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Reply to: Seattle Office

February 18, 2025

Goran Sparrman, CEO
Terri Mestas, Deputy CEO
Sound Transit
401 S, Jackson St.
Seattle, WA 98104-2826.

Re: *Cumulative Impacts of System Expansion: Stride S3 Line*

Dear Mr. Sparrman and Ms. Mestas:

I'm writing on behalf of Citizens Organized to Rethink Expansion of Hwy 522 through Lake Forest Park (CORE) to address concerns about the State Route (SR) 522/NE 145th Bus Rapid Transit (BRT) Project. Our focus is specifically on Sound Transit's proposed Stride-3 line, which is set to replace the ST Express 522 service between Seattle and Woodinville.

After reviewing the project, it is clear that new information about the cumulative traffic and transportation impacts of the Stride-3 line—combined with other construction projects in the area—warrants serious reconsideration. This new information justifies withdrawing Sound Transit's March 25, 2021, Determination of Non-Significance (DNS) and issuing a new threshold determination for the project.

A. Sound Transit's obligations and duties under SEPA.

Under the Washington State Environmental Policy Act (SEPA), agencies are required to consider cumulative impacts when evaluating a project. WAC 197-11-060; WAC 197-11-330; and WAC 197-11-792. This means assessing the combined effects of the proposed project alongside other past, present, and reasonably foreseeable future actions. Based on these requirements, Sound Transit must evaluate the cumulative impacts of the Stride-3 line when combined with other current and planned projects as part of its environmental review. If cumulative effects result in significant adverse impacts, mitigation measures or alternative actions may be required.

Notably, three recent Environmental Impact Statements (EISs) prepared by Sound Transit for other projects each devote an entire chapter to the assessment of cumulative impacts. Those EISs all contain language along the following lines:

As defined in 40 Code of Federal Regulations (CFR) 1508.7, cumulative impacts on the environment result “from the incremental impact of the action when added to other past, present, and

reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time. The public and government agencies need to understand cumulative impacts to evaluate a proposed action and its alternatives in a broad perspective, including how the project might interact with impacts that persist from past actions, with present-day activities, and with other projects that are planned but have not been built yet. A cumulative impact assessment can reveal unintended consequences that might not be apparent when the project is evaluated in isolation instead of in a broader context.¹

Additionally, SEPA requires Sound Transit to withdraw an existing DNS when significant new information emerges about a proposal's probable adverse environmental impacts. WAC 197-11-340(3)(a). For example, if other planned projects contribute to unanticipated environmental impacts—such as prolonged traffic disruptions, increased noise, or compounded ecological effects—a previously issued DNS may no longer be valid and should be re-evaluated.

As of now, significant new information has come to light regarding future construction projects that, when combined with Sound Transit's proposed Stride-3 line, will result in severe cumulative transportation and traffic impacts. These impacts warrant the immediate withdrawal of the March 25, 2021 DNS and a reassessment of the project's environmental review.

B. The Overlapping Timeline of Construction Projects.

Construction of the Stride-3 line along Bothell Way through Lake Forest Park is scheduled to begin in November 2025 and finish by January 2027. During this time, traffic rerouting, lane closures, and increased construction traffic will likely disrupt emergency response times, delay public service vehicles, and complicate commutes. Temporary detours, additional vehicles on the road, and reduced traffic capacity will all contribute to significant disruptions.

However, the Stride-3 line is not the only project scheduled during this period. There are five other major transportation projects planned in the same area, all of which overlap with the Stride-3 line construction timeline. Each project will introduce significant traffic and transportation challenges in Lake Forest Park between 2025 and 2027:

¹ See East Link Project Final EIS at 5-1 (July 2011). For similar (not identical) language, see Operations and Maintenance Facility South Final EIS at 4-1 (June 7, 2024); Tacoma Dome Link Extension Draft EIS at 5-1 (December 2024). While that quote refers to federal regulations, it's been established that Washington state courts apply NEPA law when reviewing SEPA decisions. See *Kucera v. State, Dep't of Transp.*, 140 Wash. 2d 200, 216, 995 P.2d 63, 72 (2000). State courts have held that "while NEPA and SEPA are substantially similar in intent and effect, ... the public policy behind SEPA is considerably stronger than that behind NEPA." *Id. citing ASARCO Inc. v. Air Quality Coalition*, 92 Wash.2d 685, 709, 601 P.2d 501 (1979). Thus, it is reasonable to presume that the NEPA definition of cumulative impacts is applicable to SEPA review.

1. WSDOT Revive I-5 Project

- Timeline: May 2025 through early 2027. Based on recent reports, this project may be delayed to early 2026, which would overlap with the S3 construction timeline.
- Details: Pavement repair, seismic upgrades, and expansion joint replacements will require reducing I-5 to two lanes between SR 520 and Northgate in both directions. Northbound closures will occur May 2025 to early 2026, while southbound closures will follow from early 2026 to early 2027. Speed limits will also drop to 50 mph, and periodic month-long ramp closures are planned.
- Impact: These closures will divert more regional traffic to alternative routes, including SR 522 (Lake City Way and Bothell Way), adding pressure to an already congested area.

2. City of Shoreline 145th Street and I-5 Interchange Project

- Timeline: Construction of multi-lane roundabouts at the SR 523/I-5 interchange will begin in 2025.
- Details: A long-term closure of N 145th Street between 1st Ave NE and I-5 (on the east side) was extended to early 2025, delaying utility work and roundabout construction. This closure impacts access to I-5 and the South Shoreline Light Rail Station.
- Impact: Ongoing delays and closures will force additional traffic onto SR 522 and surrounding streets.

3. WSDOT Culvert Replacement at 35th Ave NE and Ballinger Way

- Timeline: Summer 2025 to summer 2026.
- Details: Replacement of a fish passage barrier on SR 104 will require a five-week closure of Ballinger Way Northeast at 35th Avenue.
- Impact: Closures will further constrain traffic flow on Ballinger Way, a key arterial connecting to southbound Bothell Way and SR 522 and northbound to I-5.

4. City of Lake Forest Park Roundabout at 40th Pl NE and Ballinger Way

- Timeline: Spring 2025 through Fall 2026.

- Details: Construction of a roundabout will disrupt traffic along Ballinger Way in both directions and impact access to nearby neighborhoods.
- Impact: Increased congestion will spill over to adjacent routes, including SR 522.

5. WSDOT I-5/McAleer Creek Fish Passage Project

- Timeline: Mid-2026 through Fall 2029.
- Details: Fish passage construction at I-5 and SR 104 will require lane reductions and potentially interstate closures.
- Impact: Additional strain on I-5 will divert traffic to nearby roadways, worsening congestion in Lake Forest Park.

6. City of Kenmore/WSDOT: Swamp Creek Tributary Culvert Replacement Project

- Timeline: Construction dates TBD. Most likely begins early 2026.
- Details: Culvert to be replaced runs under HWY522/Bothell Way between 61st NE and 62nd NE
- Impact: Ongoing delays and lane closures required for extensive periods on HWY522/Bothell Way

C. Cumulative Impacts: A perfect storm of gridlock.

The combined effects of these overlapping projects will create a perfect storm of gridlock, transforming daily commutes into extended delays and causing unprecedented traffic backups in, around and through Lake Forest Park including spilling over onto local streets and by two grade schools. The disruptions will significantly affect safety, emergency response times, and the overall functionality of the region's transportation network.

The cumulative impacts of this potential multi-year "Traffic Armageddon" are neither fully understood nor adequately studied. Collectively, they threaten the safety, security, and well-being of the Lake Forest Park community.

The probable significant adverse cumulative impacts include:

- Emergency Response Delays: Increased backups and traffic delays will negatively affect emergency response times and restrict routes for public service and emergency vehicles, endangering community safety.
- Traffic Rerouting Hazards: Construction-related traffic rerouting and increased vehicle flow on Bothell Way will push more traffic through residential streets and near schools, creating serious safety risks.
- Air Quality and Pollution: Higher traffic volumes will lead to elevated pollution levels from idling cars, freight trucks, buses, and an estimated 5,000 industrial dump trucks needed to haul approximately 95,000 tons of construction debris generated in the Lake Forest Park section of Stride-3.
- Compounded Traffic Congestion: Temporary detours and lane closures on local roads approaching SR 522 and NE 145th Street will exacerbate congestion and cut through traffic, increasing risks to the community.
- Infrastructure Stability Risks: Increased traffic and vibrations between 153rd NE and 155th NE on the bridge crossing Blsche'tla Creek, combined with concurrent bus lane construction, could destabilize the slope and heighten the risk of soil liquefaction.
- Extended Construction Timelines: Increased congestion will inevitably prolong construction, not just in Lake Forest Park but also in Seattle, Shoreline, and Kenmore, where traffic bottlenecks will persist for several years.

Critically, none of these cumulative impacts were accounted for in Sound Transit's environmental review of the Stride-3 line. The original review and DNS were conducted before the details of these other projects were known, leaving a substantial gap in the evaluation of the project's real-world impacts. Under WAC 197-11-340(3)(a), a DNS must be withdrawn when significant new information indicates probable adverse environmental impacts that were not previously considered.

D. Potential Solutions and Mitigation Strategies

Implementing one of three straightforward, proactive solutions could effectively mitigate the probable significant adverse cumulative impacts described above. These measures would minimally impact the project's positive benefits but would reduce Sound Transit's costs significantly, shorten the construction time and avoid any further legal issues for Sound Transit that could affect the entire Stride-3 project.

The simplest option is for Sound Transit to drop the plan to build the 1.3-mile northbound BAT lane in Lake Forest Park along Bothwell Way NE. As my clients highlighted in their recent presentation to Ms. Mestas and other Sound Transit Board Members, a straightforward analysis of Sound Transit data shows that Sound Transit's assumptions about the lane's positive impact on

bus transit times through Lake Forest Park during the afternoon, weekday peak hour commute times were miscalculated. (Note: Stride-3 has no impact on bus transit times through Lake Forest Park during the morning, weekday, peak hour commute time, because there already is a BAT lane in that direction) In fact, when the data is correctly analyzed, it reveals a minimal time savings of less than one minute for the afternoon, weekday, peak hours commute, build versus no-build. The data also shows that over an 18-year period between 2024 to 2042, there is no increase in general purpose traffic on HWY 522 through Lake Forest Park. Ultimately, the cost, effort, and disruption of constructing this BAT lane wouldn't even deliver the intended benefits, nor would the general purpose traffic increase in this section of the roadway.

The second option is to mitigate the risks of overlapping construction impacts. Sound Transit should consider delaying the start of the Stride-3 project in Lake Forest Park by at least two years. Since the Stride-3 line has already been divided into three segments (Shoreline/Seattle, Lake Forest Park, and Kenmore/Bothell), a staggered timeline would allow for better coordination and reduced disruption. This delay would also give Sound Transit time to reassess the project's cumulative impacts alongside these other major construction projects.

The third option is to keep the BAT lanes as planned between the intersection of Bothell Way and 145th and 153rd, and between 165th and Town Center and not build anything over the 0.6 miles on 522/Bothell Way between 153rd and 165th streets. At least 25% of the total capital costs of Stride-3 for property acquisitions and construction are incurred in that 12-block stretch due to complex and challenging terrain. Leaving that roadway intact, essentially doing nothing there but building the other 2 sections of the roadway (from the intersection of 145th and Bothell Way/Lake City Way to 153rd and from Bothell Way and 165th to LFP's Town Center) greatly reduce costs, time to construct, while only marginally impacting bus transit times through Lake Forest Park during the weekday, afternoon, peak hours commute.

E. Conclusion

If Sound Transit rejects the potential solutions and mitigation strategies suggested above, Sound Transit must withdraw the March 25, 2021 DNS, disclose and assess the cumulative traffic and transportation impacts of all overlapping projects, and issue a new threshold determination pursuant to WAC 197-11-340(3)(c). This is the only remaining responsible course of action to protect the public safety, mobility, and quality of life for Lake Forest Park residents and commuters.

Very truly yours,

BRICKLIN & NEWMAN, LLP

/s/Claudia M. Newman

Claudia M. Newman

cc: Sound Transit Board Members