



# 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) 764-3262 ATTN: Colleen Anderson,

Project Manager

#### **WA Department of Ecology**

SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone: (360) 407-6076
ATTN: SEA Program,

Federal Permit Coordinator

Public Notice Date: February 13, 2019 Expiration Date: March 15, 2019

Reference No.: NWS-2018-173 Name: Sound Transit-Downtown Redmond Link Extensions

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 U.S. as described below and shown on the enclosed drawings dated February 4, 2019.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

The United States Coast Guard (Coast Guard) is the Federal Agency with primary permitting authority over bridges spanning navigable waters. As such, the Coast Guard regulates the location, design, dimension, clearances, and other physical aspects of bridges in accordance with Section 9 of the Rivers and Harbors Act and the 1940 Truman-Hobbs Bridge Act.

**APPLICANT**: Sound Transit

Attention: Ellie Ziegler 401 South Jackson Street

Seattle, Washington 98104-2826 Telephone: (206) 398-5135

<u>LOCATION</u>: In the Sammamish River, Bear Creek, an unnamed tributary to the Sammamish River, adjacent wetlands, and ditches at the City of Redmond and King County, Washington.

<u>WORK</u>: The applicant proposes to construct a 3.4-mile extension of a public light rail system between downtown Redmond and the Redmond Technology Center.

<u>PURPOSE</u>: Construct a new public light rail system from the Redmond Technology Center at NE 40th Street to downtown Redmond.

<u>ADDITIONAL INFORMATION</u>: Construction would consist of permanently filling 1.60 acres of wetlands, temporarily filling 1.52 acres of wetlands for up to 2 years, 1.53 acres of permanent wetland buffer impacts, and 1.47 acres of temporary (up to 2 years) of wetland buffer impacts. Specific actions by site are:

<u>Sammamish River</u>: Two new outfall structures would be installed in the Sammamish River along the Washington State Department of Transportation right-of-way under the bridge crossing. The inverts of the stormwater discharge would be located above the ordinary high water mark (OHWM) but the energy dissipation pads would require excavation and fill 0.012 acre below the OHWM. A temporary 0.037 acre (250 cubic yards) cofferdam would be constructed for the dewatering area in the Sammamish River within a 0.089 acre area needed for constructed access. Temporary impacts would last up to 1 year.

No fill or structure associated with the elevated guideway crossing of the river would be located waterward of the OHWM. Construction of the Sammamish River crossing would require staging areas on both the eastern and western sides of the bank; staging areas would be located above the OHWM. Permanent buffer impacts for the guideway and proposed access road are 0.296 acre and temporary buffer impacts for staging total 0.457 acre.

<u>Bear Creek</u>: Work at Bear Creek involves constructing a light rail guideway bridge and a pedestrian bridge, modifying the channel, and restoring wetland and stream. The combined impacts from all these activities are 0.208 acre of permanent impacts (which includes shading), 2.130 acres of temporary impacts for an up to 2 years, 0.465 acres of permanent buffer impacts, and 0.853 acres of temporary buffer impacts up to 2 years. Because the OHWM of Bear Creek overlaps with the adjacent wetlands, these impacts are documented in both the stream and wetland impact totals.

The existing 30-foot long, 15-foot wide (450 square foot), creosote-treated timber railroad bridge would be replaced with a new guideway bridge over Bear Creek. The entire crossing would be 265 feet long and up to 38 feet wide. The main span over the active channel of Bear Creek would be 105 feet long. By removing the fill associated with the railroad bridge fill prism and spanning a much larger portion of the floodplain, there would be a net gain of 0.41 acre within the OHWM of Bear Creek. The overwater cover from this structure would be 0.046 acre over the future wider channel. To install the new bridge, the project would also remove two 7-foot by 105-foot existing culverts. The guideway would sit on 9-foot to 10-foot-diameter drilled shaft column foundations. The western and eastern approach spans would be a series of short, pre-stressed concrete girders or voided slabs to provide vertical clearance over the floodplain and existing connector trails. The crossing would be supported by 6 piers of one-to-three columns each. Four interior piers would be filled with 120 cubic yards of concrete below the OHWM of Bear Creek, but outside the active channel stream. One stormwater outfall would be added in the buffer along the guideway.

The pedestrian bridge would provide a connection between the existing Redmond Central Connector Trail and King County's East Lake Sammamish Trail corridor over Bear Creek. The bridge design would be a multi-span truss style or through girder bridge. The structure would be 220 feet by 18 feet (3,960-square-foot), supported by three concrete (50 cubic yards) piers on foundations. The overwater cover from this structure would be 0.028 acre over the future wider channel. Both the guideway bridges and the pedestrian bridge would be a minimum of 3 feet above the 100-year flood elevation.

The channel modification is required to restore floodplain and meet flood protection standards for the proposed structures. The modification would ensure the new structures provide adequate clearance for flood flow and debris passages and meet City of Redmond requirement that the project results in no increase in the 100-year flood elevation within or upstream from the project. These modifications would create a more naturally functioning stream/riparian corridor and floodplain that would match downstream conditions. These enhancements would be done over 2.37 acres and remove bank armoring along Bear Creek, fill material, and invasive vegetation. Streambed substrate would be added in the active channel of Bear Creek, large woody material would installed along the banks, and native vegetation planted.

<u>Unnamed tributary to the Sammamish River</u>: A culvert extension would permanently fill up to 0.015 acre of stream bed and 0.128 acre of stream buffer. A new 2.5-foot by 55-foot culvert would be placed in this non-fish bearing

tributary. The project would result in up to 55 linear feet (100 cubic yards) of fill in the stream channel to tie into the existing culverted section downstream of the alignment up to the upstream extent of the fill prism of the newly constructed track.

<u>Wetlands</u>: Construction would permanently fill 1.60 acres of wetlands, temporarily fill 1.52 acres of wetlands for up to 2 years, permanently impact 1.53 acres of wetland buffer, and temporarily impact 1.47 acres of wetland buffer for up to 2 years. Permanent and temporary impacts for each wetland include:

Wetland Name	Ecology	Permanent	Temporary	Cause of Impact <sup>2</sup>
	Rating	Impact	Impact	
		(acre)	(acre)	
Wetland WRE- 2	IV	0.074	0	Retaining wall (P)
Wetland WKC-3	III	0.896	0.081	Retaining wall (P) and construction access (T)
Wetland WRE-	III	0	0.078	Construction staging (T)
Wetland WRE-5	I	0.075	1.178	Guideway fill prism (P), elevated guideway/bridge (P), construction access (T), Bear Creek habitat enhancement (T)
Wetland WRE-6	I	0.052	0.186	Guideway fill prism (P), elevated guideway/bridge (P), pedestrian bridge (P), construction access (T), Bear Creek habitat enhancement (T)
Wetland WRE-8	II	0.506	0	Elevated guideway/bridge and trail realignment (P)

P=permanent T=temporary

<u>Ditches</u>: Seven ditches totaling 5,356 linear feet would be impacted by the project. A total of 4,620 linear feet would be permanently filled and replaced with stormwater collection and treatment facilities (e.g., ditches, swales, or pipes) for runoff associated with new and existing impervious surfaces. Another 736 linear feet would be temporarily impacted and restored following construction.

<u>MITIGATION</u>: The applicant has avoided and minimized impacts to waters of the U.S. in several ways. Impacts to Wetland WKC-2 were avoided and the Sammamish River were minimized by fully spanning the river with a bridge. Wetland impacts to Wetland WKC-3 were minimized with a retaining wall. Impacts to Wetland WRE-5, WRE-6, and Bear Creek were minimized by using retaining walls and bridges. To compensate for unavoidable impacts, the applicant would use a variety of options.

Wetland impacts within the City of Redmond (0.94 acre permanent, 0.46 acre long-term temporary, and 0.02 acre vegetation conversion) would be offset by purchasing credits from the Keller Farm Mitigation Bank if certified. If credits are not released in time, Sound Transit could purchase in-lieu fee (ILF) credits from the King County Mitigation Reserves Program. Another option would be to take a portion of the Keller Farm Mitigation Bank and construct a permittee-responsible mitigation site within it using a combination of wetland re-establishment and rehabilitation.

Wetland impacts within unincorporated King County (0.66 acre permanent, 0.08 acre long-term temporary, and 0.081 vegetation conversion) would be offset with an off-site permittee-responsible mitigation site in Marymoor Park near the Lake Sammamish outlet to the Sammamish River. Sound Transit would create additional wetland and rehabilitate the existing large, Category II wetland complex in the Sammamish River 100-year floodplain near the Hod Fowler Boathouse.

Wetland WKC-3 is a previously permitted mitigation site (NWS-1999-428) that would be impacted during construction. Sound Transit has proposed to purchase either Keller Farm Mitigation Bank credits, if available, or ILF credits from King County Mitigation Reserves Program to provide additional mitigation for impacting the mitigation site. The standard credit ratios would be purchased for the project impact and an additional standard credit ratio would be purchased because it is a mitigation site to account for the temporal loss.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of the 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, as the lead agency for ESA consultation, has consulted with NMFS and the USFWS as required under Section 7 of the ESA. They have determined that the project may affect, likely to adversely affect and may affect, but is not likely to adversely affect listed species. A Biological Opinion was issued by NMFS on June 15, 2018, and a letter of concurrence was issued the USFWS on February 23, 2011.

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 proposed action would impact EFH in the project area. The Federal Transit Administration, as the lead agency for a determination regarding EFH consulted with the NMFS on January 21, 2018. They have determined that the project will adversely affect EFH for Pacific Salmon.

<u>CULTURAL RESOURCES</u>: The Federal Transit Administration, as the lead agency for determining compliance with Section 106 of the National Historic Preservation Act, will consult with the State Historic Preservation Officer and Native American Tribes as appropriate.

<u>PUBLIC HEARING</u>: 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.

<u>EVALUATION</u> – <u>CORPS</u>: 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. 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.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

SOURCE OF FILL MATERIAL: The source of the fill material would be a commercial quarry that will meet Sound Transit, American Association of State Highways and Transportation Officials (AASHTO), or Washington State Department of Transportation standard specifications, including sampling and testing procedures.

<u>EVALUATION</u> – <u>ECOLOGY</u>: Ecology is soliciting comments from the public; Federal, Native American Nations or Tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

As the lead Federal agency, the Federal Transit Administration will contact the Washington Department of Ecology directly to ensure the work is consistent with the Coastal Zone Management Program.

<u>COMMENT AND REVIEW PERIOD</u>: 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 authorizing the work would not be contrary to the public interest. 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 commenter'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.

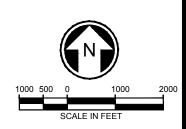
CORPS COMMENTS: All e-mail comments should be sent to: colleen.c.anderson@usace.army.mil

Conventional mail comments should be sent to: U.S. Army Corps of Engineers, Regulatory Branch, Attention: Ms. Colleen Anderson, P.O. Box 3755, Seattle, Washington 98124-3755. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

ECOLOGY COMMENTS: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Washington State Department of Ecology, Attention: Federal Permit Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600, or e-mail to: ecyrefedpermits@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: NWS-2018-173, Sound Transit (Downtown Redmond Link Extension)

Encl: Figures (26)





REFERENCE NUMBER: NWS-2018-173

APPLICANT NAME: SOUND TRANSIT

ADJACENT PROPERTY OWNERS: SEE FORMS LOCATION: REDMOND TECH. CENTER (47.6453 N, -122.1335 W) TO DOWNTOWN REDMOND (47.6731 N, -122.1178W)

SECS: 11, 12, 13 ,14, & 23, T25N, R05E

STATE: WASHINGTON

IN: WETLANDS, SAMMAMISH RIVER, BEAR CREEK, STREAMS, AND DITCHES

AT: CITY OF REDMOND AND KING COUNTY

PROPOSED PROJECT: DOWNTOWN REDMOND LINK EXTENSION

DATE: FEBRUARY 4, 2019 FIGURE: 01 OF 26

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REFERENCE NUMBER: NWS-2018-173	LOCATION: REDMOND TECH. CENTER TO DOWNTOWN REDMOND	DOWNTOWN REDMOND	WETLAND, STREAM, AND JURISDICTIONAL DITCH IMPACTS
APPLICANT NAME: SOUND TRANSIT	DATE: FEBRUARY 4, 2019	FIGURE: 07 OF 26	COUNTY: KING, STATE: WASHINGTON

UNNAMED TRIBUTARY TO SAMMAMISH RIVER LLID 122126476704

EXISTING WSDOT ROW LINE

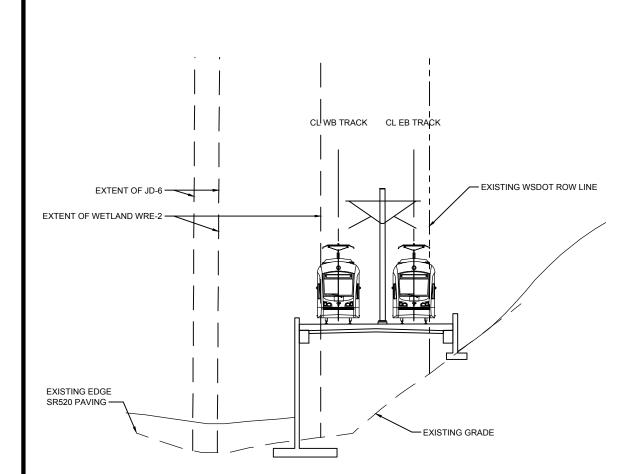
STA 5051+59 CONNECT TO EXISTING 30" PIPE

PROPOSED 30" BEVELED

20

CULVERT EXISTING GRADE

SCALE IN FEET

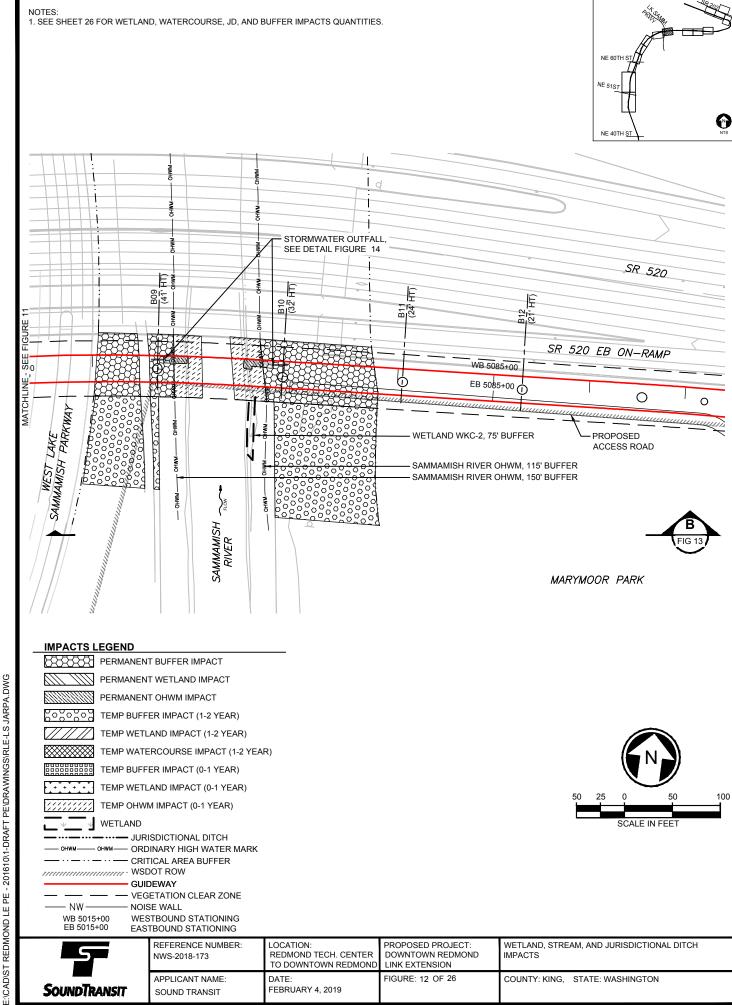


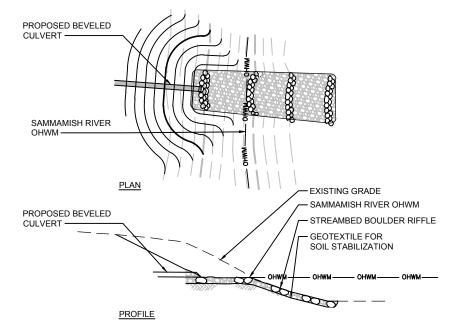
SECTION 02 - AT WETLAND WRE-2 STA 5066+25 SCALE: 1" = 20'



5
SOUNDTRANSIT

REFERENCE NUMBER: NWS-2018-173	LOCATION: REDMOND TECH. CENTER TO DOWNTOWN REDMOND	DOWNTOWN REDMOND	WETLAND, STREAM, AND JURISDICTIONAL DITCH IMPACTS
APPLICANT NAME: SOUND TRANSIT	DATE: FEBRUARY 4, 2019	FIGURE: 10 OF 26	COUNTY: KING, STATE: WASHINGTON

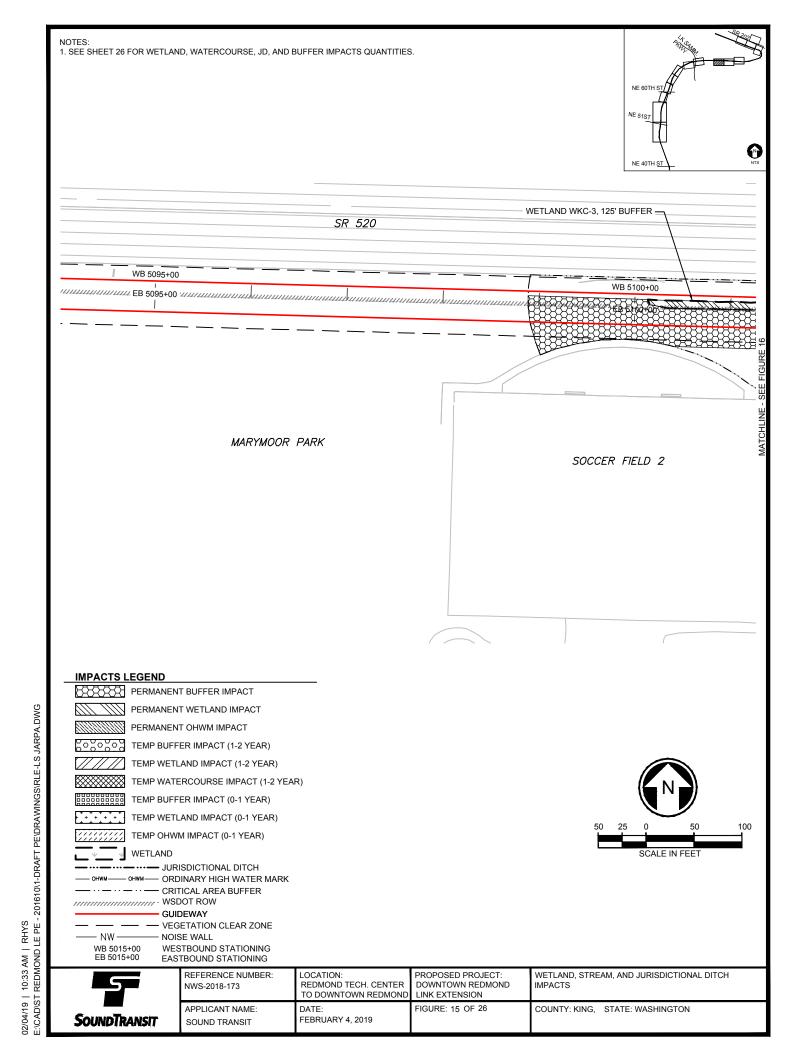


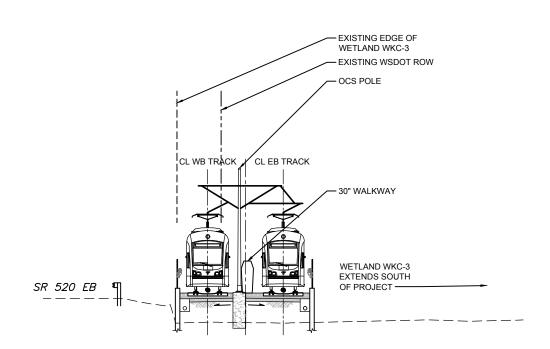


## $\frac{\textbf{SAMMAMISH RIVER OUTFALL DETAIL}}{\text{NTS}}$

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SoundTransit	

REFERENCE NUMBER: NWS-2018-173	LOCATION: REDMOND TECH. CENTER TO DOWNTOWN REDMOND	DOWNTOWN REDMOND	WETLAND, STREAM, AND JURISDICTIONAL DITCH IMPACTS
APPLICANT NAME: SOUND TRANSIT	DATE: FEBRUARY 4, 2019	FIGURE: 14 OF 26	COUNTY: KING, STATE: WASHINGTON





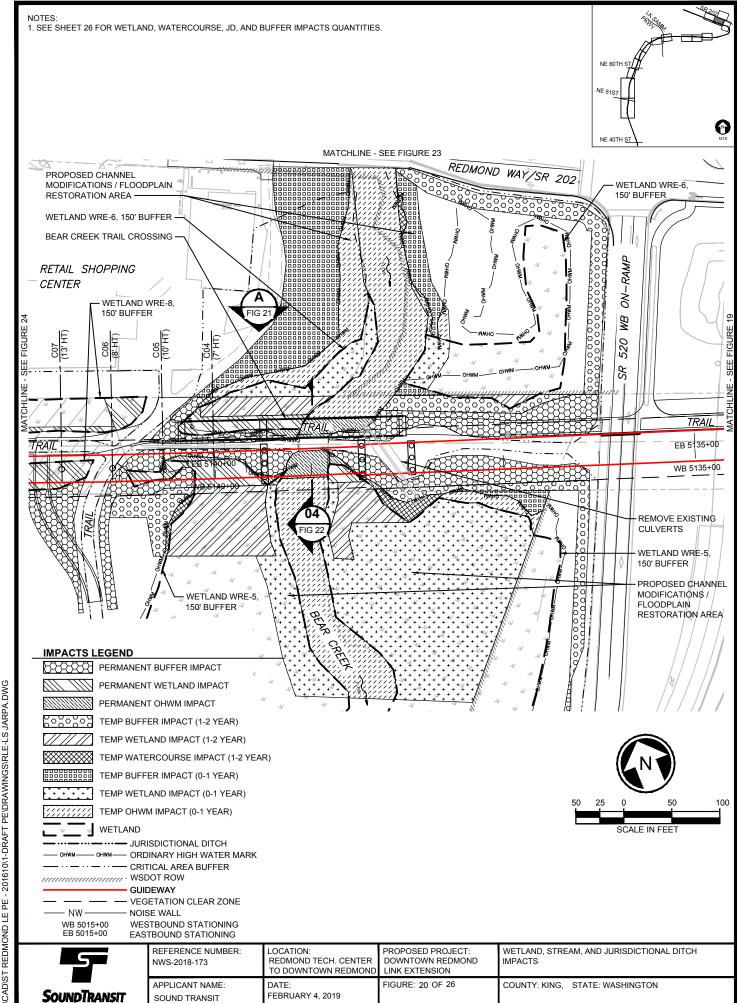
### **SECTION 03 - AT WETLAND WKC-3** STA 5106+00 SCALE: 1" = 20'



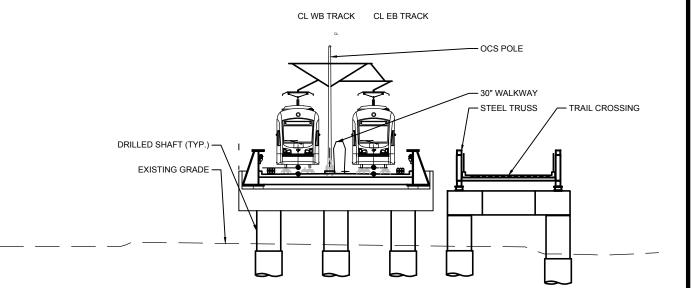
5
SOUNDTRANSIT

REFERENCE NUMBER: NWS-2018-173	LOCATION: REDMOND TECH. CENTER TO DOWNTOWN REDMOND	PROPOSED PROJECT: DOWNTOWN REDMOND LINK EXTENSION	WETLAND, STREAM, AND JURISDICTIONAL DITCH IMPACTS
APPLICANT NAME:	DATE:	FIGURE: 17 OF 26	COUNTY: KING, STATE: WASHINGTON
SOUND TRANSIT	FEBRUARY 4, 2019		

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1. SECTION IS CUT ENTIRELY WITHIN THE OHWM OF BEAR CREEK.



SECTION 04 - AT BEAR CREEK STA 5139+00

SCALE: 1" = 20'



SoundTransit

REFERENCE NUMBER: NWS-2018-173 LOCATION: REDMOND TECH. CENTER TO DOWNTOWN REDMOND DATE:

PROPOSED PROJECT: DOWNTOWN REDMOND LINK EXTENSION WETLAND, STREAM, AND JURISDICTIONAL DITCH IMPACTS

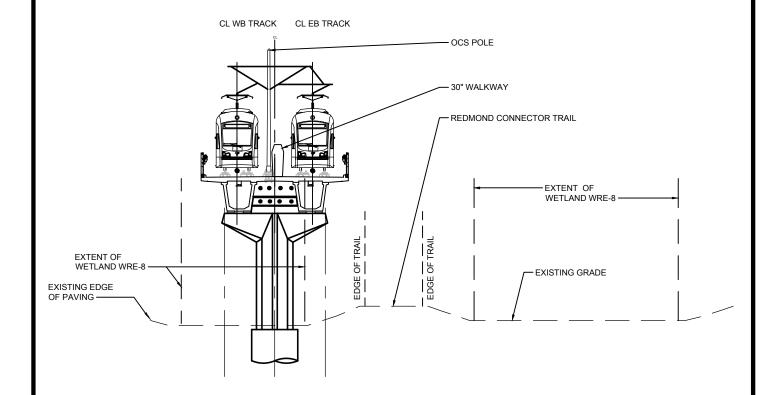
APPLICANT NAME: SOUND TRANSIT

FEBRUARY 4, 2019

FIGURE: 22 OF 26 COUNTY: KING, STATE: WASHINGTON

#### NOTE:

1. WETLAND IMPACTS: CONNECTOR TRAIL REALIGNMENT, LOW HEIGHT OF GUIDEWAY, AND VEGETATION CLEAR ZONE REQUIREMENTS WILL RESULT IN A TOTAL TAKE OF WETLAND WRE-8 UNDER THE ELEVATED GUIDEWAY AND A PORTION OF WETLAND WRE-8 TO THE NORTH OF THE TRAIL.



SECTION 05 - AT WETLAND WRE-8 STA 5145+00

SCALE: 1" = 20'



5
SOUNDTRANSIT

REFERENCE NUMBER: NWS-2018-173 LOCATION: REDMOND TECH. CENTER TO DOWNTOWN REDMOND

PROPOSED PROJECT: DOWNTOWN REDMOND LINK EXTENSION

FIGURE: 25 OF 26

WETLAND, STREAM, AND JURISDICTIONAL DITCH IMPACTS

APPLICANT NAME: DATE: SOUND TRANSIT FEBRUARY 4, 2019

2019

COUNTY: KING, STATE: WASHINGTON

#### Wetlands

Name	Sheet	Ecology Rating	Wetland Size (Acre)	Permanent Impact (Acre)	Temporary Impact [0-1 year duration] (Acre)	Temporary Impact [1-2 year duration] (Acre)	Permanent Vegetation Conversion (Acre)	Permanent Buffer Impacts (Acre)	Temporary Buffer Impacts (Acre)
WRE-2	6	IV	0.074	0.074	0.000	0.000	0.000	0.000	0.000
WRE-4	11	Ш	0.078	0.000	0.000	0.078	0.000	0.029	0.766
WKC-3	15, 16, & 17	101	5.05	0.896	0.000	0.081	0.081	0.766	0.021
WRE-5*	20	1	>10	0.075	0.864	0.314	0.023	0.259	0.224
WRE-6*	20	1	0.43	0.052	0.118	0.068	0.000	0.206	0.205
WRE-7	23	1	>5	0.000	0.000	0.000	0.000	0.000	0.249
WRE-8	20 & 23	11	1.01	0.506	0.000	0.000	0.000	0.269	0.000
Total				1.603	0.982	0.541	0.104	1.529	1.465

Rivers/Stream	าร						
Name	Sheet	Permanent Impact (Acre)	Temporary Impact [0-1 year duration] (Acre)	Temporary Impact [1-2 year duration] (Acre)	Permanent Vegetation Conversion (Acre)	Permanent Buffer Impacts (Acre)	Temporary Buffer Impacts (Acre)
Unnamed tributary 1221262476704	6	0.015	0	0	0	0.128	0
Sammamish River	12	0.01	0.089	0	0.034	0.296	0.457
Bear Creek*	20	0.208	1.71	0.42	0.025	0.465	0.853
Total		0.223	1.799	0.42	0.059	0.889	1.31

<sup>\*</sup>Impact area totals for Bear Creek include impact totals for WRE-5 and WRE-6, which are located waterward of the OHWM of the stream, and shading.

Impacts to WRE-5 and WRE-6 are also reported in the wetland impact table.

#### Jurisdictional Ditches

Name	Sheet	Impact (Linear Feet)	Туре
JD-1A	3	965	Temporary - Impacted and Restored
JD-1B	3	100	Permanent - Converted to piped conveyance
JD-2	3 & 4	605	Temporary - Impacted and Restored
JD-4	4,5 & 6	1945	Temporary - Impacted and Restored
JD-5	6 & 8	605	Temporary - Impacted and Restored
JD-6	9	500	Temporary - Impacted and Restored
JD-8	19	636	Permanent - Converted to piped conveyance
Total	•	5,356	·

VAIN A IIIII AVIV IADEL

SCALE: N/A

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