

# Chapter 7

## Regulatory Coordination and Compliance

This chapter explains the relevant federal, state, and local laws and regulations applicable to the project, describes the current status of compliance with these laws and regulations, and summarizes the agency and public involvement conducted to date. Additional regulatory compliance activities will continue during the project design process to ensure that all appropriate environmental approvals and permits are obtained.

### 7.1 Federal Laws and Regulations

#### National Environmental Policy Act

The National Environmental Policy Act (42 USC 4321) requires federal agencies to consider affects to the environment along with the technical, social, and economic considerations that drive federal decision making. An environmental impact assessment includes the evaluation of reasonable alternatives for a proposed federal action; solicitation of input from organizations and individuals who could potentially be affected by the action; and the evaluation of direct, indirect, and cumulative environmental effects.

NEPA compliance for the Elliott Bay Seawall Project will be the responsibility of USACE as part of its regulatory (permitting) process. The USACE Planning Branch will also be conducting a NEPA review as part of its feasibility study for the Elliott Bay Seawall Project.

#### Clean Water Act

The purpose of the Clean Water Act (33 USC 1251) is to provide the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

For the Elliott Bay Seawall Project, the USACE Seattle District implements the Section 404 program and has developed local requirements regarding specific types of dredge, fill, and mitigation. Ecology implements the Section 401 and 402 NPDES programs to reduce discharges of pollutants into water bodies, except on federal or tribal lands where EPA implements the programs. Coordination with both USACE and Ecology is ongoing to facilitate compliance with the Clean Water Act.

## Clean Water Act, Sections 404 and 401 (Public Law No. 92-500)

The in-water habitat improvements proposed as part of the project, including habitat benches, subtidal cobble reefs, and subtidal substrate enhancements, fall under Sections 401 and 404 of the Clean Water Act. In addition, any construction adjacent to or in a waterbody is subject to Section 401. Compliance with Sections 401 and 404 is required before dredged or fill material may be discharged into the waters of the United States, including Elliott Bay.

Intertidal habitat benches are being developed as a continuous corridor along the downtown Seattle waterfront. The habitat benches are rock structures with a fine-substrate surface placed adjacent to the seawall face in order to construct a shallow nearshore area to serve as a salmon migratory corridor. The benches are designed to be relatively stable and resistant to toe scour at the base of the seawall. Subtidal reefs consist of 6- to 12-inch cobbles placed at an elevation ranging between -25 and -30 feet North American Vertical Datum of 1988 (NAVD 88). The cobbles would create a substrate upon which kelp could attach, thereby promoting the growth of kelp beds along the shoreline. Subtidal substrate enhancement consists of the placement of pea gravel and shell hash at an elevation between -10 and -15 feet NAVD 88 to provide habitat and cover for juvenile crabs and rockfish.

## Clean Water Act, Section 402 (Public Law No. 92-500)

An NPDES construction stormwater general permit would be required for the project since there would be more than 1 acre of land-disturbing activity with the potential for construction stormwater runoff to enter waters of the state. The construction stormwater NPDES permit is approved by Ecology.

## Rivers and Harbors Act

The Rivers and Harbors Act, which was enacted in 1899 (33 USC 403), prohibits the construction of various types of structures or the placement of fill in navigable waterways without approval from the United States Army Corps of Engineers and/or the United States Coast Guard. Sections 9 and 10 of this act require that the construction of any bridge, dam, pier, wharf, bulkhead, or other similar structure be evaluated to ensure that it would not adversely affect navigation. A Section 10 permit is required before any work in, over, or under navigable waters of the United States, or any work that could affect the course, location, condition, or capacity of such waters.

A Section 10 permit or approval from USACE is required for the project. The placement of material for the habitat benches, subtidal reefs, and subtidal substrate enhancement would be designed so as to not interfere with navigation in Elliott Bay or at the slips and piers along the seawall. Temporary walkways between Piers 54 and 55 and between Piers 56 and 57 are being considered in Zone 3 for pedestrian, vehicular, and/or emergency access. The walkways would need to be placed so as

## Clean Water Act

Key sections of the Clean Water Act that are relevant to the Elliott Bay Seawall Project include:

- Section 404 to prevent discharge of dredged or fill material into waters of the United States and special aquatic sites and wetlands unless there are no other practicable alternatives;
- Section 401 whereby the states certify that discharges into water bodies would not degrade water quality; and
- Section 402, National Pollutant Discharge Elimination System, to require discharges from point sources and nonpoint sources to be reviewed and approved with monitoring requirements.

to not interfere with current navigation and boat usage adjacent to these piers, in coordination with the U.S. Coast Guard; these walkways would not require a Bridge Permit.

## **Endangered Species Act**

The Endangered Species Act of 1973 (16 USC 1531) was created to protect and recover listed or proposed species and the ecosystems on which they depend. Section 7 of the Endangered Species Act requires federal agencies to ensure that any federal agency action (any action authorized, funded, or carried out by the federal agency) is not likely to jeopardize the continued existence of any listed or proposed species. Agencies are further required to develop and carry out conservation programs for these species. In accordance with Section 7 of the Endangered Species Act, federally funded, constructed, permitted, or licensed projects must identify and evaluate any threatened and endangered species and their critical habitat that may be affected by an action proposed by that agency.

Consultation with USFWS and NOAA under Section 7 is currently ongoing for the project.

## **Marine Mammal Protection Act**

The Marine Mammal Protection Act (16 USC 1631) was enacted in 1972 to protect marine mammals and prohibit the “take” of these species under most circumstances. This act was amended in 1994 to allow take under certain circumstances and establish a program to conduct stock assessments of all species present in waters of the United States. Construction activities that may affect marine mammal species, such as those that create sound and vibration, need to be evaluated by the NOAA Office of Protected Resources for the project. Approval for construction activities can be provided in the form of an Incidental Take Authorization, Incidental Harassment Authorization, or Letter of Authorization.

Construction of the Elliott Bay Seawall Project would likely generate sounds that could affect marine mammals; therefore, consultation with NOAA currently is ongoing.

## **Magnuson-Stevens Fishery Conservation and Management Act**

The Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1806) was enacted to provide conservation and management of fisheries in response to critical declines in numerous stocks throughout the waters of the United States. It also provides for the protection of essential fish habitat.

Evaluation of the Elliott Bay Seawall Project effects on essential fish habitat regulated under the Magnuson-Stevens Fishery Conservation and Management Act is being conducted concurrently with the

consultation with NOAA under Section 7 of the Endangered Species Act. Conservation measures would be included as part of the proposed action in order to adequately avoid, minimize, or otherwise offset potential adverse effects on essential fish habitat. Consultation with NOAA under the Magnuson-Stevens Fishery Conservation and Management Act is currently ongoing for the project.

### **Bald and Golden Eagle Protection Act**

The Bald and Golden Eagle Protection Act (16 USC 668) prohibits the “take,” possession, or commerce of bald eagles and golden eagles, except under certain circumstances. Amendments in 1972 added penalties for violations of the act or related regulations. Projects should consider the potential for effects on bald eagles and golden eagles, even though they are not listed under the Endangered Species Act.

### **Coastal Zone Management Act**

The Coastal Zone Management Act (16 USC 1451) was enacted in 1972 to help manage continued growth and development within the coastal zone of the United States and balance economic development and environmental resource needs. The Coastal Zone Management Act is overseen by NOAA, but the primary regulatory authority has been delegated to the states to carry out federally approved state coastal zone management programs. Federal actions are required to be consistent to the maximum extent practicable with the enforceable provisions of the Washington State Coastal Zone Management program. The program includes the Shoreline Management Act, SEPA, the Water Pollution Control Act, the Clean Air Act, the Ocean Resources Management Act, and the Energy Facility Site Evaluation Council Act. Ecology reviews projects under the Coastal Zone Management Act and ensures that a project complies with state environmental requirements and permits through the laws in the Coastal Zone Management program.

The Elliott Bay Seawall Project is located in King County, one of fifteen counties in Washington State’s coastal zone, and must comply with the state’s program. Coordination with Ecology is ongoing.

### **Clean Air Act**

The Clean Air Act (42 USC 85) gives the U.S. Environmental Protection Agency the authority to protect and improve the nation’s air quality and stratospheric ozone layer. Key elements of the law include reducing levels of common air pollutants, prohibiting significant degradation of air quality such as that from point sources, and reducing vehicle emissions of pollutants.

States have assumed primary responsibility for enforcing most federal industrial-source emission standards and industrial-source review requirements, with EPA responsible for formal review and oversight. The Washington State Clean Air Act requirements generally are

integrated with federal requirements, resulting in a consolidated permit program. The Puget Sound Clean Air Agency is the regional agency with primary responsibility for managing air quality in King, Kitsap, Pierce, and Snohomish Counties. The Puget Sound Clean Air Agency also has certain mandates that are required by the federal Clean Air Act and the Washington State Clean Air Act. These include activities such as monitoring for air pollution throughout the Puget Sound region and regulating businesses that have the potential to cause air pollution.

Elliott Bay Seawall Project effects related to air quality were considered relative to the requirements of the Washington State Clean Air Act. The project would not be a major source of air pollutants; therefore, no permit from EPA is required.

## **National Historic Preservation Act**

The National Historic Preservation Act (16 USC 470) is federal legislation intended to preserve historical and archaeological sites. The act created the National Register of Historic Places (NRHP) and the State Historic Preservation Offices, and requires that the effects of proposed federal actions on sites, buildings, structures, or objects included on or eligible for listing on the NRHP must be identified and evaluated.

The Elliott Bay Seawall Project would require federal permit approvals and, therefore, must comply with the National Historic Preservation Act. A preliminary evaluation has been conducted to determine if historic structures are adjacent to the project area or if the project area is within immediate viewsheds that are eligible for the NRHP. Coordination with the State Historic Preservation Officer and appropriate Native American tribes is ongoing.

## **Native American Graves Protection and Repatriation Act**

The Native American Graves Protection and Repatriation Act (25 USC 3001) provides protection and a process for federal agencies and museums to return Native American and Native Hawaiian cultural artifacts to tribes. The Native American Graves Protection and Repatriation Act requires federal agencies to consult with the appropriate tribes should any Native American graves or cultural artifacts be encountered during the construction of a project.

The Elliott Bay Seawall Project would have an Inadvertent Discovery Plan in place to coordinate with the appropriate federal, state, and Tribal agencies should any graves or cultural artifacts be discovered.

## **American Indian Religious Freedom Act**

The American Indian Religious Freedom Act (42 USC 1996) requires federal agencies to protect and respect Native American religious practices and to allow tribal members access to culturally significant or sacred places.

## **Uniform Relocation Assistance and Real Property Acquisition Policies Act**

The Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Relocation Act) (49 CFR 24) establishes minimum standards for federally funded programs and projects that need federal permits that require the acquisition of real property (real estate) or displace persons from their homes, businesses, or farms. The protections and assistance afforded by the Uniform Relocation Act apply to the acquisition, rehabilitation, or demolition of real property for federally funded or permitted projects.

If the Elliott Bay Seawall Project requires the acquisition of real property or displacement of a business, the procedures of the Uniform Relocation Act would be followed.

## **7.2 State and Local Laws and Regulations**

### **State Environmental Policy Act**

The Washington State Environmental Policy Act (SEPA) was established in 1971 to provide a framework for agencies to consider the environmental consequences of a proposal before taking action. SEPA requires that state and local government agencies “utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man’s environment”. SEPA (RCW 43.21) is modeled on NEPA and requires state and local agencies to identify and consider the potential environmental effects of their actions.

This Draft EIS for the Elliott Bay Seawall Project is being prepared pursuant to SEPA.

### **Shoreline Management Act**

The Washington Shoreline Management Act (RCW 90.58) requires state and local agencies to prevent inherent harm in the uncoordinated and piecemeal development of state shorelines. Three main elements of the act should be promoted in all state and local programs: accommodation of appropriate uses, protection of environmental resources, and public access. The City implements its Shoreline Management Program for all shoreline areas within the city limits, with oversight by Ecology.

### **Washington Shoreline Management Act**

The City’s Shoreline Management Plan was prepared in response to the Washington Shoreline Management Act. All elements of the City’s Shoreline Management Plan must be approved by Ecology. The following section discusses the Seattle Shoreline Management Program and its relationship to the project.

## Seattle Shoreline Master Program

This discussion of the applicability of the Seattle Shoreline Master Program is based on the program as of October 2012. Once the updated Shoreline Master Program has been approved by the Seattle City Council and Ecology, this discussion will be updated accordingly.

The Seattle Shoreline Master Program goals and policies are codified in the Seattle Comprehensive Plan. The Elliott Bay Seawall Project complies with all three policy goals: preferred shoreline uses, environmental protection, and public access.

The Shoreline Code (SMC 23.60) generally applies to lands within 200 feet of the ordinary high water line in all directions (upland and waterward). The ordinary high water line is generally located at the seawall. In those instances where the proposed action would result in the wall being moved landward 10 to 75 feet from the existing wall location, property not currently within the shoreline district could come under the jurisdiction of the Shoreline Code. The state legislature passed an amendment in 2009 (House Bill 2199) to establish relief procedures for instances in which a shoreline restoration project within an urban growth area creates a shift in ordinary high water, and this shift creates a use hardship for properties subject to new or extra regulation. Nearly all lots on the east side of Alaskan Way are within 200 feet of the existing shoreline. Under the maximum proposed seawall setback of 75 feet for Alternative B in Zone 4, no additional lots appear to be subject to the Shoreline Code, although additional portions of existing lots within the shoreline district could be subject to new or extra regulations of the code.

## Model Toxics Control Act

The Washington State Model Toxics Control Act (MTCA) ( RCW 70.105D) sets strict cleanup standards to ensure that the quality of cleanup and protection of human health and the environment are not compromised. At the same time, the rules that guide cleanup under the MTCA have built-in flexibility to allow cleanup to be addressed on a site-specific basis.

Several of the habitat improvements proposed as part of the Elliott Bay Seawall Project would occur within or adjacent to active MTCA sediment cleanup sites. Installation of these improvements and enhanced aquatic substrate areas would provide new uncontaminated surfaces and contain underlying contaminated sediments, substantially improving aquatic habitat conditions and reducing overall risk from contamination for nearshore aquatic species.

## Washington Hydraulic Code

The Washington Hydraulic Code (RCW 75.20) was enacted to protect fish life in Washington State. The code provides regulatory authority on the construction of projects or other work that could divert, obstruct, or change the flow or the bed of natural salt or fresh waters of the state.

## Seattle Shoreline Master Program Policy Goals

The three major policy goals of the Seattle Shoreline Master Program are:

- **Preferred Shoreline Uses:** The Shoreline Management Act establishes a preference for uses that are water-oriented and appropriate for the environmental context (such as port facilities, shoreline recreational uses, and water-dependent businesses).
- **Environmental Protection:** The Shoreline Management Act requires protections for shoreline natural resources, including "...the land and its vegetation and wildlife, and the water of the state and their aquatic life..." to ensure no net loss of ecological function.
- **Public Access:** The Shoreline Management Act promotes public access to shorelines by mandating inclusion of a public access element in local Shoreline Master Programs and requiring provisions to ensure that new development maintains public access features.

The Washington Hydraulic Code also sets forth a program for Hydraulic Project Approvals implemented by the Washington Department of Fish and Wildlife (WDFW). State waters include all marine and fresh waters of the state except those that are entirely artificial.

Under the Washington Hydraulic Code, Elliott Bay is considered a regulated state water. Coordination with WDFW has been initiated and is ongoing for the project. The City is applying for a Hydraulic Project Approval and would comply with the terms of that approval for work in Elliott Bay. The City has been coordinating with WDFW as the habitat improvements have been developed and will continue the coordination effort as the design is refined.

### **Aquatic Land Use Authorization**

The Washington State Aquatic Lands Act of 1984 (RCW 79.105) provides for the protection and management of state-owned aquatic lands. These aquatic lands include tidelands, shorelines of navigable rivers and lakes, beds of marine and fresh waters, lands in harbor areas and waterways, and some filled aquatic lands. The Washington Department of Natural Resources (WDNR) acts as a land manager with the authority to lease or grant easements on aquatic land to tenants on behalf of the owners.

The WDNR owns aquatic lands in Elliott Bay and allows use or leases for certain activities on its lands. The Elliott Bay Seawall itself is not on WDNR land. The seawall is closest to WDNR land at its north end, near Pier 70. Farther south along the seawall, WDNR lands are located a greater distance waterward. Most, if not all, of the proposed habitat improvements (subtidal reefs and subtidal substrate enhancements) would likely need to be installed on WDNR land. The agency has expressed interest in collaborating on the development of alternatives that satisfy WDNR and USACE interests. Coordination with WDNR has been initiated and is ongoing for the project as required by the Washington State Aquatic Lands Act.

### **King County Industrial Wastewater Discharge Permit or Authorization**

Title 28 of the King County Code sets forth uniform requirements for users of the metropolitan sewer system and enables King County to comply with all applicable state and federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR 403). Any industrial discharge of wastewater to the King County sewer system requires a discharge authorization or permit that outlines how the discharger must comply with appropriate discharge limits and pretreatment requirements. Construction dewatering (including decant water, contaminated non-process water, and contaminated stormwater and groundwater) can be considered an industrial discharge.

The Elliott Bay Seawall Project would be required to obtain a discharge authorization or permit from King County.

### **City of Seattle Noise Ordinance**

The City's Noise Ordinance (SMC 25.08) is administered by the Seattle Department of Planning and Development and sets forth regulations to control the level of noise in a manner that promotes commerce; the use, value, and enjoyment of property; sleep and repose; and the quality of the environment. Relief from the requirements of the Noise Ordinance may be granted through a variance. A Noise Variance can be granted for a project that exceeds exterior sound-level limits during the construction of the project, provided it complies with the requirements of the variance. Coordination with the Department of Planning and Development has been initiated and is ongoing for the project.

### **Local Historic Preservation Approval**

The City of Seattle has developed regulations to protect historic structures, sites, objects, and vessels, as well as historic districts throughout Seattle. The Seattle Department of Neighborhoods implements this program. Approval is required before the Department of Neighborhoods will issue permits for work that may result in any change to a structure or site in a preservation district or to a designated landmark.

Project activities near the piers that are designated landmarks (Piers 54 to 59) would be reviewed as needed by the Seattle Department of Neighborhoods under the Seattle Landmarks Preservation Ordinance (SMC 25.12), and they would be initiated only with a certificate of approval if one is required. Activities in the Waterfront Historic Character area would be reviewed as needed by the Department of Neighborhoods under SMC 23.60.704.

Coordination with the Pioneer Square Historic District has been initiated and is ongoing for the project. A certificate of approval would also be required from the Department of Neighborhoods after recommendation from the Pioneer Square Preservation Board. Coordination with the Pike Place Market Historic District and Landmarks Preservation Board would be initiated once the potential effects on these resources are better understood.

### **Puget Sound Regional Council VISION 2040 and Transportation 2040**

The replacement of the Elliott Bay Seawall would support the maintenance and preservation of the Alaskan Way surface street and utility infrastructure, support access to the ferry system, support the economy of the waterfront business community, and provide habitat improvements, including a migratory fish corridor. All of these elements are consistent with goals and policies enumerated in VISION 2040 and Transportation 2040 (Table 7-1).

**Table 7-1. Puget Sound Regional Council VISION 2040 and Transportation 2040 Policies Supported by the Elliott Bay Seawall Project**

<b>Policy</b>	<b>Description</b>
MPP-En-10	Preserve and enhance habitat to prevent species from inclusion on the Endangered Species List and to accelerate their removal from the list.
MPP-En-11	Identify and protect wildlife corridors both inside and outside the urban growth area.
MPP-En-12	Preserve and restore native vegetation to protect habitat, especially where it contributes to the overall ecological function and where invasive species are a significant threat to native ecosystems.
MPP-Ec-6	Ensure the efficient flow of people, goods, services, and information in and through the region with infrastructure investments, particularly in and connecting designated centers, to meet the distinctive needs of the regional economy.
MPP-T-2	Protect the investment in the existing system and lower overall life-cycle costs through effective maintenance and preservation programs.
MPP-T-8	Protect the transportation system against disaster, develop prevention and recovery strategies, and plan for coordinated responses.
MPP-T-16	Promote and incorporate bicycle and pedestrian travel as important modes of transportation by providing facilities and reliable connections.

## Seattle Capital Improvement Program

Replacement of the Elliott Bay Seawall is included in the adopted 2012–2017 Capital Improvement Program as a component of the Alaskan Way Viaduct and Seawall Replacement Program.

## Seattle Comprehensive Plan

The Seattle Comprehensive Plan includes several overarching policies that apply to the project:

- CFG1: Provide capital facilities that will serve the most pressing needs of the greatest number of Seattle citizens and that will enable the City to deliver services efficiently to its constituents
- CFG2: Preserve the physical integrity of the City’s valuable capital assets and gradually reduce the major maintenance backlog
- CFG3: Make capital investments consistent with the vision of the Comprehensive Plan, including the urban village strategy
- CFG9: Encourage the protection of City-owned historic facilities when planning for alteration or maintenance of these facilities

The goals and policies of the Seattle Comprehensive Plan that are pertinent to the project are described in more detail in the following sections.

## Shoreline Use Goals and Policies

The City and its contractors would use BMPs during construction to protect geologically and biologically fragile areas. The habitat elements of the three build alternatives are also designed to enhance the biological conditions along the downtown Seattle waterfront for fish migration and ecosystem productivity. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-2).

**Table 7-2. Seattle Comprehensive Plan Shoreline Use Goals and Policies Applicable to the Elliott Bay Seawall Project**

Policy	Description
LUG43	Protect those areas of shoreline that are geologically dangerous or fragile, or biologically fragile.

## Shoreline Access Goals and Policies

The three build alternatives are being designed to continue and expand the visual and physical public access to the Elliott Bay shoreline. All existing points of pedestrian access to the waterfront would remain under each of the build alternatives. In an option considered under Alternatives B and C, Zone 1 could provide pedestrian access for viewing an intertidal habitat bench. Also, under Alternative B, the water plaza option in Zone 4 would provide additional views of tide pools and aquatic life. Finally, Alternatives B and C would provide new enhanced viewpoints waterward of the existing sidewalk at various locations between piers along the downtown Seattle waterfront.

The existing sidewalks along the west side of Alaskan Way would be replaced. The waterfront multi-use trail would be extended two blocks to Broad Street, connecting it to the trail in Olympic Sculpture Park and then on to Myrtle Edwards Park, thereby providing continuous pedestrian and bicycle access along the downtown Seattle waterfront.

All protected views from downtown Seattle to Elliott Bay and the west would be maintained and would meet the requirements of SMC 25.05. The Visual Quality Assessment (Appendix K) provides additional detail about the protection of views.

The project is being designed to allow unfettered access to docks and piers by ferries, boats, and other water-borne vehicles both during construction and after project completion. The use of barges and other watercraft during construction would be coordinated with pier/dock owners and boat operators to minimize any disruption to access. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-3).

**Table 7-3. Seattle Comprehensive Plan Shoreline Access Goals and Policies Applicable to the Elliott Bay Seawall Project**

<b>Policy</b>	<b>Description</b>
LUG44	Provide for the optimum amount of public access—both physical and visual—to the shorelines of Seattle.
LUG45	Preserve and enhance views of the shoreline and water from upland areas where appropriate.
LU235	Increase opportunities for substantial numbers of people to enjoy the shorelines, by permitting non-water-dependent uses providing public access to locate in waterfront areas less suited for water-dependent uses and by requiring public access on public property.
LU236	Promote public enjoyment of the shorelines through public access standards by requiring improvements that are safe, well designed, and offer adequate access to the water.
LU237	<p>Except for single-family residences, maintain standards and criteria for public access and private use of publicly owned or controlled shorelines to achieve the following:</p> <ul style="list-style-type: none"> <li>• Provide linkages between shoreline public facilities via trails, paths, etc., to connect with terminal boating and other recreational facilities.</li> <li>• Require public agencies such as the City of Seattle, Port of Seattle, and King County Metro, etc., to provide public access opportunities at new shorelines facilities and encourage these agencies to provide similar opportunities in existing facilities.</li> <li>• Provide standards and criteria for views and visual access from upland and shoreline areas.</li> <li>• Give priority to the operating requirements of the water-dependent and water-related uses over preservation of views in those environments where water-dependent uses are encouraged.</li> </ul>

**Transportation Goals and Policies**

Existing sidewalks would be restored, the waterfront multi-use trail would be extended two blocks to Broad Street, and Alaskan Way would be rebuilt as part of the project. These actions would continue to support and enhance public and private uses along the downtown Seattle waterfront. The reconstruction of the seawall would also provide a sound structural base for the Alaskan Way surface street as specifically called for in Policy LU241.

The reconstruction of the seawall would support current and future use of vehicular and pedestrian ferry services operated by Washington State Ferries, King County, and the Port of Kingston, as well as Argosy Cruises service to Blake Island State Park. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-4).

**Table 7-4. Seattle Comprehensive Plan Transportation Goals and Policies Applicable to the Elliott Bay Seawall Project**

<b>Policy</b>	<b>Description</b>
LUG46	Develop a transportation network that supports and enhances use of and access to the shorelines.
LU240	Encourage the maintenance and future development of inter-modal commuter ferry services, complementary to other public transportation systems, from both intra-city locations and regional activity centers.

Policy	Description
LU241	<ul style="list-style-type: none"> <li>• Streets, highways, freeways, and railroads should be located away from the shoreline in order to maximize the area of waterfront lots and minimize the area of upland lots. Streets, highways, freeways, and railroads not needed for access to shoreline lots shall be discouraged in the Shoreline District. A replacement for the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway without tunnel) may be located in the Shoreline District because it represents a critical link in the transportation network.</li> <li>• To facilitate expeditious construction in an environmentally and fiscally responsible manner, standards for major state and regional transportation projects should be considered that will allow flexibility in construction staging, utility relocation, and construction-related mitigation and uses, provided that the projects result in no net loss of ecological function.</li> </ul>

## Conservation Goals and Policies

A key component of the purpose and need statement for the project is to “improve the degraded ecosystem functions and processes of the Elliott Bay nearshore in the vicinity of the existing seawall.” A number of habitat elements have been included in all three build alternatives to support aquatic life, including habitat benches, LPS, textured walls, riparian plants and planter boxes, subtidal reefs, and subtidal substrate enhancements. The locations of the habitat improvements take into account natural conditions, including tides and wave energy.

Care would be taken during construction to minimize harm to the existing aquatic habitat. The currently designated in-water work window extends from August 1 to February 15, but the allowable work windows would be reconfirmed during the permitting process. Other measures would be implemented to minimize construction-related sediment contamination, water-borne contaminants, and turbidity due to the removal of fill materials from behind the existing seawall.

As part of the planning process for the project, several studies that are being conducted focus on fish migratory patterns, seasonality, and use of the project area. The results of these studies will influence final decisions on habitat improvements and the timing of construction relative to the periods of fish migration along the seawall.

In-water fill would generally be limited to habitat enhancements, such as habitat benches, subtidal reefs, and subtidal substrate enhancements. Dredging would be limited to the removal of riprap and other sediments in limited locations, where necessary, to facilitate seawall or habitat construction. In-water work would occur outside the primary fish migration periods, and it would be completed in a manner that minimizes adverse effects on habitat and water quality. See the Fish, Wildlife, and Vegetation Discipline Report, the Water Resources Discipline Report, and the Contaminated Materials Discipline Report (Appendices L, M, and O, respectively) for additional discussion. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-5).

**Table 7-5. Seattle Comprehensive Plan Conservation Goals and Policies Applicable to the Elliott Bay Seawall Project**

<b>Policy</b>	<b>Description</b>
LUG48	Preserve, protect and restore areas such as those necessary for the support of wild and aquatic life or those identified as having geological or biological significance.
LUG49	Ensure that all future uses will preserve and protect environmental systems, including wild and aquatic life.
LUG50	Ensure continuing scientific study of Seattle shoreline ecosystems.
LU247	Areas identified as special wildlife or fisheries habitat should be developed only if no reasonable alternative locations exist and then only if the project is designed to minimize and mitigate habitat damage.
LU248	Require that all commercial, industrial or other high activity uses provide means for treating natural or artificial urban run-off to acceptable standards. Developments with industrial and commercial uses that use or process substances potentially harmful to public health and/or aquatic life shall provide means to prevent, to the extent possible, point and non-point discharge of the harmful substances.
LU249	Dredging and disposal of dredge materials shall be conducted in a manner that minimizes short and long-term environmental damage.
LU250	Permit landfill on submerged land that does not create dry land where necessary for a water-dependent or water-related use, for the replacement of the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway without tunnel), for the installation of a bridge or utility line, or for wildlife or fisheries habitat mitigation or enhancement. Permit landfill that creates dry land only where necessary for the operation of a water-dependent or water-related use, for the replacement of the State Route 99 Viaduct (only for seawall reconstruction and either a tunnel with a surface roadway or a surface roadway), to repair pocket erosion, or for wildlife habitat mitigation or enhancement. Large amounts of dry land may be created in Lake Union only if specifically approved by the Council for a public park purpose.
LU251	Identify those areas that have potential for restoration to “natural” conditions, develop standards for the conditions in those areas, and provide incentives for achieving such standards.

### **Economic Development Goals and Policies**

The three build alternatives support existing and future uses along the downtown Seattle waterfront, including water-dependent businesses. A reconstructed seawall with a restored roadway and sidewalks would provide stable access to waterfront piers and continuous pedestrian and vehicular access along the waterfront. Measures would be taken during construction to reduce effects on businesses, including a likely construction shutdown from Memorial Day weekend through Labor Day weekend. A full analysis of economic effects and proposed mitigation can be found in the Economics Discipline Report (Appendix D). All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-6).

**Table 7-6. Seattle Comprehensive Plan Economic Goals and Policies Applicable to the Elliott Bay Seawall Project**

<b>Policy</b>	<b>Description</b>
LUG51	Encourage economic activity and development of water-dependent uses by supporting the retention and expansion of existing water-dependent businesses and planning for the creation of new developments in areas now dedicated to such use.
LUG52	Allow a multi-use concept of development, provided that the major use is water-dependent and that it provides public access to the shoreline yet maintains the economic viability of the use.
LU254	Concentrate industrial and commercial shoreline uses by supporting the retention and expansion of existing water-dependent businesses, and planning for the creation of new developments in areas now dedicated to such use.

### Recreation Goals and Policies

Under Alternative B, short-stay boat moorage is proposed at Washington Street Boat Landing, restoring a use that has been provided at this location in the past. Current views along the downtown Seattle waterfront would remain intact under all three build alternatives, while additional viewing points, especially at specific between-pier locations, are proposed under Alternatives B and C. Public-access points would provide many of the viewing opportunities along the waterfront. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-7).

**Table 7-7. Seattle Comprehensive Plan Recreation Goals and Policies Applicable to the Elliott Bay Seawall Project**

<b>Policy</b>	<b>Description</b>
LU258	Allow for increased opportunity for the public to enjoy water-dependent recreation including boating, fishing, swimming, diving, and enjoyment of views.
LU260	Provide for recreational boating facilities including terminals, moorage, and service facilities on publicly-owned land and encourage the provision of such facilities on private property, if the environmental impact is acceptable.
LU262	Explore alternative means (other than acquisition) to provide public recreation at the shoreline and on the water.

### History, Culture, Restoration, and Enhancement Goals and Policies

Care is being taken during the project design to complement the historic elements along the downtown Seattle waterfront, especially the historic piers. Replication or reuse of the existing seawall railing (a historic feature) is under consideration as one element of the seawall design. Riparian plantings (included in all three build alternatives) and new land- or water-oriented elements (Alternative B, Zone 4) would result in upgrades and beautification along the public shoreline. See the Cultural, Historic, and Archaeological Resources Discipline Report (Appendix F)

for additional details. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-8).

**Table 7-8. Seattle Comprehensive Plan History, Culture, Restoration, and Enhancement Goals and Policies Applicable to the Elliott Bay Seawall Project**

Policy	Description
LUG58	Upgrade and/or beautify the public shoreline.
LU264	Support and encourage the restoration, preservation and maintenance of areas of the shoreline having significant historical or cultural significance, and a program for shoreline restoration and beautification.

**Area Objectives**

The three build alternatives reflect the different uses along the Central Seawall and the North Seawall, and they would protect and enhance natural areas and views of the water. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-9).

**Table 7-9. Seattle Comprehensive Plan Area Objectives Goals and Policies Applicable to the Elliott Bay Seawall Project**

Policy	Description
LUG60	Recognize the unique opportunities in different areas of our shorelines to accommodate different types of water-dependent businesses and shoreline recreation, and to protect and enhance natural areas and views of the water.

**Other Seattle Comprehensive Plan Goals and Objectives**

The project is being planned to support the downtown neighborhood policies listed in the sidebar, including revitalizing the downtown Seattle waterfront, encouraging marine uses, providing public access and open spaces, and providing continued at-grade pedestrian and bicycle access along the waterfront. All of these elements are consistent with goals and policies the Seattle Comprehensive Plan (Table 7-10).

**Table 7-10. Other Seattle Comprehensive Plan Goals and Policies Applicable to the Elliott Bay Seawall Project**

Policy	Description
Shoreline Goal DT-G8	Encourage revitalization of the Harborfront in order to strengthen maritime activities, maintain historic characteristics, and enhance opportunities for public access consistent with the shorelines goals and policies established in the Comprehensive Plan Land Use Element.

Policy	Description
Land Use Regulation Policies for Downtown Harborfront-1 and Shoreline Environment (DH-1)	<p>Waterfront lots and adjacent harbor areas within the Urban Harborfront Shoreline Environment established in the Seattle Shoreline Master Program. The DH-1 land use district, in conjunction with the Seattle Shoreline Master Program, is intended to:</p> <ul style="list-style-type: none"> <li>• Encourage economically viable marine uses to meet the needs of waterborne commerce;</li> <li>• Facilitate the revitalization of downtown’s waterfront;</li> <li>• Provide opportunities for public access and recreational enjoyment of the shoreline;</li> <li>• Preserve and enhance elements of historic and cultural significance; and</li> <li>• Preserve views of Elliott Bay and the landforms beyond.</li> </ul>
Urban Design Policies DT-UDP8	<p>Designate as view corridors street segments providing street-level views of important natural features, which may include views to Elliott Bay, West Seattle, Mount Rainier, and the Olympic Mountains. Protect view corridors through regulations controlling actions within the public right-of-way, as well as through reasonable development standards for abutting property, consistent with Policy UD 9: View Corridor Setbacks. Consider impacts on designated view corridors in the evaluations of street vacations and encroachments.</p>
Open Space Policies DT-OSP2	<p>Support the addition of major new public open spaces to the downtown open space network to meet the needs of downtown’s growing employment and residential populations. Promote new open space development consistent with the Comprehensive Plan’s open space goals and adopted policies of downtown neighborhood plans. Open space projects to be considered for potential development in the future include:</p> <p>Harborfront Open Space: To improve public access and enjoyment of the shoreline, and to better integrate east/west pedestrian connections between the Harborfront promenade and the rest of downtown by developing open space where appropriate opportunities exist along the waterfront.</p>
Downtown Neighborhood (Urban Center Village) Goals and Policies	<p>Belltown Pedestrian Environment Goals: A neighborhood with continued pedestrian and bicycle access to the waterfront and Myrtle Edwards Park, including at-grade access.</p>

## Downtown Urban Center Neighborhood Plan

The project is consistent with the following goals of the Downtown Urban Center Neighborhood Plan:

- Goal D, Urban Form: Public and private development shall make a positive contribution to the downtown physical environment by enhancing the relationship of downtown to its spectacular setting of water, hills, and mountains.
- Goal J, Shoreline: The City shall actively work to revitalize the Harborfront in order to strengthen maritime activities and enhance opportunities for public access, consistent with the shorelines goals and policies established in the Seattle Comprehensive Plan Land Use Element.

## Pioneer Square Neighborhood Plan

The project is consistent with the following key objectives of the Pioneer Square Neighborhood Plan:

- Connect Pioneer Square with the downtown Seattle waterfront by creating destinations that attract people to the south waterfront.
- Revive Washington Street Boat Landing and restore it to its position as the centerpiece of the south waterfront. This historic pier is the key relic that connects Pioneer Square and Seattle to its waterfront history.
- Redesign waterfront parks to allow better access to the water, provide facilities for recreation, and provide places to experience the unique port activity. This is a productive urban waterfront that public space design should celebrate.

All three build alternatives include the restoration of the Washington Street Boat Landing. Alternative B would also restore short-stay boat moorage at the boat landing. For all three alternatives, restored sidewalks and the mixed-use trail would also provide better access for pedestrians and a better connection between the downtown Seattle waterfront and the adjacent neighborhoods, including Pioneer Square.

### **Commercial Core Neighborhood Plan**

The project is consistent with the goals and policies of the Commercial Core Neighborhood Plan by providing essential infrastructure that supports commercial, residential, and transportation uses in the neighborhood. Specifically, the project supports critical waterfront components enumerated in the Commercial Core Neighborhood Plan, including development along Alaskan Way piers, Port of Seattle development plans, views of the water, pedestrian access to the downtown Seattle waterfront area, opportunities to access the water itself, waterfront-transportation connections, and connections between downtown neighborhoods and the downtown Seattle waterfront.

### **Belltown Neighborhood Plan**

One of the policies of the Belltown Neighborhood Plan is to “enhance pedestrian and bicycle access to the waterfront and Myrtle Edwards Park through such means as encouraging development in this area to provide associated street improvements and amenities that enhance this connection.” The project supports this policy by proposing to extend the waterfront trail from its current terminus at Vine Street to Broad Street, where it would connect to the multi-use trail through Olympic Sculpture Park and on to Myrtle Edwards Park.

### **Seattle Central Waterfront Concept Design and Framework Plan**

The build alternatives have been developed to reflect the Guiding Principles in the *Concept Design and Framework for Seattle’s Central Waterfront* (James Corner Field Operations 2012), which include environmental sustainability, authenticity and identity, destination and

movement, balance and integration, diversity and flexibility, access and connection, and economic development. By replacing a key component of urban infrastructure along Elliott Bay, the build alternatives provide a range of options to provide maximum flexibility for future improvements along the central and north waterfront. The Elliott Bay Seawall Project forms the foundation of all the work along the downtown Seattle waterfront.

Member of the project staff have been working closely with Waterfront Seattle staff and consultants to maximize flexibility for future development while ensuring that the reconstructed seawall would protect utilities, transportation networks, businesses, and residences for decades to come.

## Guiding Principles for Waterfront Seattle

The build alternatives have been designed to support the guiding principles for Waterfront Seattle.

Replacing the seawall would allow continued public access to the water's edge in order to "experience the water itself and the unique geography and ecology of Elliott Bay." The proposed habitat elements would "improve the natural shoreline ecology while also preserving and enhancing the maritime activities that remain central to the Central Waterfront." These are both elements of the second guiding principle: "Put the shoreline and innovative, sustainable design at the forefront" (Seattle City Council Resolution 31264).

New or expanded public spaces, such as the water plaza or land plaza options in Alternative B, are consistent with the principle of reconnecting the city to its waterfront. Upon completion, the project would provide continued access and mobility along the waterfront and provide the infrastructure (in terms of a new, seismically designed seawall) upon which future improvements to the waterfront can be developed.

## Transportation-Related Plans and Guidance

The City has a number of plans and policies concerning transportation elements that are pertinent to this project. The analysis of how the proposed project actions respond to these plans and policies can be found in the Transportation Discipline Report (Appendix C).

## Seattle Stormwater Code

The City of Seattle's stormwater regulations (SMC 22.800) are written to satisfy obligations to enact regulations to comply with its National Pollutant Discharge Elimination System permit issued to the City of Seattle by the Washington State Department of Ecology.

The project is being designed and will be constructed to meet the requirements of the Seattle Stormwater Code (SMC 22.800) and the associated Director's Rules.

### Guiding Principles for Waterfront Seattle

- Create a waterfront for all
- Put the shoreline and innovative, sustainable design at the forefront
- Reconnect the city to its waterfront
- Embrace and celebrate Seattle's past, present, and future
- Improve access and mobility (for people and goods)
- Create a bold vision that is adaptable over time
- Develop consistent leadership from concept to construction to operations

## **Seattle Environmentally Critical Areas Code**

Seattle's Environmentally Critical Areas code (SMC 25.09) governs areas of Seattle that provide critical environmental function or that represent particular challenges for development due to geologic or other natural conditions. The goal of Environmentally Critical Areas regulations is to effectively protect the contribution of these identified areas to habitat, water quality protection, and public safety, while allowing reasonable development within a growing urban environment.

The project area is within a designated environmentally critical area in terms of habitat and risk of liquefaction. Design and construction would be implemented to meet the requirements of the Seattle Environmentally Critical Areas Code.

## **Other Seattle Codes**

The Seattle Land Use Code (SMC 23) and the Seattle Building Code (2009) also apply to the project. All appropriate permits and approvals would be obtained before construction begins.

## **Seattle Parks and Recreation Development Plan**

The 2011 Seattle Parks and Recreation Development Plan describes the City's park and recreation system, which is composed of open space; parks; boulevards and trails; beaches; lakes and creeks; recreational, cultural, environmental, and education facilities; and a broad variety of programs and people. Among the goals of the plan are to maintain park lands and facilities, including improvements to existing parks, in accordance with park master plans, neighborhood planning, and capital replacement plans.

## **Port of Seattle Shoreline Plan**

The Seaport Shoreline Plan, issued in 2007, provides the City, other agencies, and the public the perspective of the Port of Seattle concerning its operations and facilities that may be affected by local and state shoreline management goals and requirements. The Seaport Shoreline Plan "identifies existing and appropriate future sites for port facilities and development, habitat mitigation and public access at each of the Port's shoreline properties." The Port of Seattle has several facilities in or adjacent to the project area, including Terminal 46 (just south of the project area), Pier 66, and Pier 69. Several small Port of Seattle projects are considered in Chapter 6, Cumulative Effects.

The City will be working closely with the Port of Seattle to ensure that necessary access is provided to Port of Seattle facilities during the construction of the seawall. In addition, the City will work with the Port of Seattle to maximize opportunities for fish migration along the entire waterfront, including the segment around Bell Harbor Marina and Bell Street Pier Cruise Terminal.

### 7.3 Agency and Tribal Involvement

During the preparation of this Draft EIS, the City has consulted with federal, state, and local agencies and tribal staff. Consultation has included meetings, information exchange, and collaboration in the development of habitat restoration measures.

On May 2, 2010, a SEPA Determination of Significance was published. Public comments on the scope of the EIS were elicited from May 28 to July 19, 2010. A number of agencies and tribes provided comments that helped inform the preparation of this Draft EIS and also helped to formulate and evaluate the build alternatives.

A public scoping meeting was held on Wednesday, June 16, 2010, at Bell Harbor International Conference Center, located along the Seattle waterfront, within the project area. The open house ran from 4 p.m. to 7 p.m., beginning with an open house and followed by a presentation and opportunity for formal public comments at 5:30 p.m. City and consultant staff were available during the open house portion of the public meeting to discuss the project and answer questions posed by the public. The meeting notice was included in the Determination of Significance, as well as in legal advertisements placed in the *Seattle Daily Journal of Commerce* and *The Seattle Times*. Display ads, either in print or on websites, were placed in the *Seattle Post-Intelligencer*, *The Seattle Times*, the *Seattle Weekly*, the *Bainbridge Island Review*, the *Kitsap Sun*, the *Vashon-Maury Island Beachcomber*, the *West Seattle Herald*, Pacific Publishing Company's newspapers, the *International Examiner*, PubliCola, and Crosscut. Display ads were also placed on Washington State Ferries routes between Seattle and Bainbridge Island and between Seattle and Bremerton.

Postcards were mailed to all carrier routes in the project area; approximately 7,000 residents and businesses received the postcards 2 weeks before the public meeting. Postcards were also mailed to 100 Alaskan Way Viaduct Replacement Project contacts, distributed at briefings and organization meetings, and provided to the Alaskan Way Viaduct Replacement Project for use at upcoming festivals and farmers markets.

A project website was established to provide information about the project and a mechanism for the online submission of comments related to the scope of the EIS. The project website provides an overview and history of the project and additional information. The website is updated on a regular basis. A scoping summary report that was prepared after the scoping period ended is available on the project website.

Continued agency and tribal consultation and collaboration will occur as the project moves forward in the design phase. The City will apply for all permits and approvals described in this chapter as appropriate. Continued consultation will occur through the permitting process and during construction to ensure that all the requirements are met.

## 7.4 Public Involvement

As part of the public scoping process, the City has conducted an intensive public outreach effort, including required legal ads and other official notifications, additional display ads (both in print and on the Internet), and postcard mailings to individuals and organizations on the project mailing list, including adjacent property owners.

The Elliott Bay Seawall Project Stakeholder Subgroup represents the interests and organizations shown in Table 7-11. The key public outreach milestones are summarized in Table 7-12.

### Public Outreach Activities

- A public scoping meeting was held on June 16, 2010, at the Bell Harbor International Conference Center along the downtown Seattle waterfront.
- A scoping summary report was prepared and is available on the project website.
- Emails are regularly sent to a wide variety of agency, tribal, and public organizations and the general public to update them on the progress of the project.
- The City of Seattle maintains a website that provides up-to-date information on the project.
- The City of Seattle regularly conducts meetings with the Central Waterfront Stakeholders Group to update the stakeholder representatives on the project design and issues and solicit feedback and recommendations.
- The City of Seattle regularly conducts meetings with the Design Oversight Subcommittee (of the Central Waterfront Committee) to provide updates on project design issues and solicit feedback.
- The City of Seattle posts messages on social media and blogs to update the public on the project.

**Table 7-11. Elliott Bay Seawall Project Stakeholder Subgroup Interests and Representation**

<b>Point of View</b>	<b>Representation</b>
Design/Architectural Perspective	American Institute of Architects (AIA-Seattle) Allied Arts
Environment/Land Use	People for Puget Sound Peoples Waterfront Coalition
Larger Business/Tourism/ Recreational Users of Downtown Seattle	Downtown Seattle Association
Localized Business Interests (Western Avenue)	Seattle Steam
North-south Travel	Macmillan-Piper
Pier Tenants/Owners	Martin Smith, Inc. Ivar's Restaurants Port of Seattle Seattle Aquarium Seattle Parks Foundation Triad Development Argosy Cruises Mithun, Inc. Washington State Ferries
Surrounding Neighborhoods	Pioneer Square resident
Waterfront Residents	Waterfront Landings Condominiums resident

**Table 7-12. Elliott Bay Seawall Project Public Outreach Milestones**

<b>Timeframe</b>	<b>Milestone/Stage</b>	<b>Significant Outreach Effort</b>
May–July 2010	Scoping period	<ul style="list-style-type: none"> <li>Public scoping meeting, comment period</li> <li>Seattle City Council presentation</li> </ul>
July–September 2010	Brainstorming: establishing zones, identifying zone-specific opportunities	<ul style="list-style-type: none"> <li>Stakeholder Subgroup formation/meetings (2)</li> <li>On-site public walking tour</li> <li>In-person business operations survey</li> </ul>
October 2010	Zone-specific designs	<ul style="list-style-type: none"> <li>Stakeholder Subgroup meeting</li> <li>In-person business operations survey</li> </ul>
November–December 2010	Conceptual designs	<ul style="list-style-type: none"> <li>Stakeholder Subgroup meetings (2)</li> <li>Ongoing briefings</li> <li>In-person business operations survey</li> </ul>

REGULATORY COORDINATION AND COMPLIANCE

Timeframe	Milestone/Stage	Significant Outreach Effort
January–May 2011	Alternatives development	<ul style="list-style-type: none"> <li>• Central Waterfront Stakeholders Group formation (expansion of subgroup) meetings (3)</li> <li>• Public meeting for alternatives development</li> <li>• Seattle City Council presentation</li> <li>• Ongoing briefings</li> <li>• Ongoing fairs/festivals/ general outreach</li> </ul>
May 2011–April 2012	Environmental analysis and alternatives refinement	<ul style="list-style-type: none"> <li>• Central Waterfront Stakeholders Group meetings (5)</li> <li>• Seattle City Council presentation</li> <li>• Ongoing briefings</li> <li>• Ongoing fairs/festivals/ general outreach</li> </ul>
Fall 2012	Draft EIS	<ul style="list-style-type: none"> <li>• Draft EIS comment period, public hearings</li> <li>• Ongoing briefings</li> <li>• Ongoing fairs/festivals/ general outreach</li> </ul>