



US Army Corps  
of Engineers  
Seattle District



# Joint Public Notice

## Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers  
Regulatory Branch  
Post Office Box 3755  
Seattle, WA 98124-3755  
Telephone (206) 764-6907  
Attn: Jack Kennedy, Project Manager

WA Department of Ecology  
Northwest Region Office  
3190 160<sup>th</sup> Avenue SE  
Bellevue, WA 98008  
Telephone (360) 407-6068  
Attn: Rebekah Padgett

Public Notice Date: 30 September 08  
Expiration Date: 29 October 08  
Reference No.: NWS-2008-1160  
Name: Sound Transit

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 10 of the 1899 Rivers and Harbors Act. Ecology will review the work pursuant to the Coastal Zone Management Act.

**APPLICANT:** Sound Transit  
401 South Jackson Street  
Seattle, Washington, 98104  
ATTN: Ms. Ellie Ziegler  
Telephone: (206) 398-5135

**LOCATION:** In the Montlake Cut section of the Lake Washington Ship Canal, at Seattle, Washington.

**WORK:** Bore two parallel tunnels. The tunnels would have outer diameters of 21 feet, be placed 20 feet apart, and the portions below the Montlake Cut would be 150 feet long. They would be a minimum of 15 feet below the bottom of the Montlake Cut. Each tunnel would result in the removal of about 1895 cubic yards of hardpan clay soils from the areas directly beneath the Montlake Cut. There would be no in-water work *per se*, only tunnel boring in the substrates underneath a navigable waterway.

The tunnel boring machines would be launched from the location of the future University of Washington light rail station, and work southward. Spoils from the portion of the tunnel between the University of Washington station and the South Capitol Hill Station would be brought out of the ground at the University of Washington station site and trucked offsite. Sound Transit expects each 150-foot segment under the Montlake Cut is to take about two weeks to bore.

**PURPOSE:** Carry light rail passenger cars underneath the Lake Washington Ship Canal.

The proposal is part of Sound Transit's University Link light rail project, a 3.1-mile long set of parallel subway tunnels extending from downtown Seattle northward under Capitol Hill to the University of Washington. The route must cross the Lake Washington Ship Canal, and Sound Transit has opted to use tunnels to do so.

ADDITIONAL INFORMATION: This proposal was the subject of a supplemental Federal Environmental Impact Statement (EIS) entitled *North Link Light Rail Project Seattle, WA Final Supplemental Environmental Impact Statement*, dated April 2006.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat.

The Federal Transit Administration (FTA), as the lead agency for ESA consultation, has consulted with NMFS and USFWS as required under Section 7 of the ESA. The Corps agrees with an NMFS determination that the project “may affect, not likely to adversely affect” Puget Sound Chinook salmon and their designated critical habitat. NMFS concurrence on effects to the fish themselves was issued on May 31, 2000. Concurrence on Chinook salmon critical habitat was issued by NMFS on February 2, 2006.

The Corps similarly agrees with a USFWS determination that the project “may affect, not likely to adversely affect” bull trout Puget Sound Chinook salmon and their designated critical habitat. USFWS concurrence on effects to the fish was issued on April 24, 2000. Concurrence on bull trout critical habitat was issued on May 12, 2006.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The FTA, as the lead agency for a determination regarding EFH, has consulted with the NMFS. FTA has determined that the proposed action would not impact EFH in the project area.

CULTURAL RESOURCES: The Federal Transit Administration, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, has consulted with the State Historic Preservation Office as appropriate. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS - The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

NWS-2008-1160, Sound Transit

Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. 3008164, being processed by the City of Seattle.

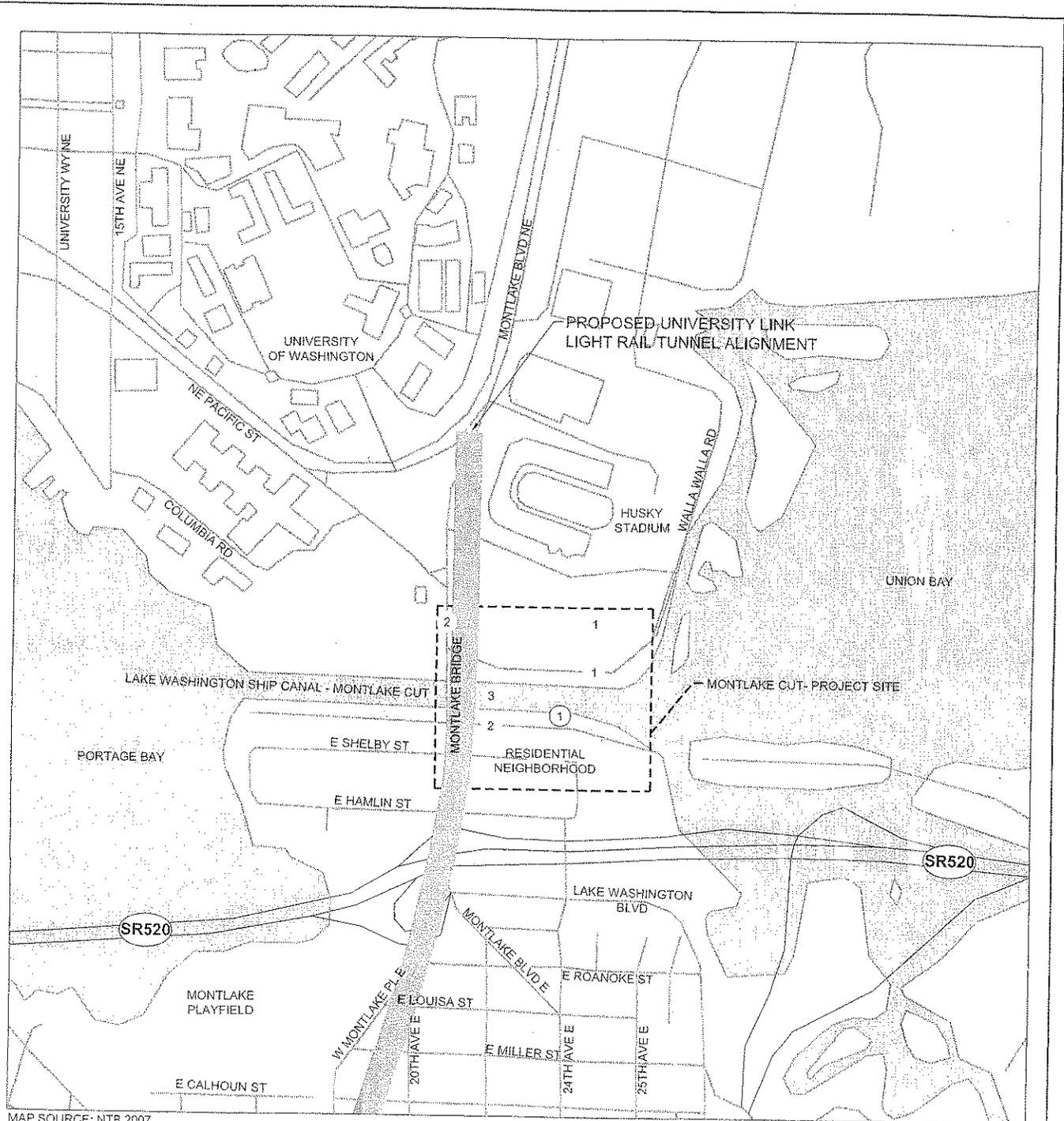
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

Comments to Corps: All e-mail comments should be sent to jack.kennedy@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Jack Kennedy, Post Office Box 3755, Seattle, Washington, 98124-3755.

Comments to Ecology: Any person desiring to present views on the project pertaining to a request for Coastal Zone Management consistency concurrence may do so by submitting written comments to the following address: Department of Ecology, Attn: Rebekah Padgett, 3190 160<sup>th</sup> Avenue SE, Bellevue, Washington, 98008, or e-mail to rpad461@ecy.wa.gov

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: Sound Transit, NWS-2008-1160.

Encl: Figures (4)



MAP SOURCE: NTB 2007

**ADJACENT PROPERTY OWNERS:**

- 1 University of Washington
- 2 City of Seattle
- 3 U.S. Army Corps of Engineers



**LOCATION:**  
 Latitude - 47° 38' 50"  
 Longitude - 122° 18' 13"  
 SE 1/4 SW 1/4 SEC 16, T 25 N, R 4 E

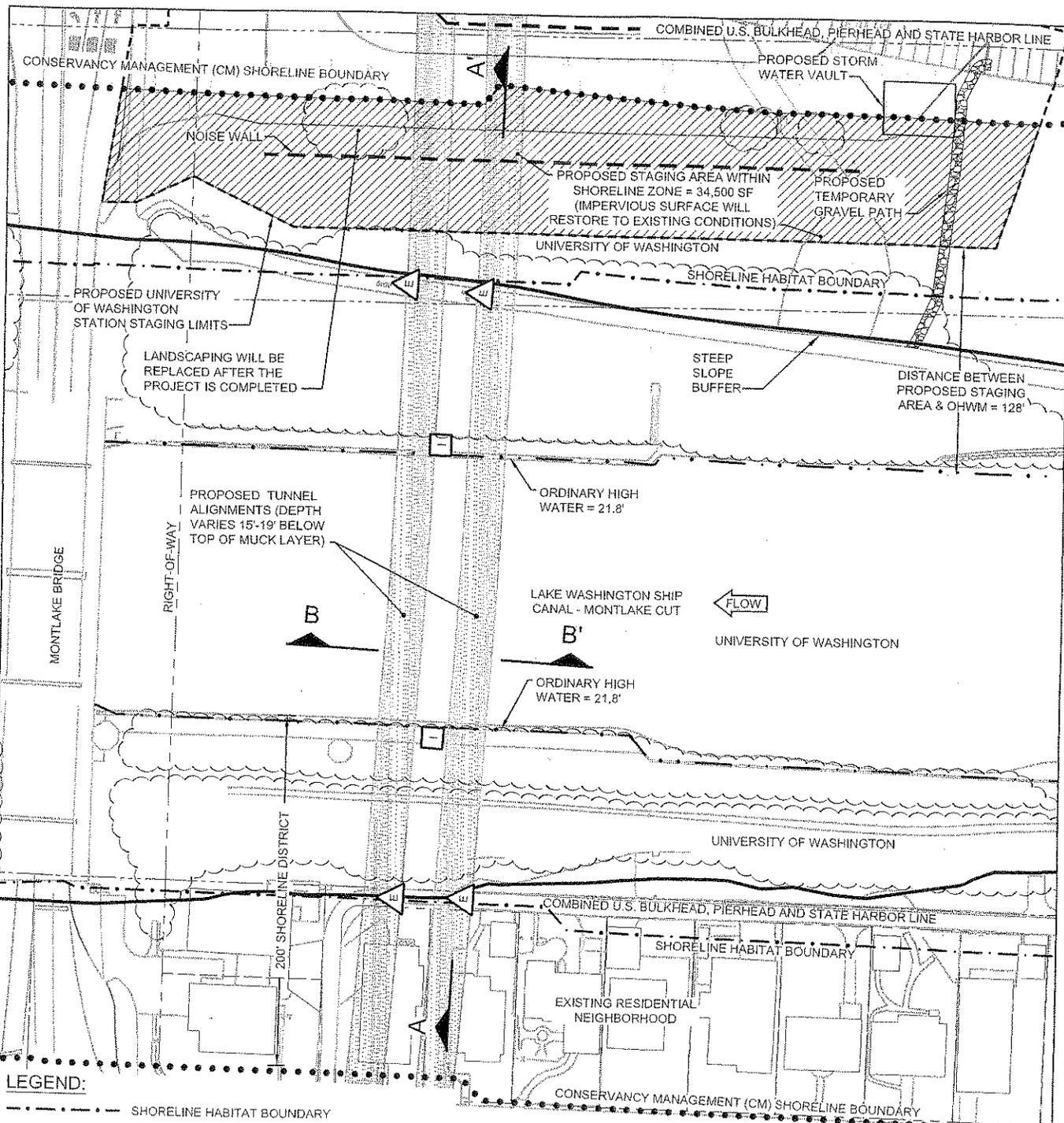
**PROJECT LOCATION**

**PURPOSE:** Carry light rail cars under the Lake Washington Ship Canal  
**DATUM:** OHW = 21.8' (COE 1916)  
**ADJACENT PROPERTY OWNERS:**  
 University of Washington  
 City of Seattle  
 U.S. Army Corps of Engineers

**APPLICANT:** Ellie Ziegler, Sound Transit  
 401 S. Jackson St.  
 Seattle, WA 98104-2826  
 (206) 398-5135  
**REFERENCE #:** NWS-2008-1160  
**PROJECT:** Link Light Rail Project  
 University Link

**PROPOSED:** Bore two tunnels  
**IN:** Lake Washington Ship Canal - Montlake Cut & City of Seattle Designated Shoreline  
**CITY:** Seattle  
**COUNTY:** King      **STATE:** WA  
**SHEET 1 OF 4**  
**DATE:** August 2008

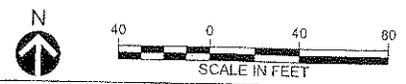
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- LEGEND:**
- SHORELINE HABITAT BOUNDARY
  - ..... SHORELINE ZONE BOUNDARY
  - 15' STEEP SLOPE BUFFER
  - OHWM
  - UNIVERSITY STATION STAGING LIMITS
  - NOISE WALL
  - EXISTING RIGHT-OF-WAY
  - EXISTING PROPERTY LINE
  - COMBINED U.S. BULKHEAD, PIERHEAD AND STATE HARBOR LINE

- STAGING AREA WITHIN SHORELINE DISTRICT
- ACCESS ROAD
- EXISTING TREE AND SHRUB VEGETATION
- PROPOSED TEMPORARY MONITORING INSTRUMENTS (LOCATED OUTSIDE STAGING AREA)
- INCLINOMETER
- EXTENSOMETER

**PLAN VIEW OF PROJECT SITE**



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 City of Seattle  
 U.S. Army Corps of Engineers

**APPLICANT:** Elife Ziegler, Sound Transit  
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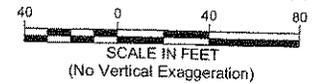
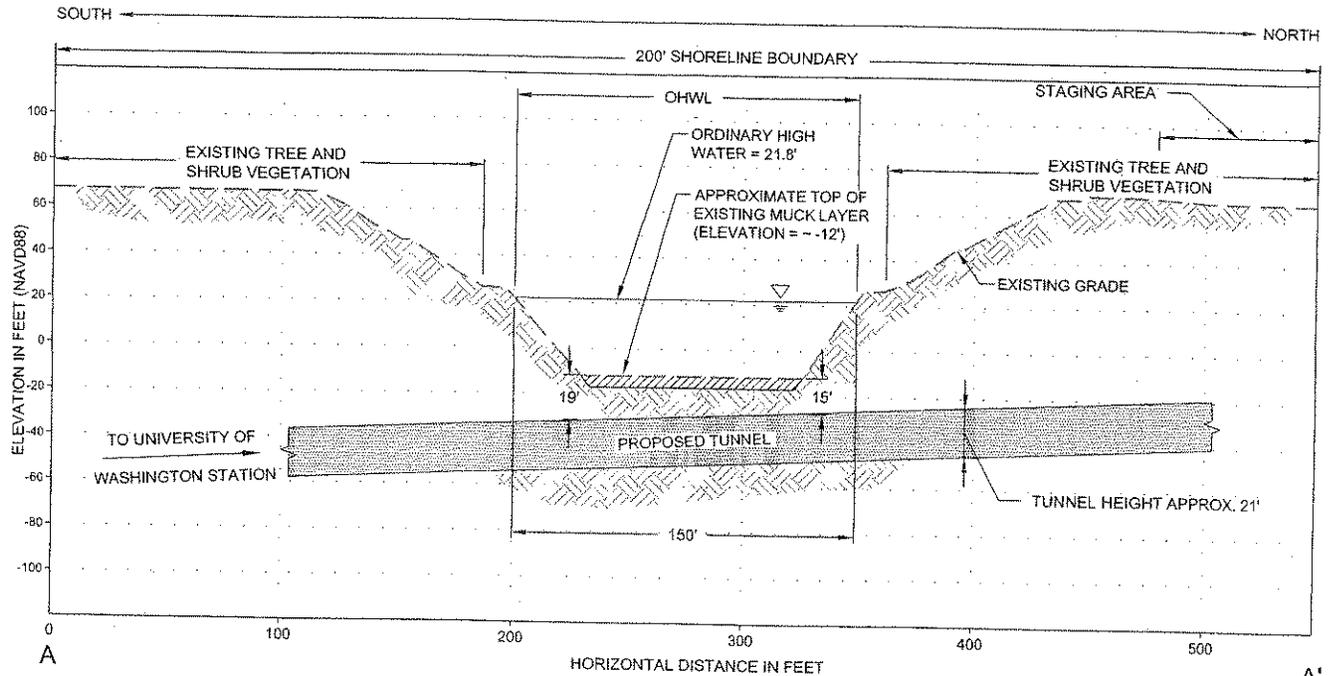
**IN:** Lake Washington Ship Canal - Montlake Cut & City of Seattle Designated Shoreline

**CITY:** Seattle  
**COUNTY:** King  
**STATE:** WA

**SHEET 2 OF 4**

**DATE:** August 2008

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**LEGEND**

- EXISTING GRADE
- ORDINARY HIGH WATER
- EXISTING MUCK LAYER
- EXISTING HARDPAN CLAY LAYER
- PROPOSED TUNNEL

**TUNNEL PROFILE A-A'**

TUNNEL EARTHWORK QUANTITIES UNDER ORDINARY HIGH WATER		
	LENGTH	VOLUME
(2) PROPOSED TUNNELS UNDER MONTLAKE CUT	150'	1,895 CY (CUT)

**PROFILE VIEW OF PROJECT SITE**

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**IN:** Lake Washington Ship Canal - Montlake Cut & City of Seattle Designated Shoreline

**CITY:** Seattle  
**COUNTY:** King  
**STATE:** WA

**SHEET 3 OF 4**

**DATE:** August 2008

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