</p> <p>Alternatives 3,4 and 5 all had issues described at the May 23 community meeting that appeared to question their viability. Additionally, alternatives 4 and 5 appeared to favor local government spending for infrastructure in order to reduce or eliminate any investment from BNSF. Let alone not explaining whether the construction of new over freeway overpasses is even possible</p>		West Hill	



## Phase 2: Comment Table

			<p>considering the grade differences (The hill to access SR 900 from BNSF).</p> <p>The baseline impacts to neighborhoods should be studied in fine detail in order to know what any alternative does to mitigate the noise, pollution and traffic safety issues - We should see improvements over the no-build alternative that we presumably may have been stuck with had the 42 AVE S bridge not been damaged.</p> <p>Other government agencies and utilities will need to be involved with alternatives 1 and 2. I hope they will be more cooperative than BNSF has been.</p> <p>I would hope that electrification of the truck fleet moving freight in and out of BNSF is addressed - Are there federal or state programs that may be helpful?</p> <p>Even electrification of the locomotives used in the BNSF yard here would be a great improvement.</p> <p>Any data discussing the above items should be a part of the EIS.</p>		
33	5/30/2023	Online	<p>I'm concerned with safety of the residents of Allentown and the noise and pollution of semi's being routed through a residential area. I believe Alternative #1 is the best solution with the residents of Allentown in mind. Which also routes the trucks to utilize the areas existing infrastructure, was the lowest cost and time commitment to build.</p> <p>Routing BNSF trucks through residential areas.</p> <p>Safest truck route to commuters and pedestrians.</p> <p>Noise pollution caused by trucks to residents living in the area.</p>	Allentown	
34	5/30/2023	Online	<p>I support ALT 5. It provides new I-5 ramps for north and south, which are very much needed. And from what it looks like, ALT 5 won't impact S 129th street traffic.</p> <p>The community really needs ALT 5, the current I-5 ramps are awful. Please consider adding a new bridge crossing the Duwamish by the</p>	Skyway	

## Phase 2: Comment Table

				Tukwila Community Center. That bridge has been worn down by all the trucks.			
35	5/30/2023	Online		<p>Alot of truck noise to route 50pl 51 st</p> <p>And some of them drive fast too not safe for people Turn around</p> <p>We can move all of them to route 1 -2 Reduce the noise !!!!</p>	50 PI		
36	5/30/2023	Online		<p>Alt 1 and 2 do not go through any residential area. They also do not require new bridges or Screen wall. The map is not accurate enough for 3,4,5 . I live on 51st PL and the route is not clearly Identified. The rail yard does not comply with noise. They make noise throughout the night. Now you want to run trucks right on 51st. The noise and vibrations can be intolerable. Alt 1 and 2 looks to be cheaper. Alt 3 new road way new bridge new noise wall and through residential area. Alt 4 Widened road, new ramp, new noise wall new connection to 900 and through residential area. Alt 5New ramp, new noise wall, new bridge new ramp and through residential area. Al 1 and 2 is minimal construction. Only a new check in for BNSF.</p> <p>Alt 3, 4, and 5 are also closer to the river. Construction will need extra precautions taken to protect our waterway. increasing the cost to the project. Unfortunately accidents do happen. To Protect waterway Alt 3, 4, and 5 should be eliminated</p> <p>I really think you should consider the residents. The extra traffic, noise and possible accidents. The cost and longevity of each alternative should also be considered. In these times we need to look for the cheapest and best alternatives. Alt 1 and 2 are clearly the better choices. If 3, 4, and are considered these maps should be reprinted more accurately so the neighborhood could make a better choice.</p>	Allentown		
37	5/30/2023	Online		<p>I definitely like the idea of alt #1 and alt #2 route because this will help the traffic in the community as well as be less disturbing during the night time.</p> <p>A speed limit for trucks because at night they drive down the street so fast over the speed limit, it shakes my whole house.</p>	Allentown		
38	5/30/2023	Email		Hello,			Yes

## Phase 2: Comment Table

			<p>Dodge Construction Network wants to ensure we have the most complete and accurate information regarding "Allentown Truck Reroute Project " that is bidding on "06/01/2023".</p> <p>DCN is requesting the following information</p> <ul style="list-style-type: none"> <li>• Planholders list/bidders list or mandatory prebid list</li> <li>• Confirm that the bid date and time listed above are unchanged</li> <li>• Any addenda that have been released, please attach them to this response</li> <li>• Construction cost estimate or a construction cost range for the project</li> </ul> <p>Please send the information via email to XXX or via fax to XXX. Thank you for your time and assistance.</p>			
39	5/31/2023	Online	<p>As home owner on 50th Place South , this street so noisy and the house was shaking and to dirty, I want reroute the truck route to other large street to keep my house and our community will not damage in future.</p> <p>The route alternative is really good idea. We've been hoping so long time to change the routine. This is residential area kids walk around elderly need to walk around without noise and traffic Should not be track Route.</p> <p>Too much noise always bouncing it's not quiet or safe for walking for resident kids.</p>	Tukwila Park		
40	5/31/2023	Online	<p>Not impressed with option numbers 4 and 5. The costs are outlandish and the same problems would occur that we have now. The hill is a detriment, new ramps and bridges are so expensive, using the south entrance of the yard the trucks would still sneak through the residential neighborhood avoiding the hill, and the options are close to the river.</p> <p>Option 3 - seems like it would be more logical to use one of the gateway drive roads than building a new one 100 feet from it.</p> <p>Do you really listen to scoping comments from the beginning ?</p> <p>Options 2 then 1 are the most logical, cost effective and furthest from the river.</p>	12517 51st PI close to BNSF		
41	5/31/2023	Online	<p>Use satellite maps for group discussions.</p>	Allentown		



## Phase 2: Comment Table

			River, salmon, eagles, otters, air pollutions, storm water drainage, truck exhaust toxins, traffic impacts, trees, noise, tribal, tire wear chemicals, PAH carcinogenic chemicals, 6PPD issues, and human toxins related to excessive 3000 trucks a day going through a residential area. (Whether it was 3000 or 300 trucks it would be too many in a residential neighborhood. )		
42	5/31/2023	Email	<p>My home on 51st Pl So, which does not show on the Alternative proposal, rattles and you can feel and hear the kaplunks every time a truck drives over the filled potholes that are making indentations in the road. This is coming from 50th Pl So.</p> <p>If either proposal 3, 4 or 5 is selected the rattling, noise and kaplunks would be worse as they would be right across the street. A wall would not stop that.</p> <p>The home that is on the same side as the BNSF would be greatly affected, how would you protect them? The turn off of 129th overpass would be too sharp.</p> <p>The trucks are bigger and longer than they were years ago.</p> <p>If any one of 3, 4 or 5 are chosen, Tukwila or BNSF should buy out the homes on 50th Pl So and 51st Pl So and also the homes on 124th between 50th Pl So and 51st Pl So and any others that would be affected.</p> <p>Please choose Alternative 1 or 2.</p>	51st Pl S	Yes
43	5/31/2023	Online	<p>I personally believe that the only feasible, common sense one is Alternative #2, going in off of Airport Way into the north end of BNSF. It is the one with the least obstacles by far. There is already an existing road going into the rail, all roads leading to it are through industrial areas, no bridge needs to be built. The BNSF saying it is too spendy to rearrange the yard is just an excuse to not do anything. The \$\$ you would spend on any of the other options could easily pay for them to move a few things around. There is no brick and mortar buildings in the way, it is all things that can be driven to a new location or picked up with a back hoe. Don't be fooled into thinking it</p>	Allentown	

## Phase 2: Comment Table

			<p>is a huge hardship for the BNSF, they just don't want to be bothered to be good neighbors.</p> <p>#1 Is utility corridor needing the right of way from City of Seattle and I doubt they will give it. Plus it comes out onto East Marginal Way at a place without much room</p> <p>#3 has way too many obstacle involving right of ways, too much traffic there on Interurban already plus having to build a bridge over the Duwamish and landing on a small bank on the other side. There is also the push back from business owners who have lawyers waiting to litigate that option. It takes soooo many years to get a bridge built. Not a viable option. Too spendy also.</p> <p>#4 &amp; 5 seem a bit silly to me. Looks like they are stretching reality just to keep the entrance into the BNSF in the same location. No way is anyone spending the money involved in rebuilding the existing overpass, widening it over Interstate 5....blah blah blah. Those alternatives seem a bit crazy to me. Plus the trucks are still in the neighborhood, just entering from a different direction but having the ability to leave out the way they are now.</p> <p>1) impacts on surrounding area that trucks travel through</p> <p>I have no personal ideas on what to analyse. The trucks need to be out of a residential neighborhood. There are other alternatives. Period.</p>			
44	5/31/2023	Email and Letter	<p>Re: Comments on the Second Phase of the Scope of the Environmental Impact Statement for the Allentown Truck Reroute Project (the "Project")</p> <p>Dear Mr. Hafsi:</p> <p>This firm represents Strander Family, LLC I and Strander Family, LLC II (the "Strander Companies"), owners of six properties leased to four commercial tenants along 48th Avenue South, in matters related to the above-referenced Project. We write on the Strander Companies' behalf to submit comments on the second phase of the scope of review under the State Environmental Policy Act ("SEPA") being carried out by the City of Tukwila (the "City") for the Project. As</p>			Yes*

## Phase 2: Comment Table

		<p>outlined in the Strander Companies' prior comments on the Project on March 15, 2023 and August 25, 1998, incorporated and resubmitted in full as part of this comment letter, the City's proposed Alternative 3, which would reroute Burlington Northern Santa Fe ("BNSF") along 48th Avenue South, would cause significant and disproportionate impacts to the environment, local businesses, and the community.</p> <p>As was discussed at the City's May 23, 2023 Community Meeting, proposed Alternative 3 is the only alternative currently being considered that would require an entirely new bridge over the Duwamish River.<sup>1</sup> Even without taking into account the financial and engineering considerations of such an undertaking, the construction of a new bridge will negatively impact the riparian habitat. Runoff and vibration from cars and trucks crossing the new bridge will also significantly impact water quality and the vitality of the Duwamish ecosystem including, among other key species, endangered salmonoid species and nearby osprey and eagles that rely on fish migration for food. While these impacts on their own warrant the City removing proposed Alternative 3 from consideration, when considered cumulative with the impacts from the existing I-5 bridge located approximately 350 feet south, proposed Alternative 3 and its impacts to the Duwamish River and surrounding ecosystem are untenable. As explained by the Muckleshoot Tribe in 2000, any alternative that involves construction of a new bridge over the Duwamish River will have problematic direct and indirect impacts on salmon spawning and migration routes and would violate the Muckleshoot Tribe's federally protected treaty fishing rights. See Letter from Tribal Attorney K. Allston dated April 14, 2000.</p> <p>Proposed Alternative 3 is also the only current alternative that would require a significant government taking of local family-owned private property, the very community that the City represents. Again, even without taking into account the financial considerations of such an undertaking, which are likely substantial given the commercial and industrial businesses along 48th Ave. S., the loss of commercial and industrial operations will affect the long-term economic prospects of the City and its residents.<sup>2</sup> In addition, construction of a 48th Ave. S.</p>		
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## Phase 2: Comment Table

			<p>Bridge conflicts with the community's existing Green River Trail that runs along the western portion of the Duwamish River and the City's goal of increasing public and community connectivity to the Green/Duwamish River. See Tukwila Comprehensive Plan, Policy 6.1.5.</p> <p>Nor is proposed Alternative 3 viable when considering the traffic impacts to 48th Ave. S., the surrounding arterial system and the safety of drivers and City residents. 48th Ave. S. is not a designated arterial and proposed Alternative 3's reroute and repeated right turns would predictably create a traffic back up for BNSF trucks and other vehicles on 48th Ave. S. These traffic impacts would be compounded with the new traffic signal(s) that would be required on Interurban Ave. S. Such traffic would also have numerous additional impacts to the built environment and access to nearby businesses, including associated noise with increased truck traffic.</p> <p>While this letter and the Strander Companies' prior comment letters, incorporated fully herein, have highlighted several of the adverse impacts to the natural and built environments, we trust that the City will complete a full analysis of all elements. Doing so will reveal that proposed Alternative 3 or any alternative that considers 48th Ave. S. for the reroute would unreasonably and disproportionately harm the environment and should not be considered.</p> <p>*Additional attachments available in PDF</p>		
45	6/1/2023	Online	<p>I am a strong proponent of Route #2. Cleanest design, least amount of disruption, no bridges to build, no trees to be cut, no nature to be displaced. Most efficient and cost effective for the truckers (especially for independents).</p>	Allentown - 44th Ave S.	
46	6/1/2023	Online	<p>Route #1 concerns me for the potential of disturbing the Duwamish Hill Preserve, wildlife and wetlands. The community already fought to save the preserve, let's not endanger that hard fought victory for nature protections.</p>	Allentown - 44th Ave S.	
47	6/1/2023	Online	<p>I do not like the proposed alternative Routes 3, 4 &amp; 5. They are complicated and will be INCREDIBLY disruptive for the neighborhood and its residents. The opposite of the intended goal! Extended</p>	Allentown - 44th Ave S.	

## Phase 2: Comment Table

			periods of construction - building bridges, sound walls, cutting down long established trees, imminent domain issues, etc.			
			Groundwater considerations.			
48	6/1/2023	Online	Project 2 will not affect the residential area and environment and is also less expensive compared to other projects .So I like Alternative 2.	Allentown		
49	6/1/2023	Email	<p>Two immediate impressions from looking at the five proposed alternatives are:</p> <p>1) There are significant logistical, access, and permitting barriers for all of them - and that I hope are not going to be used as an excuse to continue to do nothing about getting the truck traffic out of this residential neighborhood. Effort is going to be needed for a long-overdue solution and everyone knows this isn't going to be easy.</p> <p>2) Proposed Alternatives #1 &amp; #2 have the least number of barriers (on paper), but these include the need for BNSF to change configurations on their property and they have been non-participants, even when asked, to this point, as well as the potential for the Sound Transit BAR (Boeing Access Road) station construction interfering with the proposed routes.</p> <p>The North entrance proposed alternatives do the best job of removing the truck traffic from the neighborhood - which is the neighborhood's ultimate goal.</p> <p>In prior studies the north end options have been the most expensive, and concerns about interference with the utilities corridor and wetlands in these areas, as well as the need for easements from public entities and private property owners have been cited as barriers, but it appears that this time these would be less expensive than the other proposed alternatives because they do not include building a bridge and doing major road re-configurations. I would like to see the costs associated with each of these options as well as proposed timelines because of permitting, easement, etc.</p> <p>I would like to know what, if any, impact the Sound Transit BAR station construction will have on the north access</p>			Yes

## Phase 2: Comment Table

			<p>options.</p> <p>If Alt. #1 includes getting rid of the Seattle Police Dept. firing range, that would be a wonderful and welcome benefit to both the Allentown and Duwamish neighborhoods. It is almost impossible to enjoy visiting and walking around the Duwamish Hill Preserve without hearing gunfire. I hear it at all hours of the day from my home in Allentown. I have to warn everyone I take there that yes, you are hearing gunshots, and no, we are not the targets. This long standing public private partnership has created and preserved an important space that is sacred to the Duwamish and Coast Salish peoples and has been designed to be an outdoor classroom for students to learn about local history and biology. It is unnerving and stressful for teachers/parents to take students into this space and deal with the sound of gunfire while trying to conduct lessons.</p> <p>Thank you for the opportunity to comment.</p>		
50	6/1/2023	Online	<p>I like options 1 or 2. The other options are too complicated and would be too costly and take too much time to achieve with additional ramps and bridges etc. With options 1 or two there could probably be just a new entry/ exit control gate house and maybe scales relocated as needed at the north end with the remainder of the offices and maintenance facilities staying as is. There will undoubtedly be more internal truck traffic which will add to the already significant truck, top loader and train noise within the yard that impacts all of the 60 +/- homes, at all hours, within the influence zone along the BNSF boundary with Allentown. The truck and train noise, back up beepers, train tremors and light pollution should all be looked at in terms of ways to minimize the impact to the immediately adjacent homes. Lower the lights and add cut off shields, convert all yard equipment to electric, change out all on site back up safety beepers to the minimum required decibel levels similar to the newer low level beepers on local neighborhood delivery vans, get a grant to build a concrete noise abatement wall along the boundary similar to what is standard practice where the light rail runs adjacent to neighborhoods. Better yet, find a completely new location for this entire facility which should</p>	Allentown	



Phase 2: Comment Table

			have never been allowed to evolve this level in this location. Convert the area into a community open space amenity with active and passive recreation, wetlands and trails!		
--	--	--	--	--	--

# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS



SCOPING PHASE 2

## COMMENT FORM

The formal EIS scoping  
comment period is May 3rd  
through June 1st, 2023

The existing route, in addition to five proposed route alternatives, will be studied in the EIS to determine potential impacts on the built and natural environment. Tell us your thoughts on the alternatives and other topics that should be studied.

**All comments must be written and submitted within the formal scoping comment period.**

### Other ways to provide a formal comment:



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**Email** your comment to  
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**Mail** your comment to Mark Hafs  
6300 Southcenter Blvd. Suite 200  
Tukwila, WA 98188



*Mailer comments  
must be postmarked  
by June 1, 2023*

## SHARE YOUR INPUT

NAME Mark Hafs

JOIN OUR MAILING LIST? ☒ YES ☐ NO

EMAIL mark.hafs@tse.com

### COMMENTS

Share feedback about the routing alternatives.

Example: I'm concerned with the potential cost of Alternative X because of Y.

- ALT 3 Bridge to 48th
1. Will there be a traffic light on Interurban?
  2. Costly
  3. Impacts to river
  4. BNSF like it best.
  5. Need to partner w/ Mukleshouts & US Coast Guard.
  6. Some elevation engineering issues
  7. Build an underpass
  8. Like
  9. Much prefer to the current route

Share your input on what issues we should analyze in the EIS.

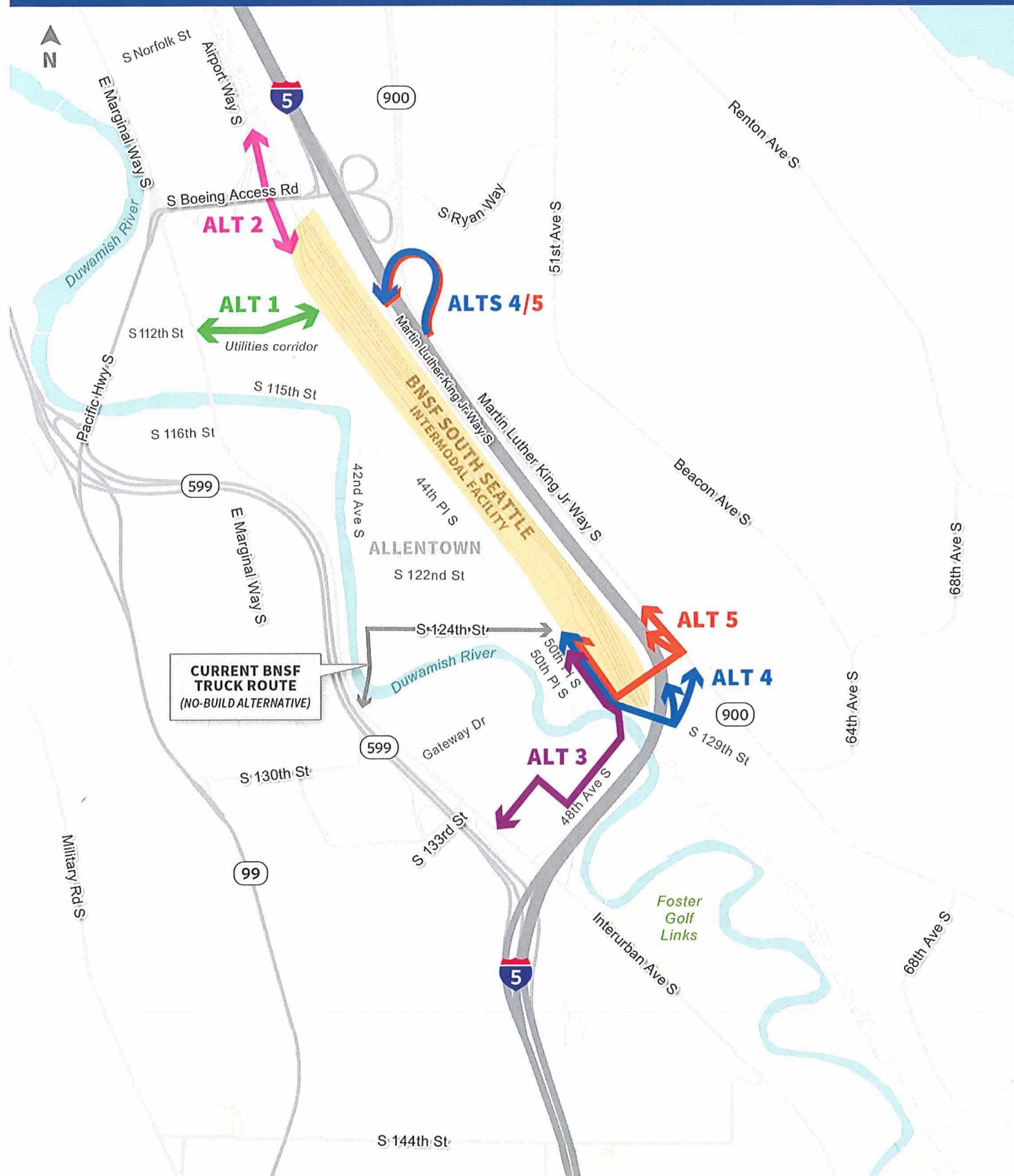
Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

What neighborhood do you live in? (Optional)

Turn over to view the Proposed Alternatives map

Please reference the five proposed truck alternatives and current route in the following map when providing written comments.





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## SHARE YOUR INPUT

JOIN OUR MAILING LIST?



YES

☐ NO

NAME

EMAIL

### COMMENTS

Share feedback about the routing alternatives.

Example: I'm concerned with the potential cost of Alternative X because of Y.

*EIS Considerations:*  
~~1. Air quality~~ 10. Environmental Justice 11. Cultural impacts  
1. 6 ppds / fire dust  
2. Air quality - how will it change?  
3. Sound Levels - how will it change?  
4. Light pollution - how will it change?  
5. Water quality - how will it change?  
6. Water table - will it be impacted?  
7. Residential / Neighborhood Safety  
8. Death rates - how will it change? Mortality Rates  
9. Rates of heart disease, infant mortality, incomplete pregnancies, etc.

Share your input on what issues we should analyze in the EIS.

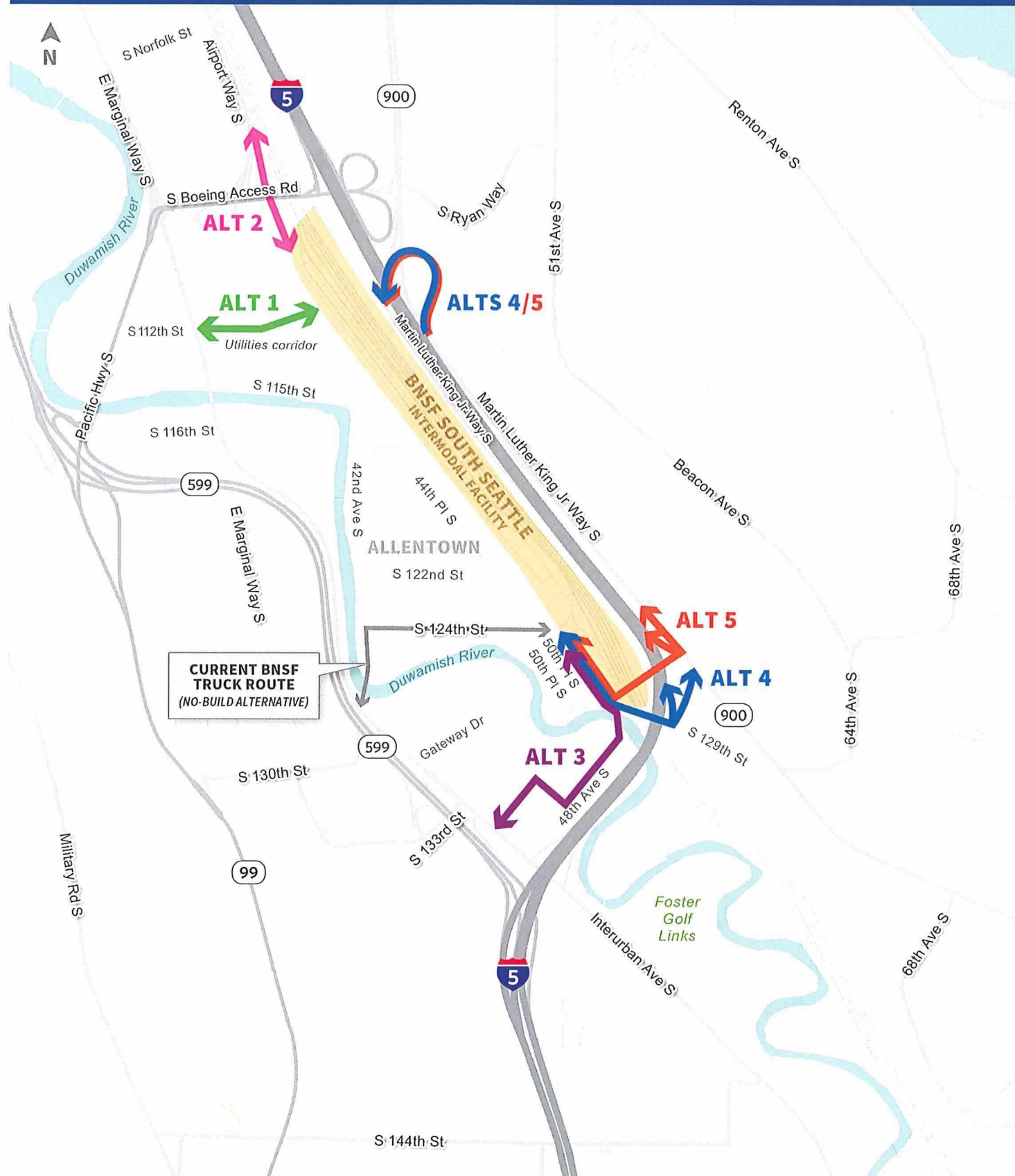
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## SHARE YOUR INPUT

JOIN OUR MAILING LIST?



YES

☐ NO

NAME

EMAIL

### COMMENTS

Share feedback about the routing alternatives.

Example: I'm concerned with the potential cost of Alternative X because of Y.

- ALT 5 - Build New
1. Cost of creating a whole new structure
  2. like the idea of dedicated lane for truck.
  3. This makes more sense than 4 will let truck go North & South.
  4. Good that it uses the "lay down" yard.
  5. Good there will be a sound wall low impact to ~~environment~~ neighborhood
  6. Better than Alt 4

Share your input on what issues we should analyze in the EIS.

Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

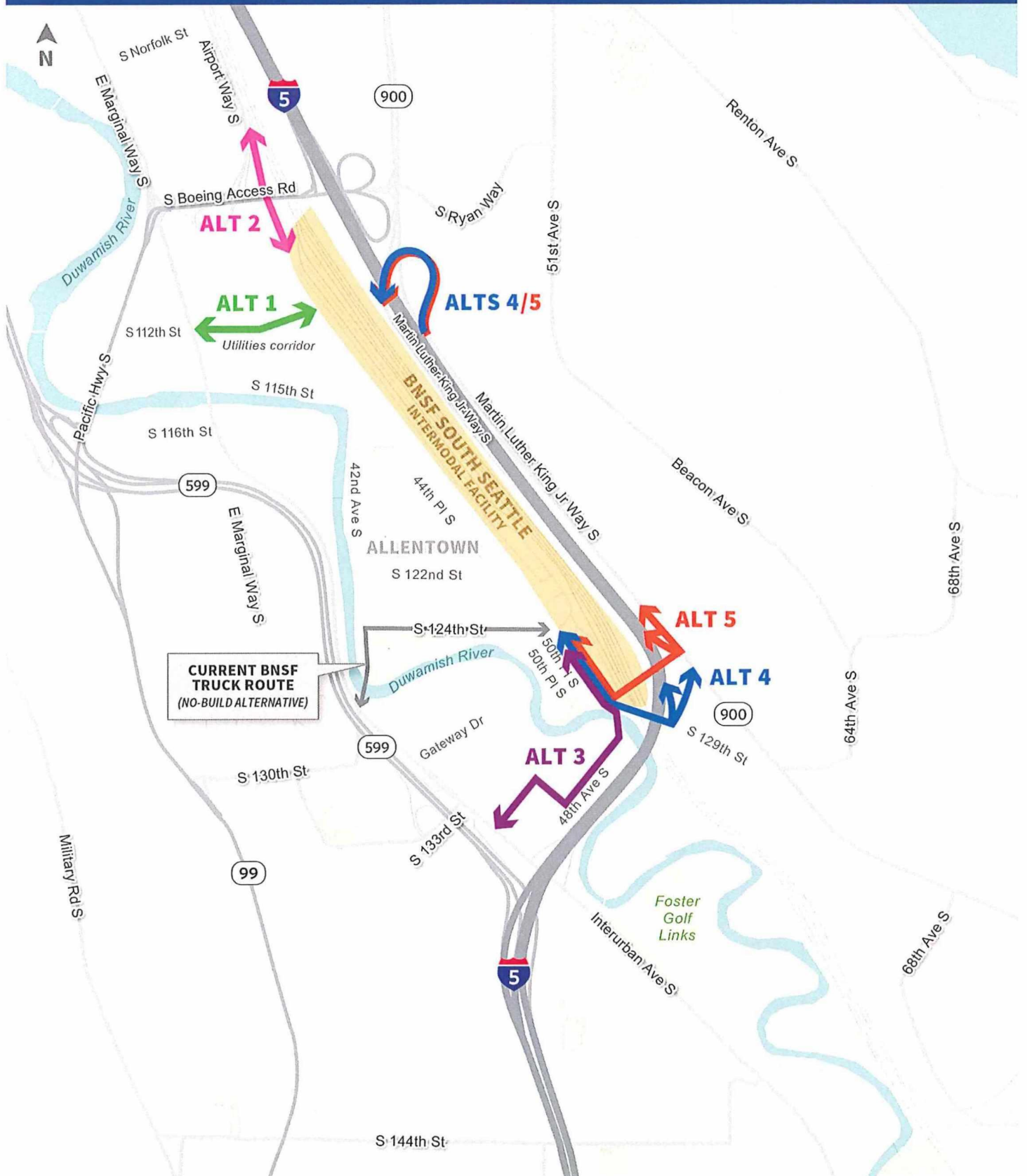
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# PROPOSED ALTERNATIVES

Please reference the five proposed truck alternatives and current route in the following map when providing written comments.



# ALLENTOWN TRUCK REROUTE PROJECT ENVIRONMENTAL REVIEW PROCESS

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## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☒ YES ☐ NO

NAME

EMAIL

### COMMENTS

Share feedback about the routing alternatives.

Example: I'm concerned with the potential cost of Alternative X because of Y.

- ALT 4 - (ADIC-A BRIDGE (129th))
1. How will trucks make the sharp turn?
  2. Existing Bridge needs to be enhanced - 3rd Lane + Strengthen
  3. Will use "lay down yard" - Good!
  4. Will be close to 1 home.
  5. Need a noise wall (barrier)
  6. Would need to coordinate this w/ Skyway (unincorporated)
  7. No good route to I-5 South (Construction on ramp!)

Share your input on what issues we should analyze in the EIS.

Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

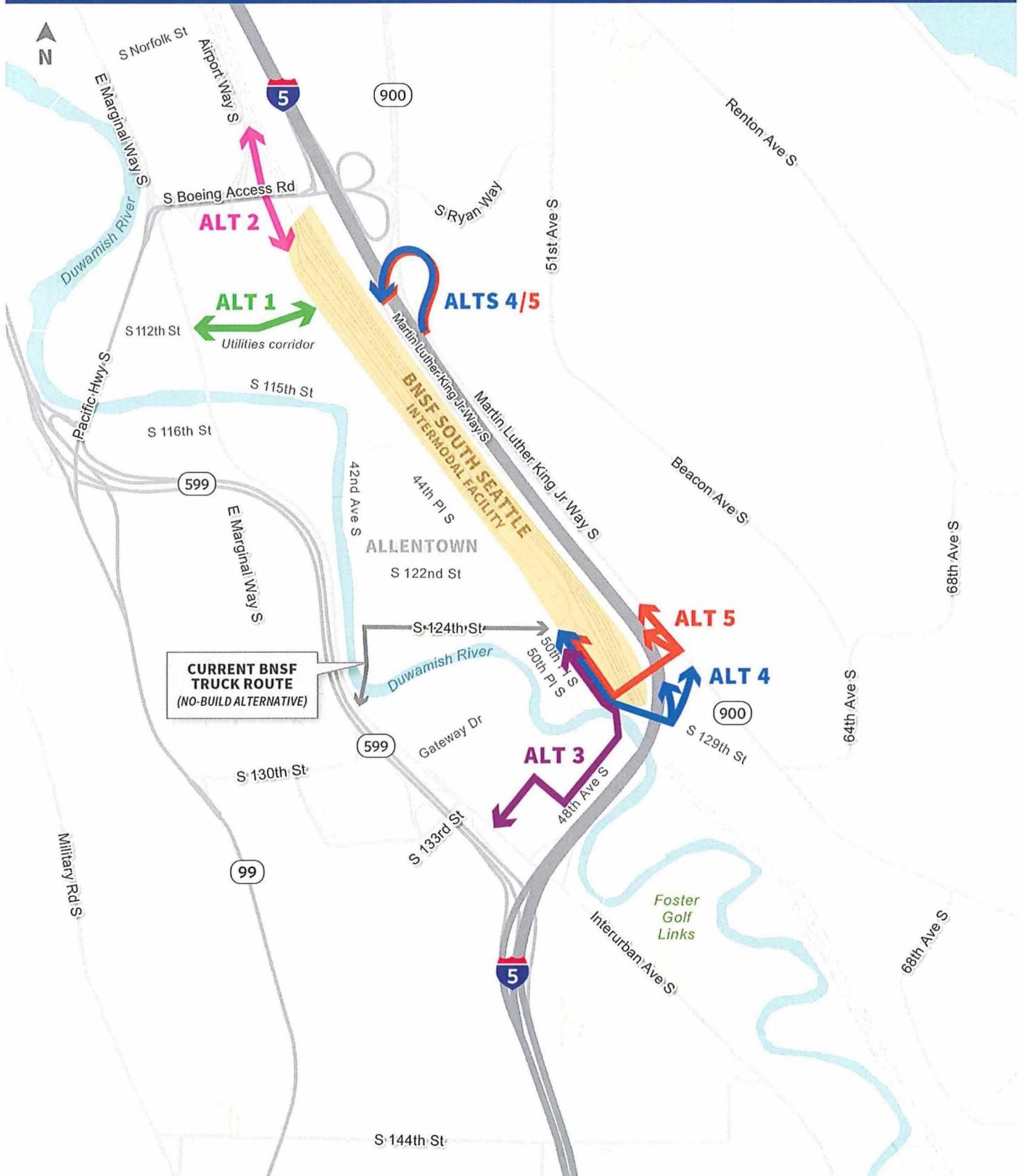
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## SHARE YOUR INPUT

JOIN OUR MAILING LIST?

☒ YES

☐ NO

NAME

EMAIL

### COMMENTS

Share feedback about the routing alternatives.

Example: I'm concerned with the potential cost of Alternative X because of Y.

*ALT 1 Comments:*

1. Will there be a stop light on E. Marginal Way for truck ingress/egress
2. Can there be a sound wall to protect Duwamish Preserve from truck noise?
3. How will you manage all the ~~the~~ things that BNSF placed there blocking this route
4. Good: No new ramps, No new bridges
5. Are there any protected wetlands on this route?

Share your input on what issues we should analyze in the EIS.

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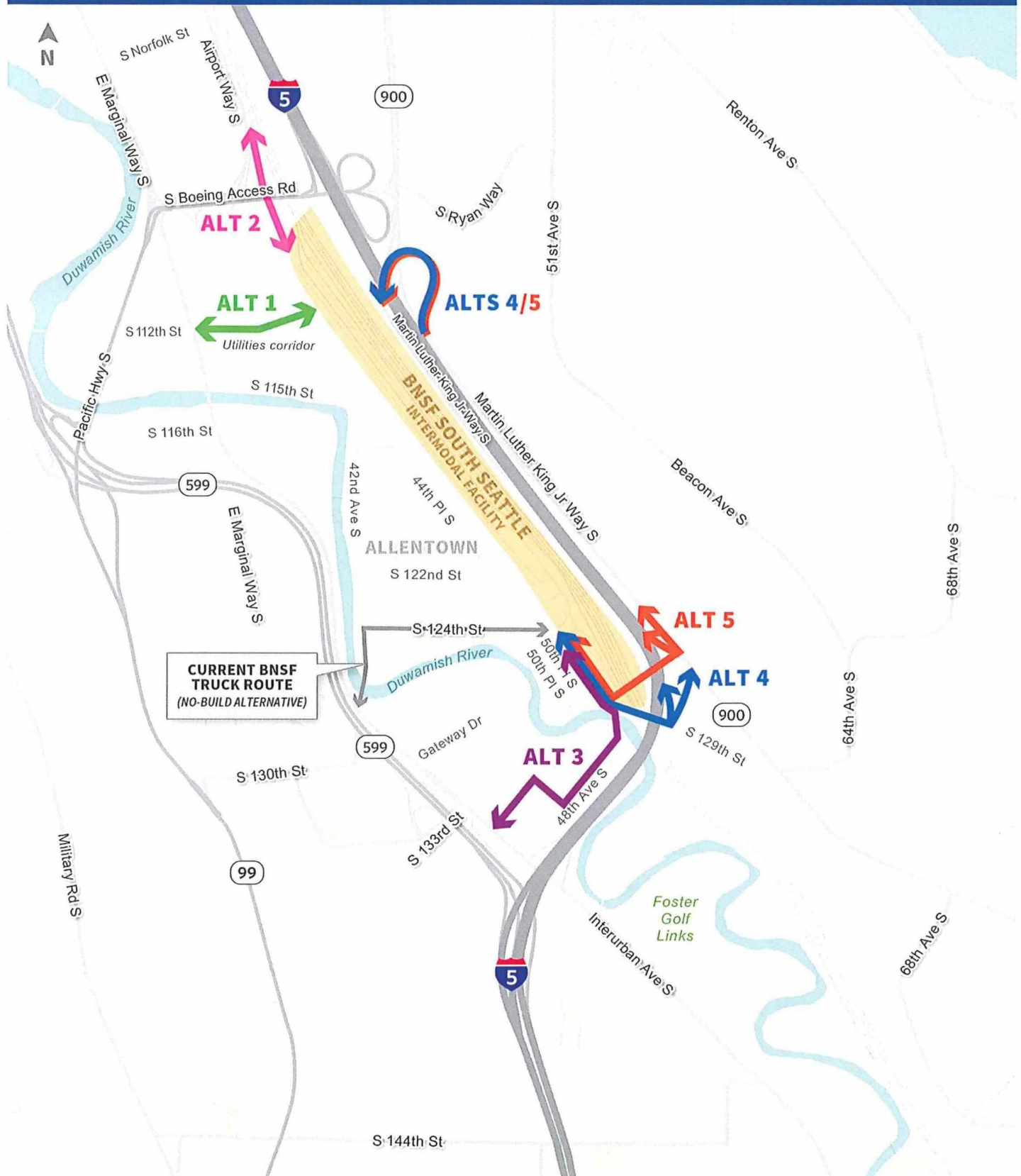
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What neighborhood do you live in? (Optional)

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## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☒ YES ☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share feedback about the routing alternatives.

Example: I'm concerned with the potential cost of Alternative X because of Y.

*Alternative 2*

- Best Option*
- 1. Easiest route*
  - 2. Least impact*
  - 3. Low cost*
  - 4. Trucks always in industrialized zones (not in residential streets)*
  - 5. Safety concerns?*
  - 6. Security concerns?*
  - 7. Not near the river*
  - 8. Noise reduction in neighborhoods*
  - 9. Pollution reduction in neighborhood*

Share your input on what issues we should analyze in the EIS.

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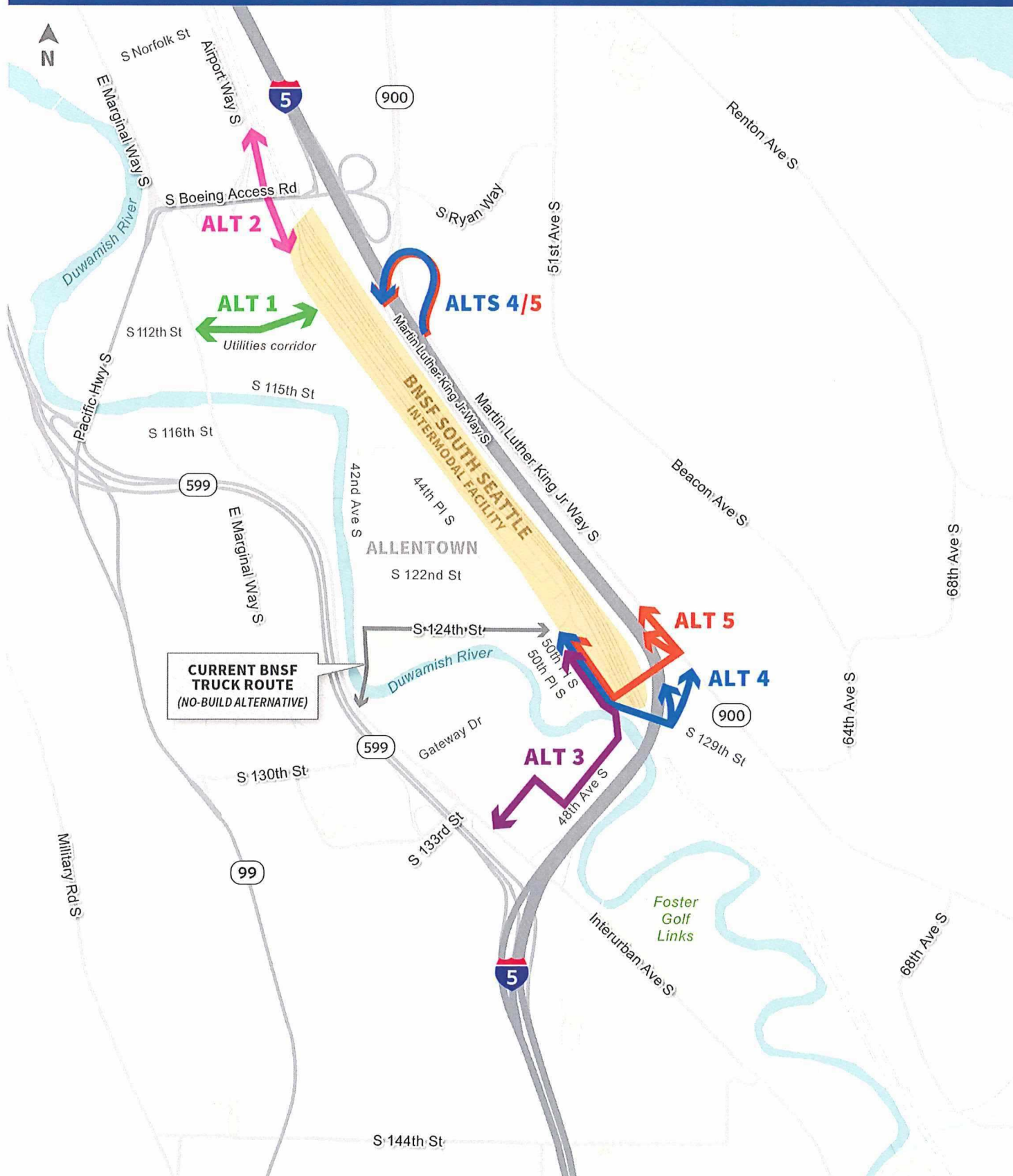
What neighborhood do you live in? (Optional)

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# PROPOSED ALTERNATIVES

Please reference the five proposed truck alternatives and current route in the following map when providing written comments.



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JOIN OUR MAILING LIST?

☒ YES

☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share feedback about the routing alternatives.

*Example: I'm concerned with the potential cost of Alternative X because of Y.*

*Alternative 4 & 5 I am against as it would be across the street from my home on 51st. There is a new home that would be in the front of the road that is planned. I do not want to look at a wall across from my home. Alternative 2 is the best route. There are big trees there now and they would stay if alternative 2.*

Share your input on what issues we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

*6 evergreen trees would not be cut down if alternative 2*

Do you have questions or concerns regarding the Environmental Impact Statement (EIS) process?

*noise, fuel smell, house rattling, dust*

What neighborhood do you live in? (Optional)

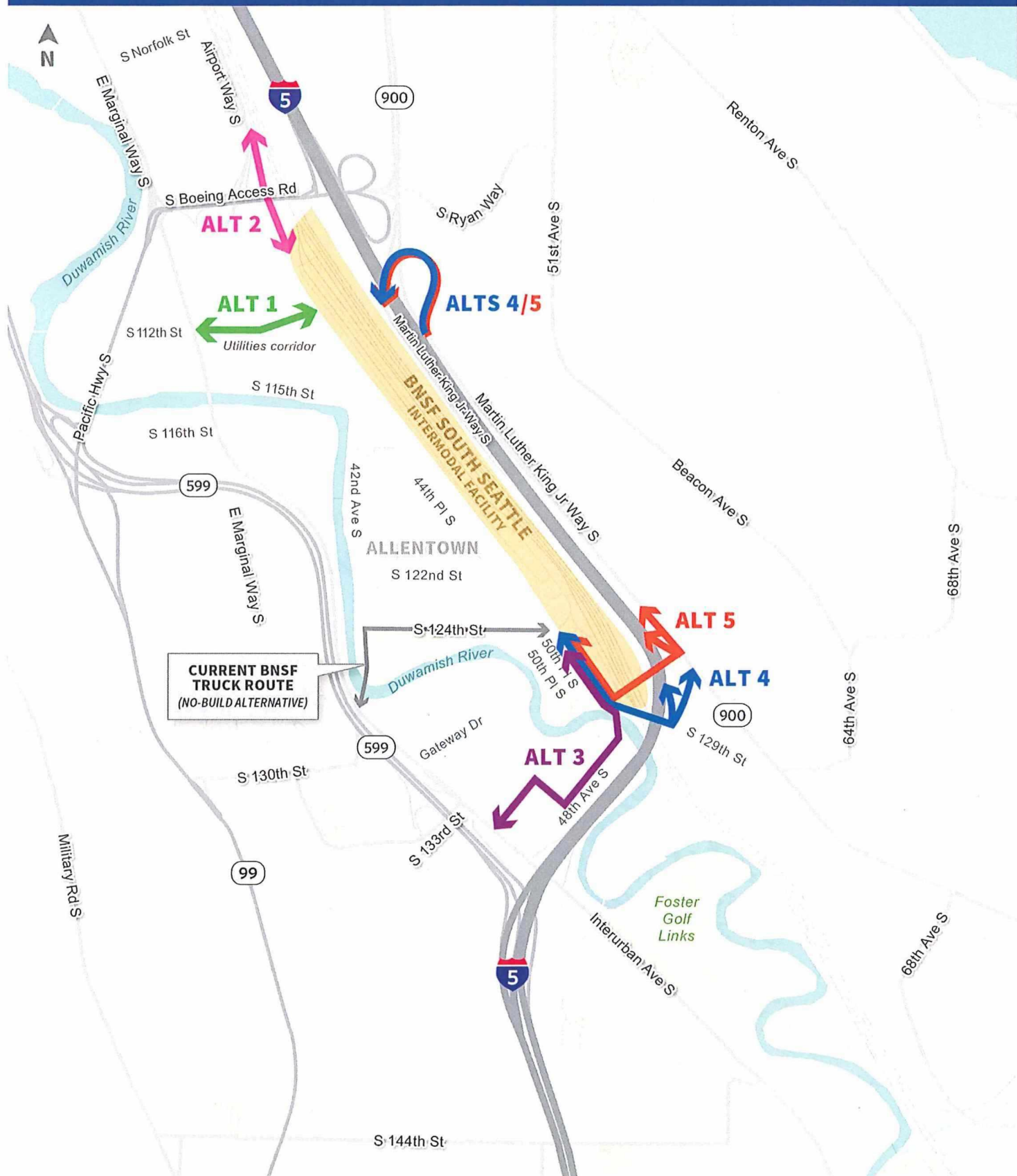
*Allentown*

Turn over to view the Proposed Alternatives map



# PROPOSED ALTERNATIVES

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SCOPING PHASE 2

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AllentownTruckReRoute@TukwilaWA.gov



**Mail** your comment to Mark Hafs  
6300 Southcenter Blvd. Suite 200  
Tukwila, WA 98188



*Mailer comments  
must be postmarked  
by June 1, 2023*

## SHARE YOUR INPUT

JOIN OUR MAILING LIST? ☐ YES ☐ NO

NAME \_\_\_\_\_

EMAIL \_\_\_\_\_

### COMMENTS

Share feedback about the routing alternatives.

*Example: I'm concerned with the potential cost of Alternative X because of Y.*

PREFER ALT 2 -  
REDUCES NOISE AND SAFETY  
IMPACTS IN OUR  
NEIGHBORHOOD. ALT 2 ALSO  
APPEARS TO BE THE EASIEST  
AND LEAST EXPENSIVE OPTION.

Share your input on what issues we should analyze in the EIS.

*Example: There is a 100-year-old tree at the intersection of X and Y that should not be disturbed during the rerouting process.*

NOISE AND SAFETY ARE #1  
CONCERN

Do you have questions or concerns regarding the  
Environmental Impact Statement (EIS) process?

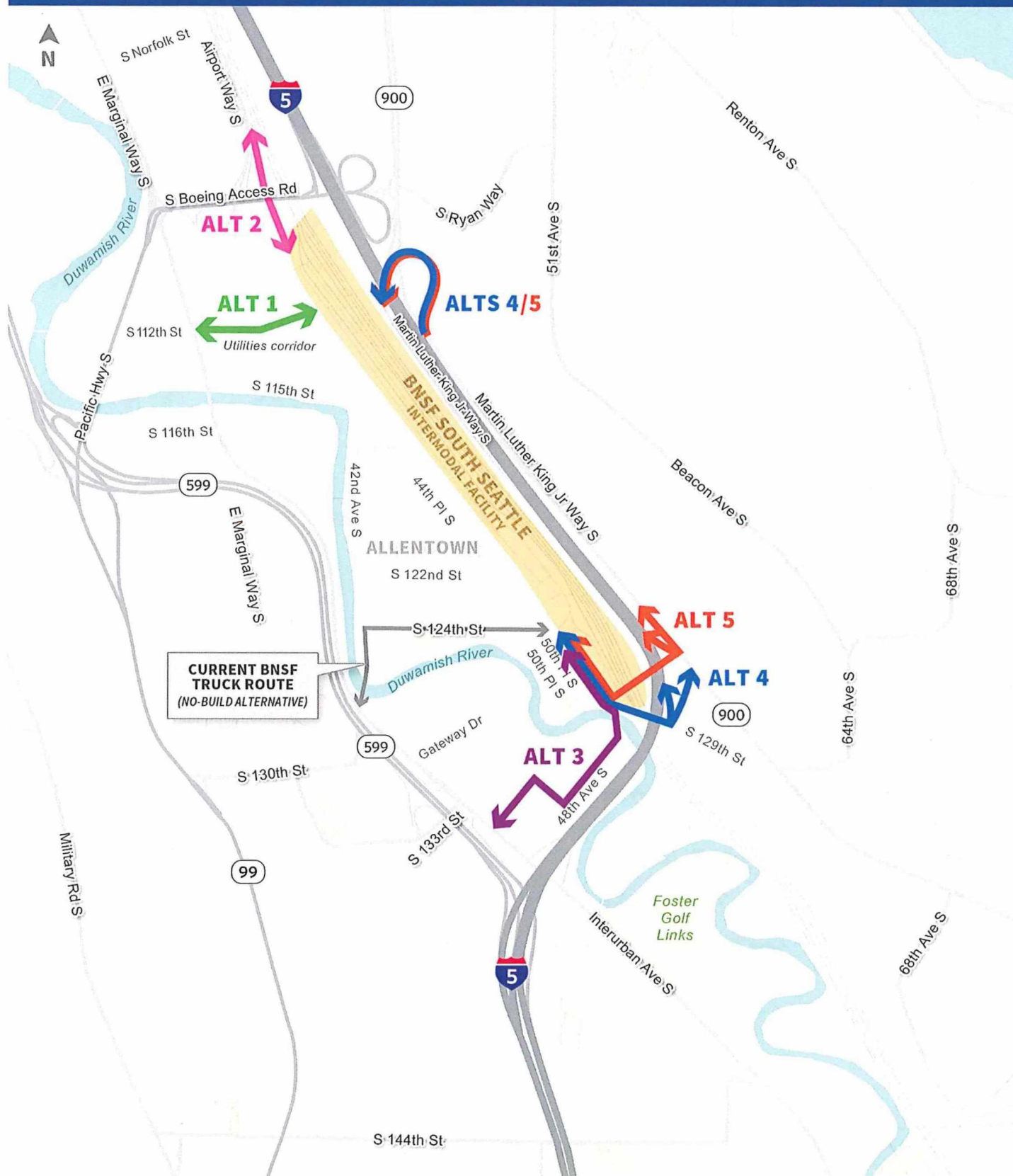
What neighborhood do you live in? (Optional)

ALLENTOWN

Turn over to view the Proposed Alternatives map

# PROPOSED ALTERNATIVES

Please reference the five proposed truck alternatives and current route in the following map when providing written comments.



May 10, 2023

Dear Mark Hafs

Attn:

City of Tukwila

6300 Southcenter Blvd. Ste. 200

Tukwila, WA 98188

We are the tenants of the Empire View Mobile Homes located near S. 129th St. We are writing this letter to request you to re-route the trucks away from S. 129th St and other residential neighborhoods. Several of us have made concerns regarding the trucks using this route. Please see details below:

- S. 129th St is currently on a hill. We have been concerned as truck drivers have been driving really fast down this hill. We are afraid that one day they may swerve into the houses. Even during rainy days or snow, these trucks are still going downhill fast.
- There are local children in this neighborhood. Trucks driving down this hill may not see children and or not be able to break as fast due to the steep slope.
- We are worried about the amount of trucks driving past this street posing a direct threat to human health and the environment. This causes parents not wanting their children to play in the front yard or elders going on their walks.
- Residents are not able to be well rested due to the noise and vibrations caused by the numerous trucks rumbling up and down the street.
- Pavements and crosswalks are ruined by the trucks causing multiple pot holes on this street. Uneven pavements pose a fall risk to the residents.
- Everytime a truck drives on this hill, it makes the homes in the neighborhood vibrate very similarly to a small earthquake.

We hope that you take our concerns regarding this matter seriously and re-route the trucks away from S. 129th St and away from residential neighborhoods. Thank you for your consideration, we will be glad to answer any questions you have.

Sincerely,

Tenants of the Empire View Mobile Home Park.





**Baker Commodities, Inc.**  
Recycling for Life®

05/24/2023

To whom It May Concern

It was noted by Baker Commodities that there are some changes to the previous reroute of truck traffic through Allentown. Also a comment in last night's meeting about removing all trucks from access to 124<sup>th</sup> and the 42<sup>nd</sup> Ave Bridge. Our concern is that you are not taking into consideration the Baker Commodities truck fleet in your conversations when looking at or developing new truck routes. Baker does not run the same type of equipment as what is going into or out of the B&N facility. Our truck and trailer configurations are much longer at 68 feet.

Alternative Routes #1, #2 look to be the best option for removal of B&N traffic but does nothing for Baker traffic. Same goes for option #5 but putting in another bridge coming off MLK does not look feasible due to grade and winter weather issues. Same goes for option #4. The 129<sup>th</sup> bridge is bad enough when we have snow or freezing weather which opens up 42<sup>nd</sup> Ave bridge and 124<sup>th</sup> as alternatives during snow or freezing weather.

Alternate route #3 our concern is design and how it would accommodate current businesses along this route and enable our equipment to use this access.

Baker Commodities currently remains neutral but we have concerns that the City is not considering Baker equipment when discussing alternative routes

Division General Manager

Baker Commodities Inc.  
Seattle Division

PO Box 58368

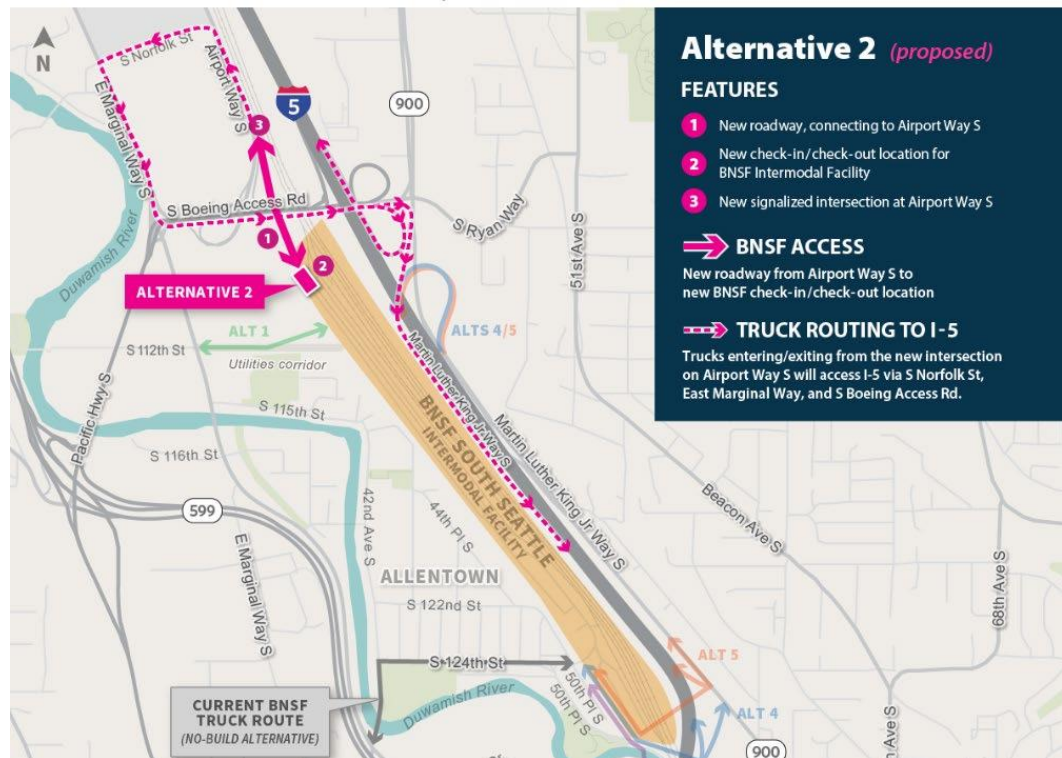
Seattle, WA 98138



to powerline clearances, weight restrictions, etc.

- The alternative would require multiple left turns for trucks coming from I-5.

## 2. Alternative 2

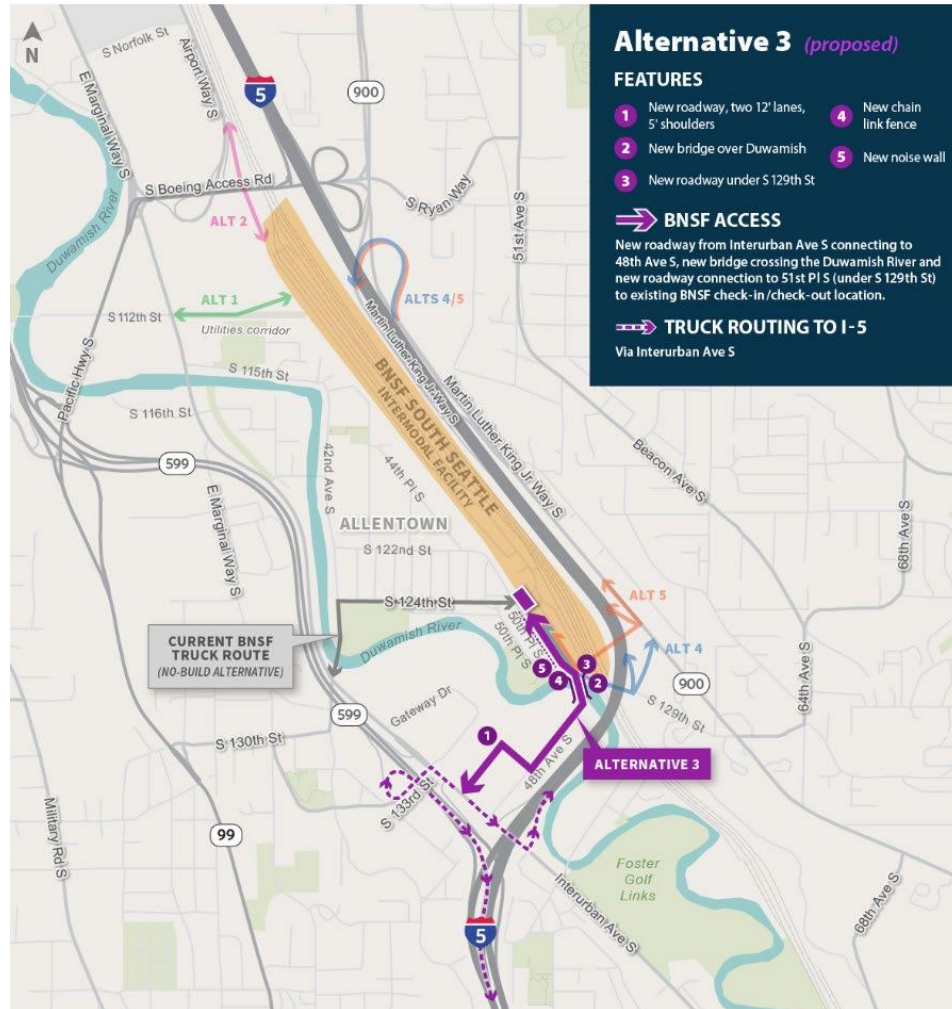


### Alternative 2 is not feasible.

- Trucking entrance/exit functions are handled at the southern end of the facility.
- The north end exists currently as the most congested part of the facility.
- Shifting traffic to the north would mix incoming and outgoing trucks with live transloading operations, creating both safety concerns and traffic congestion in and around the facility.
- Inbound/outbound truck traffic from the north would interfere with the car department and mechanical maintenance shop at the north end of the facility.
- Significant modifications to the existing facility would be required as part of Alternative 2 to prevent gridlock in the facility and surrounding area.
- Trains are built on the northern ladder tracks of the facility and the proposed Alternative 2 parallel road would route trucks in conflict with on-the-ground switchmen and mechanical forces in an active rail corridor
- A parallel access road would put constraints on facility infrastructure
- Significant truck traffic backup predicted with this option due to anticipated challenges with bi-directional traffic along the proposed route in and out of the facility
- Potential impacts to Sound Transit Link Light Rail bridge as well as the S. Boeing Access Rd Overpass to accommodate this option.



### 3. Alternative 3



#### Alternative 3 is BNSF's preferred alternative.

- Alternative 3 would have the least impact on current trucking and transload operations at the facility.
- Maintains existing and consistent access to on and off ramp highway infrastructure while reducing truck impacts on the local road network and Allentown residents.
- Creates simplified opportunities to reconfigure the south end portion of the facility as part of the city's project scope with minimal changes to existing operations.
- Avoids residential neighborhoods in Allentown to the west and residences off of S 129<sup>th</sup> St to the east.
- Prevents conflicts with both facility operations and rail traffic presented with other alternatives. This alternative does not provide the same level of conflict to existing operations as other alternatives do.

- Avoids building new structures over BNSF right-of-way which would put constraints on facility operations and infrastructure.

#### 4. *Alternative 4 & 5*





- Alternative 4 & 5 is not feasible as an option as preliminarily presented.
- Additional questions and design considerations need to be addressed prior to determining the full viability of the alternative.
  - What will the roadway geometry and verticle profile on the proposed structure in Alternative 5 be that would allow trucking operations in all weather conditions?
  - Does the alternative propose to shift truck traffic from one residential area to another?
  - If either alignment requires the construction of a new bridge over BNSF right-of-way, what will the impacts of this structure be during and after construction?
  - Any new structure must clear span the right-of-way to avoid facility operations and infrastructure constraints.

BNSF's key areas of concern can be summarized as follows:

- A. What are the impacts to existing operations at the Hub facility? Safe and efficient ingress and egress of trucking operations is most important to the selected alternative. BNSF's ability to serve the Puget Sound Region is directly linked with the fluidity of trucks accessing the facility.
- B. Where trucks go when they enter or exit the facility matters. The facility is wholly designed and flows around the existing south end gate location. Changing the location of the entry gate, especially on proposed Alternatives 1



and 2 which move the gate to the north end of the facility, would require substantial changes to the internal layout and operations of the Hub facility in order to maintain fluidity and avoid network congestion.

- C. Alternative 4 & 5 appear to move trucks from one neighborhood to another, creating new conflict points for neighboring communities both during construction of the alternatives, and as a permanent condition.

#### **IV. CONCLUSION**

Maintaining fluid truck access to the nation's rail network is of critical importance to BNSF, the region, our service partners, and our customers. We appreciate the careful consideration of the comments above and look forward to the continuing discussion on alternatives for the area. BNSF Railway is a key stakeholder in the decision and is a willing partner in the ongoing process to determine a viable solution that is mutually beneficial for BNSF's operations, the City of Tukwila, and Allentown residents.

May 31, 2023

**Via U.S. Mail and Email**

Mark Hafs  
6300 Southcenter Blvd., Suite 200  
Tukwila, WA 98188

Re: Comments on the Second Phase of the Scope of the Environmental Impact Statement for the Allentown Truck Reroute Project (the “**Project**”)

Dear Mr. Hafs:

This firm represents Strander Family, LLC I and Strander Family, LLC II (the “**Strander Companies**”), owners of six properties leased to four commercial tenants along 48<sup>th</sup> Avenue South, in matters related to the above-referenced Project. We write on the Strander Companies’ behalf to submit comments on the second phase of the scope of review under the State Environmental Policy Act (“**SEPA**”) being carried out by the City of Tukwila (the “**City**”) for the Project. As outlined in the Strander Companies’ prior comments on the Project on March 15, 2023 and August 25, 1998, incorporated and resubmitted in full as part of this comment letter, the City’s proposed Alternative 3, which would reroute Burlington Northern Santa Fe (“**BNSF**”) along 48<sup>th</sup> Avenue South, would cause significant and disproportionate impacts to the environment, local businesses, and the community.

As was discussed at the City’s May 23, 2023 Community Meeting, proposed Alternative 3 is the only alternative currently being considered that would require an entirely new bridge over the Duwamish River.<sup>1</sup> Even without taking into account the financial and engineering considerations of such an undertaking, the construction of a new bridge will negatively impact the riparian habitat. Runoff and vibration from cars and trucks crossing the new bridge will also significantly impact water quality and the vitality of the Duwamish

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<sup>1</sup> While the “No Action” Alternative also technically requires replacement of the existing 42<sup>nd</sup> Ave. S. Bridge, that replacement is already funded and underway *regardless of the City’s decision with respect to the Project*. As a result, the impacts associated with replacing the 42<sup>nd</sup> Ave. S. Bridge are not Project-specific and cannot be compared to proposed Alternative 3, which would require an entirely new bridge where one had not previously existed. Nevertheless, the Project and the viability of proposed Alternative 3 should be informed by the City’s experience in replacing the 42<sup>nd</sup> Ave. S. Bridge and all of the logistical hurdles required to build a bridge across the Duwamish River, including the cost and construction delays experienced by the City to date.

ecosystem including, among other key species, endangered salmonoid species and nearby osprey and eagles that rely on fish migration for food. While these impacts on their own warrant the City removing proposed Alternative 3 from consideration, when considered cumulative with the impacts from the existing I-5 bridge located approximately 350 feet south, proposed Alternative 3 and its impacts to the Duwamish River and surrounding ecosystem are untenable. As explained by the Muckleshoot Tribe in 2000, any alternative that involves construction of a new bridge over the Duwamish River will have problematic direct and indirect impacts on salmon spawning and migration routes and would violate the Muckleshoot Tribe's federally protected treaty fishing rights. *See* Letter from Tribal Attorney K. Allston dated April 14, 2000.

Proposed Alternative 3 is also the only current alternative that would require a significant government taking of local family-owned private property, the very community that the City represents. Again, even without taking into account the financial considerations of such an undertaking, which are likely substantial given the commercial and industrial businesses along 48<sup>th</sup> Ave. S., the loss of commercial and industrial operations will affect the long-term economic prospects of the City and its residents.<sup>2</sup> In addition, construction of a 48<sup>th</sup> Ave. S. Bridge conflicts with the community's existing Green River Trail that runs along the western portion of the Duwamish River and the City's goal of increasing public and community connectivity to the Green/Duwamish River. *See* Tukwila Comprehensive Plan, Policy 6.1.5.

Nor is proposed Alternative 3 viable when considering the traffic impacts to 48<sup>th</sup> Ave. S., the surrounding arterial system and the safety of drivers and City residents. 48<sup>th</sup> Ave. S. is not a designated arterial and proposed Alternative 3's reroute and repeated right turns would predictably create a traffic back up for BNSF trucks and other vehicles on 48<sup>th</sup> Ave. S. These traffic impacts would be compounded with the new traffic signal(s) that would be required on Interurban Ave. S. Such traffic would also have numerous additional impacts to the built environment and access to nearby businesses, including associated noise with increased truck traffic.

While this letter and the Strander Companies' prior comment letters, incorporated fully herein, have highlighted several of the adverse impacts to the natural and built environments, we trust that the City will complete a full analysis of all elements. Doing so will reveal that proposed Alternative 3 or any alternative that considers 48<sup>th</sup> Ave. S. for the reroute would unreasonably and disproportionately harm the environment and should not be considered.

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<sup>2</sup> While the City apparently has not confirmed the location of the portion of the "new" road that would cut North from 48<sup>th</sup> Ave. S. through existing commercial and industrial businesses, the City would also apparently need to widen the existing portion of 48<sup>th</sup> Ave. S. that is included in proposed Alternative 3. A current analysis of the funding needed to take all of the private properties necessary for proposed Alternative 3 should be performed as it is likely that such an analysis will reveal that proposed Alternative 3 is cost prohibitive.



Mr. Mark Hafs – City of Tukwila  
May 31, 2023  
Page 3

Very truly yours,

Davis Wright Tremaine LLP



Clayton P. Graham

cc: Louise Strander

Enclosures:

March 15, 2023 Letter – Comments on the Scope of the Environmental Impact Statement for the Allentown Truck Reroute Project;

August 25, 1998 Letter to City of Tukwila Transportation Committee re: 48<sup>th</sup> Ave. SE Project;

April 14, 2000 Letter from the Muckleshoot Indian Tribe Office of the Tribal Attorney.

March 15, 2023

Mark Hafs  
6300 Southcenter Blvd. Suite 200  
Tukwila, WA 98188  
[AllentownTruckReRoute@TukwilaWA.gov](mailto:AllentownTruckReRoute@TukwilaWA.gov)

**Via U.S. Mail and Email**

Re: Comments on the Scope of the Environmental Impact Statement for the Allentown Truck Reroute Project (the “**Project**”)

Dear Mr. Hafs:

This firm represents Strander Family, LLC I and Strander Family, LLC II (the “**Strander Companies**”), owners of six properties leased to four commercial tenants along 48<sup>th</sup> Avenue South, in matters related to the above-referenced Project. We write on the Strander Companies’ behalf to submit comments on the scope of review under the State Environmental Policy Act (SEPA) being carried out by the City of Tukwila (the “**City**”) for the Project.

The current iteration of the Project is not the City’s first time considering a potential alternative location for a primary vehicular access route to the Burlington Northern Santa Fe (“**BNSF**”) Intermodal Facility, which currently runs along 42<sup>nd</sup> Avenue South (over the existing 42<sup>nd</sup> Avenue South Bridge) and South 124<sup>th</sup> Street (the “**Current Route**”). Most recently, the Project was studied in 2015-2016, though the effort was ultimately tabled. *See* BNSF Access Study Project Update, August 10, 2015; City of Tukwila Endangered Species Act Screening Checklist (December 6, 2016) (“**2016 Checklist**”). Two decades prior, in the late 1990s, the City similarly studied and considered alternatives for new access to the BNSF Intermodal Facility. *See* City of Tukwila Transportation Committee Agenda, March 10, 1998. One alternative considered was a route along 48<sup>th</sup> Avenue South (the “**48<sup>th</sup> Ave. S. Alternative**”). As the Strander Companies detailed then, the 48<sup>th</sup> Ave S. Alternative was (and is) costly compared to alternatives; would significantly disrupt existing businesses; and would severely and negatively impact traffic flow to and from I-5. In response to these concerns and others, the 48<sup>th</sup> Ave. S. Alternative was removed from the City’s considerations. *See* Tukwila City Council Meeting Minutes, September 25, 2000. While the same concerns that caused the City to abandon the 48<sup>th</sup> Ave. S. Alternative remain—and more have arisen since—the City has signaled its openness to reconsidering that route as a potential alternative for the Project.

The Strander Companies would be significantly affected by and are opposed to the 48<sup>th</sup> Ave. S. Alternative. We and our client understand and share the City’s interest in creating a harmonious solution that balances safe and efficient commercial truck traffic and the peace and safety of Allentown residents. As the City reiterates in its scoping notice, “[t]he purpose and need for this project is to develop an alternative route to the BNSF Intermodal Facility in Allentown to improve livability and safety in Allentown, without compromising the operations of the intermodal facility.” We do not believe that goal is served by the 48<sup>th</sup> Ave. S. Alternative, which will have significant and disproportionate impacts on the natural and built environment well beyond those caused by other viable alternatives.

While the 48<sup>th</sup> Ave. S. Alternative has been part of the Project discussion for decades, we encourage the City to take a fresh look at the environmental context and exercise its due discretion in considering only those alternatives *that are reasonable today*. See *Solid Waste Alt. Proponents v. Okanogan County*, 66 Wn. App. 439, 446 (1992) [hereinafter “**SWAP**”] (The [City] is not required to explore every conceivable alternative.”); WASH. ADMIN. CODE<sup>1</sup> [hereinafter “**WAC**”] 197-11-440 (clarifying that, under SEPA’s mandate to explore “reasonable alternatives,” “[t]he word ‘reasonable’ is *intended to limit the number and range of alternatives*, as well as the amount of detailed analysis for each alternative”) (emphasis added). As our courts have made clear, community displeasure alone cannot be the basis for selection of alternatives. See *Maranatha Mining, Inc. v. Pierce County*, 59 Wn. App. 795, 804, *cited in SWAP, supra*. Rather, the City’s selection of alternatives—and ultimately, of the Project site—should be driven by current data regarding the wide variety of appropriately considered environmental impacts, not by adherence to an outdated list of potential sites that was developed more than two decades ago.

Accordingly, we urge the City to decline to include the 48<sup>th</sup> Ave. S. Alternative in its Environmental Impact Study (**EIS**) and to focus on more viable alternatives, including the Current Route.<sup>2</sup> For the reasons outlined below, the 48<sup>th</sup> Ave. S Alternative should be excluded from the City’s ongoing SEPA review of the Project.

## I. SCOPING

The Determination of Significance/Scoping Notice for the Project, issued by the City on February 14, 2023, states that an EIS will be prepared for the Project. Given its scale and geographic context, we agree that the Project is likely to have significant impacts on various aspects of the built and natural environment, which will be heightened or decreased depending on the alternative chosen. We encourage the City to take a hard look at the breadth of these impacts in choosing alternatives

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<sup>1</sup> The chapter of the Tukwila Municipal Code that contains the City’s SEPA regulations requires that “[t]he SEPA rules contained in WAC Chapter 197-11 must be used in conjunction with this chapter.” TUKWILA MUNI. CODE Sec. 21.04.010(B).

<sup>2</sup> See WAC 197-11-440(5)(b)(ii) (“The ‘no-action’ alternative shall be evaluated and compared to other alternatives.”)



and evaluating the Project. Because “scoping is intended to identify and narrow the EIS to the significant issues[,]”<sup>3</sup> we particularly urge analysis of the following:

**A. Duwamish River Water and Habitat Impacts.**

The presence of the Duwamish River in the Project area should factor heavily into the City’s evaluation of the Project alternatives and their relative impacts. Any proposal that involves construction of a new bridge across the Duwamish River—rather than a non-river route or use of an existing bridge—is likely to significantly and negatively impact the river. Construction and the placement of permanent support structures will impact the river banks. Road runoff from cars and trucks crossing the new bridge will impact water quality, in turn affecting the plants and animals therein, including endangered salmonoid species. The increased traffic over a previously undisturbed section of the river will ultimately impact fish migration. Any such impacts to fish habitat and access may also constitute a violation of tribal treaty rights.

**B. Traffic.**

The 2015 BNSF Access Study SEPA Checklist suggested the Project in its then-current iteration would cause no significant traffic impacts because there would be no net change in the number of vehicle trips that would occur in light of a reroute of existing traffic. However, there *will* be significant impacts to the flow of traffic throughout the Project area depending on the alternative chosen, impacts that we encourage the City to fully evaluate. The impact of the addition of a significant amount of truck traffic to existing traffic along the alternative routes must be considered, including the impacts to businesses and residences along those routes.

**C. Current Route Updates Since Previous Study.**

Since the City’s previous studies of the Project in the late 1990s and 2015-2017, the City has recently and independently approved replacement of the 42<sup>nd</sup> Ave. S. Bridge, which is part of the Current Route. Therefore, many of the assumptions of environmental and economic impacts identified in previous studies must be reevaluated, in light of the separate 42<sup>nd</sup> Ave. S. Bridge replacement *already underway*. For example, the 2017 Alternative Screening assumes replacement of the 42<sup>nd</sup> Ave. S. Bridge would be a required component of the Current Route. Because the replacement of the 42<sup>nd</sup> Ave. S. Bridge and related traffic improvements already are occurring independently, any associated environmental impacts should not be included in an assessment of the environmental impact of the Current Route alternative under this EIS.

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<sup>3</sup> WAC 197-11-793.

#### **D. Loss of Commercial Lands.**

Several of the alternatives identified in previous study, including the 48<sup>th</sup> Ave. S. Alternative, would cause significant loss of important industrial and commercial lands in the City. The proposed conversion of commercial and industrial lands ought to be thoroughly analyzed in the EIS because such losses will affect the long-term economic prospects of the City and its residents. Relatedly, the Strander Companies urge the City to realistically and accurately analyze the costs associated with acquiring private property necessary for each of the alternatives, including appropriate compensation that may be required in the taking of any private land for the Project.<sup>4</sup>

#### **E. Alternatives Analysis.**

An EIS must focus on a project's "probable significant adverse impacts and reasonable alternatives["]." WAC 197-11-408(1) (emphasis added). A "reasonable alternative" is "an action that could feasibly attain or approximate a proposal's objectives, but *at a lower environmental cost or decreased level of environmental degradation*." WAC 197-11-786 (emphasis added). As has been the case for the nearly three decades during which the City has considered some iteration of the Project, the 48<sup>th</sup> Ave. S. Alternative is not a reasonable alternative given its significant environmental impacts, as described below. Accordingly, the Strander Companies encourage the City not to include the 48<sup>th</sup> Ave. S. Alternative in the EIS, and instead focus on reasonable alternatives that do not involve such significant construction, costs, environmental impacts, and private property takings.

### **II. THE 48<sup>TH</sup> AVE. S. ALTERNATIVE IS NOT A REASONABLE ALTERNATIVE.**

#### **A. Air Quality.**

The 48<sup>th</sup> Ave. S. Alternative would involve the construction of a new bridge spanning the Duwamish River, located only approximately 350 feet north of the existing I-5 bridge. So much car and truck traffic concentrated in such a small area, especially one crossing a river, is likely to lead to significant air (and water) pollution concentrations. Those cumulative effects would be avoided through adoption of *any of the other alternatives already under consideration, or new alternatives* that don't involve additional construction so close to the interstate.

#### **B. Water Quality.**

As explained in Section I(A) of this Comment, the construction of a new bridge will significantly impact the water quality of the Duwamish River by causing runoff from the new roadway and

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<sup>4</sup> See *Kucera v. State Dep't of Transp.*, 140 Wn.2d 200, 224 (2000) (en banc) ("[SEPA] does not require that those evaluating a proposed action consider environmental factors alone. Rather, the essential factors balanced frequently are the substantiality and likelihood of environmental cost and economic cost.").

other water impacts. These water quality impacts are significantly greater for the alternatives that require construction of a new bridge over the Duwamish River than for the Current Route and alternatives that do not require construction of new river crossings. Moreover, like air pollution, the water quality effects of placing two highly trafficked bridges only 350 feet apart must be considered.

### **C. Animals, Specifically Endangered Species.**

Relatedly, the inevitable and detrimental impacts to the Duwamish River that the 48<sup>th</sup> Ave. S. Alternative would cause would directly impact the fish species therein. The 2017 BNSF Intermodal Facility Access Study identified the presence of Chinook salmon, steelhead trout, and bull trout in the Duwamish River, all of which are identified as “threatened” under the Endangered Species Act. David Evans and Associates, BNSF Study, April 17, 2017. Building a new bridge across the River would unnecessarily harm these threatened species. In particular, as explained by the Muckleshoot Tribe in 2000, any alternative that involves construction of a new bridge over the Duwamish River will have problematic direct and indirect impacts upon Chinook salmon’s spawning and migration routes. Letter from Tribal Attorney K. Allston to K. Adams Pratt, dated April 14, 2000 (“**Muckleshoot 2000 Letter**”) (attached). Since that time, the fragility and health of our native salmon populations has only become more dire. Road runoff from chemicals in tires (specifically, 6PPD-quinone) are directly responsible for the death of coho salmon in the area.<sup>5</sup> Construction of a new bridge would increase turbidity in the River and unnecessarily increase shade over the River, further harming habitat. 2016 Checklist at 5.

In addition, a new bridge would increase public access over the River, which may impede or delay upstream Chinook salmon migration, increasing the level of stress experienced by the salmon and increasing pre-spawn mortality. Muckleshoot 2000 Letter at 2.

Finally, not only would a new bridge harm the fish directly, but it would violate the Muckleshoot Tribe’s federally protected treaty rights to access its usual and accustomed fishing areas and right to take fish from these areas. *Id.* at 3. The proposed 48<sup>th</sup> Ave. S. bridge is the location of such historic treaty fishing, and impairment of these treaty fishing rights is unlawful. *Id.*

### **D. Shoreline, Recreation, and Land Use**

The Duwamish River is a shoreline of statewide significance, within the City of Tukwila’s Shoreline Overlay District. *See* Tukwila Shoreline Master Program at 2 (Mar. 2, 2020). Therefore, selecting any alternative involving construction of a new bridge across the Duwamish River, including the 48<sup>th</sup> Ave. S. Alternative, would significantly and unnecessarily impact a portion of

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<sup>5</sup> *See* Z. Tian et al., A Ubiquitous Tire Rubber-Derived Chemical Induces Acute Mortality in Coho Salmon, 371 SCI. 185 (2020).



shoreline land. In addition, construction of the bridge would require significant land disturbing activities in Critical Areas regulated under Tukwila Municipal Code 18.45.030.

Relatedly, the 48<sup>th</sup> Ave. S. Alternative would interfere with the existing Green River Trail, one of the longest continuous regional trails in the Puget Sound region. The Green River Trail runs along the western portion of the Duwamish River and would be interrupted or need significant modification to accommodate a new bridge along 48<sup>th</sup> Ave. S. Construction of a 48<sup>th</sup> Ave S. bridge would also require removal of the several public parking stalls located on the west side of the river, which are used for access to the Green River Trail. These unnecessary modifications to the Green River Trail would appear to conflict with the City’s Comprehensive Plan Parks, Recreation and Open Space goals. *See* Tukwila Comprehensive Plan, Policy 6.1.5 (“Increase physical and scenic connectivity with the Green/Duwamish River.”); Policy 6.2.1 (encouraging “[p]reservation of and public access to community landmarks that help make up the City’s identity, including the river and historic sites”).

The 48th Ave. S. Alternative would also require the acquisition of a significant portion of fully developed private property. While 48<sup>th</sup> Ave. S. spans a relatively short distance, it is home to numerous businesses including several gas stations, a hotel, a construction equipment supplier, and a truck rental company. We understand that the 48<sup>th</sup> Ave. S. Alternative would involve the widening of the road, so as to physically impact the existing businesses. The cost of doing so—including providing appropriate compensation for any such takings—will be significant, especially in comparison to the other proposed alternatives with fewer existing improvements at risk.

## **E. Historic and Cultural Preservation**

As discussed in the attached Muckleshoot 2000 Letter, the development of a new bridge at 48<sup>th</sup> Ave. S. over the Duwamish River would directly and illegally violate the Muckleshoot Tribe’s federally protected treaty fishing rights. *See United States v. Washington*, 694 F.2d 1374, 1381 n.15 (“The State’s obligation to take reasonable steps to preserve and enhance the fishery applies to the grant of State permits as well as to the State’s own projects.”); *Muckleshoot Indian Tribe v. Hall*, 696 F. Supp. 1504, 1510 (W.D.WA 1988) (“The right to take fish at all usual and accustomed fishing places may not be abrogated without specific and express Congressional authority.”).<sup>6</sup> The City is required to consider the legality of the Project in reviewing the significance of its impacts under SEPA. *See, e.g.*, WAC 197-11-330(3)(e)(iii). Given the potential for the invasion of the

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<sup>6</sup> The Muckleshoot Tribe has federally protected rights to access its usual and accustomed fishing areas under the Treaty of Point Elliott. 12 Stat. 927 (1855); *United States v. Washington*, 384 F. Supp. 312, 365-66 (W.D.WA 1974). Article 5 of the Treaty of Point Elliott secures the Muckleshoot Tribe’s “right of taking fish at usual and accustomed fishing grounds and stations.” “Because the right of each treaty tribe to take anadromous fish arises from a treaty with the United States, that right is reserved and protected under the supreme law of the land, does not depend on state law, is distinct from rights or privileges held by others, and may not be qualified by any action of the state.” *United States v. Washington*, 384 F. Supp. 312, 402 (W.D.WA 1974).

Tribe’s treaty rights, the 48<sup>th</sup> Ave. S. Alternative cannot be considered a “reasonable alternative” for the Project.

#### **F. Traffic and Arterial System Impacts**

For all options except the Current Route, the traffic impacts would be significant and must be a central consideration. The 48<sup>th</sup> Ave. S. Alternative would be particularly problematic. Trucks traveling south along I-5 to the BNSF Intermodal Facility would exit I-5 at exit 156 on a short off-ramp, turn right onto Interurban Avenue S. then almost immediately right again onto 48<sup>th</sup> Ave. S. This will predictably create a traffic backup not only for trucks and other vehicles turning onto 48<sup>th</sup> Ave. S. but also for any cars getting off at exit 156 and attempting to travel elsewhere along Interurban S.

Moreover, *unlike each of the other identified alternatives*, 48<sup>th</sup> Ave. S. is not a designated arterial.<sup>7</sup> Accordingly, routing trucks along 48<sup>th</sup> Ave. S. would either violate or require revision to the Tukwila Municipal Code’s functional arterial system.

#### **G. Impacts to the Built Environment**

The 48th Ave. S. Alternative would have significant impacts on existing businesses and infrastructure in the area, which previous SEPA review of the Project has underestimated and downplayed. For example, the 2016 SEPA Checklist concedes that “[g]uests at the Days Inn could experience intermittently higher noise levels” from the truck traffic. 2016 Checklist at 14. Such noise impacts would be detrimental to the Days Inn’s business, as increased truck traffic noise outside a hotel would inevitably and significantly decrease demand of the hotel. In addition, the 48th Ave. S. Alternative, unlike the other alternatives, would require the City’s acquisition of at least 25,000 square feet of private property, the cost of which was not adequately addressed in prior study, and has only increased in the time since last considered.

### **III. CONCLUSION**

We appreciate the City’s serious consideration of the potential environmental impacts of the Project as it completes scoping and selects appropriate alternatives for study. As is evident from past study and the concerns and impacts discussed herein and in other comments, the Project will result in significant adverse environmental impacts to many elements and sub-elements of the natural and built environments. We have laid out several of the impacts we understand to be of most concern at this early juncture but trust the City will conduct a full and appropriate analysis of all elements, taking into account changes in conditions since previous studies of the Project

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<sup>7</sup> See TMC 9.18.030(4) (designating 42<sup>nd</sup> Ave. S. as a “collector arterial”); TMC 9.18.030(2) (designating S. 112th Street as a “collector arterial”); TMC 9.18.020(B)(1) (designating Airport Way South as a “minor arterial”); TMC 9.18.040(6) (designating Gateway Drive as a “conceptual arterial”).

City of Tukwila – Allentown Truck Reroute Project  
March 15, 2023  
Page 8

were conducted. In so doing, we believe it will be clear that the 48th Ave. S. Alternative is unreasonable, disproportionately harmful to the environment, and should not be included in the Project EIS.

Thank you for your consideration of these comments.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in blue ink, appearing to read "Clayton P. Graham", is written over the printed name.

Clayton P. Graham

cc: Louise Strander  
Megan Raymond





A T T O R N E Y S

Curran Mendoza P.S.  
555 West Smith Street • Post Office Box 140  
Kent, Washington 98035-0140  
Telephone (253) 852-2345  
Facsimile (253) 852-2030 • (253) 859-8037

August 25, 1998

HAND DELIVERED

Transportation Committee  
City of Tukwila  
Tukwila, Washington 98188

Re: 48th Ave. SE project

Dear Committee Members:

Our firm represents Ms. Louise Strander and her family regarding the City's relocation of Burlington Northern (BN) truck traffic onto 48th Avenue Southeast (48th). It appears you have received and are acting upon seriously flawed information, and you are missing important information, all of which is leading you towards incorrectly adopting 48th as supposedly the best alternative for alleviating the BN truck noise from the Allentown area.

The purpose of this letter is to point out the flaws in the information you are using, and address information you are apparently not considering, in the hopes that you will reconsider which is the best alternative. We want to show you that 48th is not the best, nor even the logical choice for handling the BN truck issue. Ms. Strander wants to avoid having to officially challenge the City on this matter, and this letter is submitted in a good faith effort to handle these matters without resort to other measures.

You, or rather the City's studies have stated that the following reasons support 48th as the appropriate choice among the alternatives considered so far:

1. 48th is the cheapest solution or alternative;
2. it is the least disruptive to businesses;
3. it does not require large or expensive property acquisition;
4. it is closest to a major freeway; and
5. it is best for BN.

There are serious flaws with the information and analysis leading to the above reasons. Please consider the following information, which shows the above reasons are incorrect.

A Professional Service Corporation combining Curran, Kleweno & Johnson, P.S. and Cromwell, Mendoza & Belur, P.S.

Theresa M. Ahern  
Jerry J. Belur  
John M. Casey

Gregory F. Cromwell  
Mark W. Davis  
David G. Hobson

David T. Hokit  
Chad V. Horner  
Stephen L. Johnson

Melvin L. Kleweno, Jr.  
Frederick Mendoza  
Kim Adams Pratt

Jane C. Rhodes  
Of Counsel:  
C. Peter Curran



1. 48th is not the cheapest overall solution/alternative:

The figures given to the Committee in the studies show that the East Marginal Way alternative would cost \$8,987,691.00, the Gateway alternative would cost \$6,785,981.00, and the 48th alternative would cost \$2,838,608.00. The problem is that these figures do not accurately compare because of the "apples and oranges" approach used in arriving at those figures.

The East Marginal Way alternative is greatly inflated because it includes an estimated \$3,380,000.00 that BN has stated it will need to alter its facility. This "cost" is omitted as a factor in the 48th alternative, even though alterations will still be needed for BN if the 48th alternative is used. The omission seems intentional, in light of the size of the figure for BN's alterations and the obvious need for such alterations regardless of which alternative is used. The point is that the bottom line figures in the Harding Lawson study (the "study") have been artificially inflated, resulting in misleading and incorrect information because you are dealing with figures based on different (sometimes omitted) factors.

Another category of costs within the study which is flawed regards the costs of traffic impact for the three (3) alternatives. The most severe traffic impact out of all the alternatives occurs at 48th and Interurban Avenue. The City's study indicates: "Excessive queues and long delays would occur ... for westbound traffic on 48th at the approach to Interurban Avenue. These queues would also interfere with driveway access for the adjacent mini mart/filling stations." "The increased traffic volumes ... on 48th as alternative access for the Hub Center would also increase traffic frictions and delays at the other driveways on those streets." "The increased traffic turning volumes at the South 129th Street/South 130th Place intersection under the 48th alternative will increase traffic delay and hazard at that severely skewed intersection, even with some improvement in the intersection geometry."

In addressing severity of these traffic impacts, the study considered potential mitigating roadway and traffic control measures such as providing additional lanes on 48th, a second left-turn lane for movement from Southbound Interurban Avenue onto Eastbound 48th, and a revision in the southbound I-5 off-ramp channelization lane designations. It is clear from the study that some and most likely all of these mitigation measures will have to be implemented to address the severe traffic impact of the 48th alternative. However, no money for such mitigation is figured into the costs presented to you for the 48th alternative. Showing even further the unbalanced way in which factors were applied



for the alternatives, \$100,000.00 was added for a traffic signal to the costs for the East Marginal Way alternative. Because nothing is shown for traffic mitigation costs for the 48th alternative, the figures for 48th are grossly underreported.

Yet another area where the cost figures used by the study are critically flawed is found in the amount of condemnation costs for the 48th alternative. The study estimates these costs as \$7,600.00. This is grossly underestimated. Consider the condemnation and inverse condemnation costs of taking property along the south side of 48th. This will be tremendously expensive for the City. The study apparently considers only a per square foot cost of the real property that would be taken by the City. The study does admit that the 48th alternative will impact the BP station and access to the Penske yard, but utterly fails to consider the costs of the impact in the bottom line figures. Even worse, and more expensive, the study fails to recognize and consider the very severe impact and large costs to Hertz, Denny's, and the Silver Cloud Motel. Washington case law is clear that in this situation, the City, as the condemning authority, will bear the costs of mitigating impact, not the owner or users of the property. Those costs will be extremely large because of the devastating impact such condemnation will have on those business and properties.

Please note that you apparently take into consideration all costs to BN, and even make that a key factor in choosing a sight, but you are not giving any consideration to the very great costs the City will incur to the owner/businesses on the south side of 48th.

2. Disruption to Businesses:

The traffic impact of the 48th alternative on the BP station will be devastating to that business. It will likely result in closure of that business. Condemnation on the south side of 48th will render the Penske truck bays virtually unusable. The City's condemnation costs will include relocation on that site and construction of new truck bays, as well as reconfiguration of the Penske operation to accommodate the forced relocation. The same is true for Hertz' facilities and operations. The Hertz building/facilities are located very close to the existing right of way. The large equipment that must be maneuvered through that facility will no longer be able to do so if any condemnation occurs by the City. Accordingly, there will be relocation, reconstruction and reconfiguration costs payable to Hertz, along with condemnation value to pay to the owner of that property.

Note that costs of building demolition were included in the figures for both the Gateway



and East Marginal Way alternative, but completely omitted from the 48th alternative.

The information, factors and figures omitted in the study regarding the 48th alternative begin to look peculiar. How could the study miss so many obvious issues and costs, especially when they are considered in the other alternatives for other matters?

Note Denny's very close location to the existing right of way. The costs of mitigating noise and access impacts will have to be borne by the City. The impact of noise will most adversely effect the Silver Cloud Motel. Consider the obvious incompatibility of the motel use with the truck traffic which has peak hours during 1:00 a.m to 3:00 a.m. Yet not even minimum noise abatement costs are considered in the study. The noise impact on the Silver Cloud Motel will be ruinous. Not only that, the entrance and the fire lane there will be completely eliminated from condemnation along the south side side of 48th.

3. Property acquisition and impact expenses will be very high:

It is obvious that the \$7,600.00 included in the study for condemnation costs is woefully inadequate. That figure overlooks very large impact costs the City will have to bear with both the land users and owner along the south side of 48th. That figure will not even begin to cover the City's litigation expenses which will arise during the condemnation process.

These impact costs regarding the businesses and owner of the property involved on 48th are not included in the bottom line figures for the 48th alternative. Any attempt to mitigate these costs by a suggested crossover road from Gateway will do nothing to decrease these business/property impacts and costs.

The conclusion that the 48th alternative is the least disruptive to business and does not require large property acquisitions is incorrect. It is one of the most business disruptive of all the alternatives. Although the land to condemn along 48th may be small in amount, the costs, which will include mitigation measures, reconstruction and reconfiguration of business facilities, will be the highest for the City.

4. 48th being closest to I-5 is not a benefit:

The belief that the 48th alternative is a good one because it is close to the freeway is fundamentally flawed. The study itself points out that precursory traffic impact studies show that 48th is actually too close to I-5, which causes severe traffic impact.



5. Best for BN?

You have publicly acknowledged that the East Marginal Way alternative is the cheapest for the citizens of Tukwila, yet it was decided to not pursue that alternative. Instead, the City is apparently willing to spend millions of dollars so that BN does not have to do so.

Our experts confirm, after reviewing the study, and examining the site and surroundings, that the City will end up spending perhaps millions more than has been publicly admitted by the City or shown in the study.

Aside from the costs of pursuing the 48th alternative for the benefit of BN, Washington law prohibits condemnation for a private purpose. Washington courts are very clear that a condemning authority will not get past the first step of a condemnation action, which requires a showing of public use and necessity, if the true purpose behind the condemnation is private rather than public.

Based on the above information, which shows the three alternatives do not use the same factors or considerations for arriving at the figures shown, the reasons of the City for choosing the 48th alternative are not supported by the real facts or figures, unless the City is simply choosing it because that is what is wanted by BN.

Failure to comply with SEPA requirements:

The City has taken "action" and has clearly chosen 48th as its choice of the alternatives. However, no SEPA review has been submitted or started. Compliance with SEPA review procedures is past due, yet the environmental impacts remain to be addressed by the City.

Lack of notices:

Our client is very disturbed by the nature, timing and lack of notice of any committee meetings or hearings on this matter. It appears that public hearings on this project have been carefully selected for favorable target groups so that only biased information is being received by you. Our client is going to be severely impacted by the City's choice of 48th, yet she has not been notified of hearings on this subject. She found out about one (1) information session only by chance.

Transportation Committee  
City of Tukwila  
August 25, 1998  
Page 6

Conclusion/request:

Given the flaws in the information and lack of complete information provided to you, we respectfully request that you revisit and reconsider the decision to pursue the 48th alternative. You should demand, receive, and use complete facts and figures information before committing to spend millions of dollars pursuing the 48th design. It is fair and appropriate to expect this from you. After all, Ms. Strander is a long-time citizen of Tukwila, and City decisions which will prove very harmful to citizens should be carefully and fully scrutinized before being implemented.

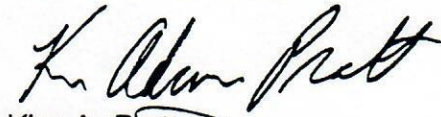
Please understand that any condemnation or inverse condemnation actions by the City on the south side of 48th will be vigorously contested on every possible legal basis. Ms. Strander has no choice. Such condemnations will ruin some of the businesses there and seriously harm the others.

Nothing herein may be construed as a waiver, limitation or release of any legal remedies, claims or rights, and all rights and remedies, at law and in equity, are expressly reserved.

Thank you for your time and consideration. We request a formal response at earliest convenience.

Sincerely,

CURRAN MENDOZA, P.S.



Kim A. Pratt



Gregory F. Cromwell

cc: Ms. Louise M. Strander



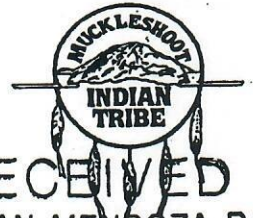


# MUCKLESHOOT INDIAN TRIBE

## OFFICE OF THE TRIBAL ATTORNEY

39015 - 172ND Avenue S.E. • Auburn, Washington 98092-9763

Phone: (253) 939-3311 • FAX: (253) 931-8570



RECEIVED  
CURRAN MENDOZA P.S.

APR 17 2000

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

April 14, 2000

Kim Adams Pratt  
Curran Mendoza P.S.  
555 West Smith Street  
P.O. Box 140  
Kent, WA 98035- 0140

**BY FACSIMILE AND U.S. MAIL**

Dear Ms. Pratt:

The Muckleshoot Tribe understands that you represent property owners in the City of Tukwila in regard to the City's desire to reroute Burlington Northern Sante Fe ("BNSF") truck traffic. The Muckleshoot Indian Tribe's Fisheries Department ("MITFD") has reviewed the City of Tukwila's proposals to improve road access for trucks utilizing the BNSF railyard located in Tukwila next to the Duwamish River. Three of the proposals involve the construction of a new bridge over the Duwamish River just downstream of the I-5 crossing of the Duwamish River. The Gateway options involve bridge construction over an area known as Codiga Farm. The 48th Avenue alternative would occur several hundred yards upstream. Bridge construction at either site will have direct and indirect impacts upon chinook salmon, the impacts varying with the alternative selected. Therefore, alternatives that do not require the construction of a bridge are available and the bridge alternatives should be excluded from further consideration.

### **Environmental Background**

The area is tidally influenced and some mud and sandflats are located within the river channel. The salt water wedge extends through and upstream of the site during the low flow season at low tide. During high tide, the salt wedge can reach the project area after May, a time period when juvenile chinook are known to be rearing in the Duwamish Estuary. Juvenile chinook migrate downstream until they reach the leading edge of the saltwater wedge. Upon reaching the saltwater wedge, the juvenile chinook began acclimation to salt water. As the upstream extent of the saltwater wedge moves with the tides and freshwater inflows, juvenile chinook move with the wedge, but as they acclimate to saltwater exhibit a net downstream movement. Thus, the project location is located at the upper edge of where juvenile chinook begin adapting to saltwater. Adult chinook also pass through this area to reach the upstream spawning grounds.

Copy to Client 04/20/00  
(Strander, Zitnik, Griffith & Morrow)



## **Project Impacts**

### **Gateway Drive and Gateway Drive (B)**

#### **Direct Impacts**

The alternative involves construction a new bridge which will cross the Duwamish River and Codiga Farms. The narrative description states that the bridge span is designed to keep the abutments out of the river during flooding events, but that the center pier will be submerged at flood stage and will cause a minor backwater effect. However, the flood event mentioned is not described. Thus, I am unsure if it is a 1 year flood event or a hundred year flood event. The smaller the flood event, the greater the potential physical impact to juvenile salmon rearing habitat by physical displacement of sandflat, mudflat, or riparian area. Additionally, the river is intertidal in this reach. The bridge will shade the intertidal area and depending upon the extent of shading may reduce the primary production in the shaded area. Juvenile chinook feed upon organisms dependent upon primary productivity. Thus, it is possible this project may result in a minor reduction of food production for chinook. Given that there has been a 98% loss in the intertidal wetlands contributing to this food chain, further reductions could pose a problem.

The proposed new bridge will include paths for pedestrians and bicyclists. This will increase public access over this part of the River. The River is expected to be warm during the upstream migration of adult chinook, temperatures exceeding preferred limits, and indeed, the NMFS Properly Functioning Conditions ("PFC"). Based upon MITFD observations of upstream coho migration in the Sammamish River, it is possible that people standing on the bridge to observe the upstream migration of adult chinook may impede or delay the upstream chinook migration. Delays of upstream migration in stream reaches with elevated temperatures will increase the level of stress upon chinook and increase pre-spawn mortality.

#### **Indirect Impacts**

The two Gateway alternatives will pass over an area known as Codiga Farm. This site is under consideration for use as a major restoration project in the Duwamish Estuary. The bridge spans will pass over this site. Thus, the bridge will shade the planted riparian and intertidal vegetation. Additionally, the presence of a bridge will preclude the planting of trees under the bridge due to maintenance and safety concerns.

### **48th Ave**

#### **Direct Impacts**

The same direct impacts as previous described are likely to occur, though some will be less in magnitude for the following reasons:

- (1) the site appears to be several hundred yards upstream and thus the influence of salt water during the chinook juvenile outmigration period is less;
- (2) the river channel is narrower and thus shading impacts cover a less area.

### **Treaty Fishing Rights**

The Tribe has federally-protected rights to access to its usual and accustomed fishing areas, as well as a right to take fish from these areas. U.S. v. Washington, 384 F. Supp. 312 (W.D. Wash. 1974); U.S. v. State of Oregon, 718 F.2d 299, 303-4 (9th Cir. 1983). Treaty fishing occurs at the site at which the bridges are proposed and would be impacted by bridge construction. Impairment of access to treaty fishing rights is unlawful and constitutes an unacceptable consequence of the proposed project. Protection of the Tribe's reserved treaty rights is paramount. Case law reinforces this position and obligates federal agencies to protect treaty fishing rights by denying permits for projects that impact a tribe's right to access. See, Muckleshoot Indian Tribe v. Hall, 698 F. Supp. 1504 (W.D. Wash. 1988); Northwest Sea Farms, Inc. v. United States Army Corps of Engineers, WL 387756 (W.D. Wash. 1996). Accordingly, the Tribe would oppose any applications for federal permits required for this proposed project.

The Tribe has successfully opposed projects in the past that impact its treaty fishing rights. The Tribe urges the Task Force to consider other alternatives than construction of a bridge over the Green River in order to avoid formal opposition by the Tribe in the future. Please contact me if you have any questions or need further information.

Cordially,



Karen Allston  
Tribal Attorney



**From:** Project Data <projectdata@construction.com>

**Sent:** Tuesday, May 30, 2023 1:41 PM

**To:** Allentown Truck Reroute <AllentownTruckReroute@TukwilaWA.gov>

**Subject:** Request For Planholders for Allentown Truck Reroute Project

Hello,

Dodge Construction Network wants to ensure we have the most complete and accurate information regarding "Allentown Truck Reroute Project " that is bidding on "06/01/2023".

DCN is requesting the following information

- Planholders list/bidders list or mandatory prebid list
- Confirm that the bid date and time listed above are unchanged
- Any addenda that have been released, please attach them to this response
- Construction cost estimate or a construction cost range for the project

Please send the information via email to [projectdata@construction.com](mailto:projectdata@construction.com) or via fax to 800-768-5594.

Thank you for your time and assistance.

Bid Research Team

+1 800 393 6343 T

+1 800 768 5594 F

[projectdata@construction.com](mailto:projectdata@construction.com) E

construction.com



Dodge Number: 202300179876

Reporter ID: DEOP99

Dodge Construction Network is dedicated to delivering the most complete and accurate information on projects, people, firms, and products across the commercial construction industry. For more information, you can visit our website, [www.construction.com](http://www.construction.com)

**From:**

**Date:** May 31, 2023 at 11:01:16 AM PDT

**To:** Kate Kruller <[Kate.Kruller@tukwilawa.gov](mailto:Kate.Kruller@tukwilawa.gov)>

**Subject:** Allentown Truck Reroute

My home on 51st PI So, which does not show on the Alternative proposal, rattles and you can feel and hear the kaplunks every time a truck drives over the filled potholes that are making indentations in the road. This is coming from 50th PI So.

If either proposal 3, 4 or 5 is selected the rattling, noise and kaplunks would be worse as they would be right across the street. A wall would not stop that .

The home that is on the same side as the BNSF would be greatly affected, how would you protect them? The turn off of 129th overpass would be too sharp.

The trucks are bigger and longer than they were years ago.

If any one of 3, 4 or 5 are chosen, Tukwila or BNSF should buy out the homes on 50th PI So and 51st PI So and also the homes on 124th between 50th PI So and 51st PI So and any others that would be affected.

Please choose Alternative 1 or 2.

From:  
Date: Thu, Jun 1, 2023 at 12:14 PM  
Subject: EIS Scoping Comments  
To: <[AllentownTruckReRoute@tukwilawa.gov](mailto:AllentownTruckReRoute@tukwilawa.gov)>  
Cc:

Two immediate impressions from looking at the five proposed alternatives are:

- 1) There are significant logistical, access, and permitting barriers for all of them - and that I hope are not going to be used as an excuse to continue to do nothing about getting the truck traffic out of this residential neighborhood. Effort is going to be needed for a long-overdue solution and everyone knows this isn't going to be easy.
- 2) Proposed Alternatives #1 & #2 have the least number of barriers (on paper), but these include the need for BNSF to change configurations on their property and they have been non-participants, even when asked, to this point, as well as the potential for the Sound Transit BAR (Boeing Access Road) station construction interfering with the proposed routes.

The North entrance proposed alternatives do the best job of removing the truck traffic from the neighborhood - which is the neighborhood's ultimate goal.

In prior studies the north end options have been the most expensive, and concerns about interference with the utilities corridor and wetlands in these areas, as well as the need for easements from public entities and private property owners have been cited as barriers, but it appears that this time these would be less expensive than the other proposed alternatives because they do not include building a bridge and doing major road re-configurations. I would like to see the costs associated with each of these options as well as proposed timelines because of permitting, easement, etc. issues that would need to be addressed with each one.

I would like to know what, if any, impact the Sound Transit BAR station construction will have on the north access options.

If Alt. #1 includes getting rid of the Seattle Police Dept. firing range, that would be a wonderful and welcome benefit to both the Allentown and Duwamish neighborhoods. It is almost impossible to enjoy visiting and walking around the Duwamish Hill Preserve without hearing gunfire. I hear it at all hours of the day from my home in Allentown. I have to warn everyone I take there that yes, you are hearing gunshots, and no, we are not the targets. This long standing public-private partnership has created and preserved an important space that is sacred to the Duwamish and Coast Salish peoples and has been designed to be an outdoor classroom for students to learn about local history and biology. It is unnerving and stressful for teachers/parents to take students into this space and deal with the sound of gunfire while trying to conduct lessons.

Thank you for the opportunity to comment.



## Allentown Truck Reroute Project

### Draft Environmental Impact Statement - Public and Stakeholder Comments

Comment #	Commenter name	Comment	Response
1	Tuan Tran	We would like to reroute it. There are a lot of big trailer Trucks. It is unsafe for residents and children who live in this area.	Comment noted
2	Robert (Bob) Deppe	Maps fail to depict street names and landmarks to clearly show routes to the reader. Maps on page 13, 14, 16, 17,26, etc. As a reader cannot (sic)	Planned revisions to maps will address these comments.
3	Robert (Bob) Deppe	Table 2.2-1: One scope issue missing is each route should address the long-term impact to the city for road/or state upkept on roads (such as maintenance, painting). Suggestion: grade each route as Low, Medium and High. Need to define each level with a value such as <\$0.5M per year, <\$0.51M to \$5M per year, \$5.01M to 25M per year.	Specific impacts like those mentioned in this comment would be addressed as part of the design of the preferred alternative.
4	Robert (Bob) Deppe	No evaluation on any of the routes during severe storms or icy conditions - traffic being backed up onto roadways.	Weather-related traffic modeling for weather conditions would be undertaken during planning and design of the preferred alternative.
5	Robert (Bob) Deppe	Several routes indicate "cost" for relocation of BNSF facilities (check-in/checkout), are these costs the responsibility of the Allentown project?	BNSF will not share the costs of planning, design, or construction of rerouting freight truck traffic.
6	Robert (Bob) Deppe	Page 18, last paragraph. No mention of the potential impact of truck traffic to Boeing Access route. Trucks causing traffic backups due to truck slowing down to exit road.	Specific impacts like the one mentioned in this comment would be addressed as part of the design process for the preferred alternative.
7	Robert (Bob) Deppe	Section 5.0 needs a scoring matrix/Table that will score each evaluation topic. (Noise, Cost, Health/safety, Cultural Impact, Transportation, Land use, Length of time to complete project, etc.) Each topic would have a value such as High Medium, Low or None. An example would be given a value of 0, 5, 10 and each topic would be a weighted, for example Cost would have a weighted value of 10, Land Use	Measurement of potential project-related impacts is per methods that are specific to and required for each of the resource areas evaluated in the DEIS.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
		would have a value of 3, Noise would have a value of 6. Neighborhood Impact would have a value of 8. Thus, the reader can easily understand the impact each factor has on each alternative route with the weighed scoring system. The problem as each reader may have a different weighing factor for each topic, so your weighing needs some solidly researched.	
<b>8</b>	Donna Anderson	Signalized intersections are proposed at 51st place South and 129th Street. There is no through road on 51st Place South so no trucks would be coming down that road. So that statement needs to be corrected.	The signal mentioned here would be at the intersection of S129th St and a proposed access road that would serve as the entrance to the BNSF facility in Alternative 4b
<b>9</b>	Donna Anderson	Soils mapped in Alternative 4b study area shows the new road on a portion of existing tall evergreens. Does that mean the evergreens would be removed?	Engineering for all alternatives is at the conceptual level. The exact location of the new road would be determined during the design phase.
<b>10</b>	Donna Anderson	Soils mapped in Alternative 4 study area shows the new road would be across the street from 51st Place South. It would take a home that sits on the hill. There are 12 homes that would be greatly affected if the new road would be right across the street. How is that different and better than the trucks now going on 124th and 50th Place South?	The comparison of the impacts of truck on S 124 <sup>th</sup> St and 50 <sup>th</sup> Pl S is noted.
<b>11</b>	Donna Anderson	Floodplains: Alternative 3B would be located within the 100 year floodplain. How do we know that the construction of a bridge would not increase the 100 year flood level?	If Alternative 3b were selected the bridge would be designed to clear the Duwamish River during flooding.
<b>12</b>	Donna Anderson	Night time lighting: The bridge would be illuminated; it is unknown what type of illumination would be included.	If Alternative 3b were selected lighting for the bridge would be determined during design of the bridge.
<b>13</b>	Donna Anderson	Alternative 4 roadway construction on 51st place South could affect homes on 51st place South and 124th.	Comment noted.
<b>14</b>	Donna Anderson	Alternative 3 the new access to the BNSF facility would be near residences of 51st Place South	Comment noted.

Comment #	Commenter name	Comment	Response
		increasing noise levels not only on the roadway but also on the southern end of the facility where all truck traffic would now have to pass through.	
15	Donna Anderson	I chose to live in Allentown and have been here for 45 years, even though the racks 124th and 5th place South. Many have come and gone. New home construction is still being built and people are choosing to live here because of all the amenities.	Comment noted.
16	Donna Anderson	In reviewing the plans, Alternative 2 would be best and if not that one then No Action Alternative.	Comment noted.
17	BNSF	<p>The DRAFT EIS states the Project Objective in Section 1.3 is: "The purpose and need for the Project are to develop an alternative route to the BNSF Intermodal Facility in Allentown to improve livability and safety in Allentown without compromising the operations of the intermodal facility."</p> <p>After review of the three conceptual layouts/exhibits provided for the three alternatives contemplated by the current DRAFT EIS document (Alternative 2, Alternative 3B, and Alternative 4), it appears all three conceptual layouts/exhibits do not fully meet the stated project objective. All three alternatives would negatively impact operations of the intermodal facility as currently designed/envisioned.</p> <p>All three conceptual layouts/exhibits would need modification to preserve current facility operations without impact. These modifications should be made for each proposed alternative, and the updated alternatives that preserve facility operations without impact should be re-evaluated for assumed impacts before proceeding to a FINAL EIS document.</p>	<p>Comment noted. The purpose and need has an identified goal of not compromising the operations of the facility; all action alternatives are likely to have some impact on the operations but none would compromise the ability of the facility to operate.</p> <p>Future design activities for a selected alternative would include coordination with BNSF regarding the operation of the facility and identify steps to minimize impacts while meeting project objectives.</p>



<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>18</b>	BNSF	<p>The No Action Alternative (Current Condition) is defined in Section 3.3 of the DRAFT EIS document. Per Section 3.3, the No Action Alternative assumes that all identified impacts detailed in the DRAFT EIS are based on all traffic to/from the facility using the 42nd Avenue South bridge over the Duwamish River to access the regional road network.</p> <p>While BNSF believes this is a reasonable assumption for the purpose of this DRAFT EIS, it is important to highlight the existing condition for traffic is different than condition represented in the DRAFT EIS. Traffic patterns to and from the general area of the facility have been adjusted due to the 42nd Avenue South bridge impact and resulting detour routing following the bridge strike. No detail is provided in the DRAFT EIS document for the Allentown Truck Reroute Project about the City of Tukwila's plans to replace the existing 42nd Avenue South bridge, other than a brief statement of intent in Section 3.3.</p>	In addition to the overview of existing traffic conditions provided in the DEIS, the effects of temporary traffic revisions - resulting from the partial closure of the 42nd Ave S Bridge after damage from a bridge strike – are described in the permitting documents for the 42 <sup>nd</sup> Ave Bridge Replacement Project. Those documents are referenced in the DEIS, and an overview of the project is provided.
<b>19</b>	BNSF	Alternative 2 is not feasible as conceptually shown in the DRAFT EIS document and exhibit(s).	Comment noted.
<b>20</b>	BNSF	Trucking entrance/exit functions are currently handled at the southern end of the intermodal facility, away from the production area located primarily on the northern end of the facility.	Alternative 2 proposes relocating trucking entrance/exit functions to the north end of the intermodal facility and separating them from the intermodal facility production area.
<b>21</b>	BNSF	Since the northern end of the facility is where most of the onsite production activities occur, the north end experiences the most amount of congestion onsite.	Comment noted. See response on Comment #20.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>22</b>	BNSF	Shifting inbound and outbound traffic to the north side of the facility as suggested by Alternative 2 would mix incoming and outgoing trucks with live transloading operations occurring internally at the facility, creating both safety concerns and additional traffic congestion in and around the facility.	Alternative 2 assumes that incoming/outgoing truck activities would be relocated to the north end of the intermodal facility, separate from transloading operations.
<b>23</b>	BNSF	Per Section 3.4.1 of the EIS document and shown on the current proposed conceptual layout/exhibit for Alternative 2, the new access road in/out of the IMF would only be one 12 ft wide travel lane with an additional 5 ft wide shoulder in each travel direction, a total width of 34 ft wide roadway. This road would need to be widened to account for wider shoulders to ensure vehicles using the road could safely pull out of the travel lanes and safely stop on proposed shoulder in the event of any issue.	This access road proposed in Alternative 2 is conceptual – intended to indicate the basic feasibility of the proposed road’s layout. If this Alternative is selected as the preferred alternative, project-level planning and design would commit to a higher level of detail.
<b>24</b>	BNSF	Section 3.4.1 of the EIS document states “Due to geometric constraints and the alignments of Airport Way South and the new access road, access to the BNSF intermodal facility is only feasible to and from the north at the new intersection on Airport Way. Trucks entering the facility would do so from southbound Airport Way South, and trucks leaving the facility would make a right turn onto northbound Airport Way South.” The proposed intersection located at the intersection of the proposed Alternative 2 access road and Airport Way S is located at the bottom of the off-ramp for NB traffic leaving S Boeing Access Road to enter Airport Way South. This new intersection may pose traffic safety issues with the new interaction of proposed truck traffic leaving the facility and off ramp vehicles from S Boeing Access Road. Additionally, the proposed limitation of only being able to turn left into the facility and right out of the facility is not desirable.	A north-only direction for both inbound and outbound traffic for the proposed entrance would reduce conflicts between trucks and traffic using the above-mentioned off-ramp. Please note that this is a conceptual-level design. If this Alternative is selected as the preferred alternative, the design team would work with BNSF to determine a safe distance between the proposed entrance and the off-ramp.

Comment #	Commenter name	Comment	Response
25	BNSF	Significant modifications to the existing intermodal facility would be needed as part of Alternative 2 to mitigate impact to facility operations. These additional modifications are not currently represented in the DRAFT EIS document and associated Alternative 2 layout/exhibit drawings in Appendix B, so the overall analysis of the impacts of proposed Alternative 2 is currently incomplete.	The Alternative 2 design is conceptual – intended to provide the level of detail needed for the analysis required for a non project EIS. If Alternative 2 is selected as the preferred alternative, the City would work with BNSF to ensure that project-level planning and design would support intermodal facility operations.
26	BNSF	The current Seattle Police Athletic Association firearms training facility is represented as “Yard Area Update” in Alternative 2 to attempt to mitigate operational impacts to the BNSF Facility. However, given the lack of detail for the potential development of the “Yard Area Update” area, it is difficult to determine if impacts to the intermodal facility can be adequately mitigated in the “Yard Area Update” area conceptually shown as part of Alternative 2. Additional information regarding potential use and ownership of the proposed “Yard Area Update” is needed for Alternative 2.	Conceptually this area would be used for on/off loading trucks as that area would no longer be near the facility entrance relative to where it currently occurs due to the entrance relocation and would require removing existing buildings and likely terracing of the slope to provide enough area needed for the operations there. The area label has been updated on the figures to the term ‘expanded truck operation area’ to better describe the conceptual level anticipated use of the area.
27	BNSF	Section 3.4.1 states “the drawbacks of this alternative include the financial investments BNSF would need to make to <b>relocate the check-in/check-out facility, and to construct truck queuing lanes, an operations and administrative building, chassis parking area and a truck storage access road along the western edge of the facility.</b> ” There is currently no funding strategy identified by the City of Tukwila to fund any/all modifications/improvements proposed for the Allentown Truck Reroute Project. Additional information regarding funding strategy is needed.	This statement has been modified to “...investments needed to relocate...” and a section has been added to Alternative 2 to detail why this alternative is not considered feasible to advance to the next stage of consideration. Funding strategy would be developed once a preferred alternative is selected and costs can be more reliably estimated.
28	BNSF	Alternative 2 is not feasible as conceptually shown in the DRAFT EIS document and exhibit(s).	Comment noted. See response to Comment #27.



<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>29</b>	BNSF	Potential impacts to Sound Transit Link Light Rail bridge as well as the identified impacts to S. Boeing Access Rd Overpass including a new “tunnel” under S Boeing Access Rd are currently part of Alternative 2. It is unclear if there is enough vertical and/or horizontal clearance to pass underneath the existing Sound Transit Link Light Rail bridge without modification. Additionally, no information is provided about potential clearance envelopes in new “tunnel” underneath S Boeing Access Rd currently. This information is required prior to acceptance by BNSF.	A statement has been added to the description to clarify that minimum vertical clearances for the existing Sound Transit Light Rail bridge may require cuts. In addition, see response to Comment #27.
<b>30</b>	BNSF	Alternative 3B is conceptually the least impactful proposed alternative and is BNSF’s conditionally preferred alternative.	Comment noted.
<b>31</b>	BNSF	Alternative 3B avoids residential neighborhoods in Allentown to the west and residences off of S 129th St to the east, accomplishing, at least partially, the stated objective of the project in Section 1.3 of the EIS.	Comment noted.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>32</b>	BNSF	As currently presented, Alternative 3B would negatively impact BNSF's intermodal operations, so it does not fully meet the stated objective of the project in Section 1.3 of the EIS. The current concept/layout for Alternative 3B would result in a loss of capacity in BNSF's Intermodal yard due to proposed location of new ingate and outgate infrastructure located on BNSF property and associated new roadway infrastructure. Additionally, there does not currently appear to be sufficient queuing distance on the north side of the proposed new intersection, between the new intersection and proposed gate infrastructure. The proposed queuing distance needs further evaluation to understand traffic and safety implications of Alternative 3B as currently designed/envisioned.	See in part response to Comment #17. Existing facilities would be removed and the area would be repurposed to address the loss of capacity in the yard. At this conceptual level of design the entrance could be shifted further into the yard to provide more queuing space with the tradeoff of capacity in the yard. Should this alternative be selected to be advanced to further design these details would be addressed in more detail during project-level design.
<b>33</b>	BNSF	BNSF is conditionally receptive of Alternative 3B, so long as impacts to BNSF facility and operations are properly mitigated by providing replacement area for facility impacts.	Comment noted.
<b>34</b>	BNSF	Alternative 3B would have the least impact of the three proposed alternatives represented in the EIS document on current trucking and transload operations at the facility.	Comment noted.
<b>35</b>	BNSF	The current proposed conceptual layout/exhibit for Alternative 3B shows the new access road in/out of the IMF would only be one 12 ft wide travel lane with an additional 5 ft wide shoulder in each travel direction, a total width of 34 ft wide roadway. This road would need to be widened to account for wider shoulders to ensure vehicles using the road could safely pull out of the travel lanes and safely stop on proposed shoulder in the event of any issue.	The access road proposed in Alternative 3b is conceptual – intended to indicate the basic feasibility of the road's layout. If this Alternative is selected as the preferred alternative, project-level planning and design would commit to a higher level of detail.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>36</b>	BNSF	Alternative 3B appears to maintain existing and consistent access to on and off ramp highway infrastructure while reducing truck impacts on the local road network and Allentown residents. Per Section 4.6.5, Alternative 3B has the potential to “balance the distribution of traffic volumes and minimize delays across the network. This alternative also offers environmental benefits by reducing truck VMT compared to other options.” This quoted section suggests Alternative 3B (or something similar) is recommended as a long-term traffic mitigation recommendation.	This has been rephrased to “...may help balance the distribution...”
<b>37</b>	BNSF	Possible impacts to the commercial businesses on the south side of the Duwamish River along Gateway Drive are not widely explored in the EIS document. Additionally, minimal details are provided in the EIS regarding the elimination of proposed Alternative 3A and what benefits result from eliminating Alternative 3A in favor of Alternative 3B.	<p>The description of potential effects from Alternative 3B conforms with the generalized level of detail advised by SEPA guidelines. The summary of potential impacts is intended to form the basis for project-level review if the City selects and moves forward with Alternative 3B as the preferred alternative.</p> <p>The level of detail describing the decision to drop this alternative is similar to that for other alternatives that were considered but not included in the DEIS.</p>
<b>38</b>	BNSF	Section 3.4.2 states “Alternative 3B would connect to the southern end of the BNSF intermodal facility which would make the cost associated with relocation of the check in/out facility much lower and logistically more achievable.” There is currently no funding strategy identified by the City of Tukwila to fund any/all modifications/improvements proposed for the Allentown Truck Reroute Project. Additional information regarding funding strategy is needed.	Funding sources will be identified and applied for if and when the City selects and moves forward with a preferred alternative.



<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>39</b>	BNSF	Avoids building new structures over BNSF right-of-way which would put constraints on facility operations and infrastructure.	Comment noted.
<b>40</b>	BNSF	Alternative 4 is not feasible as conceptually shown in the DRAFT EIS document and exhibit(s).	Comment noted.
<b>41</b>	BNSF	Section 3.4.3 describes the proposed components of Alternative 4. Including stating “This alternative would widen the South 129th Street bridge over I-5 and would construct a new roadway connecting SR 900 (Martin Luther King Junior Way) to South 129th Street. A new roadway would be constructed on BNSF property to provide direct truck access from South 129th Street to the new check in/check out location that would be moved to the south end of the BNSF intermodal facility.”	Comment noted.
<b>42</b>	BNSF	Similar to earlier comments regarding Alternative 3B, Alternative 4 would negatively impact BNSF’s intermodal operations, so it does not fully meet the stated objective of the project in Section 1.3 of the EIS. The current concept/layout for Alternative 4 would result in a loss of storage capacity in BNSF’s Intermodal yard due to proposed location of new ingate and outgate infrastructure located on BNSF property and associated the new roadway infrastructure. Additionally, there does not currently appear to be sufficient queuing distance on the north side of the proposed new intersection (between the new intersection and proposed gate infrastructure) at the bottom of the S 129th St bridge. The queuing distances need further evaluation to understand traffic and safety implications of Alternative 4 as currently designed/envisioned.	<p>See response to Comment #17. Similar to Alternative 3b (as stated in Comment #32) the existing facilities would be removed and the area would be repurposed to address the loss of capacity in the yard. Queuing extending onto the bridge does not impact local traffic on 129<sup>th</sup> St bridge since a dedicated entrance lane is provided.</p> <p>Should this alternative be selected to be advanced to further design these details would be addressed in more detail during project-level design.</p>

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>43</b>	BNSF	Section 3.4.3 states “The existing bridge profile meets the minimum clearance requirements over I-5 and the BNSF rail lines and runs at a grade of 8% (based on lidar information available)” While large trucks currently traverse the existing S 129th Street bridge over I-5 and the BNSF facility, a signalized intersection does not currently exist at the base of the S 129th Street bridge. Vehicles currently have an option to turn off S 129th St onto Railroad Avenue today, but the majority of vehicle movements proceed along the S 129th Street alignment. Putting a new signalized intersection at the bottom of an 8% grade may cause safety issues, especially in inclement weather, which must be evaluated further to better understand the risks.	A statement has been added to this section to acknowledge this potential safety issue. If this alternative is selected it would be addressed during project-level design efforts.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
44	BNSF	<p>Any construction of a new S 129th St overpass, or widening of the existing S 129th St overpass, will likely negatively impact BNSF operations for a significant period of time, so additional evaluation and appropriate mitigation will be needed to make this feasible. If a new bridge is constructed, the new overpass structure must clear span the BNSF right-of-way to avoid facility operations. Section 3.4.3 states “Construction to replace a section of the existing bridge and widen the bridge over the BNSF yard and rail lines would be disruptive to BNSF operations and would require significant coordination.” Section 3.4.3 also states “Truck traffic to northbound I-5 from the South 129th Street bridge would use the existing ramp from SR 900 (Martin Luther King Jr Way) to access the interstate. Revisions to the exit from the I-5 northbound/Boeing Access Road off ramp include shifting the roadway east to accommodate a new connection to the existing southbound on ramp from the Boeing Access Road Intersection, allowing for truck traffic to access I-5 in both directions. The shifting of SR 900 east would require a tall retaining wall to be constructed to support the hillside”. These additional regional improvements included as a part of Alternative 4 result in “drawbacks of this alternative include the increase of weaving traffic, especially trucks, at the SR 900/I-5 on-ramp and I-5/Boeing Access Road off-ramp. The reduction in design speed to facilitate the on ramp could present safety or operational issues and may require a deviation approval.”</p>	<p>Your concerns are noted. Please note that this is a conceptual-level design - if Alternative 4 is selected as the preferred alternative, the design team would work with BNSF to minimize construction-related impacts and ensure that the design supports intermodal facility operations. Please also note that the description of potential effects from Alternative 4 is conceptual - intended to form the basis for project-level review if the City selects and moves forward with Alternative 4.</p>



<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>45</b>	BNSF	The existing chassis storage lot is at a lower elevation than the proposed roadway outlined in Alternative 4, necessitating a redesign.	Elevations shown for Alternative 4 are at the conceptual level of detail required for a non-project EIS. They would be designed at a higher level of detail if this Alternative is selected as the preferred alternative.
<b>46</b>	BNSF	What are the impacts to existing operations at the Hub facility? Safe and efficient ingress and egress of trucking operations is most important to the selected alternative. BNSF's ability to serve the Puget Sound Region is directly linked with the fluidity of trucks accessing the facility.	At the conceptual level of design advised by SEPA, it is not possible to analyze operation impacts at this level of detail. If Alternative 4 is selected as the preferred alternative, project-level planning and design would assess potential impacts to the Hub, and the City would commit to working with BNSF to avoid them.
<b>47</b>	BNSF	Where trucks go when they enter or exit the facility matters. The facility is wholly designed and flows around the existing south end gate location. Changing the location of the entry gate, especially on proposed Alternative 2 which moves the gate to the north end of the facility, would require substantial changes to the internal layout and operations of the Hub facility in order to maintain fluidity and avoid network congestion.	Alternative 2 proposes relocating trucking entrance/exit functions to the north end of the intermodal facility and separating them from the intermodal facility production area.
<b>48</b>	BNSF	Maintaining fluid truck access to the nations rail network is of critical importance to BNSF, the region, our service partners, and our customers. We appreciate the careful consideration of the comments above and look forward to the continuing discussion on alternatives for the area. BNSF Railway is a key stakeholder in the decision and is a willing participant in the ongoing process to determine a viable solution that is mutually beneficial for BNSF's operations, the City of Tukwila, and Allentown residents.	Comment noted.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>49</b>	Stander Family LLC/Davis Wright Tremaine	Proposed Alternative (i.e., Alternative 3A and Alternative 3B) which reroutes the Burlington Northern Santa Fe (“BNSF”) truck route across a new bridge across the Duwamish River, would cause significant and unwarranted impacts to the environment, local businesses, and the community. In fact, the City removed Alternative 3A from consideration in the Draft EIS based on these very concerns, which are outlined in greater detail below.	Comment noted.
<b>50</b>	Stander Family LLC/Davis Wright Tremaine	Because Alternative 3B would result in substantially similar or greater impacts, which could not likely be adequately mitigated consistent with SEPA’s requirements, it should likewise be removed from further consideration.	<p>The level of potential impacts of Alternative 3B would be lower than those of Alternative 3A in several significant ways:</p> <p>1) In 3A, access from the southbound I-5 offramp would require a tight right turn onto 48th Ave S, a potential challenge for longer truck and trailer combinations. 3A would also risk backups on the offramp, caused by freight trucks queuing on 48th Ave S to cross the proposed bridge leading to BNSF’s intermodal facility. By contrast, access to the proposed bridge in Alternative 3B would be via the existing signaled intersection at Interurban Ave S and Gateway Dr. S, on relatively straight and level roadway, approximately one quarter mile from I-5 on and off ramps.</p> <p>2) In 3A, the ramp accessing the west side of the proposed bridge in Alternative 3A would be located in the right-of-way of 48th Ave S., requiring new access roads for businesses on either side of the ramp. The access roads would require acquisition of property in front of businesses in an area with narrow setbacks. This, along with construction of a ramp in the ROW, would generate high-level impacts to</p>

Comment #	Commenter name	Comment	Response
			<p>businesses. By contrast, the west approach to the proposed bridge in Alternative 3B would be in a narrow strip of land acquired from the property that formerly served as a base for Yellow Trucking. The new access road would accommodate queues of eastbound freight trucks without affecting public roadways.</p> <p>3) The proposed bridge in Alternative 3A would cross the Duwamish River at an oblique angle, resulting in a significantly longer structure than the bridge proposed in alternative 3B, and higher levels of impact to Duwamish River habitat.</p> <p>4) The vertical geometry of the proposed bridge in Alternative 3A would require substantial grading, including a retaining wall that would reroute the Green River Trail and create a hardscape that would impact existing habitat and reduce opportunities for habitat-related mitigation. In comparison, the bridge in 3B would require substantially less grading and slope retaining, resulting in lower-level impacts to riparian habitat.</p>
51	Stander Family LLC/Davis Wright Tremaine	The relocation of the access route [for Alternative B] one block over from the proposed route in Alternative 3A does not resolve the adverse impacts of the Project and will result in additional impacts that should disqualify Alternative 3B from consideration in the Final EIS.	Comment noted.



<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>52</b>	Stander Family LLC/Davis Wright Tremaine	Alternative 3B is the only proposed alternative that involves the construction of an entirely new bridge across the Duwamish River, resulting in major and permanent impacts to the natural and built environment. Such impacts to the Duwamish River and surrounding environment are not only irreversible but also inconsistent with the current shoreline goals and policies outlined in the City's Comprehensive Plan and Shoreline Master Program.	Comment noted. Potential effects, their severity, and potential mitigation measures cannot be accurately assessed without project-level design and analysis, which the City would engage in if it were to select Alternative 3B as the preferred alternative. Section 4.4.4.3.2.2 of the EIS discusses the bridge and compliance with the Shoreline Master Program.
<b>53</b>	Stander Family LLC/Davis Wright Tremaine	... the Draft EIS does not sufficiently analyze how this new bridge would affect public access to the shoreline, which would conflict with recreation, nor does it offer meaningful mitigation for the permanent loss of ecological and community shoreline functions. As such, the Draft EIS fails to satisfy the land and shoreline use analysis requirements under SEPA (WAC 197- 11-444(2)(b)).	If Alternative 3B were selected as the preferred alternative its potential effects on the elements of WAC 197- 11-444(2)(b) would be determined as part of project-level environmental analysis, including identification of appropriate mitigation for detailed impacts that could not be avoided. As noted in response to Comment #52, impacts to shoreline use from operations of this alternative are described in Section 4.4.4.3.2.2 as they are known at this conceptual level of design; potential mitigation is described in 4.4.5.
<b>54</b>	Stander Family LLC/Davis Wright Tremaine	Alternative 3B will have significant unavoidable adverse impacts to the water quality of the Duwamish River. The Draft EIS acknowledges that stormwater runoff from pollution-generating impervious surfaces, such as the proposed bridge, has the potential to affect fish species, degrade habitat, and decrease water quality. Draft EIS at p. 66. Accordingly, Alternative 3B would have significant impacts to wetlands, streams, and water quality that "could result from the permanent loss of wetlands, buffers, and their associated functions, and to changes to hydrologic conditions." Draft EIS at p. 82.	Comment is noted. Please see the response on Comment #53.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>55</b>	Stander Family LLC/Davis Wright Tremaine	While the Draft EIS proposes mitigation measures for these impacts [to water quality], including plans to control runoff and reduce water pollution, such measures fail to account for the cumulative impacts on the Duwamish River if a new bridge is constructed. The environmental impacts to the Duwamish River would be magnified as the existing I-5 bridge would only be approximately 350 feet away. The proximity of this additional impervious structure would result in overlapping drainage areas, additive pollutant loads, and further chemical impacts to the river—effects that are not assessed in the Draft EIS. In the absence of a cumulative impact analysis and mitigation strategy, the environmental consequences of stormwater runoff under Alternative 3B remain significant and unresolved.	Stormwater-related effects and associated mitigation measures would be considered at of project-level environmental analysis if Alternative 3B were chosen as the preferred alternative. In addition it is important to note that no new truck traffic is proposed as part of this project; trucks are rerouted within the existing watersheds where impacts are currently occurring and stormwater runoff is treated under previous regulatory requirements.
<b>56</b>	Stander Family LLC/Davis Wright Tremaine	... the impacts of Alternative 3B on the Duwamish River will inevitably harm the aquatic ecosystem and directly affect the fish species that depend on it.	Comment noted. Detailed aquatic ecosystem impacts would be analyzed following selection of a preferred alternative as part of the design process.
<b>57</b>	Stander Family LLC/Davis Wright Tremaine	Although the Draft EIS concludes that there are no priority habitats, species, or environmentally critical areas within Alternative 3B (Draft EIS at p. 116), it simultaneously acknowledges that “[f]ourteen Priority Species of fish are . . . occurring within the Duwamish River.” Draft EIS at p. 103.	There are no terrestrial priority habitats, species, or environmentally critical areas within Alternative 3B (Draft EIS at p. 117). Additional text was added for clarity. Aquatic priority habitats, species, or environmentally critical areas within Alternative 3B are accurately conveyed on page 103.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
<b>58</b>	Stander Family LLC/Davis Wright Tremaine	... the Duwamish River is a critical area under Tukwila Municipal Code 18.45.030. Accordingly, critical areas and priority species are threatened by Alternative 3B, as the proposed bridge would introduce a pollution-generating impervious surface, serving as a “significant source of pollutants” (Draft EIS at p. 66), and the associated increase in stormwater runoff would alter hydrology and elevate pollutant levels to potentially lethal levels for aquatic species in receiving waterbodies (Draft EIS at p. 147). In light of these impacts, the mitigation measures outlined in the Draft EIS are insufficient to address the profound impacts on aquatic species and habitats, thereby placing the critical ecosystems of the Duwamish River and its fish populations at significant risk of irreversible harm.	If Alternative 3B were selected as the preferred alternative its potential stormwater effects and impacts would be determined as part of project-level environmental analysis. Typical federal and state-required mitigation measures - such as capturing storm water and treating it in bioretention swales rather than impacting hydrology of the river – would be expected to reduce possible effects related to stormwater quality and quantity to below the level of significance. Best management practices to address emerging contaminants would be applied at the time of project-level design efforts to reduce potential impacts to aquatic species commensurate with the best available science. Note that the project does not increase the volume of truck traffic, as discussed in the response to Comment #55. Impacts to the Duwamish River via stormwater are currently being treated by compliance with previous regulatory requirements.
<b>59</b>	Stander Family LLC/Davis Wright Tremaine	Alternative 3B includes substantial and inadequately addressed cultural impacts on Tribal communities, particularly related to the Duwamish River and its importance as a traditional and cultural resource. The Draft EIS acknowledges that Project operation could have disproportionate impacts on Tribes and Tribal communities. Draft EIS p. 291. However, the analysis of these impacts under Alternative 3B does not provide a substantive evaluation of how construction of a new bridge over the Duwamish River—and the associated habitat degradation, noise, and visual intrusion—would affect contemporary Tribal use or cultural connections to this segment of the river.	<p>The City is consulting with the Muckleshoot Indian Tribe and Duwamish Tribal Services Organization regarding potential Project construction and operations impacts on Tribes and Tribal communities and appropriate mitigation for such impacts. The Final EIS has been updated based on this consultation.</p> <p>If this alternative is selected as the preferred alternative the project-level design process would include continued consultation with Tribes and Tribal communities regarding potential impacts and appropriate mitigation for</p>



<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
		Furthermore, the Draft EIS does not adequately identify mitigation measures specific to Tribal interests, including Muckleshoot Tribe’s federally protected treaty rights to access its usual and accustomed fishing areas and right to take fish from these areas. <sup>2</sup> By failing to meaningfully assess the disruption of cultural practices and potential adverse effects to Tribal treaty rights, the Draft EIS does not adequately analyze historic and cultural preservation as an element of the environment. WAC 197-11-444(2)(b)(vi). This is particularly concerning given that the Duwamish River remains a central and living cultural landscape for Tribal members today.	these impacts and additional analysis of Tribal resources and usual and accustomed areas.
<b>60</b>	Stander Family LLC/Davis Wright Tremaine	However, the Draft EIS does not sufficiently evaluate the socioeconomic, land use, and cumulative impacts of these acquisitions [on Commercial Land and Businesses], nor does it analyze the full scope of compensation obligations under state and federal law. The potential for significant government takings of private property and disruption to local businesses and property owners raises serious concerns, particularly given that less impactful alternatives exist. Thus, the City should accurately analyze the costs associated with acquiring private property necessary for Alternative 3B, including appropriate compensation that may be required in the taking of any private land for the Project.	As a nonproject EIS, project documentation conforms with SEPA guidelines that advise that potential environmental impacts of project alternatives be analyzed at a generalized level of detail which forms the basis for project-level review if the City selects and moves forward with Alternative 3B as the preferred alternative.
<b>61</b>	Stander Family LLC/Davis Wright Tremaine	Relatedly, the Draft EIS fails to sufficiently evaluate impacts of the new truck route on businesses in the Gateway Corporate Center. Although the EIS notes an increase in traffic in this area—designated as a Commercial Light Industrial zone (See Draft EIS at p. 169)—it classifies the resulting impact as “moderate”, despite heavy truck traffic being	Please see the response on Comment #60. Section 4.4.4.3.1.2 notes potential for moderate impact to land use for the portion of the area with a specific designation, with potential mitigation discussed in 4.4.5. If this alternative is selected to move forward to detailed design these potential impacts and

Comment #	Commenter name	Comment	Response
		inconsistent with light industrial activities. Further, the Draft EIS concedes that while “there is a potential for adverse effects” resulting from the Project, “the cumulative effects cannot be appropriately quantified” until a full traffic study is completed. See Draft EIS at p. 331. It is essential to understand the cumulative effects of Alternative 3B, as the Gateway Corporate Center is a vital economic hub for the City, and the introduction of a new truck route could lead to significant challenges including increased congestion, diminished accessibility, and adverse effects on commercial operations.	mitigation would be established at that time, when enough detail is available to fully assess impacts.  Note that in this instance ‘heavy truck traffic’ is referring to the weight of the vehicles rather than the volume of vehicles.
62	Stander Family LLC/Davis Wright Tremaine	Moreover, while the Draft EIS outlines mitigation measures, these proposals address only limited aspects of the impacts—such as improving access for a single office building through a unspecified relocation of an entrance (See Draft EIS at p. 177)—without fully addressing the broader land use conflicts and potential disruptions affecting other local businesses, including the Strander Companies. Thus, a more detailed and comprehensive analysis is necessary to ensure that the public’s interests are protected.	Please see the response on Comment #60.
63	Sally Blake	I would like an EIS Supplemental done on an alternative we haven't considered. (129th and 50th Pl.)  Why?  This is the route during construction of the 42nd Ave S. Bridge so it will be in effect for quite some time even before we were to make it permanent.  It places the responsibility on WSDOT for maintenance of 129th. WSDOT says the bridge is fine handling the trucks now.	The City is considering preparing a supplemental EIS for the route mentioned in the comment and is looking for grants to fund it.

<b>Comment #</b>	<b>Commenter name</b>	<b>Comment</b>	<b>Response</b>
		<p>It's feasible.</p> <p>It's economic.</p> <p>They are already planning a new roundabout up at 129th and Martin Luther King Way.</p> <p>The trucks can head north at the top of 129th (Left at Martin Luther King Way) then turn left on Airport Way to catch 599 one mile away. This route would take them five to ten minutes.</p>	
<b>64</b>	Sally Blake	The rail yard has important supply tasks for the entire area. This should be a shared responsibility between ALL of the communities, not just Tukwila.	Comment noted
<b>65</b>	Sally Blake	It shouldn't be a surprise that the general public has a hard time going through your studies on paper.	Comment noted
<b>66</b>	Sally Blake	There has got to be a way to make it easier for the general public to navigate through a document like this. Which sections are the most important? Can there be a synopsis of findings?	Please see the first three sections of the DEIS – 1. Summary (including Table 1.6-1, Potential impacts and proposed mitigation measures for each Alternative), 2. Introduction, and 3. Project Objective, Project Alternatives, and No Action Alternative – which provide an overview of the project, including existing conditions, proposed alternatives, and protentional effects of the alternatives.
<b>67</b>	Sally Blake	My expectation for the future is a solution to this decades-long problem.	Comment noted
<b>68</b>	Sally Blake	Please make the display maps clearer.	Maps will be revised as needed for the Final EIS.