



July 13, 2010

ELAINE L. SPENCER  
(206) 340-9638  
espencher@grahamdunn.com

Elliott Bay Seawall Replacement Scoping Comments  
c/o Tetra Tech, Inc.  
1420 Fifth Avenue, Suite 550  
Seattle, WA 98101

**Re: Scope of the EIS for the Elliott Bay Seawall Replacement**

These comments on the scope of the EIS for the Elliott Bay Seawall Replacement Project are submitted on behalf of the Seattle Historic Waterfront Association and its members. The Seattle Historic Waterfront Association is composed of the privately-owned historic piers along Seattle's Central Waterfront, and the businesses and institutions operated within and along-side those piers. In an increasingly homogenous world, these are home-grown businesses whose distinctive qualities have done much to give Seattle its authentic character. Their continued presence is an important asset of the City as it seeks to be a world-class destination and business center.

They are also fragile. Compared to national retailers or nationwide commercial property owners, the members of the Seattle Historic Waterfront Association are far more dependent upon the continuing economic viability of their businesses along the Seattle Central Waterfront. The Central Waterfront is not just one of many locations of their businesses; it is the critical location. They are no more able than any other small business to survive a period of months during which their costs continue but their revenue evaporates. As a result, during the many years when the seawall replacement was just one component of the debate between a cut and cover tunnel along the waterfront versus a rebuilt viaduct along the waterfront, the members of the Seattle Historic Waterfront Association saw the entire debate as threatening their future existence.

They are hopeful that with the selection of the deep bore tunnel as the replacement for SR 99 through downtown Seattle, an approach to replacement of the seawall can be found that will allow them to survive the seawall replacement process. But we need to start by saying, that is not assured. Under any circumstances, the construction process for the seawall replacement may be highly disruptive. The ability of the members of the Seattle Historic Waterfront Association to survive that process will depend upon creative selection of alternatives for the seawall replacement, accurate identification of the impacts of that process, and development of effective mitigation. The members of the Seattle Historic Waterfront Association are ready to meet with the seawall replacement project team at any time to provide information to the project team or to discuss effective mitigation of the construction impacts.

Pier 70  
2801 Alaskan Way ~ Suite 300  
Seattle WA 98121-1128  
Tel 206.624.8300  
Fax 206.340.9599  
www.grahamdunn.com

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An essential first step in preparing an adequate EIS is to accurately understand the existing environment that the proposed project will impact. Seattle Historic Waterfront Association members have many times provided the city, the project team, WSDOT, SDOT, bidders on the seawall design project and others, and will be happy to provide you, with additional details about the nature of their operations and the environment that sustains them. The most important factor that you need to consider in terms of the existing environment, however, is that the essential customers of the businesses on the Central Waterfront are the more than 3 million current annual visitors to the Central Waterfront (note that this is more than visit the Mariners and Seahawks COMBINED in a year). If those visitors cannot conveniently get to the waterfront or it is an unpleasant place to be, they will not come. Without them, the businesses cannot survive.

- Those 3 million visits are highly seasonal, with the peak period lasting from May through early October. Disruption of access or parking between mid-October and April will have less impact on the viability of Seattle Historic Waterfront members – although even then the year-round businesses will still suffer. Disruption to either access or parking, or the creation of an unpleasant pedestrian environment on the Waterfront, between May and early-October is far more damaging.
- The 3 million visitors come to the Waterfront primarily by automobile and bus, and there is no scenario under which transit will replace the automobile and bus for the visitors who are the core customers of the Central Waterfront businesses. The typical visitors coming by car are multi-generational family groups from outside of Seattle, who have come to the Central Waterfront for the day, with children in strollers and grandparents accompanying them. (Market research done annually for the past decade by Ivar's, the Aquarium, and Argosy shows between 59 and 69 percent of visitors arrived by car.) They may be staying with relatives in Burien for the week, or they may have driven up from Centralia for the day. But they are not familiar with Seattle's bus system, and in any event bringing kids, strollers and grandparents by bus is simply not workable. Nor will they walk extended distances from where they park to get to the Central Waterfront with those kids, strollers and grandparents. As a result, parking must be visible and available within at most two blocks of the Central Waterfront, or the key customers coming by car simply will not come. The 50,000 people a year who stay at the Edgewater and the 26,000 people a year who come to weddings and special events at the Edgewater all arrive by automobile, not transit. The typical visitors coming by bus are school groups (50,000 school kids visit the Aquarium in a typical year, 9,000 school age kids come by bus to visit Blake Island/Tillicum Village in the spring or for all-day field trips on Argosy boats) or convention groups in town. Argosy also has 6-9 Grayline bus loads each day for its Locks Cruise. Those buses must have room to park, safely load

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and unload, and turn around. Again, there is not a transit solution that will substitute for those buses.

- Puget Sound Regional Council and City of Seattle surveys of parking availability in the area have been misleading because they have been conducted during the off season, and during the weekday. Peak demand for parking on the Central Waterfront is in the summer and on weekends. During peak periods it is common for the Pike Place Market parking garage and all surface parking lots in the area to be full, as well as all street parking to be full. Just as most retailers depend on having adequate parking to meet their peak holiday season needs, because that is when they make their entire year's income, the business on the Central Waterfront depend on having adequate parking to meet their peak summer needs, because that is when they make their entire year's income. We recognize the City of Seattle's efforts to restrict demand for commuter parking in order to encourage commuters to switch to transit. We doubt that much of the parking that serves the Central Waterfront is actually taken up by commuters, and want to emphasize that removal of parking that serves out of town visitors will have very severe consequences to the vitality of the city. Thus elimination of commuter parking needs to happen through pricing strategies, not by eliminating parking spaces used by visitors.
- The visitors to the Central Waterfront don't have to come. If the Central Waterfront is dirty, noisy, hard to get through, a visual "mess" and unpleasant, they will not come. That makes the potential impacts of construction on the Central Waterfront more immediate and more severe than might be the case in an area with primarily office or industrial development. People do not typically relocate their offices because of 6 months or a year of construction disruption; they tough it out and get through it. As a result, the office workers who patronize the coffee shops and small restaurants and service businesses in an office or industrial area are not put out of business by construction. No one likes construction, but the businesses are not devastated by it. But the 3 million annual visitors to the Central Waterfront each make a discretionary decision to come to the Central Waterfront. If access or parking are difficult or the experience of going there is unpleasant, they will choose to spend their leisure time somewhere else. Seattle Historic Waterfront Association members recognize that they will face impacts from the construction process. But we want to emphasize that it will be unusually important that the impacts of construction be mitigated as well as possible, kept as brief as possible, and to the greatest extent possible scheduled from mid-October through April.
- Pedestrians along Alaskan Way are as important as vehicles on Alaskan Way and are a major target of the new waterfront park and promenade. The experience of strolling

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Alaskan Way is an essential component of what draws visitors to the Central Waterfront and will become even more so when the viaduct is gone. If the sidewalks of Alaskan Way are cut off, or are in the midst of a construction site, visitors will not come.

- While the historic piers no longer serve as destinations for coal boats (they were built as the “northern Coal Piers” to handle coal from Coal Creek and Black Diamond) and later clipper ships from Asia as they originally did, the slips alongside the piers continue to function as berths for vessels that are important parts of the experience of Seattle for many of those visitors to the Central Waterfront. Victoria Clipper provides daily transportation year-round for visitors between Seattle and Victoria, B.C., three daily trips between Seattle and Victoria from early May until later September, and daily transportation between Seattle and Friday Harbor from late May to early September, with weekend transportation between Seattle and Friday Harbor from early May until late September. Argosy has five vessels that dock at Piers 55 and 56, providing harbor tours, locks tours, and the only commercial access to Tillicum Village, perhaps the prime concession of the Washington State Parks Department. Let’s Go Sailing gives visitors to Seattle an opportunity to sail Puget Sound from its berth at Pier 54. Parasailing occurs from Piers 57 and 66. As the project team considers the alternatives for seawall replacement, it needs to recognize that the areas alongside those piers need to continue to maintain navigable depth.

With those preliminary comments, the issues of greatest concern to the members of the Seattle Historic Waterfront Association are selection of alternatives, timing of construction activities, access to and along Alaskan Way during construction, disruption of parking availability and mitigation of impacts. In addition the EIS needs to recognize that Alaskan Way is the over-limit route for trucks through the city and also the Haz-Mat trucks route. Access needs to be maintained to all the piers at all times for the fire station next to Pier 53. Finally, of course, access needs to be maintained to Coleman Dock for ferry traffic.

## **SELECTION OF ALTERNATIVES**

During the many years of debate over whether the Alaskan Way viaduct should be replaced with a cut and cover tunnel using a new seawall as its western wall or a rebuilt viaduct, replacement of the Elliott Bay seawall was inextricably tied to the viaduct replacement. “Phase I” of the seawall replacement was from South Washington Street to Pine Street, not because of any studied conclusion that the greatest risk of failure was along that reach, or that the consequences of seawall failure in that location was more severe than in other areas that were more likely to fail with a lower intensity quake, but because that was where the cut and cover tunnel depended upon the seawall as its western wall or for support as the tunnel came out of the ground below

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the Pike Place Market. “Phase II” was never more than a vague concept, not because of a conclusion that it could be put off indefinitely, but rather because the City had no money for Phase II. The South Washington Street to Pine Street reach remained as “Phase I” if the rebuild was chosen to replace the viaduct because of then-Mayor Nickels’ insistence that there be an apples-to-apples comparison of the costs between the cut and cover tunnel and the rebuild. No one actually considered where the highest priorities for seawall replacement were. The replacement of the seawall south of Pine Street was planned to be uniform along the entire reach, not because the entire seawall necessarily has to be replaced in a uniform manner, but because the cut and cover tunnel required it to be uniform. Replacement of the seawall was designed to meet a 2,500-year earthquake standard, which had been adopted by no standards groups but had been proposed for critical highway projects, even though current Seattle seismic standards for modern buildings are based on a 500-year seismic event, suggesting that when the 2,500-year earthquake occurs, the seawall will stand while the bulk of the City is reduced to rubble. There was no disclosure of what the selection of the 2,500 year standard meant to the cost of the seawall replacement or the level of disruption to be caused during construction. All of the alternatives that were proposed for seawall replacement were extraordinarily disruptive of the waterfront, to the point that from the standpoint of the members of the Seattle Historic Waterfront Association, it was arguably preferable to leave the seawall in its current state than replace it. If construction of the replacement was going to be fatal to those businesses, they frankly preferred to take their chances with the next earthquake.

In the interim, the Seattle Art Museum demonstrated that at least in one location it was possible to replace the seawall at far less cost, and with essentially no disruption of the waterfront. Although the Art Museum’s solution may not be appropriate along the entire waterfront (among other things because the need to maintain navigation depth along the piers, discussed above), it raised the question of whether there may be other approaches to seawall replacement that have not been considered over the last decade and which could also be accomplished for less money, with less disruption, than the alternatives that have been considered in the past.

The Seattle Historic Waterfront Association urges the project team to start with a blank slate in considering alternatives for seawall replacement. The priorities in selection of alternatives should be reducing risk from seismic events, total cost including the cost of required mitigation of impacts, and minimization of disruption. That may change the approach to phasing, the physical nature of how the seawall is replaced, and the timing and sequencing of replacement.

While the removal of the viaduct will be occurring in proximity to the seawall replacement, any decision to combine the two construction projects should be based solely on a clear showing that doing so reduces cost and disruption from construction. Much of the years of debate over the cut and cover tunnel was based on an initial assumption that turned out to be false – namely that

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somehow by combining viaduct replacement with seawall replacement the cost of each would be lowered, or the seawall would be replaced for "free." As it turns out, making the seawall a wall of a major freeway is both the most expensive way to build a freeway, and the most difficult way to build a seawall. Do not make a similar mistake of combining the seawall replacement with the viaduct removal, without clearly analyzing the costs and benefits of such a combination.

### **TIMING OF CONSTRUCTION**

As discussed above, the timing of construction may be the single most important factor in minimizing the impacts of construction of the seawall replacement. From mid-October through April, if the construction process makes it difficult or unpleasant to be on the Waterfront, that can be survived. Even during those months, provision will have to be made for the hundreds of school buses bringing school children to the Seattle Aquarium and the 60 or so large trucks that visit each pier each week (deliveries, pick-ups, garbage, recycling, compost, repairs), but the businesses on the Waterfront can survive the loss of business during that time. On the other hand, because the ambience of the Waterfront is critical to the entire customer base of the members of the Seattle Historic Waterfront Association, construction on the Waterfront from May through October, when they depend on visitors to the Waterfront, is potentially devastating. The Seattle Historic Waterfront Association spent literally hundreds of hours with the City discussing whether it was possible to mitigate the impact on those businesses of construction during that period, and the ultimate conclusion was that it is not. As discussed above, there is simply no customer base for the Seattle Historic Waterfront Association that will come despite the inconvenience of getting to the Waterfront or the unpleasantness of a construction site once they are there. The only mitigation for construction during the months of May through October is compensation to allow the businesses to maintain their core staffs until the disruption is over.

### **ACCESS TO AND ALONG ALASKAN WAY DURING CONSTRUCTION**

In the years of discussion about viaduct replacement, WSDOT and SDOT often made the mistake of viewing Alaskan Way as a street for getting from someplace to the north to someplace to the south of the Central Waterfront. It is also a destination in and of itself. It is occupied not only by vehicles, but by pedestrians. In August 2006 the Seattle Historic Waterfront Association conducted a one-day pedestrian count at six locations along Alaskan Way and counted as many as 2,225 pedestrians along the waterfront in one fifteen minute period, 8,097 pedestrians on the Waterfront at the peak hour, and 62,399 pedestrians along the waterfront during the 10 hours (11 a.m. to 9 p.m.) of the survey. Those are, of course, the customer base of the Seattle Historic Waterfront Association. Any construction during the months of May through October must allow for that volume of pedestrian usage or recognize that its failure to do so is an impact that must be mitigated.

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The baseline pedestrian study conducted for the viaduct replacement EIS is defective. It was conducted during November. We don't know if it was raining at the time, but not surprisingly, given the fact that it is dark by 4:30 in November and in general the Waterfront has very limited pedestrian usage during the dark and rainy months, the only concentration of pedestrians the earlier study found was approaching the Washington State Ferry terminal. If construction of the seawall replacement is limited to the dark and rainy months, that study may be an accurate description of the baseline, but if construction occurs during the May through mid-October period, it is not.

When the viaduct is removed, vehicle traffic on Alaskan Way itself is expected to increase by as much as four times, as traffic coming to and from the Ballard/Magnolia area is diverted onto Alaskan Way and traffic coming up SR 99 from the south towards downtown Seattle is distributed onto the City's downtown streets from Alaskan Way. That will place a premium on the limited traffic lanes on Alaskan Way, and make lane closures more problematic. Phase II – however it may be ultimately defined – is likely to occur after the removal of the viaduct. The EIS needs to identify the impact of any lane closures and the mitigation that will be required in order to maintain traffic through the City during construction.

## **DISRUPTION OF PARKING**

As discussed above, adequate parking for out of town visitors and buses is perhaps the single greatest limiting factor for the growth of businesses on the Waterfront. That is matter of serious discussion between the Seattle Historic Waterfront Association and the City as the City considers removal of the viaduct. If any construction of the seawall replacement must occur during the months of May through October, the project team must insure that no parking places are taken by construction workers, and as few parking places as possible are taken for any other purpose related to the seawall.

## **MITIGATION**

As described above, the most important mitigation of impacts of the seawall replacement will come from finding a new approach that is less disruptive than the approaches that have been proposed in the past, and in keeping seawall construction to the periods of mid-October through April. We urge the project team to focus its efforts on that. If it is unable to achieve that, however, then it will be essential that the draft EIS fully disclose the construction impacts of the proposed alternatives and the mitigation that is being proposed or that would be possible to mitigate those impacts. The EISs for the viaduct replacement tended to leave identification of mitigation to some later time, or to the final EIS. That is not acceptable under either SEPA or NEPA. SEPA and NEPA presume that the mitigation will be disclosed in the draft EIS so that

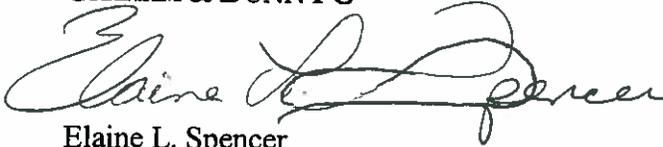
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the public knows what mitigation is being proposed and can comment on its adequacy prior to preparation of the FEIS.

Thank you for the opportunity to comment on the scope of the EIS for the seawall replacement. The selection of alternatives and the disclosure and mitigation of impacts of this important public process are critical to the members of the Seattle Historic Waterfront Association. They are ready and willing to meet with the project team at any time to assist in the project team's understanding of the environment in which the project will occur, and the mitigation that can allow the members of the Seattle Historic Waterfront Association to remain as much a part of the City's future as they are of its past.

Sincerely,

**GRAHAM & DUNN PC**



Elaine L. Spencer

ELS/els

cc: Bob Donegan, Pier 54, Ivar's  
Kyle Griffith, Pier 57, Miner's Landing  
Kevin Clark, Pier 55-56, Argosy  
H. Martin Smith III, Piers 55 and 56  
Darrell Bryan, Pier 69, Victoria Clipper  
Bob Davidson, Pier 59-60, Seattle Aquarium Society  
Dave Cocks, Edgewater Hotel

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