

design-related issues. The *Proposed Action* would be designed and developed in close coordination with the City and police department to optimize opportunities to incorporate CPTED design principles to improve crime prevention and reduce impacts to police services.

As discussed above for Fire Services, new development assumed under the *Proposed Action* would add to the City of Tacoma's tax base and a portion of the tax revenues would help offset the incremental increases in demand for public services associated with *Point Ruston*. It is assumed that long-term capital and operating needs for the Police Department would be addressed on a broad basis through incremental capital facilities planning by the City over the full 8 to 10 year buildout period.

City of Tacoma

The *Proposed Action* and visitors to the site in conjunction with the park and trail network would generate additional demand for police services. It is anticipated that the *Proposed Action* would generate additional public disturbance crimes (especially in parks and greenspace areas), additional vehicle related crimes (including traffic accidents, speeding, vandalism, vehicle prowling) and business-related crime (including burglary, theft, identity theft, forgery).

The TPD indicates it does not currently have excess capacity to meet this additional demand⁸. Should the Town of Ruston or City of Tacoma determine that a Police substation is required to meet additional demand, the proponent shall provide the opportunity to locate a facility on site. It is anticipated this could be space shared with private security or neighborhood management but the nature of the facility and terms of the arrangement would be coordinated with the departments at the time the need arises.

Town of Ruston

According to the RPD, the increased number of calls that would be generated by the *Proposed Action*, could be easily absorbed the RPD; though, the RPD may need to add a waterborne unit due to the added shoreline access that the *Point Ruston* development is providing.

As described under Fire and Emergency services, visitors to the site associated with the park and trail network could generate some additional demand for police services (calls for service related to theft, vandalism, etc.); however, these calls are not expected to increase the anticipated staff and equipment demands described above.

Based on existing staffing and service levels, RPD has excess capacity to absorb increased demands/impacts resulting from the proposed *Point Ruston* development. As stated previously, should the Town of Ruston or City of Tacoma determine that a Police substation is required to meet additional demand, the proponent shall provide opportunity to locate a substation at *Point Ruston*.

3.6.2.1.2.3 Schools

Development of the *Proposed Action* could directly and indirectly generate new student enrollment at District schools from residential and employments uses.

⁸ February 14, 2008 correspondence from City of Tacoma Police Department.

As noted in *Section II* of this FSEIS, *Point Ruston* would include an estimated 800 to 1,000 dwelling units including townhomes, apartments, condominiums, and possibly a senior housing/assisted living facility as shown in **Table 3.6.12**:

Table 3.6.12
POINT RUSTON
TYPE AND NUMBER OF RESIDENTIAL UNITS

Housing Type	Number of Units
Condominium	753
Townhomes	47
Apartments	100
Senior/Assisted Living	<u>100</u>
TOTAL	1,000

Source: Point Ruston LLC

For purposes of analysis in this FSEIS, the proposed 100 senior housing units were not included in student generation rate calculations.

It is assumed that 900 multifamily residential units associated with the proposed *Point Ruston* could generate additional student enrollment at schools serving the project site. A range for projected enrollment generated by *Point Ruston* has been developed based on the number of multifamily residential units and the application of both the Tacoma School District's student generation rates, as well as an "expected" ratio of 0.05 students generated per multifamily housing unit (see Student Generation Rates section above). Under the *Proposed Action*, the 900 multi-family residential units (excluding senior housing units) would be developed generating approximately 46 to 222 students. Student generation amounts based on the Tacoma School District standard student generation rates are shown in **Table 3.6.13** and "expected" student generation rates are shown in **Table 3.6.14**. **Table 3.6.15** is a comparison of the TSD and the "expected" student generation rates.

Table 3.6.13
POINT RUSTON
TACOMA SCHOOL DISTRICT
STUDENT GENERATION LEVELS BY 2018

	Multi Family Unit Percentage	Multi Family Unit SGR	Point Ruston Student Generation Levels By School	Point Ruston Student Generation Levels By Age Group
Elementary School	53%	0.130		117
Point Defiance Elementary			0	
Sherman Elementary			117	
Middle School	19%			43
Truman Middle School		0.047	11	
Mason Middle School			32	
Wilson High School	28%	0.069	62	62
TOTAL	100%	0.246	222	222

Source: Tacoma Public Schools DSEIS Comment Letter, February 14, 2008

Table 3.6.14
POINT RUSTON
TACOMA SCHOOL DISTRICT
STUDENT GENERATION LEVELS BY 2018

	Multi Family Unit Percentage Breakdown	Multi Family Unit SGR	Point Ruston Student Generation Levels By School	Point Ruston Student Generation Levels By Age Group
Elementary School	53%	0.011		10
Point Defiance Elementary			0	
Sherman Elementary			10	
Middle School	19%	0.024		22
Truman Middle School			6	
Mason Middle School			16	
Wilson High School	28%	0.015	14	14
TOTAL	100%	0.050	46.0	46.0

*Sources: Tacoma Public Schools DSEIS Comment Letter, February 14, 2008 and
Point Ruston LLC*

Table 3.6.15
POINT RUSTON
COMPARISON OF TSD STUDENT GENERATION RATES AND
“EXPECTED” STUDENT GENERATION LEVELS BY 2018

Grade Level	2018 Projected Enrollment - Tacoma School District Student Generation Rate (0.246 SGR)	2018 Project Enrollment – “Expected” Student Generation (.050 SGR)	2007 Excess TSD Capacity
Point Defiance Elementary	0	0	170
Sherman Elementary	117	10	124
Truman Middle School	11	6	91
Mason Middle School	32	16	(28)
Wilson High School	62	14	611
TOTAL	222	46	

Sources: Tacoma Public Schools DSEIS Letter February 14, 2008/Point Ruston LLC

By buildout in 2018, a range of approximately 46 - 222 total students would be expected to be generated from the *Point Ruston* residential units. As noted previously, there is currently excess capacity existing in the schools serving the *Point Ruston* site with the exception of Mason Middle School. In addition, enrollment in the District -- and these schools -- is anticipated to decline for the foreseeable future. As such, it is anticipated that the number of students generated from the *Point Ruston* development could be accommodated within the available capacity of the these schools and the Tacoma School District with the exception of Mason Middle School.

Point Ruston would also generate new employment and population associated with new capacity for a range of retail and commercial uses. The indirect contribution of the project to new student enrollment was not significant; therefore, the significantly reduced levels of employment proposed for *Point Ruston* would not be significant.

No projections are currently available for student capacity in the District beyond 2011. It is anticipated that future student enrollment would be addressed by the Tacoma School District through its capital facilities planning efforts and ongoing boundary review, such that capacity would be provided to meet future growth needs. Revenues from property taxes, along with school impact fees to be paid by future residential developers, would help offset increases in demand for school services from Point Ruston redevelopment.

3.6.2.1.2.4 Utilities

The *Proposed Action* would result in increased demands on all utility systems. Under the *Proposed Action*, existing on-site utilities (e.g., water, sanitary sewer, stormwater, and electrical) would be removed, replaced, or abandoned in place. It is assumed that the existing utilities would continue to serve the site until required to be removed for redevelopment activities. Underground utilities could be abandoned as part of site preparation and/or environmental

cleanup activities. Based on the soil remediation requirements for designated areas of the site, abandoned-in-place pipes may be required to be filled with clean material and capped.

Water

Under the *Proposed Action*, water distribution throughout the site would be comprised of a network of new water mains placed within the right-of-way (ROW) of the new roadway network with hydrants installed, per applicable regulations.

Estimated water demands reflect the total projected employment and permanent resident population associated with assumed *Point Ruston* land uses by full buildout in 2016. Total water demand for the *Proposed Action* is estimated as follows:

Table 3.6.16
PROJECTED WATER DEMAND FOR
POINT RUSTON IN 2018

Land Use Type	Average Daily Demand (mgd)*	Peak Hour Demand (gpm)**
1. Residential	255,500	784
2. Commercial	64,637	265
3. Irrigation of Parks and Open Space ***	8,876	243

Source: Point Ruston LLC

* Million gallons per day

** Gallons per minute

*** Irrigation to be minimized through use of native plants and water saving techniques

Based on the total water demand projections, the City of Tacoma would have adequate water system capacity to serve the site under all EIS Alternatives. No significant impacts to the City of Tacoma's Public Works Department Water System would be anticipated.

Sanitary Sewer

An existing 24-inch trunk line is located in Ruston Way and currently provides service to the site. This trunk line would be replaced as a part of the Ruston Way realignment component of the *Point Ruston* project. Reconstruction of the trunk line would be designed and approved in accordance with the City of Tacoma's *Design Manual*. Existing mains connecting to the existing trunk line would be extended to the new line and the old 24-inch line would be removed. The new sanitary sewer line would be a minimum of 24-inch diameter with a full pipe capacity of 23 cfs. With replacement of the existing 24-inch trunk line, adequate capacity would be available to serve the project. Service lines would be extended onto the site from the new 24-inch trunk line to serve development within the *Point Ruston* project.

Estimated sanitary sewer demands reflect the total projected employment, permanent resident capacity associated with assumed *Point Ruston* land uses at full buildout in 2016. Total sanitary sewer collection for the *Proposed Action* would be as estimated in **Table 3.6.17**.

Table 3.6.17
PROJECTED SEWER DEMAND FOR
POINT RUSTON IN 2018

Land Use Type	Average Daily Demand (mgd)	Peak Hour Demand (gpm)
Residential	255,500	784
Commercial and Retail	64,637	265

Source: Point Ruston LLC

The North End Treatment Plant would have adequate capacity to handle the sewer demands from *Point Ruston* redevelopment. With the mitigation of the replacement of the Ruston Way trunk line and engineering and construction of on site sewers to City of Tacoma standards, no significant impacts to the City of Tacoma Public Works Department sewer system would be anticipated.

Electricity

Electrical service is currently provided to the site via to utilities within the existing Ruston Way alignment at the southeast end of the property and in 51st Street. These existing facilities could be removed and replaced as a part of the Ruston Way realignment component of the *Point Ruston* project and could also be extended as a part of the Baltimore Street reconnection to Ruston Way in order to serve the site.

It is assumed that all of the site's existing, above-grade electrical lines would be removed or replaced during redevelopment. All new electrical lines would be located underground.

The required capacity of Tacoma Power's electrical utility system to serve the site is based on estimated power demands. Estimated electric power peak demand by land uses associated with Point Ruston redevelopment would be approximately 18.48 MW at full build-out.

Capacity exists to serve the project; however, as the Town of Ruston is its own Electrical Distribution Company -- redistributing power purchased wholesale from Tacoma Power -- the question of whether Ruston provides power to the portion of the property within the Town limits or Tacoma Power directly supplies the entire project is being discussed.

Stormwater

As noted, it is a requirement of the EPA and Second Amendment to the Consent Decree that all of the site's existing stormwater system would be removed and replaced during redevelopment. A permanent stormwater control system would be installed to serve long-term redevelopment. Initial calculations indicate approximately 45.6 cfs would be generated from the site during a 25-year storm event, which served as the basis for project design. The stormwater control system would be designed and constructed in accordance with standards set forth in the City of Tacoma 2003 Surface Water Management Manual, which is based on the Stormwater Management Manual for Western Washington (2001 Ecology Manual). While a specific stormwater system design for the Point Ruston site has not yet been established, a stormwater

control plan and certain assumptions have been formulated regarding the likely features and configuration of the stormwater system for purposes of analysis in this SEIS. The site specific stormwater system design and layout would be established as part of the future construction and redevelopment permit process.

The permanent stormwater conveyance system for the site is assumed to be based on a gravity flow system. A stormwater main would extend from each basin contributing to an outfall. Pump stations could be used to support temporary systems, but on a long-term basis pump stations would not likely be used, except potentially to collect runoff from small isolated areas. Final site topography will provide a gradient that enables a gravity flow system to discharge to existing City of Tacoma outfall locations adjacent to the Point Ruston site, on-site stormwater management facilities, or a combination of these discharge alternatives. Since stormwater runoff would be discharged to the bay, a salt water body, no detention for runoff is required by the Ecology Manual.

Stormwater originating on all pollution-generating surfaces (i.e. roads and parking areas) would be treated for water quality before discharge to the bay or waterway. Water quality treatment would be provided to meet Basic Treatment standards designed in accordance with the Surface Water Management Manual (2003), as adopted by the City of Tacoma. Basic treatment could be provided by any type of facility meeting Basic criteria under the Manual, but the most probable facility types would be wet vaults with filter cartridges, bioretention facilities (which also qualify as an Enhanced Treatment), biofiltration swales, and filter strips. Stormwater originating on roofs constructed with inert materials (i.e. materials that would not leach zinc or copper) would be conveyed directly to outfalls or rain gardens along the shoreline, because roofs of this type are not considered pollution-generating surfaces.

System design assumptions and options will be re-evaluated at the time of site development based on specific engineering designs and economic factors. However, it is assumed that any future modifications to system design assumptions would not result in significant environmental impacts. Stormwater treatment and conveyance systems will meet all applicable regulations and requirements.

Any upgrades of existing outfalls or installation of new outfalls would require additional Federal, State and local permits.

Solid Waste

Onsite refuse, recycling and yard waste collection services would be provided by Solid Waste Management. Individual businesses and building owners would contract directly with Solid Waste Management for service. Solid waste collection routes and operations would be expanded to serve future redevelopment at the Point Ruston site.

Telecommunications

Telecommunications utilities for the Point Ruston site are provided by Qwest, Comcast and Click! Network. Trunk lines would be extended throughout the development. Individual businesses and building owners would contract directly with the providers for service.

3.6.2.2 No Action Alternative

Under the *No Action Alternative*, it is assumed that approximately one million sq. ft. of new office and commercial development would occur consistent with the approved *Master Development Plan*.

Fire and Emergency Services

New commercial and retail development consistent with the *Master Development Plan* would add demands for fire services in the project area. An increase in the number of calls for service to the project area would result from new development. The TPD previously indicated that new development would most likely increase car prowls because more vehicles would be introduced to the area. Generally, the impacts would be similar to those under the *Proposed Action*.

Police Services

New commercial and retail development consistent with the *Master Development Plan* would add demands for police services in the project area. An increase in the number of calls for service to the project area would result from new development. The TPD previously indicated that new development would most likely increase car prowls because more vehicles would be introduced to the area. The proposed development could also increase underage drinking and gang-related activities along Ruston Way as more individuals would be coming into the area. In addition to building security, additional needs for service may arise as the area develops and beings to attract citizens to park and recreational areas.

Schools

Existing school facilities would not be directly affected by construction activities on the site but could be indirectly affected by construction-related traffic congestion, road closures or road alterations.

Consistent with the *Master Development Plan*, no new residential uses would be provided onsite; therefore, no direct operational or enrollment impacts on area schools. The increase in employment opportunities provided on-site by development associated with the *Master Development Plan* would indirectly contribute to general population growth and increases in school enrollment in the Tacoma area. The school enrollment increases associated with employment growth, however, would be assumed to be insignificant.

Utilities

Consistent with the *Proposed Action*, most of the existing utility infrastructure would be replaced and expanded to provide service to a development on the site consistent with the *Master Development Plan*.

Generally, it is anticipated that the utility demands of the *No Action Alternative* would be similar to those of the *Proposed Action*.

3.6.3 Mitigation Measures

Increases in population and employment over the 8 to 10-year build-out of the *Point Ruston* site would be incremental and would be accompanied by increases in demand for public services including: fire, police, schools and utilities under the *Proposed Action*. A portion of the tax revenues generated from redevelopment of the site - including construction sales tax, retail sales tax, business and occupation tax, property tax, utilities tax, and other fees, licenses and permits – would accrue to the City of Tacoma, Town of Ruston and the Tacoma School District to help offset demands for public services.

The following mitigation measures would be implemented under *Proposed Action*:

- Should the Town of Ruston or City of Tacoma determine that a Police substation is required, proponent shall provide opportunity to allow for a substation to be built.
- All new buildings would be constructed in compliance with the 2006 International Building Code and International Fire Code (and future code revisions), as adopted by the City of Tacoma and the Town of Ruston.
- Adequate fire flow would be provided for all new redevelopment in accordance with City of Tacoma and Town of Ruston code requirements.
- Design standards for *Point Ruston* redevelopment would implement suggested CPTED measures to reduce potential criminal activity, such as: orienting buildings toward sidewalks, streets and/or public spaces; providing convenient pedestrian connections between buildings; and, providing adequate lighting and visibility onsite.
- The proponent acknowledges over-capacity enrollment at Mason Middle School, and is prepared to work with Tacoma Public Schools to address its impacts, which the TPS expects to be an additional 32 students using its SGR. The proponent has indicated that it will enter into a voluntary mitigation agreement with the School District to mitigate its actual direct impacts with the following mitigation approaches employed by other school districts first given due consideration:
 - o *Open Enrollment*. The Tacoma Public School District's open enrollment policy allows students to attend schools located outside of assigned boundaries for any given residence. It is not known what impact the district's open enrollment policy has on over-capacity enrollment at Mason Middle School. If the open enrollment policy has created over-capacity at Mason Middle School, the proponent and the district will consider this factor in determining mitigation.
 - o *Reassignment*. According to Tacoma Public Schools data, Truman Middle School has sufficient capacity to serve in excess of the 32 unmitigated middle school students anticipated to be generated by the Proposed Action based on TPS's student generation rate. About a quarter of the middle school students anticipated to be generated at Point Ruston would be attending Truman Middle School based on current district boundaries that split the property. The proponent has indicated their willingness to allow TPS to assign middle school students to Truman Middle School.

- Point Ruston LLC would coordinate with the City of Tacoma Public Works Department regarding the redevelopment of the *Point Ruston* site and necessary water system infrastructure improvements to ensure consistency with the City's overall water system.
- The design and construction of all water distribution facilities would comply with applicable City of Tacoma water utility standards for extensions and improvements to the City's water system.
- Water mains would be located within the site's new roadway network, consistent with the City of Tacoma's water regulations and design standards.
- Point Ruston LLC would coordinate with the City of Tacoma Public Works Department regarding the redevelopment of the *Point Ruston* site and necessary sanitary sewer system infrastructure improvements to ensure consistency with the City's overall sewer system.
- The design of all sanitary sewer collection facilities would comply with applicable City of Tacoma sanitary sewer collection standards for extensions and improvements to the City's sewer system.
- Sanitary sewer collector pipes would be located within the site's new roadway network, consistent with the City of Tacoma's sanitary sewer regulations and design standards.
- Point Ruston LLC would coordinate with Tacoma Power and the Town of Ruston as applicable during the design and construction stage for new electrical lines onsite in order to ensure that all electrical facilities are adequately sized to meet long-term demand.
- All new buildings on the site would meet all applicable City of Tacoma, Town of Ruston and Washington State energy requirements, including the potential construction of temporary service lines to avoid any impacts to existing customers during construction.
- New on-site electrical and telecommunications lines would be installed underground to minimize disruption to the onsite and surrounding environment.
- Appropriate measures related to temporary construction impacts (including dust, emissions and noise) would be implemented during the redevelopment of the site to preclude significant impacts of utility construction on new and existing parks and trails in the site area.

3.6.4 Significant Unavoidable Adverse Impacts

With implementation of the mitigation measures noted above, no significant unavoidable adverse impacts to public services or utilities are anticipated to result from redevelopment under the *Proposed Action*.

3.7 TRANSPORTATION

The transportation section of the SEIS documents existing transportation conditions in the vicinity of the Town of Ruston and northwest area of the City of Tacoma and presents an analysis of future traffic conditions resulting from new development alternatives for the former ASARCO smelter site. This analysis serves as a supplement to the Master Development Plan EIS. Transportation related factors evaluated in this section include an assessment of the affected environment (existing conditions), project trip generation, trip distribution, and analyses of future traffic conditions under a *No Action* alternative and the current *Proposed Action*, the *Point Ruston* development. Identification of impacts and recommended improvements to mitigate those impacts is also provided.

This section is organized to first establish transportation conditions for the *Affected Environment*, followed by an evaluation of future conditions under the *Proposed Action* and *No Action* alternative. The proposed *Point Ruston* development would consist of approximately 1,000 dwelling units that would be a mix of single family homes, condominiums, and apartments, as well as approximately 230,000 SF of commercial development.

3.7.1 Affected Environment

Road Network

The project site is located on the west side of Commencement Bay in the City of Tacoma and Town of Ruston. There are two arterials that link the site with the regional transportation system. Ruston Way (a collector arterial) follows the west side of Commencement Bay and connects with the central business district of Tacoma and I-705 via Schuster Parkway to the south of the project site. Pearl Street. (SR-163) is a principal north south arterial to the west of the site that links the Vashon Island ferry terminal with SR-16 and I-5 to the south. In the vicinity of the project site, Ruston Way becomes Gallagher Drive, which continues to the west and north where it transitions into N 51st Street. N 51st Street completes the link between Ruston Way and N. Pearl Street. The existing road network is illustrated in **Figure 3.7-2**.

The surface condition of Ruston Way and Gallagher Drive adjacent to the site is poor due to age and the effects of heavy truck traffic generated by former industrial activity and site remediation work. In addition, road maintenance has been limited since redevelopment of the site would include roadway replacement. Most other roadways are in fair condition. Sidewalks are intermittent and much of the curbing in the vicinity of the site is absent or in poor repair. A major safety concern in the road network is the existing tunnel on Gallagher Drive, which is narrow and has restricted sight distance at the west portal.

The site is not currently served by transit. The nearest transit stops are on Pearl Street and on Cheyenne Street to the west of the project site. The Pierce Transit routes serving this area include Routes 10, 11, 51, and 220.

Bicycle facilities consist of the Ruston Way Path, which runs along Commencement Bay to the south of the site. The path terminates immediately south of the site.

Existing Traffic Volumes and Level of Service

The scope of this traffic study was established with the input of City of Tacoma Department of Public Works staff and field observations to identify the major intersections within Ruston. Traffic analysis includes an evaluation of average and peak summer traffic volumes on road segments, an analysis of arterial level of service for the Ruston Way corridor, and analysis of intersection operations during the average weekday PM peak hour. Selected intersections within the Town of Ruston and near the project site were also analyzed for peak summer weekday level of service.

Road Segment Analysis

The road segments (**Table 3.7-1**) identified for analysis by city staff reflect the primary arterial routes that serve the site. The purpose of including tube count data in the analysis is to ascertain hourly traffic volumes on a weekday and weekend basis to ensure that peak hour conditions are analyzed and any unusual fluctuations in traffic volumes are identified. The mechanical tube counters were in place for a nine day period beginning on Saturday September 9, 2006 through Sunday September 24, 2006.

**Table 3.7-1
ROAD SEGMENTS ANALYZED**

Loc.	Road Segment
1	Ruston Way just north of McCarver St.
2	Schuster Parkway just south of N 30 th St.
3	Ruston Way just east of Gallagher Tunnel
4	N 51 st St. just east of Pearl St.
5	Pearl St. just south of N 51 st St.
6	Pearl St. just north of N 37 th St.
7	N 46 th St. just east of Pearl St.
8	N 46 th St. just west of Orchard St.
9	N 51 st just east of Winnifred St.

Source: TSI

Comments on the Point Ruston Traffic Impact Analysis submitted as part of a project SEPA checklist in February 2007, raised issues regarding variations in traffic volumes in the vicinity of the Town of Ruston and the project site. Specifically, analysis of AM peak hour conditions was requested along with analysis of weekend peak hour traffic volumes. To establish a better understanding of traffic volumes within Ruston, TSI conducted additional traffic counts on Pearl Street just south of 51st Street, on 51st Street just east of Pearl Street, and on 51st Street just east of Winnifred Street during the first week of July.

The September 2006 and July 2007 data were collected using mechanical tube counters, which provide hourly traffic volumes for each direction. The counters were in place for two weekends and the intervening weekdays. The count data may be found in the appendices to the SEIS. The following charts summarize average directional traffic volumes for weekday and weekend conditions at count locations within the Town of Ruston. The July 4th holiday count data is excluded from the summary since the holiday represents an atypical condition where Ruston Way was closed for part of the day.

Table 3.7-2 summarizes existing traffic volume data along key road segments within the study area during early September 2006. Schuster Parkway south of N. 30th Street carries approximately 31,300 vehicles on a weekday and 3,330 during the weekday PM peak hour. Weekend daily and peak hour volumes are somewhat less. Just to the north of McCarver Street where Schuster Parkway becomes Ruston Way, volumes are considerably lower due to the volume of traffic traveling between Schuster Parkway and N 30th Street. Weekday volumes on this segment of Ruston Way reach approximately 12,600 vehicles with approximately 1,500 traveling during the PM peak hour. On weekends, the daily volumes are slightly higher while the PM peak hour volumes are slightly lower. Further north on Ruston Way near the east portal of the tunnel in the vicinity of the project site, traffic volumes drop to approximately 4,400 vehicles on a weekday with 460 vehicles traveling on this segment during the PM peak hour. On weekends, volumes are somewhat higher at approximately 5,500 vehicles per day and 515 vehicles during the PM peak hour. Directional volumes during the weekday peak hour are primarily northbound.

Table 3.7-2
EXISTING (2006) WEEKDAY AND WEEKEND TRAFFIC VOLUMES

Loc Road Segment				Weekday		Weekend	
				Daily	Pk. Hour	Daily	Pk. Hour
Ruston Way Corridor	2	Schuster Parkway south of N 30 th St.	NB	14,171	1,686	12,323	1,042
			SB	17,147	1,642	15,143	1,183
			Total	31,318	3,328	27,466	2,225
	1	Ruston Way north of McCarver St.	NB	6,868	958	7,483	697
			SB	5,714	579	5,928	498
			Total	12,582	1,537	13,411	1,195
	3	Ruston Way south of project site	EB	2,053	184	2,423	247
			WB	2,369	279	3,171	279
			Total	4,421	463	5,595	526
N 51 st St Corridor	9	N 51 st St east of Winnifred St.	EB	1,564	145	1,110	97
			WB	1,735	213	1,230	110
			Total	3,299	358	2,340	207
	4	N 51 st St. east of Pearl St.	EB	2,578	195	3,247	337
			WB	3,509	401	4,055	362
			Total	6,086	596	7,301	698
Pearl St Corridor	5	Pearl St. south of N 51 st St.	NB	2,621	254	4,297	434
			SB	2,714	281	5,063	667
			Total	5,335	535	9,360	1,101
	6	Pearl St. north of N 37 th St.	NB	5,275	449	6,065	553
			SB	5,472	474	6,434	596
			Total	10,746	923	12,499	1,149
N 46 th St Corridor	7	N 46 th St. east of Pearl St.	EB	2,236	172	2,010	157
			WB	2,456	253	2,311	177
			Total	4,692	425	4,321	334
	8	N 46 th St. west of Orchard St.	EB	2,358	230	2,041	160
			WB	2,578	287	2,251	178
			Total	4,936	517	4,291	338

Source: TSI

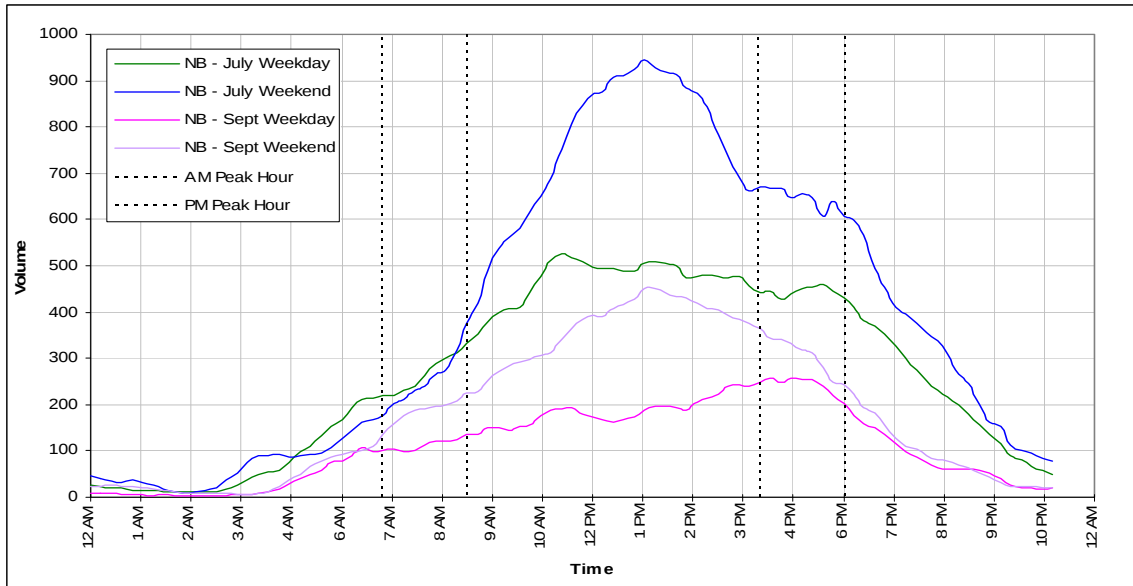
Traffic volumes on N. 51st Street between Gallagher Way and N. Winnifred Street reach approximately 3,300 vehicles on a weekday and approximately 360 vehicles during the PM peak hour. Weekend daily and peak hour volumes are significantly less than the weekday volumes on this segment of N. 51st Street. However, to the west near its intersection with N. Pearl Street weekday traffic volumes on N. 51st Street are significantly higher at approximately 6,100 vehicles per day and approximately 600 vehicles traveling this road segment during the PM peak hour. On weekends, volumes are even higher at approximately 7,300 vehicles per day and 700 vehicles during the PM peak hour. Directional traffic volumes are primarily westbound on weekdays and relatively balanced on weekends. This evaluation of traffic volumes on N. 51st Street shows that the east segment of 51st carries approximately 15% more traffic per day on a weekend, while weekend traffic volumes on the west segment are significantly less than weekday traffic volumes. In addition, both weekday and weekend traffic volumes on the east segment of N. 51st Street are significantly less than those on the west segment of N. 51st Street near Pearl Street.

Weekday and peak hour traffic volumes on Pearl Street just south of N. 51st Street are approximately half of the volumes further south at N. 37th Street. Weekend traffic volumes (both daily and peak hour) on Pearl just south of N. 51st Street are almost double weekday volumes. It is assumed that the attraction of Point Defiance Park is responsible for the increased weekend traffic volumes.

N. 46th Street provides an alternative travel route linking Ruston Way (via Alder Street and N. Stevens Street) with Pearl Street that also serves residential areas located between Pearl Street and Ruston Way. Weekday and PM peak hour traffic volumes on N 46th Street are slightly higher near Orchard Street than to the west at Pearl Street. Weekday PM peak hour traffic volumes are primarily westbound. Weekend traffic volumes along this corridor are slightly less than weekday traffic volumes.

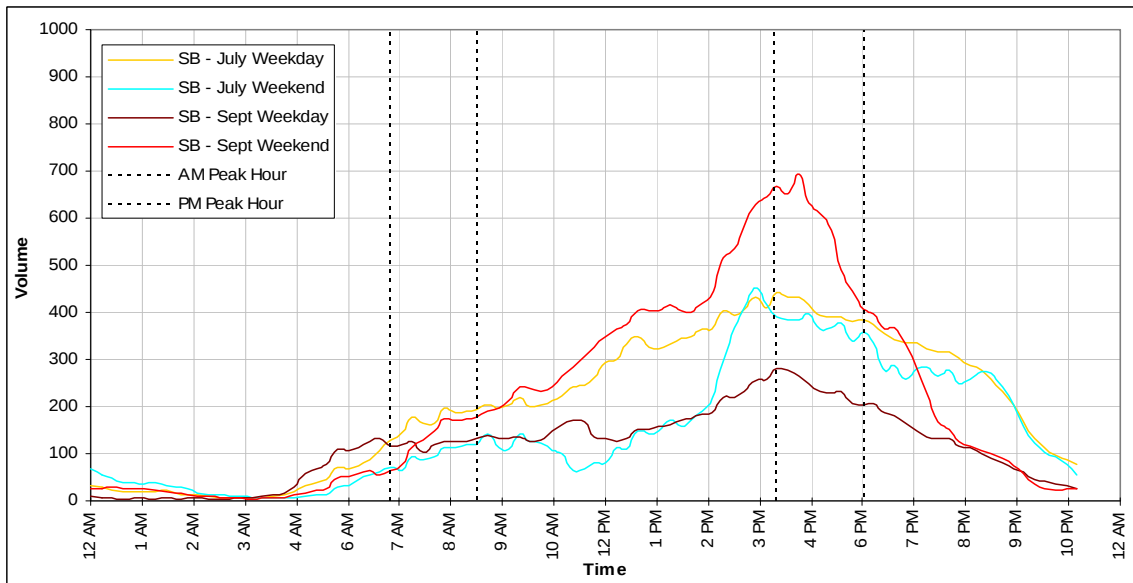
A more detailed examination summer traffic volumes on N. Pearl Street just south of its intersection with N. 51st Street (**Charts 3.7-1 and 3.7-2**) shows that the July weekend traffic volumes peak at midday at around 950 vehicles per hour. Southbound volumes peak around 4 PM at approximately 700 vehicles. These relatively high volumes reflect the draw of Point Defiance Park as a weekend destination and are the highest volumes experienced during the year. Summer weekday volumes are also slightly higher than the average volumes encountered during September. This count location also shows a relatively large seasonal fluctuation (250 to 650 vehicles during the PM peak hour) in traffic volumes.

Chart 3.7-1
DAILY NORTHBOUND TRAFFIC VOLUMES ON N. PEARL STREET JUST SOUTH
OF N. 51ST STREET



Source: TSI

Chart 3.7-2
DAILY SOUTHBOUND TRAFFIC VOLUMES ON N. PEARL STREET JUST SOUTH
OF N. 51ST STREET

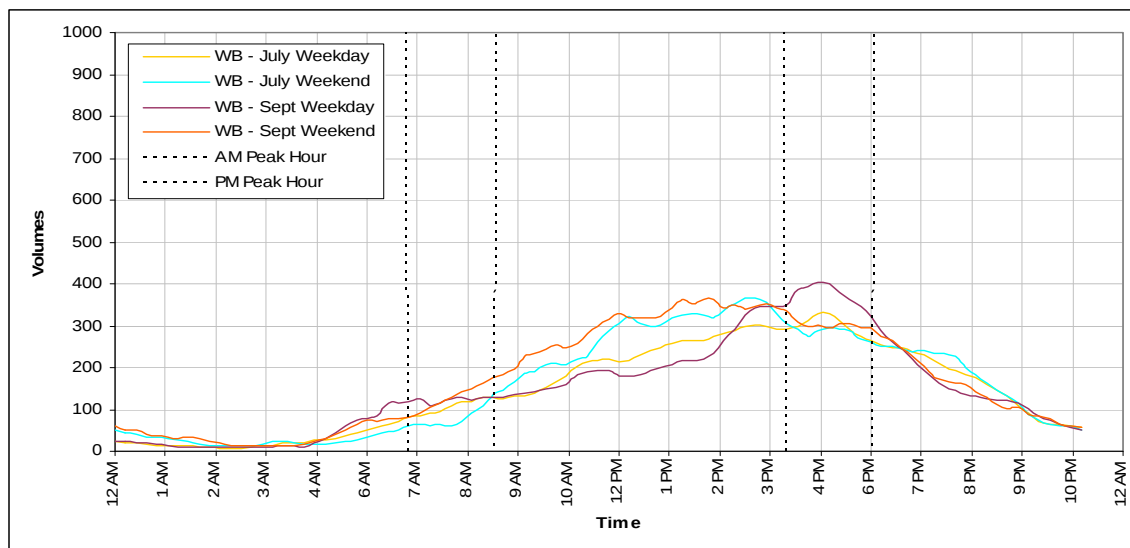


Source: TSI

Traffic volumes on N. 51st Street just east of Pearl Street (**Charts 3.7-3 and 3.7-4**) are approximately half of those on Pearl Street. Average weekday westbound volumes reach 400 vehicles per hour around 4 PM while eastbound volumes reach 350 vehicles per hour. The seasonal fluctuation in traffic volumes is also much lower along 51st Street with the PM peak

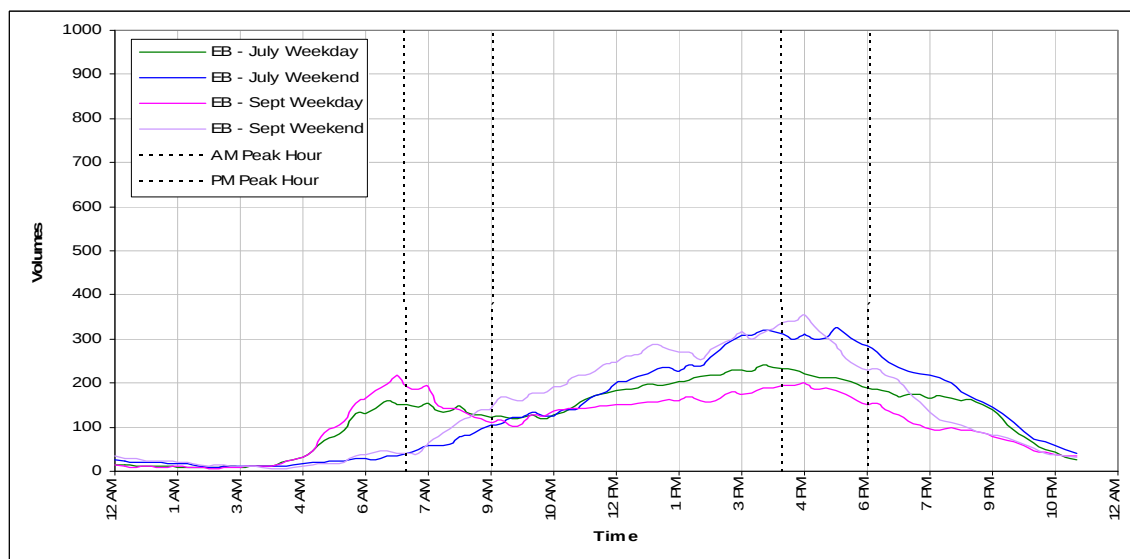
hour volumes ranging from 300 to 400 vehicles per hour westbound and 200 to 350 eastbound vehicles per hour.

Chart 3.7-3
DAILY WESTBOUND TRAFFIC VOLUMES ON N. 51ST STREET JUST EAST OF N. PEARL STREET



Source: TSI

Chart 3.7-4
DAILY EASTBOUND TRAFFIC VOLUMES ON N. 51ST STREET JUST EAST OF N. PEARL STREET

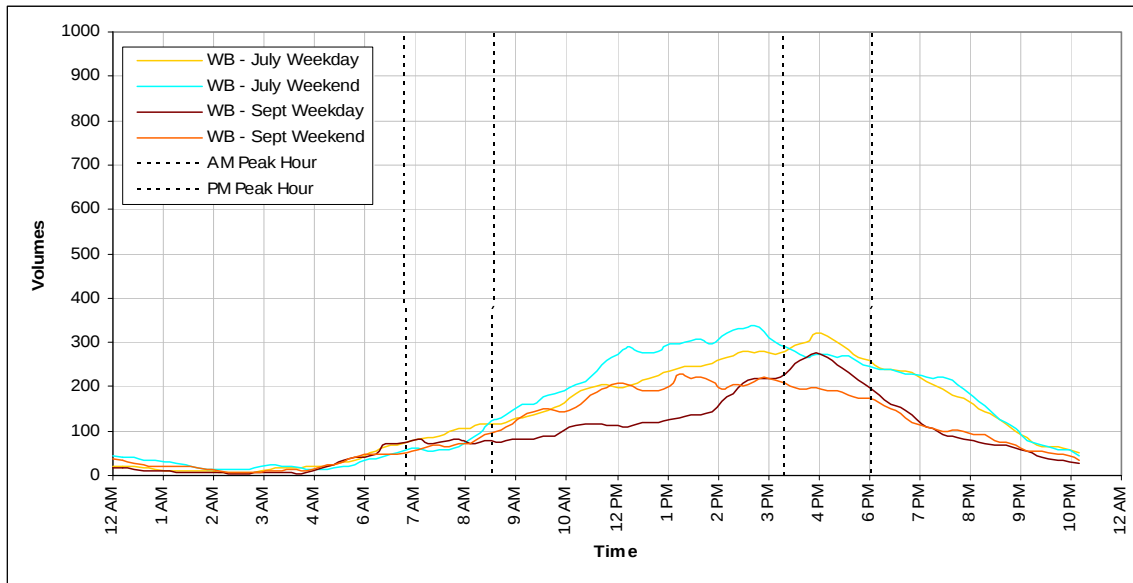


Source: TSI

Further east on N. 51st Street just east of N. Winnifred Street, peak hour traffic volumes are approximately the same or slightly lower than those just east of N. Pearl Street. The weekend volumes tend to peak in the early afternoon and the weekday volumes around 4 PM. Both of

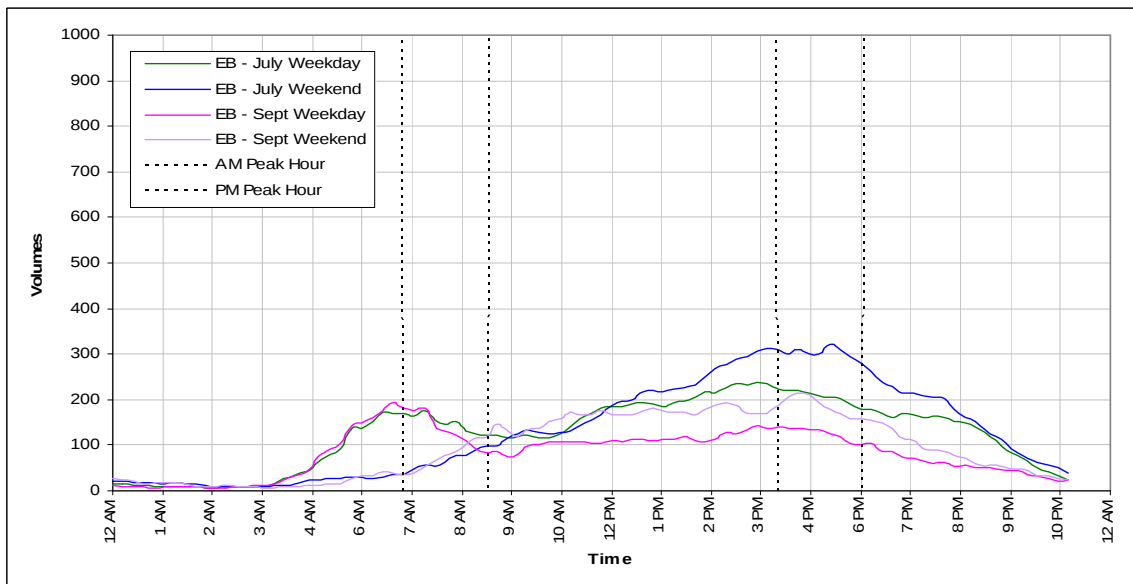
the locations on N 51st Street show an early afternoon peak in westbound traffic volumes and an eastbound peak that occurs later in the afternoon around 4 PM. This likely reflects the arrival and departure patterns of Point Defiance Park visitors (see **Chart 3.7-5** and **3.7-6**).

Chart 3.7-5
DAILY WESTBOUND TRAFFIC VOLUMES ON N. 51ST STREET JUST EAST OF N. WINNIFRED STREET



Source: TSI

Chart 3.7-5
DAILY EASTBOUND TRAFFIC VOLUMES ON N. 51ST STREET JUST EAST OF N. WINNIFRED STREET



Source: TSI

It should be noted that traffic impacts and mitigation to alleviate impacts are based on traffic volumes and conditions that a motorist would encounter on a frequent basis. July summer weekend conditions are atypical and should not be used as a basis for evaluating traffic impacts since the condition is relatively infrequent and of short duration. However, in order to show the range of traffic conditions that motorists would encounter in the area, it is appropriate to use the higher July volumes to illustrate traffic conditions at their worst. Later in this analysis, the July data will be used to adjust the September turning movement data so a level of service analysis can be made for affected intersections under peak summer weekday conditions. This additional analysis will illustrate the range of conditions that motorists would encounter along N. 51st Street and the north segment of N. Pearl Street.

During peak summer conditions, the Tacoma Police Department implements a Traffic Management Plan that involves limiting the northern segment of Ruston Way to one-way traffic northbound and routing traffic onto neighboring roadways that lead through residential neighborhoods.

Arterial Level of Service

The calculation of arterial level of service (LOS) in urban environments is based on methodologies outlined in Chapter 15 of the Highway Capacity Manual 2000 (HCM). Urban street LOS is based on average through-vehicle travel speed for the street segment or corridor being analyzed. The average travel speed is computed from the running time for each street segment and the control delay of through movements at signalized intersections. The LOS for urban streets is influenced both by the number of signals per mile and by the intersection control delay. Inappropriate signal timing, poor progression, and increasing traffic flow can degrade the LOS substantially. Streets with medium to high signal densities (i.e., more than two signals per mile) are more susceptible to these factors, and poor LOS might be observed even before significant problems occur. On the other hand, longer urban street segments comprising heavily loaded intersections can provide reasonable good LOS, although an individual signalized intersection might be operating at a lower level.

The LOS criteria are based on average travel speed and urban street class. For the purposes of this analysis, Ruston Way is identified as a Class III urban street. This classification is based on its function as a principal arterial, low signal density and a free flow speed (FFS) of 35 mph. Although the posted speed is 30 mph, the FFS is assumed to be somewhat higher because of the low signal density and fact that there are relatively few intersecting streets. The LOS categories for a Class III urban street with a range of free flow speeds of 30 to 35 mph are summarized in **Table 3.7-3**.

Table 3.7-3
ARTERIAL LOS CATEGORIES FOR A CLASS III URBAN ARTERIAL

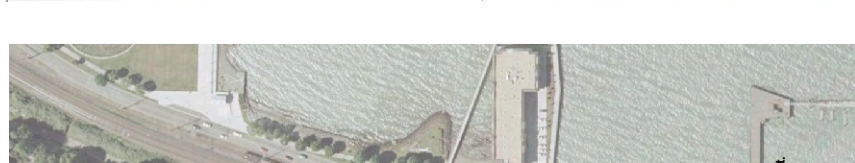
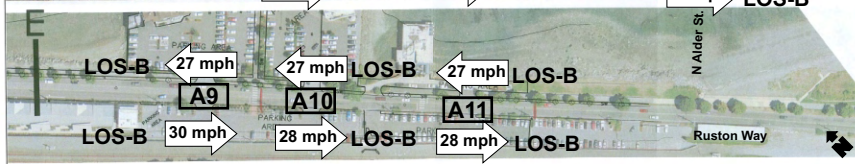
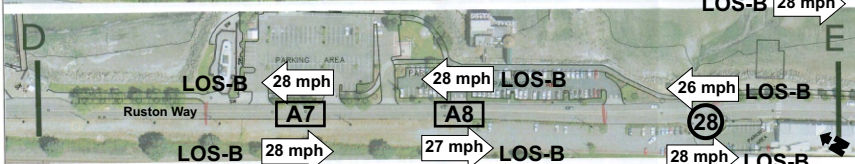
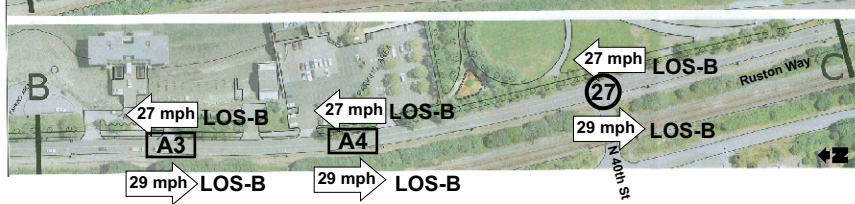
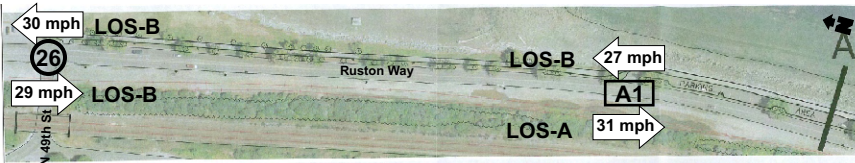
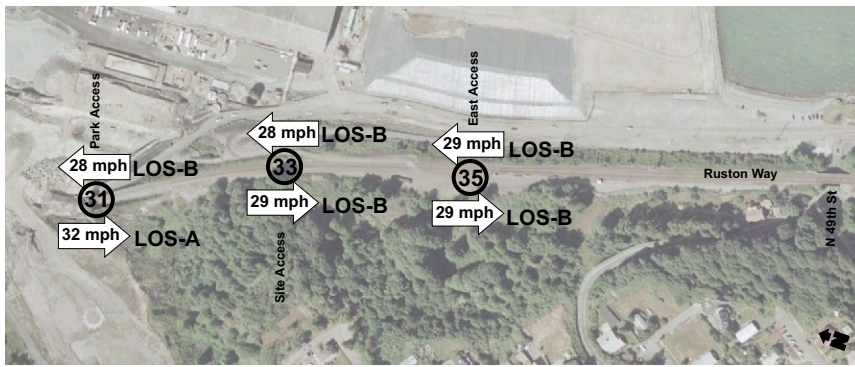
LOS	Average Travel Speed
A	>30 mph
B	>24 – 30 mph
C	>18 – 24 mph
D	>14 – 18 mph
E	>10 – 14 mph
F	≤10 mph

The model of the corridor was refined by inserting additional intersection nodes into the Synchro model at key access points. These points include accesses to significant commercial and park

land uses along the corridor. These points are illustrated in **Figure 3.7-1**. The appropriate channelization and intersection controls were also codified into the Synchro model. At intersections where turning movement counts were not available, 5 vehicles were assigned to each turning movement as well as, when present, the through movement on the minor approach. The through movements on Ruston Way are based on volumes at adjacent intersections where count data was available.

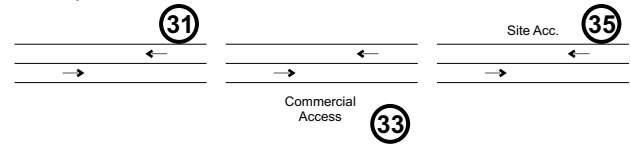
The HCM arterial LOS methodology incorporated into the Synchro software computes arterial delay for signalized intersections within the corridor. The HCM methodology does not incorporate the effects of unsignalized intersections. In order to take into account the effects of the unsignalized intersections, this arterial LOS analysis uses SimTraffic to model the effects of unsignalized intersections. SimTraffic takes into account the effects of turning movements at unsignalized intersections. **Figure 3.7-1** illustrates the location of these intersections and the average travel speed and LOS for each node along the arterial for average conditions. **Figure 3.7-2** illustrates the same items for peak hour conditions on a summer weekday.

Under existing (2006) average conditions, the northbound PM peak hour arterial speed is 27 mph (LOS-B) and the southbound arterial speed is 29 mph (LOS-B). Under peak summer conditions, the northbound speed remains at an average of 27 mph but the southbound speed drops to 28 mph (LOS-B).

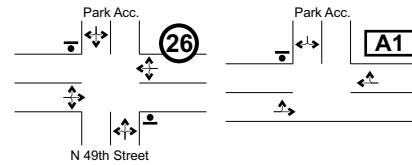


P to A3; Length: +/- 0.2 miles

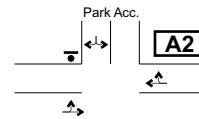
Proposed Park Acc.



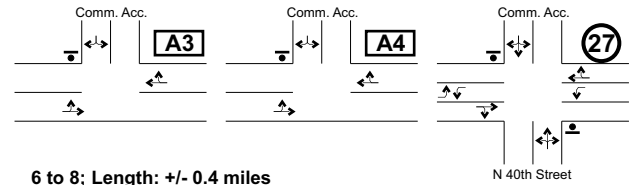
A3 to 2; Length: +/- 0.4 miles



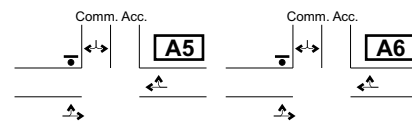
2 to 3; Length: +/- 0.1 miles



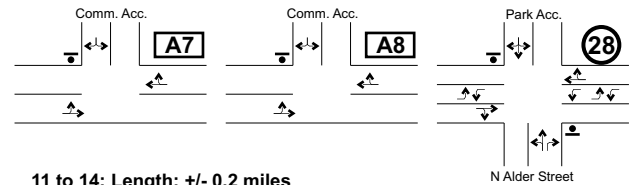
3 to 6; Length: +/- 0.2 miles



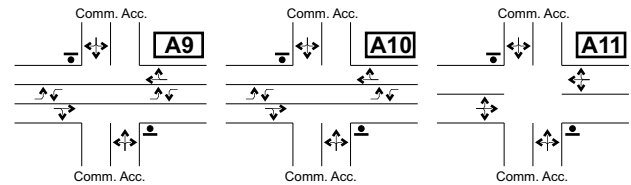
6 to 8; Length: +/- 0.4 miles



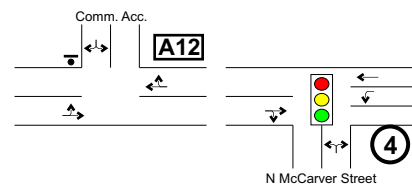
8 to 11; Length: +/- 0.2 miles



11 to 14; Length: +/- 0.2 miles



14 to 16; Length: +/- 0.4 miles

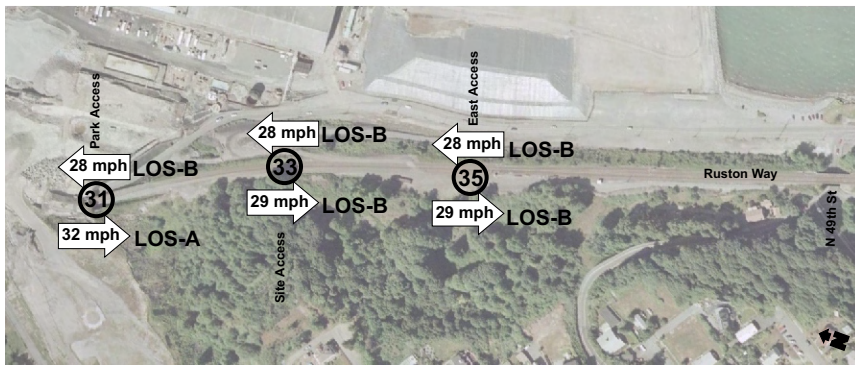


Overall NB/WB: 27mph (LOS-B)
Overall SB/EB: 29 mph (LOS-B)
 +/- 2 mile corridor

Source: TSI

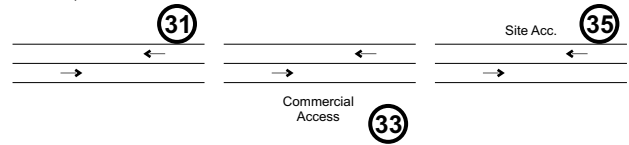
FIGURE 3.7-1:
 AVERAGE WEEKDAY PM PEAK HOUR
 ARTERIAL LOS - EXISTING (2006)

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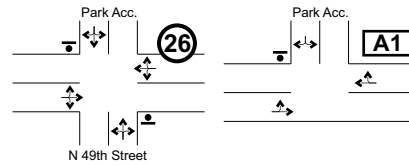


P to A3; Length: +/- 0.2 miles

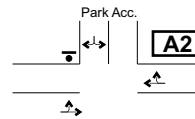
Proposed Park Acc.



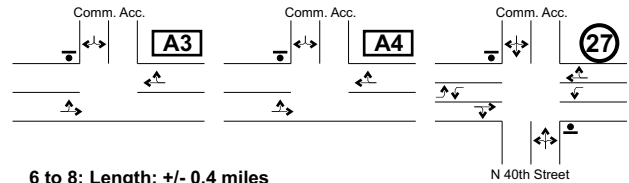
A3 to 2; Length: +/- 0.4 miles



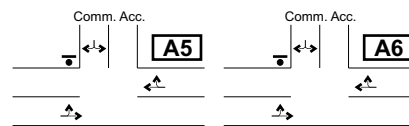
2 to 3; Length: +/- 0.1 miles



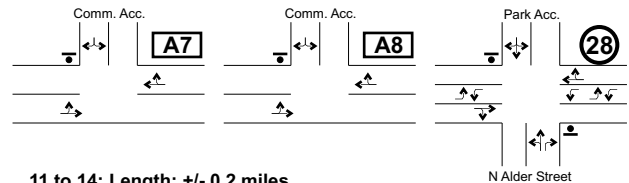
3 to 6; Length: +/- 0.2 miles



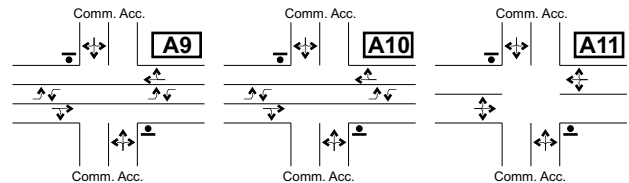
6 to 8; Length: +/- 0.4 miles



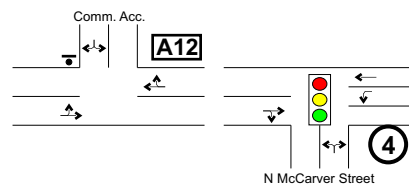
8 to 11; Length: +/- 0.2 miles



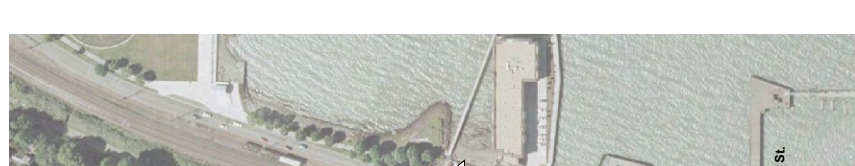
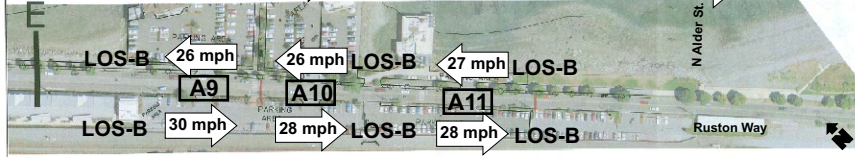
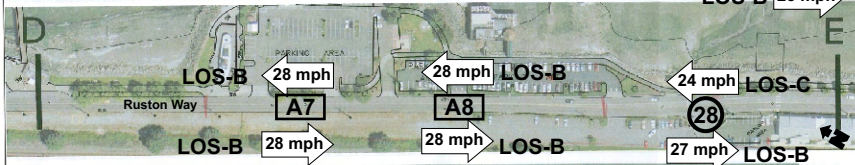
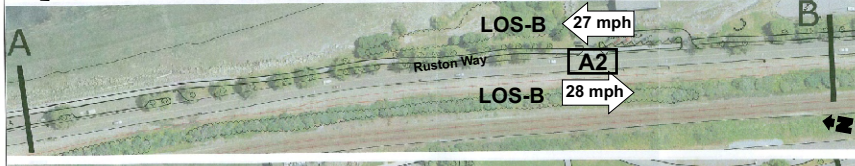
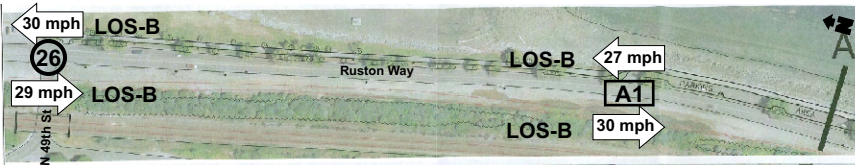
11 to 14; Length: +/- 0.2 miles



14 to 16; Length: +/- 0.4 miles



Overall NB/WB: 27mph (LOS-B)
Overall SB/EB: 28 mph (LOS-B)
 +/- 2 mile corridor



Source: TSI

FIGURE 3.7-2:
 SUMMER WEEKDAY PM PEAK HOUR
 ARTERIAL LOS - EXISTING (2006)

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Intersection LOS and Operations

The intersections identified for analysis (**Table 3.7-3**), include those analyzed in the 1996 Master Development Plan EIS plus additional intersections identified by city staff and TSI. The intersection turning movement count data were collected between 4 PM and 6 PM on a weekday. **Table 3.7-3** also includes the existing traffic control for each intersection.

**Table 3.7-3
INTERSECTIONS ANALYZED**

Loc	Control*	Intersection
1	S	6 th Ave./ SR-16 WB Off-Ramp
2	S	N Jackson Ave./ SR-16 WB Ramp
3	S	N Jackson Ave./ SR-16 EB Ramp
4	S	N Ruston Way/ N McCarver St
5	S	N McCarver St/ N 30 th St
6	S	N Pearl St/ N 21 st St
7	S	N Pearl St/ N 26 th St
8	S	N Pearl St/ N 30 th St
9	S	N Pearl St/ N 46 th St
10	S	N Pearl St/ N 51 st St
11	S	N Narrows Bridge Dr/ N 17 th St
12	S	I-705 Off-Ramp/ Stadium Way S
13	AWS	N Pearl St/ N 54 th St - N Park Ave
14	AWS	N Orchard St/ N 30 th St
15	S	N Pearl St/ 6 th Ave
16	TWS	N Narrows Dr/ N 26 th St
17	TWS	N Vassault/ N 37 th St
18	TWS	N Pearl St/ N 37 th St
19	TWS	N Vassault/ N 46 th St
20	TWS	N Vassault/ N 51 st St
21	TWS	N Pearl St/ N Park Way
22	TWS	N Bennett St/ N 51 st St
23	TWS	Ruston Way/ N 49 th St
24	TWS	N Baltimore St/ N 46 th St
25	TWS	N Orchard St/ N 46 th St
26	TWS	N Ferdinand St/ N 46 th St
27	TWS	Ruston Way/ N 40 th St
28	TWS	Ruston Way/ N Alder St
30	TWS	N Pearl St/ N 49 th St
31	TWS	N Winnifred St/ N 51 st St

*S= signalized, AWS= All-way stop control, TWS=Two-way stop control

The location of the intersections analyzed in this study and existing (2006) PM peak hour turning movement volumes are depicted in **Figure 3.7-3**.

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Existing Intersection Level of Service

Existing weekday PM peak hour level of service (LOS) was calculated for the selected intersections using the 2000 Highway Capacity Manual (Transportation Research Board, Special Report 209) methodology. For signalized intersections, the LOS is defined by seconds of average vehicle delay at the intersection. The seconds of delay are divided into several categories or grade levels, ranging from LOS-A, which is very good, to LOS-F, which reflects a breakdown in traffic flow. Although these letter designations provide a simple basis for comparison, seconds of average vehicle delay should be used as the exact measure of comparison. For this analysis, the critical volume method was used to determine signal timings employed in the HCM calculations. This method optimizes traffic signal timings by proportioning out green time to each traffic movement, based on respective traffic volume.

For unsignalized two-way stop controlled intersections, the level of service is defined in terms of stopped time delay for the controlled movements, and also divided into LOS categories A through F. For all-way stop controlled intersections, LOS is defined as the average vehicle delay for each vehicle traveling through the intersection. In an urban environment, a peak hour level of service of LOS-C is considered very good and LOS-D is considered good.

The findings are summarized in **Table 3.7-4** below.

All signalized intersections and the controlled approaches to all two-way stop controlled intersections operate at LOS-D or better during PM peak hour conditions. All of the unsignalized all-way stop controlled intersections operate at LOS-A with the exception of the intersection of N. 30th Street & N. Orchard Street, which operates at LOS-F. The existing channelization of this intersection provides for a single lane for all turning movements on each approach with a curb lane for parking. Close to the intersection, the curb lane functions as a short right turn lane. When the intersection is analyzed with right turn lanes on all approaches, the level of service improves to LOS-E. The primary reason for the poor level of service during the PM peak hour is the high volume of through traffic on all approaches to the intersection.

Table 3.7-4
EXISTING (2006) PM PEAK HOUR AVERAGE WEEKDAY LEVEL OF SERVICE

Intersection	Control ¹	Approach ²	Existing	
			LOS	Delay ³
1 6 th Ave. & SR-16 WB Off-Ramp	S	Avg.	A	9
2 N Jackson Ave. & SR-16 WB Ramp	S	Avg.	B	18
3 N Jackson Ave. & SR-16 EB Ramp	S	Avg.	C	22
4 N Ruston Way & N McCarver St.	S	Avg.	A	9
5 N 30 th St. & N McCarver St.	S	Avg.	B	13
6 N 21 st St. & N Pearl St.	S	Avg.	C	32
7 N 26 th St. & N Pearl St.	S	Avg.	C	23
8 N 30 th St. & N Pearl St.	S	Avg.	B	12
9 N 46 th St. & N Pearl St.	S	Avg.	A	7
10 N 51 st St. & N Pearl St.	S	Avg.	B	18
11 N 17 th St. & N Narrows Bridge Dr.	S	Avg.	B	15
12 I-705 Off-Ramp & Stadium Way	S	Avg.	D	52
13 Pearl St & N 54 th St. & N Park St.	AWS	Avg.	A	9
14 N 30 th St. & N Orchard Street	AWS	Avg.	F	69
15 N 6 th Ave & N Pearl St.	S	Avg.	D	36
16 N 26 th St. & N Narrows Drive	TWS	NB	B	10
		SB	B	16
17 N 37 th St. & N Vassault St.	TWS	NB	B	12
		SB	B	13
18 N 37 th St. & N Pearl St.	S	Avg.	B	11
19 N 46 th St. & N Vassault St.	TWS	EB	B	12
		WB	B	12
20 N 51 st St. & N Vassault St.	AWS	Avg.	A	8
21 N Pearl St & N Park Way	TWS	EB	B	11
22 N 51 st St. & N Bennett St.	TWS	SB	B	11
23 N 49 th St. & N Ruston Way	TWS	EB	B	10
24 N 46 th St. & N Baltimore St.	TWS	NB	B	15
		SB	B	14
25 N 46 th St. & N Orchard St.	TWS	NB	B	14
		SB	B	14
26 N 46 th St. & N Ferdinand St.	TWS	NB	B	13
		SB	B	13
27 N 40 th St. & N Ruston Way	TWS	EB	A	10
28 N Alder St. & N Ruston Way	TWS	EB	B	12
29 N 49 th St. & N Pearl St.	TWS	WB	B	13
30 N 51 st St. & N Winnifred St.	AWS	Avg.	A	9
		WB	A	9

Source: TSI

¹ S= signalized, AWS= All-way stop control, TWS=Two-way stop control

² Approach – designates the direction of travel for the controlled approach and LOS. (i.e. NB = northbound, Avg. = average of all approaches).

³ Delay = average seconds of vehicle delay for all vehicles entering intersection or those entering on controlled approaches.

3.7.2 Significant Impacts of the Proposed Action

Proposed Development

The proposed Point Ruston development would consist of a mix of residential and commercial uses that when complete would provide up to 1,000 dwelling units and 228,000 SF of commercial space. The development would be constructed in phases with the project complete and fully occupied in 8 to 10 years. For the purposes of determining the number of trips the project would generate, two phases are assumed. **Table 3.7-5** summarizes the proposed land uses and development for each phase. A conceptual site plan is illustrated in **Figure 3.7-4**.

**Table 3.7-5
PROPOSED DEVELOPMENT PLAN**

Land Use	Phase 1	Phase 2	Total
<i>Residential Units</i>			
Condominiums	143	687	830
Apartments	0	70	70
Senior Housing	0	100	100
Hotel (80% occupied)	0	150	150
<i>Commercial (1,000 SF)</i>			
Retail	0	60	60
Restaurant	1.5	18.5	20
Supermarket	0	18	18
Health Club	0	70	70
Office	17	43	60
Total Dwelling Units	143	1,007	1,150
Total Commercial (1,000 SF)	18.5	209.5	228

Source: Point Ruston

For the purposes of evaluating future traffic conditions, it is assumed that Ruston Way would be reconstructed to provide a two-lane cross section with roundabouts at the primary site access and the Peninsula Park access at Baltimore. Baltimore Street would be extended northward to connect with Ruston Way. There would be one secondary access located to the south of the primary access. The secondary access would be controlled by a stop sign on the minor approach and separate left and right turn lanes provided on the outbound leg of the intersection. It is understood that the channelization of the accesses may change as the site plan is finalized.



Source: TSI

FIGURE 3.7-4:
POINT RUSTON SITE PLAN

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Trip Generation

The number of daily, AM peak hour, and PM peak hour trips generated by the proposed development is calculated using the trip generation rates from the 7th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. **Table 3.7-6** summarizes the gross number of AM peak hour, PM peak hour, and weekday trips generated by Phase 1 of the development. With the completion of Phase 1, the development would generate approximately 116 trips during the AM peak hour, 191 trips during the PM peak hour, and 1,120 trips on a weekday.

Table 3.7-6
PEAK HOUR AND WEEKDAY GROSS TRIP GENERATION FORECAST PROPOSED
ACTION - (PHASE 1)

Land Use	LUC*	Units/ SF	AM Peak Hour			PM Peak Hour			Weekday
			Enter	Exit	Total	Enter	Exit	Total	Total
<u>Residential</u>		(units)							
Condominiums	230	143	12	57	69	54	27	81	644
<u>Commercial</u>		(1,000 SF)							
Restaurant	931	1.5	1	1	2	8	4	12	135
Office	710	17	40	5	45	17	81	98	341
Total Gross Trips			53	63	116	79	112	191	1,120

*ITE Land Use Code (LUC)

Table 3.7-7 summarizes the gross number of AM peak hour, PM peak hour, and weekday trips generated by the development at the completion of Phase 2. The development is forecasted to generate approximately 775 AM peak hour, 1,760 PM peak hour, and 17,408 weekday trips. However, as discussed below these are gross numbers that do not take into account the effects that the mix of residential and commercial land uses has on reducing trips or the effect of pass-by trips.

Table 3.7-7
PEAK HOUR AND WEEKDAY GROSS TRIP GENERATION FORECAST PROPOSED
ACTION - (PHASE 2)

Land Use	LUC	Units/ SF	AM Peak Hour			PM Peak Hour			Weekday
			Enter	Exit	Total	Enter	Exit	Total	Total
<u>Residential</u>		(units)							
Condominiums	230	830	48	233	281	228	112	341	2,873
Apartments	221	70	7	26	33	32	17	49	461
Senior Housing	252	100	4	4	8	7	4	11	348
Hotel (80% occupied)	310	150	26	19	40	25	26	51	856
<u>Commercial</u>		(1,000 SF)							
Retail	820	60	70	45	115	197	250	447	4,872
Restaurant	931	20	8	8	16	100	49	150	1,799
Office	710	60	110	15	125	25	121	146	900
Health Club	492	70	36	49	85	145	139	284	2,305
Supermarket	850	18	20	13	33	123	118	241	2,597
Total Gross Trips			337	438	775	907	853	1,761	17,408

*ITE Land Use Code (LUC)

The gross number of trips generated for each time period were adjusted using ITE methodologies for establishing the internal capture rates for a site that shares trips between complimentary uses. **Table 3.7-8** summarizes the effects of these adjustments and shows the number of external PM peak hour trips generated by the site and separates those trips into pass-by and primary trips. Based on this methodology, 26% of the gross number of PM peak hour trips would be captured internally.

Pass-by trips to the site are defined as trips that are already traveling on Ruston Way that pass-by the site. They turn into the site to stop at a retail business before continuing on to their primary destination. Pass-by trips are incorporated into the turning movements at site accesses (i.e. what would normally be a through trip becomes a right turn into the site and right turn out) but do not represent new trips on the local road network. The gross number of PM peak hour trips for the retail, restaurant, and supermarket land uses were reduced by 20% to account for pass-by trips.

Table 3.7-8
PM PEAK HOUR TRIP GENERATION ADJUSTED FOR PASS-BY TRIPS AND
INTERNAL CAPTURE

Land Use	External Trips			Pass-by Trips		Primary Trips		
	<i>In</i>	<i>Out</i>	Total	<i>Reduction</i>	<i>Trips</i>	<i>In</i>	<i>Out</i>	Total
Retail	162	172	334	20%	67	130	137	267
Restaurant	58	43	101	20%	20	47	34	81
Supermarket	87	93	180	20%	36	70	74	144
Health Club	109	82	190	0%	0	109	82	190
Office	11	107	119	0%	0	11	107	119
Residential	247	127	374	0%	0	247	127	374
Total	674	624	1,298		123	614	561	1,175

The internal trip adjustment reflects the effects of a wide range of land uses on reducing trips. For example, some residents would be employed on the site and there would be reduced resident travel off the site to shop, go to a restaurant, or visit the health club. In addition, the availability of goods and services on-site to people working in the offices or other businesses on-site would reduce off-site trips.

Following an initial review of the trip generation forecast, Tacoma City staff agreed that the development would capture trips internally but expressed concern over the ITE internal trip capture methodology and the relatively high internal capture rate of 27%. To address this concern, the trip generation forecast was revised by reducing the internal capture rate for each land use by approximately 50%. This reduction represents a very conservative approach to estimating the internal trip capture rate. The ITE internal capture rates and the adjusted rates used for the revised trips generation forecast are summarized in **Table 3.7-9**.

Table 3.7-9
ITE INTERNAL CAPTURE RATES AND ADJUSTED RATES

Land Use	ITE Rate		Adjusted Rate	
	To	From	To	From
Retail / Retail	20%	20%	10%	10%
Retail / Residential	12%	9%	6%	5%
Retail / Office	3%	2%	1.5%	1%
Residential / Retail	53%	31%	26%	16%
Residential / Office	0%	2%	0%	1%
Office / Retail	22%	31%	10%	15%
Office / Residential	2%	0%	1%	0%

Table 3.7-10 summarizes the revised trip generation forecast used to analyze future conditions in 2014 with the project complete and occupied.

Table 3.7-10
REVISED PM PEAK HOUR TRIP GENERATION FORECAST (PHASE 2)

Land Use	External Trips			Pass-by Trips		Primary Trips		
	In	Out	Total	Reduction	Trips	In	Out	Total
Retail	186	205	391	20%	78	149	164	313
Restaurant	73	57	129	20%	26	58	45	103
Supermarket	100	110	210	20%	42	80	88	168
Health Club	129	101	230	0%	0	129	101	230
Office	17	112	129	0%	0	17	112	129
Residential	281	152	434	0%	0	281	152	434
Total	786	736	1,523		146	714	662	1,376

The effect of reducing the ITE capture rate for internal trips (**Table 3.7-9**) is to increase the number of external PM peak hour trips to 1,376 (an increase of 200 trips) and reduce the internal capture rate from 26% to 13%. Subsequent analysis of future PM peak hour conditions is based upon this forecast where the development will add 1,376 new trips to the local road network during the PM peak hour. The spreadsheets used to calculate trip generation and the capture of internal trip may be found in the appendices.

In addition to the trips generated by the *Proposed Action*, it is assumed that the proposed 14 acre park site adjacent to the yacht basin would be developed and an access to Ruston Way provided at the north end of the project site. ITE trip generation rates, when applied to a 14 acre park, result in less than one PM peak hour trip. Research into park trip generation rates revealed a more reasonable rate used by the City of San Diego. This rate of four PM peak hour trips per acre resulted in 56 trips (22 inbound, 34 outbound) generated by the proposed park. The trips generated by the Stack Hill residential development are also incorporated into the analysis of the *Proposed Action* alternative.

Trip Distribution and Assignment

The distribution of trips generated by the proposed development is based on the comparative relationship of existing traffic volumes on Pearl Street and Ruston Way as well as the proportion of trips generated by each land use that are identified as regional or local trips.

The general distribution of project traffic to the Ruston Way or Pearl Street corridors is based on the relative volumes carried by those corridors during the PM peak hour. The existing PM peak hour northbound and southbound traffic volumes on Ruston Way and Pearl Street at the points indicated in **Table 3.7-11** were used to determine the general distribution of project generated traffic. The existing volumes show that approximately 68% of the inbound (northbound) traffic to the north Tacoma area travels on Ruston Way and 32% travels on Pearl Street. Approximately 56% of the outbound (southbound) traffic uses Ruston Way with 44% using Pearl Street.

Table 3.7-11
DISTRIBUTION OF EXISTING PM PEAK HOUR TRAFFIC VOLUMES ON RUSTON WAY AND PEARL STREET

Street Segment	Traffic Volume			% Distribution	
	North bound	South bound	Total	North bound	South bound
Ruston Way E. of Orchard	552	433	985	68%	56%
Pearl Street S. of N 51 st .	260	340	600	32%	44%

Project trips were also assumed to have regional and local origins and destinations. For example, trips generated by office land uses would be more regional in nature while trips generated by retail uses would be more local in nature. Furthermore, residential inbound trips would be more regional work to home trips while residential outbound trips would be more local. Local trips are defined as having an origin or destination north of N. 30th Street or the Tacoma central business district (CBD) while regional trips had origins or destinations south of the CBD or N. 30th Street. The inbound/outbound and regional/local distribution splits for each land use are summarized in **Table 3.7-12**.

Table 3.7-12
REGIONAL AND LOCAL DISTRIBUTION SPLITS FOR PROJECT LAND USES

Land Use	Inbound Trips		Outbound Trips	
	regional	local	regional	local
Residential	85%	15%	15%	85%
Office	50%	50%	90%	10%
Other Commercial	25%	75%	25%	75%

The distribution pattern for project generated trips distributes trips to the Ruston Way or Pearl Street corridors as depicted in **Table 3.7-11** and uses the regional or local distribution pattern as depicted in **Table 3.7-12**. A spreadsheet in the appendices to this report details the distribution patterns for each land use and intersection. The compiled distribution pattern and assignment of project generated PM peak hour trips is illustrated in **Figure 3.7-5**. The local and regional

distribution patterns and trip assignment for each land use for the Point Ruston project may be found in the appendices.

To establish future traffic volumes, the project trip assignment is added to the adjusted existing traffic volumes. (The adjustment includes an increase in existing traffic volumes of 2% per year through 2014 to reflect a general growth in traffic volumes not related to Point Ruston as well as traffic volumes generated by other developments such as the Commencement condominium development. Trips generated by the Stack Hill single family development are incorporated in addition to the general 2% annual increase).

There are two other factors that need to be considered when compiling the future traffic volumes. The first is the effect of The Baltimore Street connection. This link will provide an alternative to N. 51st Street for motorists traveling between Ruston Way and N. Pearl Street. For the purposes of this analysis it is assumed that a portion of the existing traffic volumes will use this new route to avoid congestion at the intersection of N. 51st Street and N. Pearl Street. Two scenarios are considered. *Scenario 1* assumes that 10% of the existing traffic volume that is currently making a northbound to eastbound right turn at N. 51st Street and N. Pearl Street would make a northbound right turn at N 46th Street and then turn onto Baltimore to reach Ruston Way. Conversely, 10% of the existing traffic volumes that now make a westbound left turn at Pearl Street would now turn left at Baltimore and turn onto N. 46th Street to reach Pearl. *Scenario 2* assumes that 20% of the existing traffic volumes would adjust their route to utilize Baltimore Street.

The second factor is the effect of above average traffic volumes that occur in the summer. Average traffic volumes at the intersections within Ruston and adjacent to the project site were increased to reflect summer traffic volumes. This increase is based on mechanical tube count data collected in July 2007 as described in this section under the *Affected Environment*. PM peak hour traffic volumes on Ruston Way during the summer to the south of the site are roughly 9% greater than under average conditions. Summer weekday peak hour traffic volumes on N. Pearl Street are approximately 50% greater than under average conditions reflecting trips to and from Point Defiance Park. On N. 51st Street, weekday peak hour traffic volumes increase by approximately 25% over average traffic volumes.

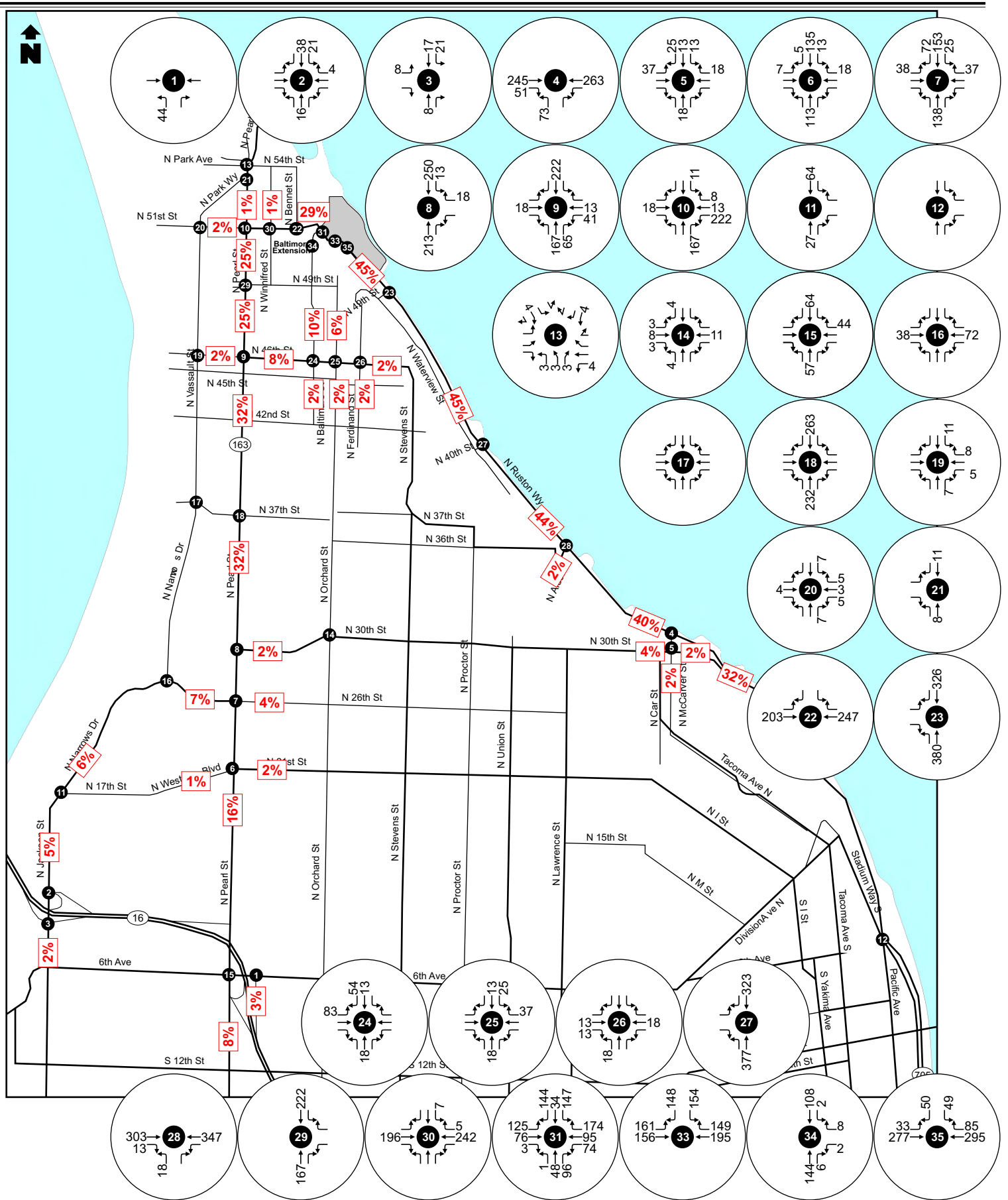
Future PM peak hour traffic volumes for the *Proposed Action* under average and summer conditions for both scenarios are illustrated in the following figures:

Fig 3.7-6: Average Weekday PM Peak Hour Traffic Volumes – Proposed Action (2014) – (Scenario 1)

Fig 3.7-7: Average Weekday PM Peak Hour Traffic Volumes – Proposed Action (2014) – (Scenario 2)

Fig 3.7-8: Summer Weekday PM Peak Hour Traffic Volumes – Proposed Action (2014) – (Scenario 1)

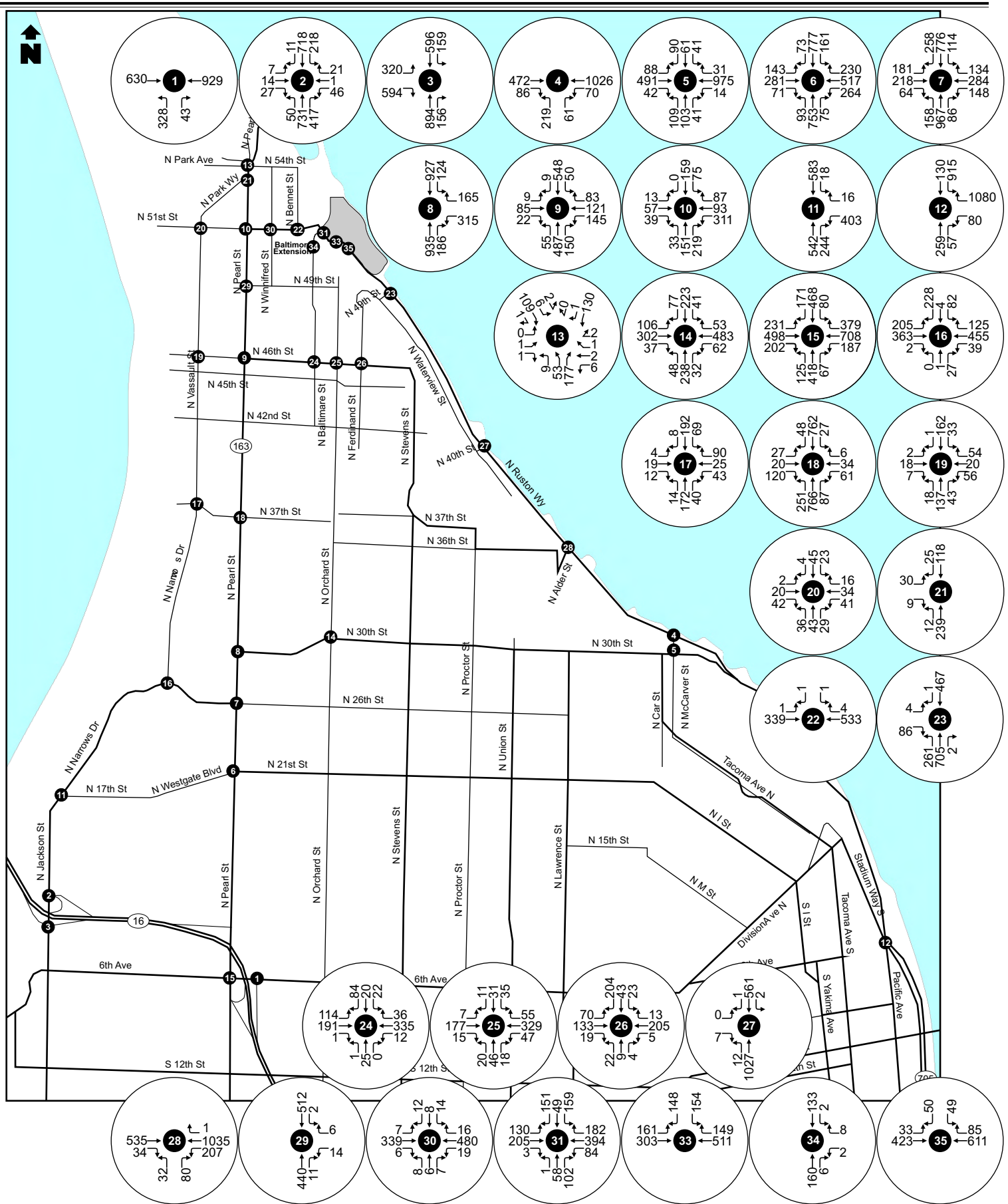
Fig 3.7-9: Summer Weekday PM Peak Hour Traffic Volumes – Proposed Action (2014) – (Scenario 2)



Source: TSI

FIGURE 3.7-5:
AVERAGE WEEKDAY PM PEAK HOUR
DISTRIBUTION AND ASSIGNMENT - PROPOSED ACTION (2014)

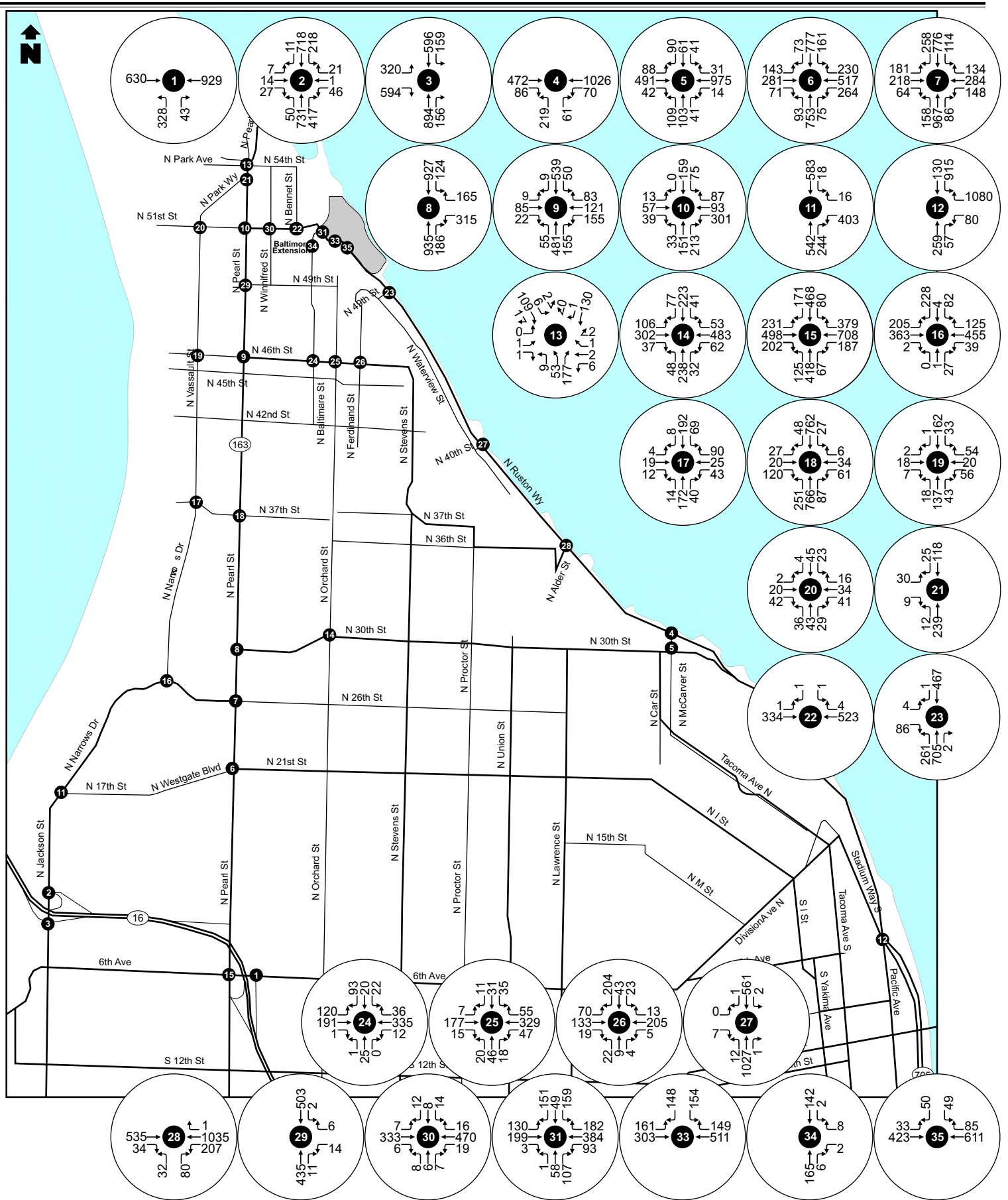
Point Ruston
Supplemental Draft EIS



Source: TSI

FIGURE 3.7-6:
AVERAGE WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES -
PROPOSED ACTION (2014) - (SCENARIO 1)

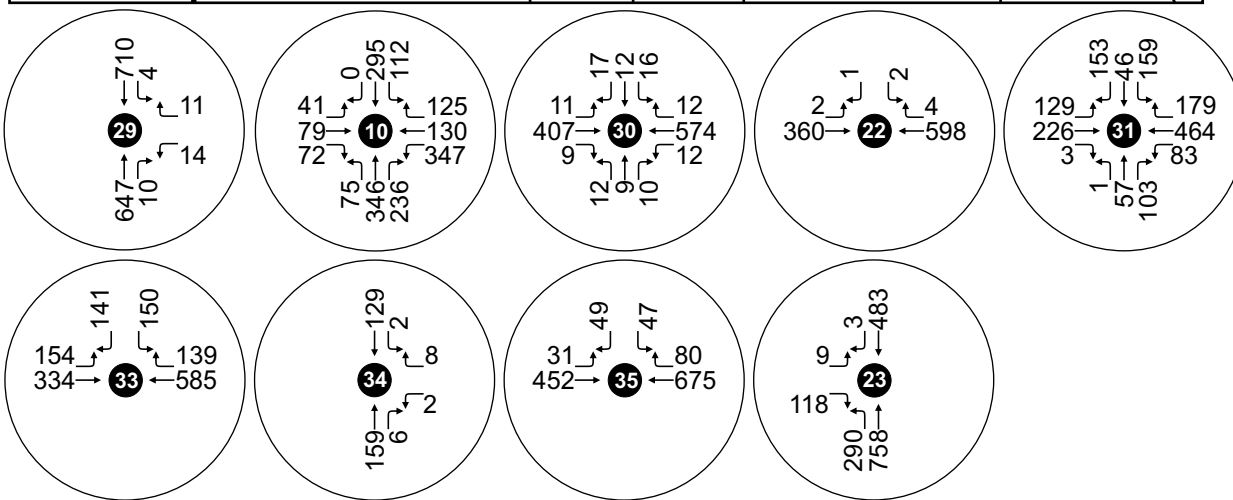
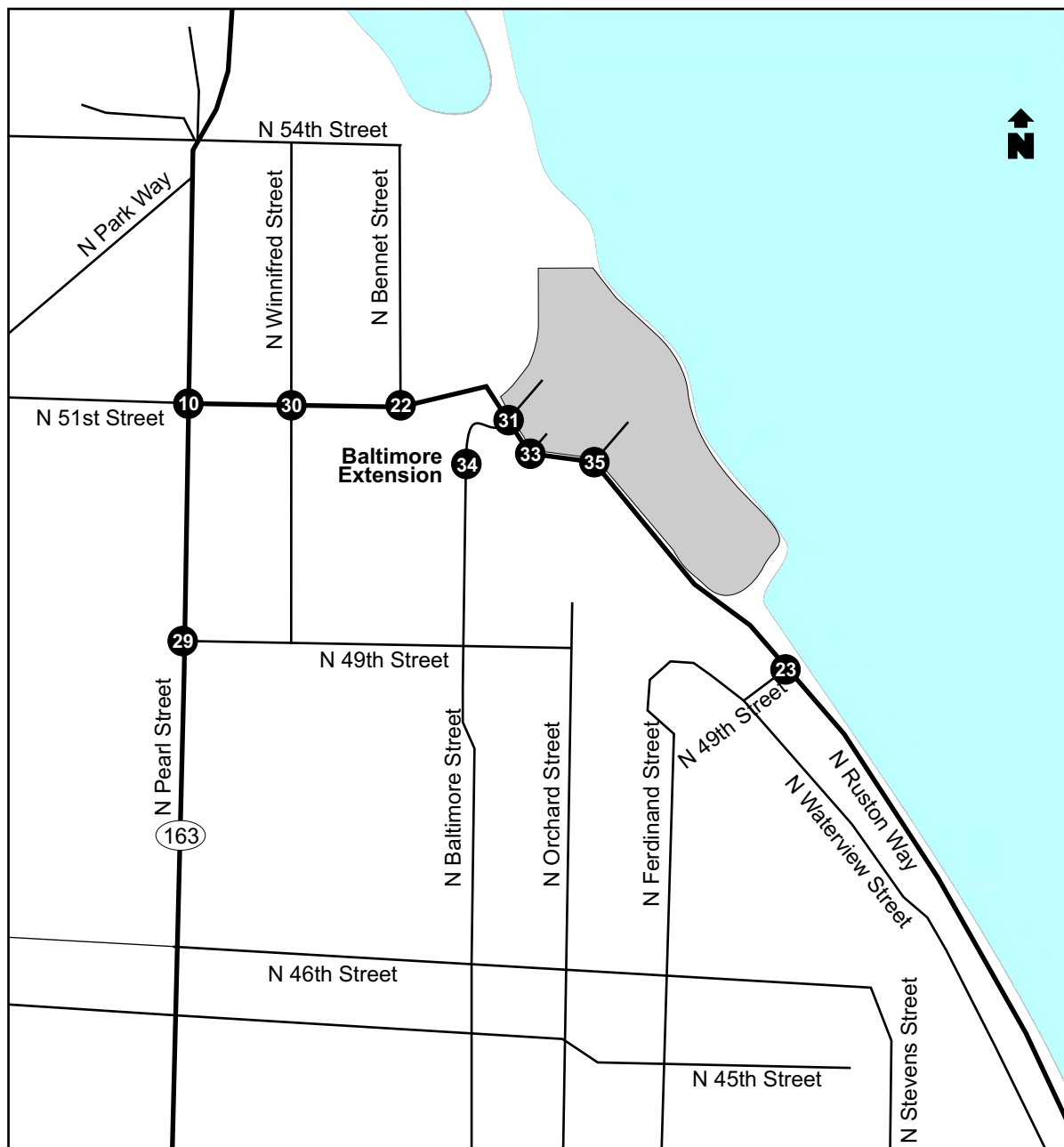
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Source: TSI

FIGURE 3.7-7:
AVERAGE WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES -
PROPOSED ACTION (2014) - (SCENARIO 2)

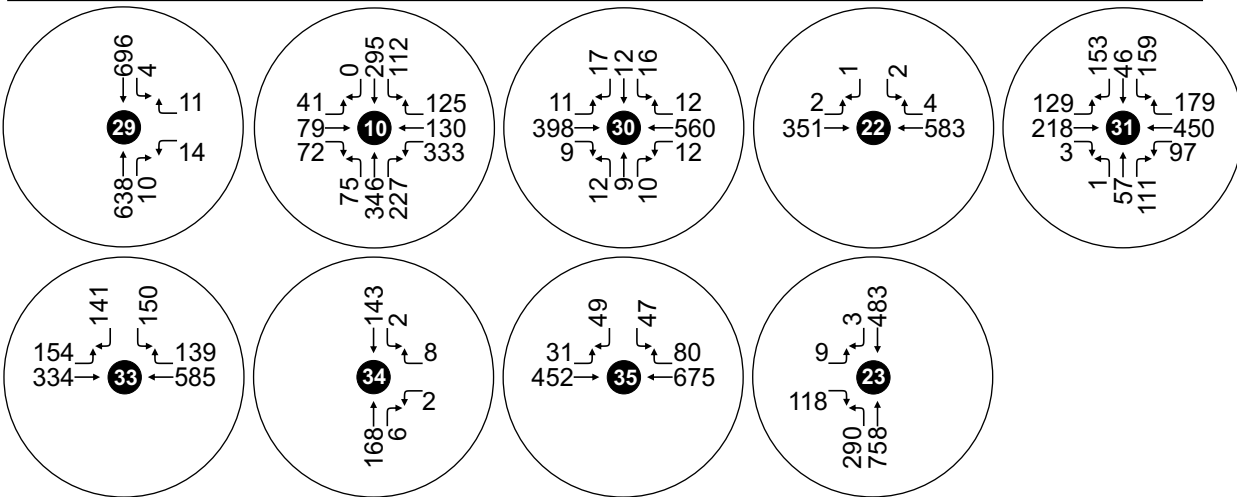
Point Ruston
Supplemental Draft EIS



Source: TSI

FIGURE 3.7-8:
SUMMER WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES -
PROPOSED ACTION (2014) - SCENARIO 1

Point Ruston
Supplemental Draft EIS



Source: TSI

FIGURE 3.7-9:
SUMMER WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES -
PROPOSED ACTION (2014) - SCENARIO 2

Intersection Level of Service

A level of service analysis was performed to establish future 2014 conditions with the Point Ruston development complete and fully occupied for average weekday and summer weekday conditions. The summer weekday analysis is limited to intersections within the Town of Ruston and near the project site. In addition, the distribution patterns resulting from Scenarios 1 and 2 only affect the intersections within the Town of Ruston and those near the project site. The results of the analysis of average weekday conditions for Scenario 1 and 2 are summarized in **Table 3.7-13**. Results from the summer weekday condition scenarios are summarized in **Table 3.7-14**.

In 2014, with the project complete and fully occupied all signalized intersections would operate at LOS-D or better with one exception.

- The intersection at the I-705 off-ramp/ Stadium Way operates at LOS-F due to the forecasted increase in background traffic volumes. There are no project generated trips assigned to this intersection.

The controlled approaches to all two-way stop controlled intersections continue to operate at LOS-D or better during PM peak hour conditions with one exception.

- At the intersection of N Alder Street & N Ruston Way, the level of service on the controlled eastbound approach drops from LOS-B to LOS-E with an increase in delay of approximately 30 seconds. The project adds 681 trips to this intersection with most of those trips traveling on Ruston Way. This increase in through traffic volumes results in fewer and shorter gaps in the through traffic flow and reduces the opportunities for vehicles on N. Alder Street to turn onto Ruston Way.
- Under summer conditions the controlled eastbound approach to the intersection of N. 49th Street and Ruston Way drops to LOS-E for the same reasons as described for the intersection at Adler. This poor level of service affects 86 vehicles making a right turn and 4 vehicles making a left turn onto Ruston Way.
- Reestablishing the Baltimore connection will increase the number of vehicle trips at the south leg of the intersection of N. 46th Street & N. Baltimore Street from 50 to 272 during the PM peak hour. The controlled southbound approach to the intersection would drop from LOS-B under existing conditions to LOS-D under future conditions with the project complete and occupied. Segments of this roadway are deficient and would be impacted by the increase in traffic volumes.

All of the all-way stop controlled intersections operate at LOS-A with two exceptions:

- The intersection of N. 30th Street & N. Orchard Street continues to operate at LOS-F. Average vehicle delay is forecasted to increase an additional 100 seconds due to project generated traffic and forecasted increases in existing traffic volumes. The project would add 32 new trips to this intersection. As stated in the existing conditions section, the channelization of this intersection provides for a single lane for all turning movements on each approach with a curb lane for parking. Close to the intersection, the curb lane functions as a short right turn lane. When the intersection is analyzed with right turn lanes on all approaches, the level of service remains at LOS-F under future with project conditions but the average vehicle delay drops from 170 seconds to 95 seconds. The primary reason for the poor level of service during the PM peak hour is the high volume of through traffic on all approaches to the intersection.

- The intersection of N. 51st Street & N. Winnifred Street drops from an intersection average of LOS-A to LOS-C under average peak hour conditions. The westbound approach to the intersection also drops from LOS-A to LOS-C. The average vehicle delay is slightly less under Scenario 2 but the LOS remains at LOS-C. The project adds 450 PM peak hour trips to this intersection. The majority of these trips are through movements on the eastbound and westbound approaches to the intersection. Under summer weekday peak hour conditions, the intersection is forecasted to operate at LOS-E under both Scenario 1 and 2. The westbound approach to the intersection would operate at LOS-F due to the increase in traffic volumes. The average vehicle delay is reduced under Scenario 2 but the LOS does not change.

The intersection does not currently meet the warrant requirements based on traffic volumes for an all-way stop or signalization due to the relatively low volumes on Winnifred Street. From a technical perspective, it would be appropriate to remove the stop signs on N. 51st Street to reduce delays on N. 51st Street. This would increase delays for the small number of vehicles entering N. 51st Street from N. Winnifred Street.

While this modification would improve level of service, it would also remove the calming effect of the stop signs on N. 51st Street, which keeps vehicle speeds low between Winnifred and Pearl and increase the potential for vehicular/pedestrian conflicts. For these reasons, it is recommended that the all-way stop remain in its current configuration.

Table 3.7-13
PM Peak Hour LOS – Proposed Action Average Weekday Conditions

Intersection		Control ¹	Scenario 1 (10%)			Scenario 2 (20%)		
			Approach / Average ²	LOS	Delay (sec) ³	Approach / Average ²	LOS	Delay (sec) ³
1	6th Ave. & SR-16 WB Off-Ramp	S	Avg.	B	10.2	Avg.	B	10.2
2	N Jackson Ave. & SR-16 WB Ramp	S	Avg.	C	21.0	Avg.	C	21.0
3	N Jackson Ave. & SR-16 EB Ramp	S	Avg.	D	36.1	Avg.	D	36.1
4	N Ruston Way & N McCarver St.	S	Avg.	B	15.5	Avg.	B	15.5
5	N 30th St. & N McCarver St.	S	Avg.	C	26.9	Avg.	C	26.9
6	N 21st St. & N Pearl St.	S	Avg.	D	40.2	Avg.	D	40.2
7	N 26th St. & N Pearl St.	S	Avg.	C	28.4	Avg.	C	28.4
8	N 30th St. & N Pearl St.	S	Avg.	B	12.5	Avg.	B	12.5
9	N 46th St. & N Pearl St.	S	Avg.	A	7.5	Avg.	A	7.7
10	N 51st St. & N Pearl St.	S	Avg.	C	25.1	Avg.	C	24.7
11	N 17th St. & N Narrows Bridge Dr.	S	Avg.	C	21.4	Avg.	C	21.4
12	I-705 Off-Ramp & Stadium Way	S	Avg.	F	128.0	Avg.	F	128.0
13	Pearl St & N 54th St. & N Park St.	AWS	Avg.	A	9.0	Avg.	A	9.0
14	N 30th St. & N Orchard Street	AWS	Avg.	F	170.1	Avg.	F	170.1
15	N 6th Ave & N Peal St.	S	Avg.	D	44.0	Avg.	D	44.0
16	N 26th St. & N Narrows Drive	TWS	NB	B	11.4	NB	B	11.4
			SB	C	24.8	SB	C	24.8
17	N 37th St. & N Vassault St.	TWS	NB	B	13.5	NB	B	13.5
			SB	B	14.0	SB	B	14.0
18	N 37th St. & N Pearl St.	S	Avg.	B	13.1	Avg.	B	13.1
19	N 46th St. & N Vassault St.	TWS	EB	B	12.8	EB	B	12.8
			WB	B	14.8	WB	B	14.8
20	N 51st St. & N Vassault St.	AWS	Avg.	A	7.7	Avg.	A	7.7
21	N Pearl St & N Park Way	TWS	EB	B	11.7	EB	B	11.7
22	N 51st St. & N Bennett St.	TWS	SB	C	19.1	SB	C	18.7
23	N 49th St. & N Ruston Way	TWS	EB	C	21.0	EB	C	21.0
24	N 46th St. & N Baltimore St.	TWS	NB	D	25.6	NB	D	26.3
		TWS	SB	C	23.6	SB	C	24.4
25	N 46th St. & N Orchard St.	TWS	NB	C	18.8	NB	C	18.8
		TWS	SB	C	22.0	SB	C	22.0
26	N 46th St. & N Ferdinand St.	TWS	NB	D	25.1	NB	D	25.1
			SB	C	15.9	SB	C	15.9
27	N 40th St. & N Ruston Way	TWS	EB	B	14.0	EB	B	14.0
28	N Alder St. & N Ruston Way	TWS	EB	E	41.5	EB	E	41.5
29	N 49th St. & N Pearl St.	TWS	WB	C	22.2	WB	C	21.7
30	N 51st St. & N Winnifred St.	AWS	Avg.	C	18.7	Avg.	C	17.8
			WB	C	23.1	WB	C	21.8
31	N Ruston Way & N Baltimore St.	RAB	Avg.	B	18.5	Avg.	B	18.4
			NB	C	27.5	NB	C	27.0
			NBL	B	15.0	NBL	B	14.9
33	Site Access & N Ruston Way	RAB	SB	B	18.7	SB	B	18.7
			Avg.	D	39.7	Avg.	D	39.7
			EB	D	54.4	EB	D	54.4
34	N Baltimore St. & Commercial Access	TWS	EBT	A	9.5	EBT	A	9.5
35	East Access & N Ruston Way	TWS	SB	C	23.2	SB	C	23.2

Source: TSI

¹ Control: S= signalized, AWS= All-way stop control, TWS=Two-way stop control, RAB = Roundabout

² Approach – designates the direction of travel for the controlled approach and LOS. (i.e. NB = northbound, Avg. = average of all approaches).

³ Delay = average seconds of vehicle delay for all vehicles entering intersection or those entering on controlled approaches.

Table 3.7-14
PM Peak Hour LOS – Proposed Action Summer Weekday Conditions

Intersection		Control	Scenario 1 (10%)			Scenario 2 (20%)		
			Approach / Average	LOS	Delay (sec)	Approach / Average	LOS	Delay (sec)
9	N 46th St.& N Pearl St	S	Avg.	A	7.5	Avg.	A	7.6
10	N 51st St.& N Pearl St.	S	Avg.	E	57.0	Avg.	D	53.8
22	N 51st St.& N Bennett St.	TWS	SB	C	24.1	SB	C	23.2
23	N 49th St.& N Ruston Way	TWS	EB	E	39.1	EB	E	39.1
30	N 51 st St.& N Winnifred St.	AWS	Avg.	D	34.7	Avg.	C	31.2
			WB	E	48.4	WB	E	42.8
31	N Ruston Way & N Baltimore St.	RAB	Avg.	C	25.1	Avg.	C	24.9
			NB	C	25.4	NB	C	23.6
			NBL	B	14.2	NBL	B	14.1
33	Site Access & N Ruston Way	RAB	Avg.	C	26.3	Avg.	C	26.3
			EB	D	54.1	EB	D	54.1
			EBT	E	57.8	EBT	E	57.8
34	N Baltimore St. & Commercial Access	TWS	WB	A	9.5	WB	A	9.5
35	East Access & N Ruston Way	TWS	SB	D	25.1	SB	D	25.1

Source: TSI

¹ Control: S= signalized, AWS= All-way stop control, TWS=Two-way stop control, RAB = Roundabout

² Approach – designates the direction of travel for the controlled approach and LOS. (i.e. NB = northbound, Avg. = average of all approaches).

³ Delay = average seconds of vehicle delay for all vehicles entering intersection or those entering on controlled approaches.

As previously discussed, the extension of Baltimore to Ruston Way provides an alternative to N 51st Street when traveling between Ruston Way and N Pearl St. A closer examination of intersections affected by this new connection is warranted. Table 3.7-14A summarizes the LOS and vehicle queues for each lane of intersections along this travel route. Scenario 1 assumes that 10% of the existing traffic volumes making a southbound right turn or westbound left turn at N Pearl St/ N 51st St would shift their travel route to utilize the new Baltimore connection. Scenario 2 assumes a more aggressive shift of 20% of the traffic volumes making that turning movement. Under both scenarios the critical westbound left turn and through movement at N Pearl St/ N 51st St would operate at LOS-D with a maximum queue of 12 to 13 vehicles. The LOS for lanes and turning movements at the remaining intersections would operate at LOS-C or better with the exception of the northbound approach at the intersection of N 46th St/ N Baltimore St, which would operate at LOS-D. It should be noted that the current methodology for analyzing queues at all-way stop controlled intersections and roundabouts does not calculate vehicle queues. If a larger percentage of the existing traffic altered their route to use Baltimore and avoid N 51st St, delays would be reduced at intersections along N 51st St and slightly increased at intersections along N Baltimore St.

Table 3.7-14A
Proposed Action - PM Peak Hour LOS & Queues for
Intersections Affected by Baltimore Connection

Intersection	Dir.	Existing 2006			Scenario 1 (2014)			Scenario 2 (2014)		
		LOS	Delay	Max Vehicle Queue	LOS	Delay	Max Vehicle Queue	LOS	Delay	Max Vehicle Queue
46th/ Pearl	EBL	A	7	1	A	7	0	A	7	0
	EBTR	A	7	2	A	7	1	A	7	1
	WBL	A	7	3	A	9	3	A	9	3
	WBTR	A	7	2	A	7	1	A	7	1
	NBL	A	6	0	A	7	1	A	7	1
	NBTR	A	7	1	A	8	3	A	8	3
	SBL	A	6	0	A	7	1	A	7	1
	SBTR	A	6	0	A	7	3	A	8	3
	AVG	A	7		A	8		A	8	
46th/ Baltimore	EBT	A	1	0	A	4	0	A	4	0
	WBT	A	0	0	A	0	0	A	0	0
	NBT	B	15	0	D	26	1	D	26	1
	WBT	B	14	0	C	24	3	C	24	3
	AVG	A	2		B	7		B	7	
51st/ Pearl	EBT	C	33	2	B	19	2	B	19	2
	WBLT	D	40	6	D	41	13	D	41	12
	WBR	C	31	1	B	18	2	B	18	2
	NBL	B	14	2	B	17	2	B	17	2
	NBTR	B	15	3	C	24	10	C	23	10
	SBL	A	4	2	C	20	2	B	19	2
	SBTR	A	4	3	B	13	4	B	13	4
	AVG	B	18		C	25		C	25	
51st/ Winnifred	EBT	A	8	N/A	B	14	N/A	B	13	N/A
	WBT	A	9	N/A	C	23	N/A	C	22	N/A
	NBT	A	8	N/A	A	10	N/A	A	10	N/A
	SBT	A	8	N/A	A	10	N/A	A	10	N/A
	AVG	A	9	N/A	C	19	N/A	C	18	N/A
51st/ Bennett	EBT	A	0	0	A	0	0	A	0	0
	WBT	A	0	0	A	0	0	A	0	0
	SBLR	B	11	0	C	19	0	C	19	0
	AVG	A	0	0	A	0	0	A	0	0
Ruston/ Baltimore	All	N/A	N/A		B	19		B	19	

Arterial Level of Service

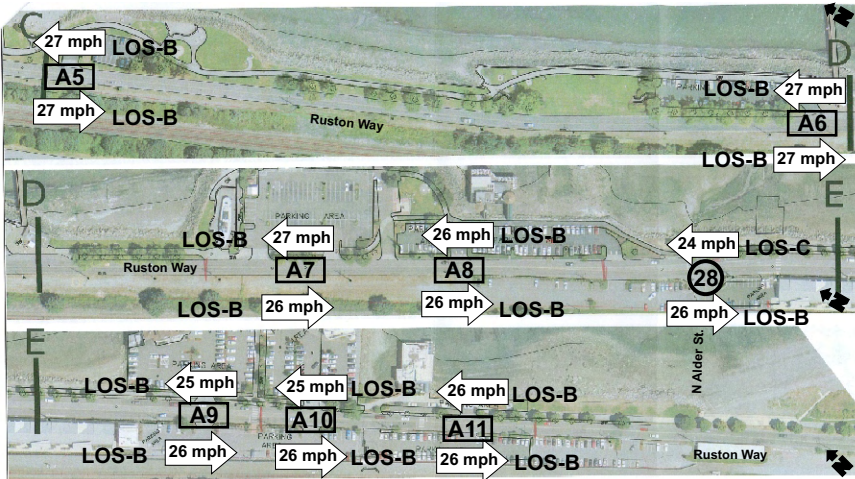
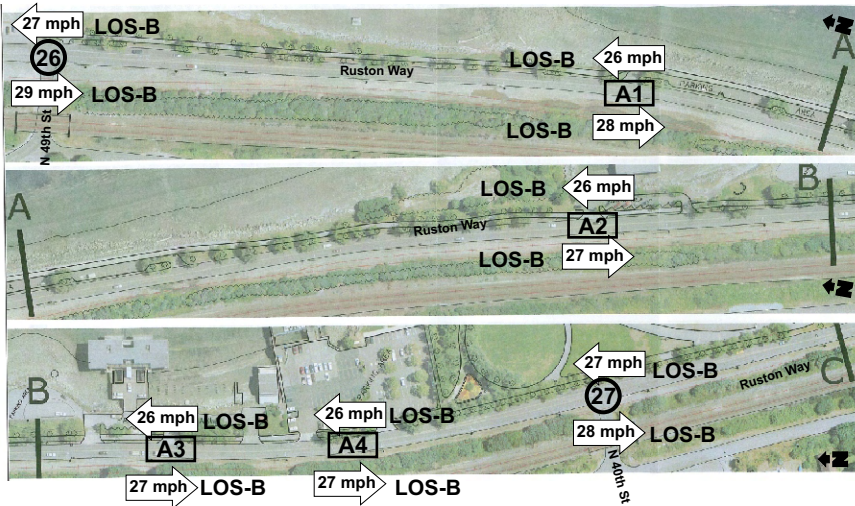
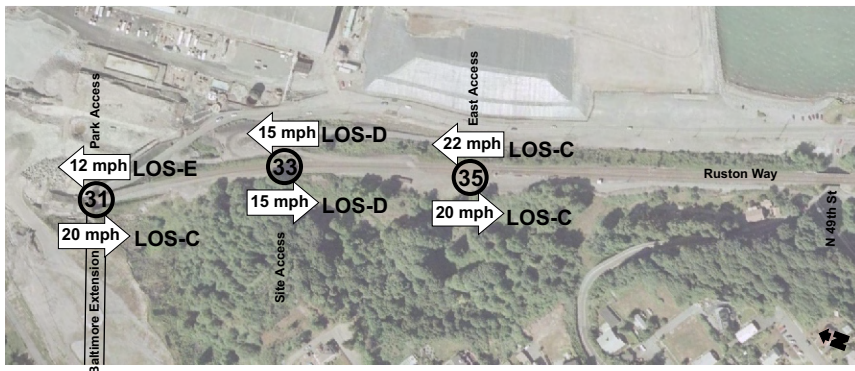
Arterial levels of service for the segments of Ruston Way between N. Baltimore Street and N. McCarver Street were also analyzed for future conditions using the methodology described in the Affected Environment section of this section of the DEIS.

The arterial level of service under future with project conditions along Ruston Way remains at LOS-B (25 mph) in the southbound direction but drops from LOS-B to LOS-C (24 mph) in the northbound direction due to the increase in traffic generated by the project and increases in

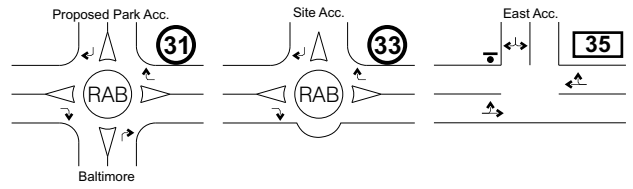
background traffic volumes. Figure 3.7-10 illustrates the LOS and travel speed for each segment of the corridor. The segment with the lowest travel speed includes the intersection of N McCarver Street. Under summer weekday conditions when traffic volumes are greater, the level of service remains the same but the travel speeds drop to 22 mph in the northbound direction but remain at 25 mph in the southbound direction. Figure 3.7-11 depicts the arterial level of service and travel speed for each segment of Ruston Way for summer conditions.

Transit Service

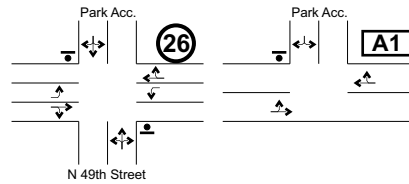
Pierce Transit does not currently have plans to provide transit service along Ruston Way. However, the project will increase the population density in the area and Pierce Transit will evaluate transit service needs once the timing of occupancy and density is known. Point Ruston will provide space for transit stops within the site and support additional stops along Ruston Way if recommended by Pierce Transit.



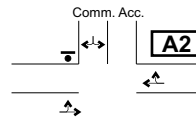
P to A3; Length: +/- 0.2 miles



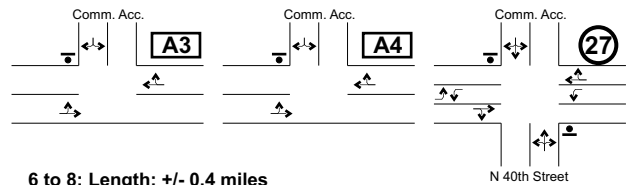
A3 to 2; Length: +/- 0.4 miles



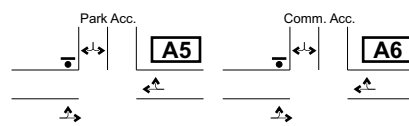
2 to 3; Length: +/- 0.1 miles



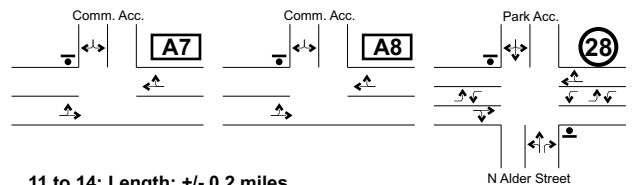
3 to 6; Length: +/- 0.2 miles



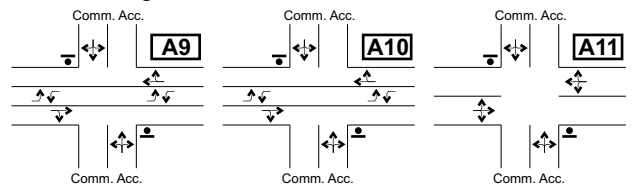
6 to 8; Length: +/- 0.4 miles



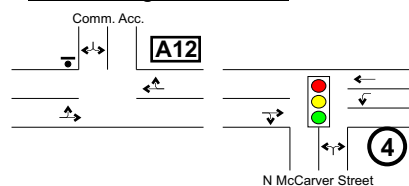
8 to 11; Length: +/- 0.2 miles



11 to 14; Length: +/- 0.2 miles



14 to 16; Length: +/- 0.4 miles

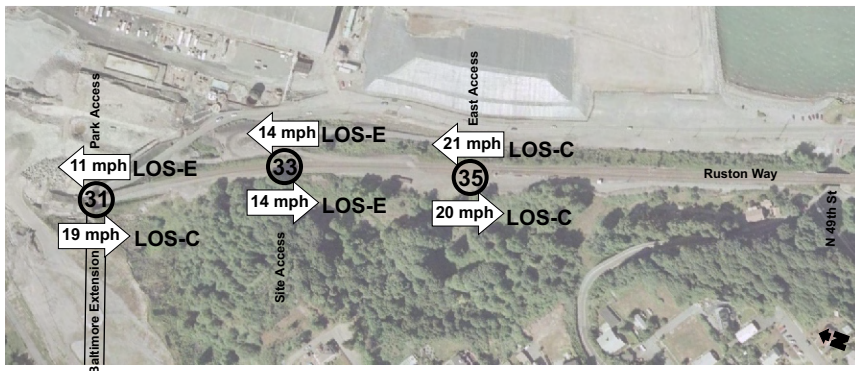


Overall NB/WB: 24 mph (LOS-C)
Overall SB/EB: 25 mph (LOS-B)
 +/- 2 mile corridor

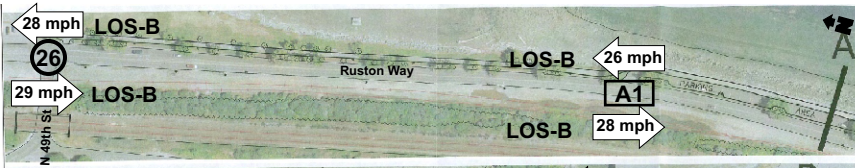
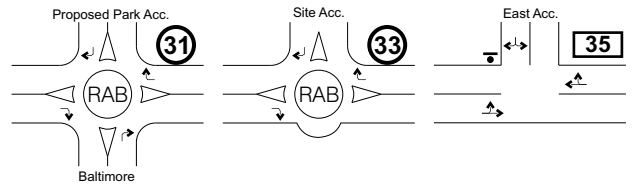
Source: TSI

FIGURE 3.7-10:
 AVERAGE WEEKDAY PM PEAK HOUR
 ARTERIAL LOS - PROPOSED ACTION (2014)

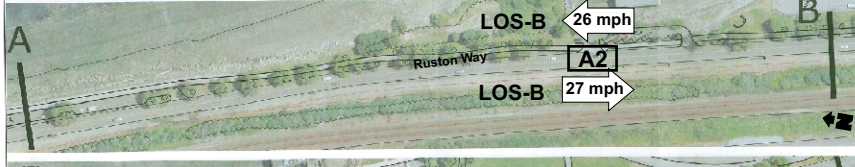
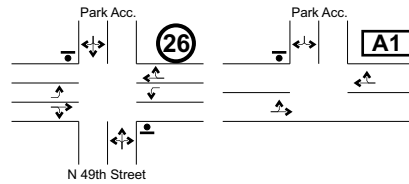
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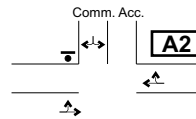
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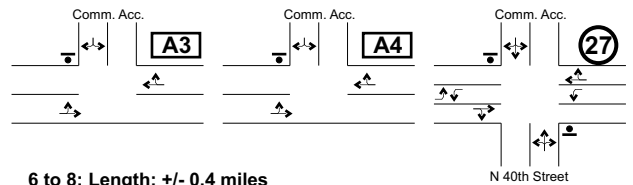
A3 to 2; Length: +/- 0.4 miles



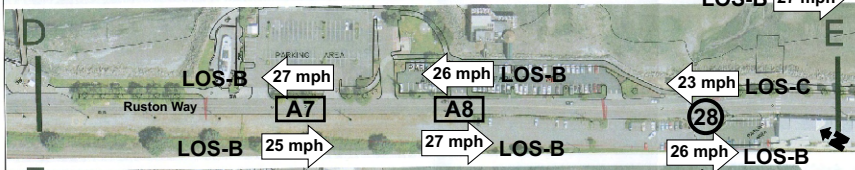
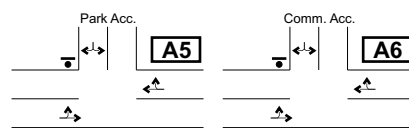
2 to 3; Length: +/- 0.1 miles



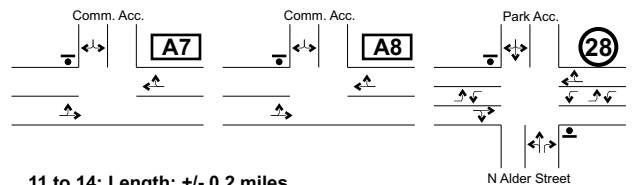
3 to 6; Length: +/- 0.2 miles



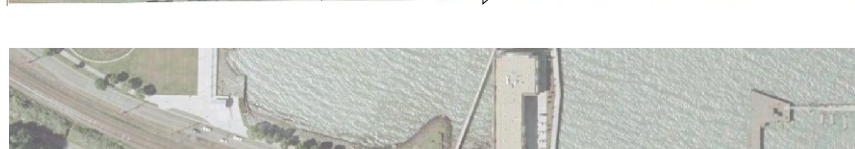
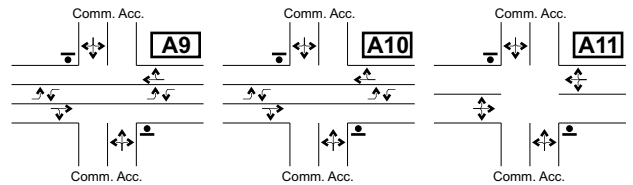
6 to 8; Length: +/- 0.4 miles



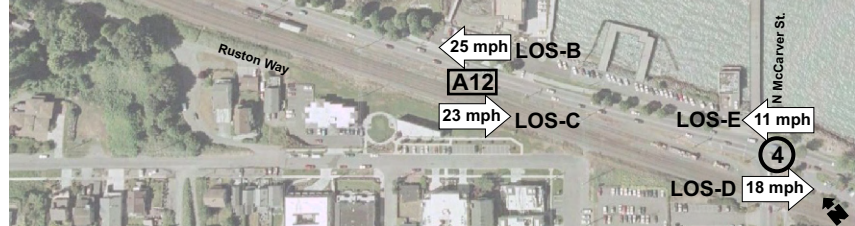
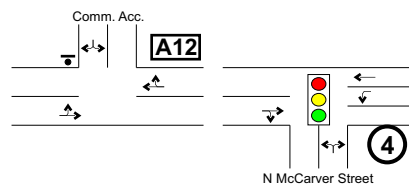
8 to 11; Length: +/- 0.2 miles



11 to 14; Length: +/- 0.2 miles



14 to 16; Length: +/- 0.4 miles



Overall NB/WB: 22 mph (LOS-C)
Overall SB/EB: 25 mph (LOS-B)
 +/- 2 mile corridor

Source: TSI

FIGURE 3.7-11:
 SUMMER WEEKDAY PM PEAK HOUR
 ARTERIAL LOS - PROPOSED ACTION (2014)

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Bicycle Facilities

As discussed under the Affected Environment section, a shared bicycle pedestrian path terminates at the south end of the project site. *Point Ruston* proposes to extend this route along the waterfront promenade on the project site and provide a connection to the proposed Peninsula Park. In addition, *Point Ruston* will provide bicycle lanes on both sides of the reconstructed segment of Ruston Way to provide a link between the existing path and N. Baltimore Street. At the intersection of Ruston Way & N. Baltimore Street, bicyclists will be able to turn into the Peninsula Park access or turn south onto the planned bicycle lanes on the planned reconnection of N. Baltimore Street as identified in the conditions for the Stack Hill development.

Short-Term Impacts

Short term impacts of the *Proposed Action* include temporary increases in the volume of heavy truck traffic associated with the delivery of materials to the site. Due to the site remediation requirements, no material will be removed from the site and there is approximately 100,000 cubic yards of clean fill material stockpiled on the site that will be used as part of the final site remediation. The import of additional materials is anticipated to be minimal and limited to soil amendments and construction materials.

There will be periodic disruptions to existing traffic on Ruston Way as the new roadway is constructed and the existing tunnel decommissioned. Temporary access connecting to Ruston Way may be required to provide access to portions of the site for workers and materials during construction phases.

3.7.3 Impacts of the Alternatives

If the proposed *Point Ruston* development does not occur, the alternative is to develop an office park as described in the *1997 Smelter Site FEIS*. The Town of Ruston approved Alternative 3 of the FEIS, a 990,000 square foot office park. For the purposes of analyzing the impacts of this *No Action* alternative, it is assumed that Ruston Way would be reconstructed as described under the *Proposed Action*, Baltimore Street would be reconnected to Ruston Way, and Peninsula Park would be developed.

Trip Generation

The number of PM peak hour trips generated by the office park is based on statistics compiled into *ITE Trip Generation, 7th Edition*. Based on the current trip generation rate for an office park (LUC 750), the *No Action* alternative would generate 1,304 PM peak hour trips (183 inbound, 1,121 outbound). In the *1997 Smelter Site FEIS*, the same office park was forecasted to generate 1,500 PM peak hour trips. The most current statistics show that office park land uses generate somewhat fewer trips per unit of floor area than in 1997. The number of PM peak hour trips generated by this alternative is slightly less than the 1,376 PM peak hour trips generated under the *Proposed Action*. However, the distribution of trips for the *No Action* alternative is largely outbound while the inbound/outbound distribution of trips under the *Proposed Action* is more balanced.

It is assumed that the proposed 14 acre park site adjacent to the yacht basin would be developed and an access to Ruston Way provided at the north end of the project site. ITE trip generation rates, when applied to a 14 acre park, result in less than one PM peak hour trip.

Research into park trip generation rates revealed a more reasonable rate used by the City of San Diego. This rate of four PM peak hour trips per acre resulted in 56 trips (22 inbound, 34 outbound) generated by the proposed park. The trips generated by the Stack Hill residential development are also incorporated into the analysis of the *No Action* alternative.

Trip Distribution and Assignment

As with the *Proposed Action*, the distribution of trips generated by the *No Action* alternative is based on the comparative relationship of existing traffic volumes on Pearl Street and Ruston Way as well as the proportion of trips that are identified as regional or local trips. It is assumed that 90% of the outbound trips are regional and 10% local. The inbound trips are assumed to be 50% local and 50% regional. Figure 3.7-12 illustrates the distribution and assignment of PM peak hour trips. As with the *Proposed Action*, future traffic conditions are analyzed for average and summer weekday conditions for Scenario 1 and Scenario 2. As described earlier, the Scenarios reflect a conservative 10% and moderate 20% redistribution of existing traffic volumes to make use of the Baltimore connection.

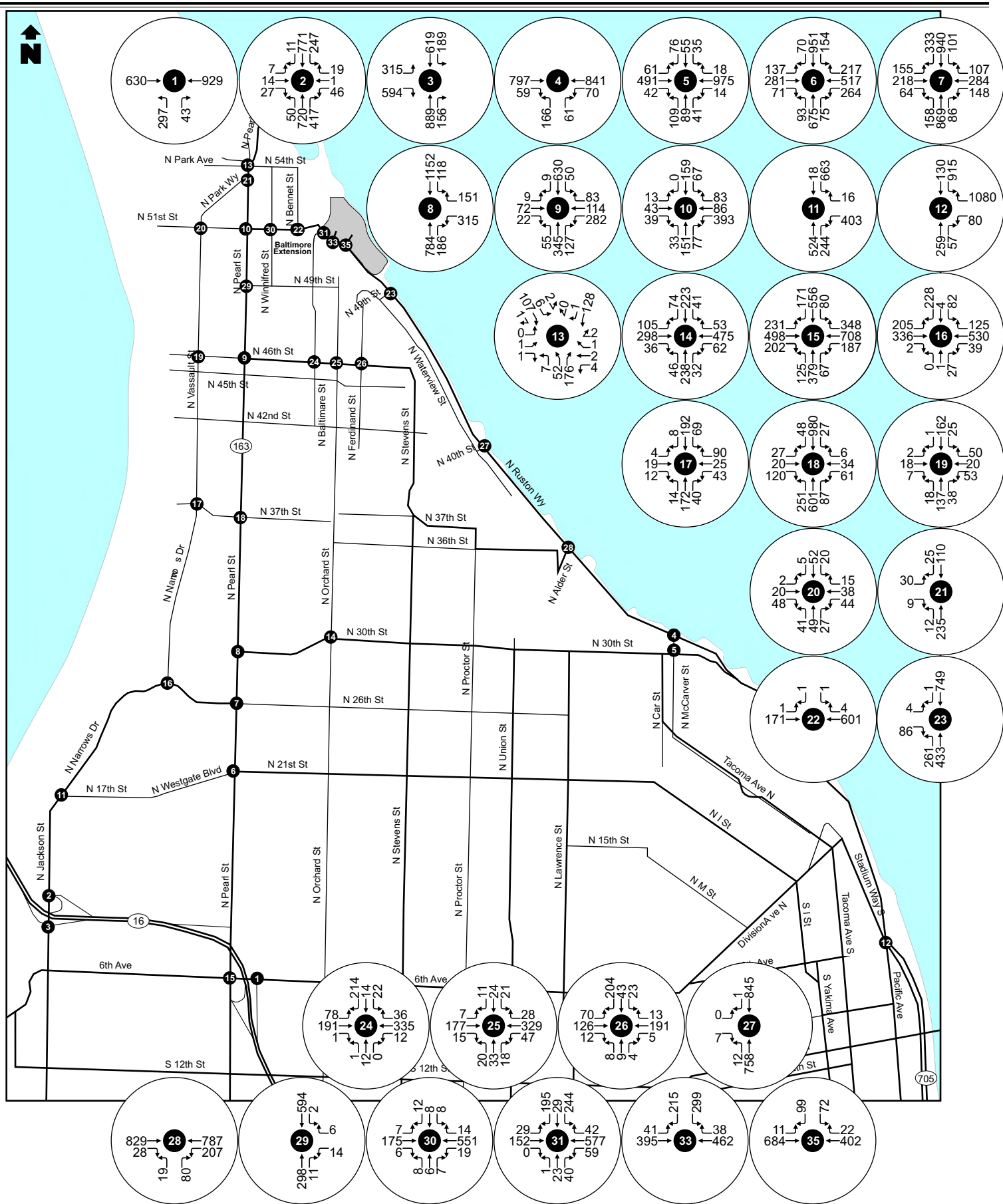
The following figures illustrate the traffic volumes resulting from the average and summer conditions and the redistribution scenarios:

Fig 3.7-13: Average Weekday PM Peak Hour Traffic Volumes – No Action (2014) – (Scenario 1)

Fig 3.7-14: Average Weekday PM Peak Hour Traffic Volumes – No Action (2014) – (Scenario 2)

Fig 3.7-15: Summer Weekday PM Peak Hour Traffic Volumes – No Action (2014) – (Scenario 1)

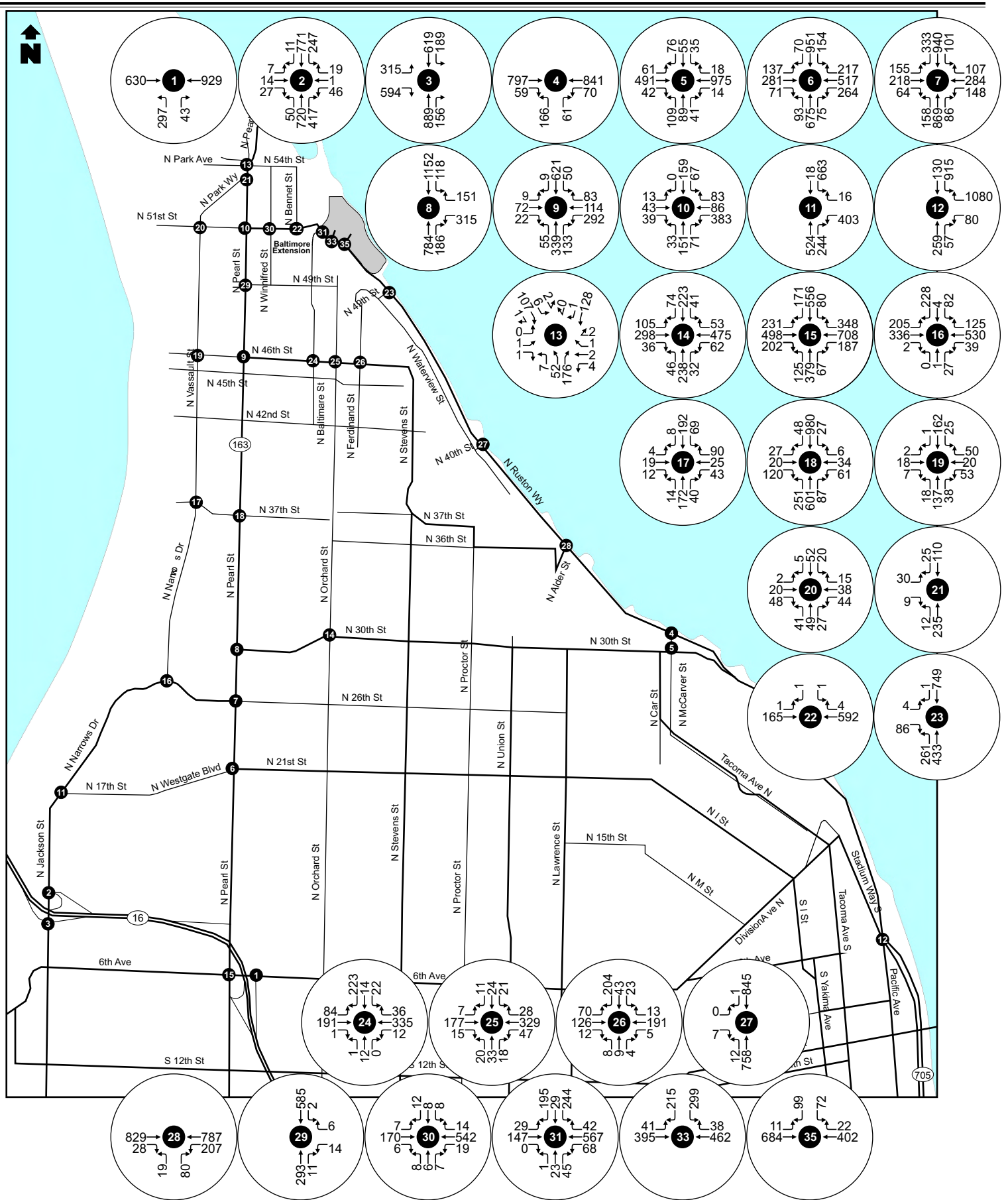
Fig 3.7-16: Summer Weekday PM Peak Hour Traffic Volumes – No Action (2014) – (Scenario 2)



Source: TSI

FIGURE 3.7-13:
AVERAGE WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES
NO ACTION (2014) -(SCENARIO 1)

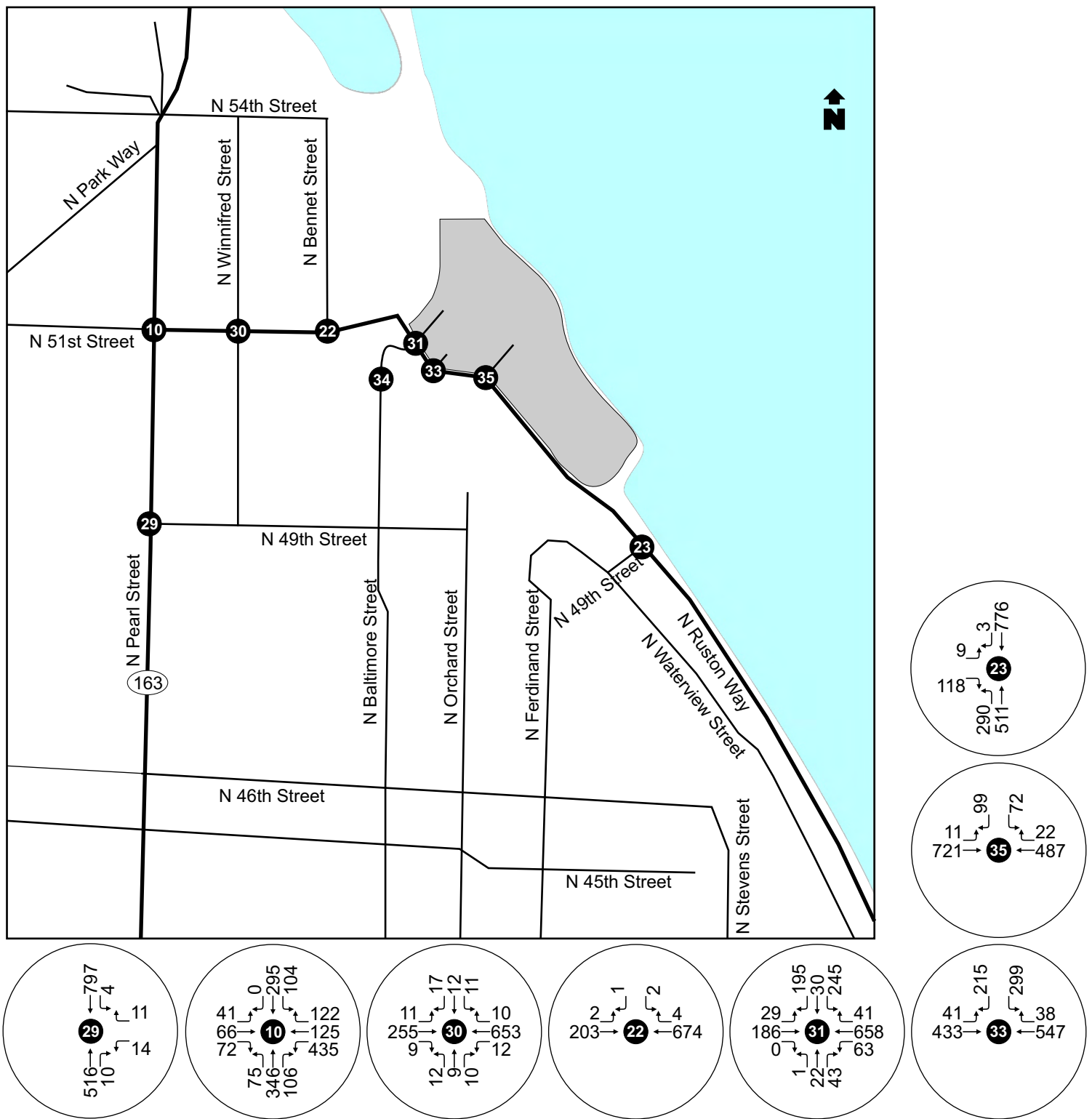
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Source: TSI

FIGURE 3.7-14:
AVERAGE WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES
NO ACTION (2014) -(SCENARIO 2)

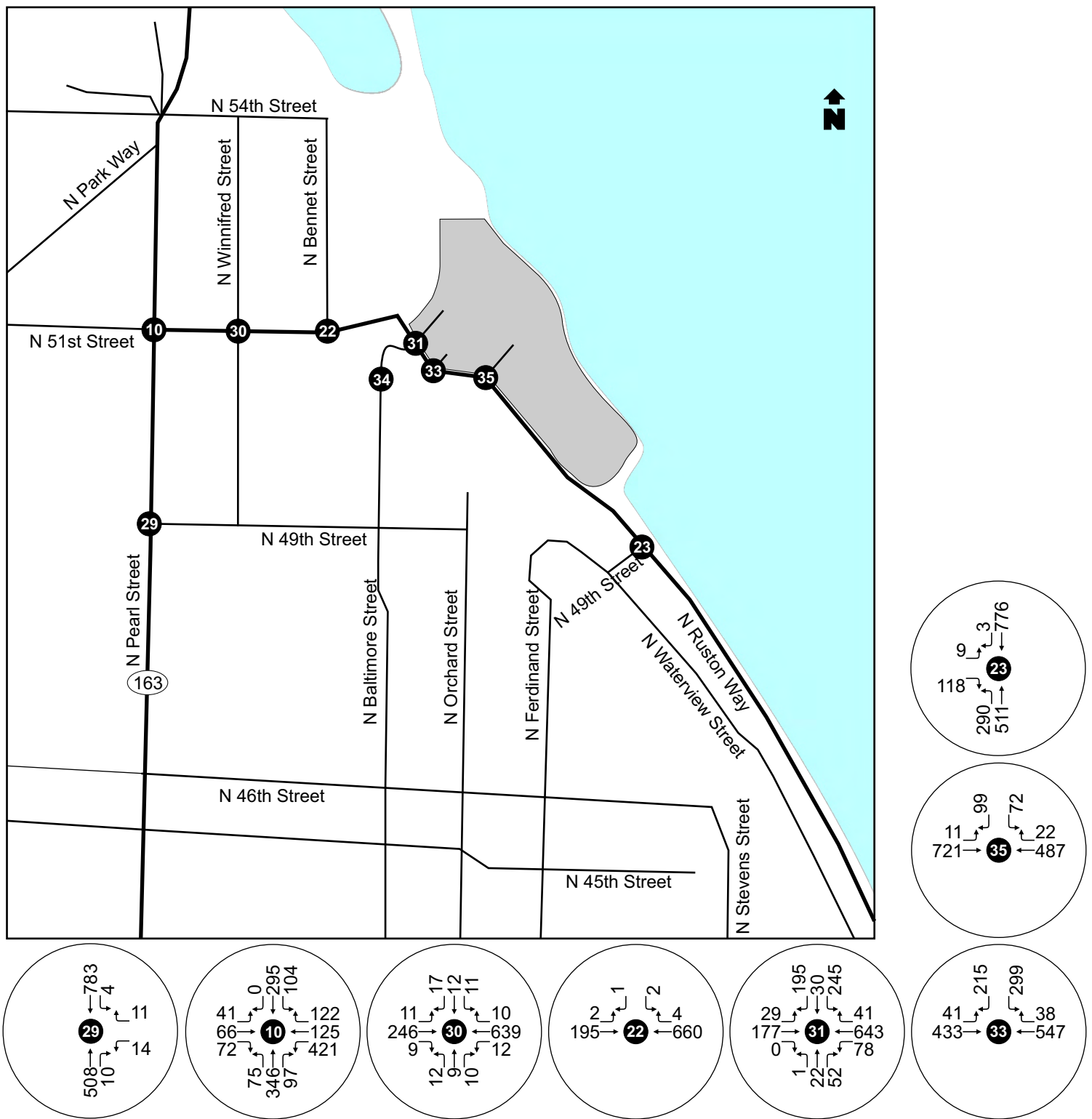
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Source: TSI

FIGURE 3.7-15:
SUMMER WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES
NO ACTION (2014) - (SCENARIO 1)

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Source: TSI

FIGURE 3.7-16:
SUMMER WEEKDAY PM PEAK HOUR TRAFFIC VOLUMES
NO ACTION (2014) - (SCENARIO 2)

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Intersection Level of Service

A level of service analysis was performed to establish future 2014 conditions with the No Action alternative complete and fully occupied for average weekday and summer weekday conditions. The summer weekday analysis is limited to intersections within the Town of Ruston and near the project site. In addition, the distribution patterns resulting from Scenarios 1 and 2 only affect the intersections within the Town of Ruston and those near the project site. The results of the analysis of average weekday conditions for Scenario 1 and 2 are summarized in **Table 3.7-15**. Results from the summer weekday condition scenarios are summarized in **Table 3.7-16**.

In 2014, with the office park complete and fully occupied all signalized intersections would operate at LOS-D or better with one exception.

- The intersection at the I-705 off-ramp/ Stadium Way operates at LOS-F due to the forecasted increase in background traffic volumes. There are no project generated trips assigned to this intersection.
- The intersection of Ruston Way & McCarver Street is forecasted to operate at LOS-B. However, the westbound left turn movement drops to LOS-E.

The controlled approaches to all two-way stop controlled intersections continue to operate at LOS-D or better during PM peak hour conditions with one exception.

- At the intersection of N Alder Street & N Ruston Way, the level of service on the controlled eastbound approach drops from LOS-B to LOS-E with an increase in delay of approximately 30 seconds. The project adds approximately 664 trips to this intersection with most of those trips traveling on Ruston Way. This increase in through traffic volumes results in fewer and shorter gaps in the through traffic flow and reduces the opportunities for vehicles on N. Alder Street to turn onto Ruston Way.
- Under summer conditions the controlled eastbound approach to the intersection of N. 49th Street and Ruston Way drops to LOS-E for the same reasons as described for the intersection at Adler. This poor level of service affects 86 vehicles making a right turn and 4 vehicles making a left turn onto Ruston Way.
- Reestablishing the Baltimore connection will increase the number of vehicle trips at the south leg of the intersection of N. 46th Street & N. Baltimore Street from 50 to 414 during the PM peak hour. The controlled southbound approach to the intersection would drop from LOS-B under existing conditions to LOS-D under future conditions with the project complete and occupied. Segments of Baltimore between Ruston Way and N. 46th Street are deficient and would deteriorate at an increased rate with the additional traffic volumes.

All of the all-way stop controlled intersections operate at LOS-A with two exceptions:

- The intersection of N. 30th Street & N. Orchard Street continues to operate at LOS-F. Average vehicle delay is forecasted to increase an additional 90 seconds due to project generated traffic and forecasted increases in existing traffic volumes. The project would add 11 new trips to this intersection. As stated in the existing conditions section, the channelization of this intersection provides for a single lane for all turning movements on each approach with a curb lane for parking. Close to the intersection, the curb lane functions as a short right turn lane. When the intersection is analyzed with right turn lanes on all approaches, the level of service remains at LOS-F under future with project

conditions but the average vehicle delay drops from 161 seconds to 87 seconds. The primary reason for the poor level of service during the PM peak hour is the high volume of through traffic on all approaches to the intersection.

- The intersection of N. 51st Street & N. Winnifred Street drops from an intersection average of LOS-A to LOS-C under average peak hour conditions. The westbound approach to the intersection also drops from LOS-A to LOS-C. The average vehicle delay is slightly less under Scenario 2 but the LOS remains at LOS-C. The project adds 350 PM peak hour trips to this intersection. The majority of these trips are through movements on the eastbound and westbound approaches to the intersection. Under summer weekday peak hour conditions, the intersection is forecasted to operate at LOS-E under both Scenarios 1 and LOS 2. The westbound approach to the intersection would operate at LOS-F under both scenarios due to the increase in traffic volumes. The average vehicle delay is reduced under Scenario 2 but the LOS does not change.

The intersection does not currently meet the warrant requirements for an all-way stop or signalization due to the relatively low volumes on Winnifred Street. From a technical perspective, it would be appropriate to remove the stop signs on N. 51st Street to reduce delays on N. 51st Street. This would increase delays for the small number of vehicles entering N. 51st Street from N. Winnifred Street.

While this modification would improve level of service, it would also remove the calming effect of the stop signs on N. 51st Street, which keeps vehicle speeds low between Winnifred and Pearl and increase the potential for vehicular/pedestrian conflicts. For these reasons, it is recommended that the all-way stop remain in its current configuration.

Table 3.7-15
PM Peak Hour LOS – No Action Average Weekday Conditions

	Intersection	Control ¹	Scenario 1 (10%)			Scenario 2 (20%)		
			Approach / Average ²	LOS	Delay (sec) ³	Approach / Average ²	LOS	Delay (sec) ³
1	6th Ave. & SR-16 WB Off-Ramp	S	Avg.	A	9.5	Avg.	A	9.5
2	N Jackson Ave. & SR-16 WB Ramp	S	Avg.	C	21.6	Avg.	C	21.6
3	N Jackson Ave. & SR-16 EB Ramp	S	Avg.	D	38.5	Avg.	D	38.5
4	N Ruston Way & N McCarver St.	S	Avg.	B	10.5	Avg.	B	10.5
5	N 30th St. & N McCarver St.	S	Avg.	B	19.3	Avg.	B	19.3
6	N 21st St. & N Pearl St.	S	Avg.	D	41.6	Avg.	D	41.6
7	N 26th St. & N Pearl St.	S	Avg.	C	26.7	Avg.	C	26.7
8	N 30th St. & N Pearl St.	S	Avg.	B	12.1	Avg.	B	12.1
9	N 46th St. & N Pearl St.	S	Avg.	B	10.4	Avg.	B	10.9
10	N 51st St. & N Pearl St.	S	Avg.	C	23.7	Avg.	C	23.4
11	N 17th St. & N Narrows Bridge Dr.	S	Avg.	C	21.4	Avg.	C	21.4
12	I-705 Off-Ramp & Stadium Way	S	Avg.	F	128.0	Avg.	F	128.0
13	Pearl St & N 54th St. & N Park St.	AWS	Avg.	A	8.9	Avg.	A	8.9
14	N 30th St. & N Orchard Street	AWS	Avg.	F	161.3	Avg.	F	161.3
15	N 6th Ave & N Peal St.	S	Avg.	D	43.9	Avg.	D	43.9
16	N 26th St. & N Narrows Drive	TWS	NB	B	11.3	NB	B	11.3
			SB	D	27.4	SB	D	27.4
17	N 37th St. & N Vassault St.	TWS	NB	B	13.5	NB	B	13.5
			SB	B	14.0	SB	B	14.0
18	N 37th St. & N Pearl St.	S	Avg.	B	14.4	Avg.	B	14.4
19	N 46th St. & N Vassault St.	TWS	EB	B	12.5	EB	B	12.5
			WB	B	14.1	WB	B	14.1
20	N 51st St. & N Vassault St.	AWS	Avg.	A	7.8	Avg.	A	7.8
21	N Pearl St & N Park Way	TWS	EB	B	11.6	EB	B	11.6
22	N 51st St. & N Bennett St.	TWS	SB	C	17.1	SB	C	16.8
23	N 49th St. & N Ruston Way	TWS	EB	C	22.6	EB	C	22.6
24	N 46th St. & N Baltimore St.	TWS	NB	D	22.7	NB	C	23.5
		TWS	SB	D	24.7	SB	D	26.1
25	N 46th St. & N Orchard St.	TWS	NB	C	17.0	NB	C	17.0
		TWS	SB	C	17.7	SB	C	17.7
26	N 46th St. & N Ferdinand St.	TWS	NB	C	17.5	NB	C	17.5
			SB	C	15.2	SB	C	15.2
27	N 40th St. & N Ruston Way	TWS	EB	C	19.9	EB	C	19.9
28	N Alder St. & N Ruston Way	TWS	EB	E	35.6	EB	E	35.6
29	N 49th St. & N Pearl St.	TWS	WB	C	20.5	WB	C	20.0
30	N 51st St. & N Winnifred St.	AWS	Avg.	C	21.1	Avg.	C	20.0
			WB	D	25.9	WB	C	24.3
31	N Ruston Way & N Baltimore St.	RAB	Avg.	B	17.5	Avg.	B	17.4
			NB	C	20.5	NB	B	19.6
			NBL	B	13.7	NBL	B	13.7
33	Site Access & N Ruston Way	RAB	SB	C	24.3	SB	C	24.3
			Avg.	D	53.1	Avg.	D	53.1
			EB	E	57.2	EB	E	57.2
35	East Access & N Ruston Way	TWS	SB	C	21.4	SB	C	21.4

Source: TSI

¹ Control: S= signalized, AWS= All-way stop control, TWS=Two-way stop control, RAB = Roundabout

² Approach – designates the direction of travel for the controlled approach and LOS. (i.e. NB = northbound, Avg. = average of all approaches).

³ Delay = average seconds of vehicle delay for all vehicles entering intersection or those entering on controlled approaches.

Table 3.7-16
PM Peak Hour LOS – No Action Summer Weekday Conditions

Intersection		Control	Scenario 1 (10%)			Scenario 2 (20%)		
			Approach / Average	LOS	Delay (sec)	Approach / Average	LOS	Delay (sec)
9	N 46th St. & N Pearl St	S	Avg.	B	10.9	Avg.	B	11.8
10	N 51st St. & N Pearl St.	S	Avg.	D	52.6	Avg.	D	48.9
22	N 51st St. & N Bennett St.	TWS	SB	C	21.3	SB	C	20.6
23	N 49th St. & N Ruston Way	TWS	EB	E	44.7	EB	E	44.7
24	N 46 th St. & N Baltimore St.	TWS	NB	C	22.7	NB	C	24.0
			SB	D	26.3	SB	D	28.8
30	N 51 st St. & N Winnifred St.	AWS	Avg.	E	47.6	Avg.	E	42.6
			WB	F	66.1	WB	F	58.6
31	N Ruston Way & N Baltimore St.	RAB	Avg.	B	19.6	Avg.	B	19.5
			NB	C	27.5	NB	C	26.7
			NBL	B	15.2	NBL	B	15.1
33	Site Access & N Ruston Way	RAB	Avg.	B	19.5	Avg.	B	19.5
			EB	D	41.0	EB	D	41.0
			EBT	D	54.4	EBT	D	54.4
34	N Baltimore St. & Commercial Access	TWS	WB	A	9.5	WB	A	9.5
35	East Access & N Ruston Way	TWS	SB	D	38.7	SB	D	28.7

Source: TSI

¹ Control: S= signalized, AWS= All-way stop control, TWS=Two-way stop control, RAB = Roundabout

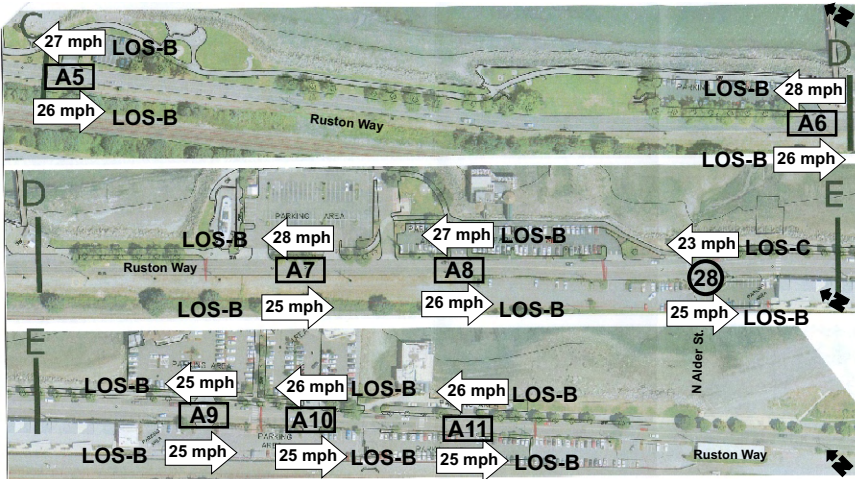
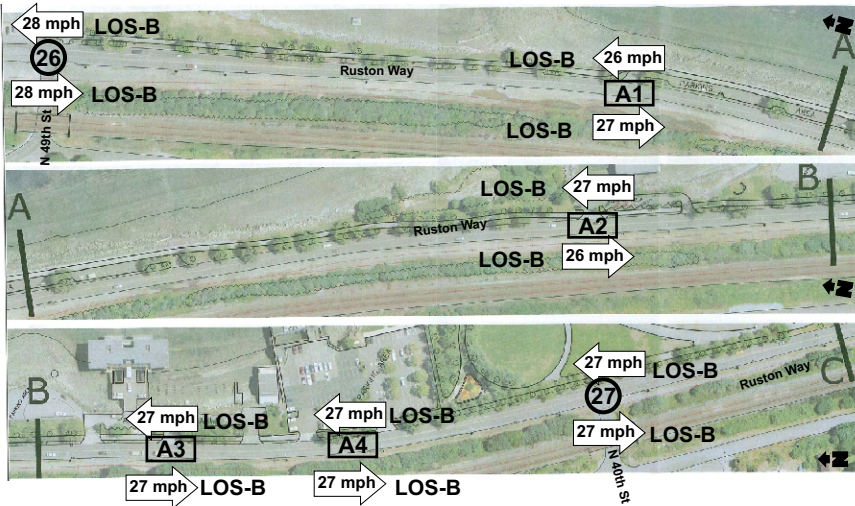
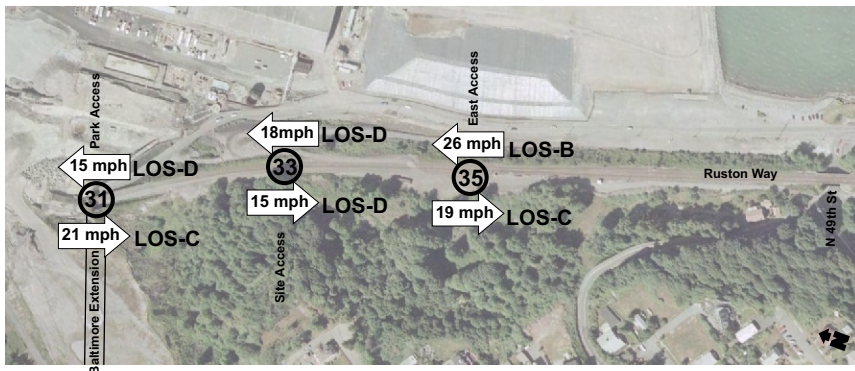
² Approach – designates the direction of travel for the controlled approach and LOS. (i.e. NB = northbound, Avg. = average of all approaches).

³ Delay = average seconds of vehicle delay for all vehicles entering intersection or those entering on controlled approaches.

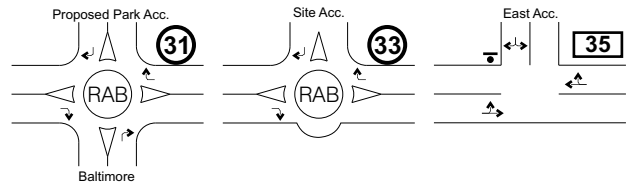
Arterial Level of Service

Arterial levels of service for the segments of Ruston Way between N. Baltimore Street and N. McCarver Street were also analyzed for the *No Action* condition using the methodology described in the *Affected Environment* part of this section of the DEIS.

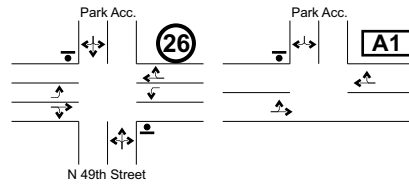
The arterial level of service along Ruston Way under the *No Action* alternative remains at LOS-B (25 mph) in both directions. Figure 3.7-17 illustrates the LOS and travel speed for each segment of the corridor for average PM peak hour conditions. The segment with the lowest travel speed includes the intersection of N McCarver Street. Under summer weekday conditions when traffic volumes are greater, the level of service remains at LOS-B (25 mph) in the southbound direction but drops to LOS-C (22 mph) in the northbound direction. Figure 3.7-18 depicts the arterial level of service and travel speed for each segment of Ruston Way for summer PM peak hour conditions.



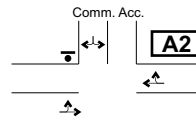
P to A3; Length: +/- 0.2 miles



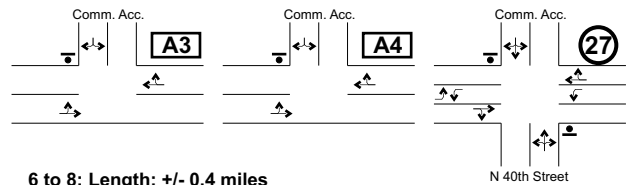
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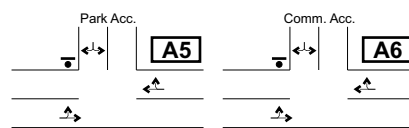
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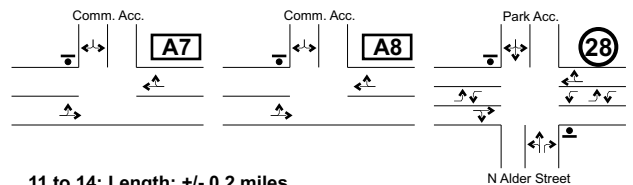
3 to 6; Length: +/- 0.2 miles



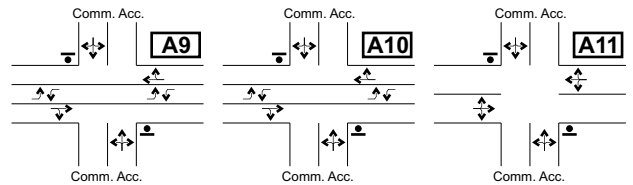
6 to 8; Length: +/- 0.4 miles



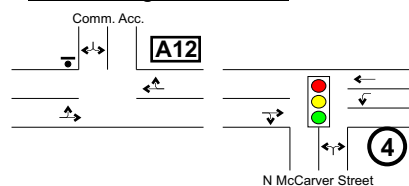
8 to 11; Length: +/- 0.2 miles



11 to 14; Length: +/- 0.2 miles



14 to 16; Length: +/- 0.4 miles

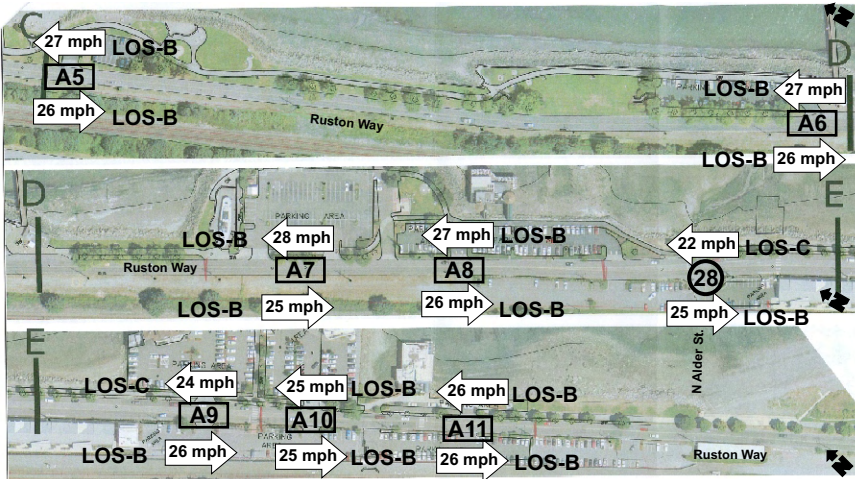
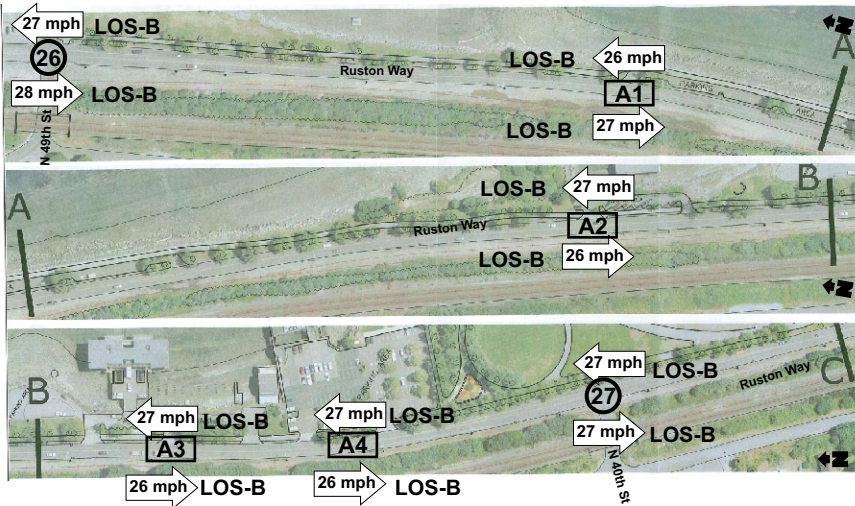
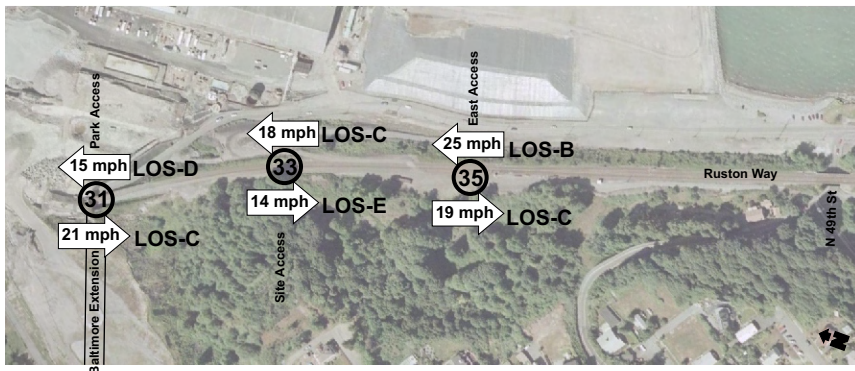


Overall NB/WB: 25 mph (LOS-B)
Overall SB/EB: 25 mph (LOS-B)
 +/- 2 mile corridor

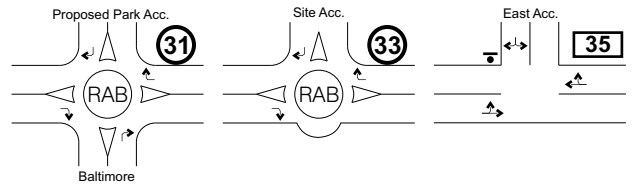
Source: TSI

FIGURE 3.7-17:
 AVERAGE WEEKDAY PM PEAK HOUR
 ARTERIAL LOS No ACTION (2014)

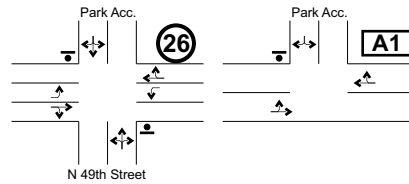
Point Ruston
 Supplemental Draft EIS



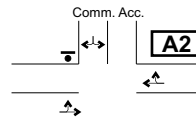
P to A3; Length: +/- 0.2 miles



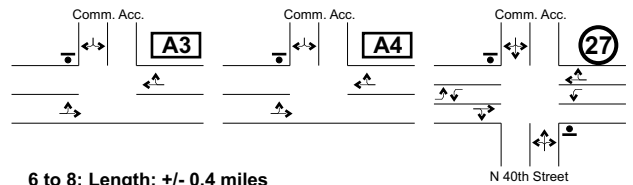
A3 to 2; Length: +/- 0.4 miles



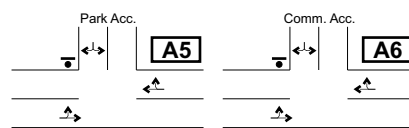
2 to 3; Length: +/- 0.1 miles



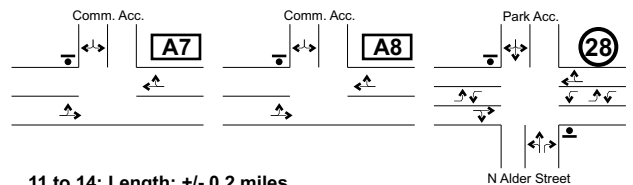
3 to 6; Length: +/- 0.2 miles



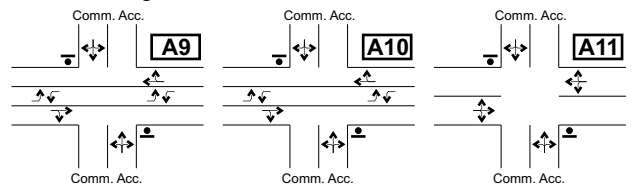
6 to 8; Length: +/- 0.4 miles



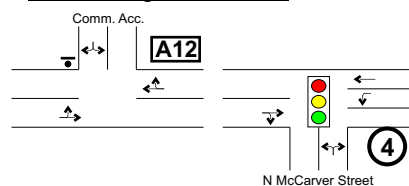
8 to 11; Length: +/- 0.2 miles



11 to 14; Length: +/- 0.2 miles



14 to 16; Length: +/- 0.4 miles



Overall NB/WB: 25 mph (LOS-B)
Overall SB/EB: 25 mph (LOS-B)
 +/- 2 mile corridor

Source: TSI

FIGURE 3.7-18:
 SUMMER WEEKDAY PM PEAK HOUR
 ARTERIAL LOS No ACTION (2014)

Point Ruston
 Supplemental Draft EIS

3.7.4 Mitigation Measures

Concurrency

Mitigation measures encompass two areas: concurrency and SEPA mitigation. The City of Tacoma Comprehensive Plan identifies a level of service threshold of LOS-E for arterial corridors identified in Figure 4 of the *Comprehensive Plan* and LOS-D for other arterial corridors. The City of Tacoma LOS-E threshold applies to the Pearl Street arterial corridor while the LOS-D threshold applies to the Ruston Way corridor. The Town of Ruston has adopted an intersection level of service standard of LOS-D for the PM peak hour.

The City of Tacoma arterial level of service standard is met for both the *Proposed Action* and the *No Action* alternative. The Town of Ruston intersection level of service standard is met for the *Proposed Action* while level of service at the intersection of N 51st Street and N. Winnifred Street does not meet the standard under summer peak hour conditions for the *No Action* alternative.

SEPA Mitigation

SEPA mitigation is intended to mitigate impacts that are a direct result of the projects construction and occupancy. The following improvements are recommended to mitigate project impacts.

Proposed Action Mitigation Recommendations

Ruston Way

1. Reconstruct Ruston Way to a two lane cross section with curb and gutter on both sides of the street and planting strip and sidewalk on the project side of the street. Provide a center turn lane at stop controlled access along the frontage.
2. Provide bicycle lanes on both sides of the street between the north terminus of the Ruston bicycle/pedestrian trail and the proposed intersection at Baltimore/ Ruston Way. Provide a marked pedestrian crossing on Ruston Way to provide a link between the southbound bicycle lane and the Ruston bicycle/pedestrian trail.
3. Decommission the existing tunnel on Ruston Way.
4. Provide a roundabout at the proposed intersection of N. Baltimore Street/ Ruston Way. The roundabout shall be designed to operate at level-of-service D or better at full project build out and year 2014.
5. Provide a roundabout at the proposed intersection southeast of N. Baltimore Street/ Ruston Way. The roundabout shall be designed to operate at level-of-service D or better at full project build out and year 2014.
6. Provide a stop controlled access with separate outbound turn lanes at the secondary site access to the south of the primary access.
7. Extend the Ruston Way center turn lane starting from the center line of North Alder Street north for approximately 1,630 feet to reduce delays for through traffic and to

facilitate left turns to parking lots. Extend the Ruston Way center turn lane starting from the center line of North Alder Street south for approximately 930 feet to provide a refuge for northbound left turns into the existing parking lots. To protect existing parking facilities, the City reserves the right to reduce the length of the new center turn lanes required for mitigation.

8. Ruston Way & N Alder Street – Signalize the intersection of North Alder Street and Ruston Way to improve intersection operation from level-of-service F to level-of-service D or better for any movement.
9. Ruston Way & McCarver Street – Modify the vehicle signal head for the westbound (Ruston Way) left-turn onto McCarver Street from a permissive left-turn to a protected/permissive left-turn.
10. Ruston Way & N 49th Street – Signalize the intersection of Ruston Way and North 49th Street if an analysis indicates the delay for any movement exceeds level of service 'D' and/or meets accident warrants. The traffic signal will reduce delays experienced by left-turning vehicles and will increase pedestrian safety.

Baltimore Street

1. Provide a two-lane roadway with bike lanes to reconnect N. Baltimore Street with Ruston Way.
2. Provide curb and gutter on the west side of Baltimore Street north of N. 49th Street where needed. (Improvements to the east side of the street are provided as part of the Stack Hill development.)
3. Provide curb, gutter, and sidewalk between N. 49th Street and N. 46th Street where needed.
4. Upgrade existing or add new street lighting to meet current arterial street standards.
5. Develop a channelization plan for the segment of Baltimore between N. 49th Street and N. 46th Street that provides for a single travel lane in each direction, additional road width for bicycles, and accommodates parallel parking within the usable right of way. The plan should minimize impacts to existing land uses. Review and refine plan with City staff and construct improvements.
6. N. 46th Street & N. Baltimore Street - Provide eastbound and westbound left turn lanes and a southbound right turn lane. Reconstruct the sidewalks/curb ramps at the corners of the intersection to meet current road standards. Provide a marked pedestrian crossing on N. 46th Street with warning signs and beacons as per City street standards.

Non-Motorized Improvements

1. Pedestrian and bicycle access to the waterfront for the general public will be improved with the proposed waterfront promenade that will connect the north terminus of the Ruston bicycle/pedestrian trail with the proposed Peninsula Park.
2. Bicycle lanes will be provided on Ruston Way between N. Baltimore Street and the north terminus of the Ruston bicycle/pedestrian path.
3. A bicycle route will be included with improvements to the segment of N. Baltimore Street between Ruston Way and N. 46th Street.

4. Provide secure bicycle parking facilities to accommodate a minimum of 75 bicycles.

Other Improvements

1. Design the internal roadway to provide for a future access to Peninsula Park when it is developed.
2. In coordination with Pierce Transit, design the internal roadway to provide for future transit service.

Mitigation of Short-term Impacts

Short-term impacts associated with site development would include traffic generated by construction workers and the delivery of materials. Because there are extensive stockpiles of soil on the site, it is not anticipated that development of the site would necessitate the import of significant amounts of additional materials and the associated increase in heavy truck traffic. In addition, site remediation prohibits the removal of additional material from the site.

Contractors will need to develop a *Construction Traffic Management Plan* and/or *Traffic Mitigation Plans* to address traffic control during the reconstruction of Ruston Way and other construction activity that require use of the right of way or temporary accesses between the site and Ruston Way.

Schedule for Making Improvements

The secondary site access shall be completed prior to occupancy of the first residential or commercial building. The identified improvements to Ruston Way adjacent to the site (frontage improvements) and the Baltimore connection with Ruston Way, including all mitigation measures listed for Baltimore Street and North 46th Street, shall be constructed prior to the issuance of occupancy permits for any combination of commercial or residential projects that generate 450 PM peak hour trips generated by the site. This represents 30% of the total number of PM peak hour trips the development is forecasted to generate. It is the intent of the proponent to have these improvements in place by the time the 300th PM peak hour trip is generated. However, the process to set up the Local Improvement District (LID) and the duration of the construction indicates that the 450th PM peak hour trip threshold may be more realistic and provides desired flexibility. The remaining Ruston Way mitigation measures shall be completed prior to issuance of occupancy permits for any combination of commercial or residential projects that generate 600 PM peak hour trips by the site. This represents approximately 40% of the total number of PM peak hour trips the development is forecasted to generate. The proponent shall provide traffic monitoring and analysis at the request of the City Traffic Engineer if traffic volumes create congestion and safety concerns prior to the designated project trip thresholds.

An analysis of traffic operations at intersections near the site was conducted to identify any impacts resulting from 450 and 600 project generated trips and determine if mitigation is warranted at a lower threshold. This analysis incorporated the increases (at build out) in background traffic volumes. The 450 and 600 project generated trips were split 2/3rds residential and 1/3rd commercial and distributed as described in section 3.7.2. In general, the trips are distributed as follows:

Inbound:	43% from west (51 st St), 57% from south (Ruston Way)
Outbound:	57% to west (51 st St), 43% to south (Ruston Way)

For the purpose of this analysis it is assumed that all project trips at the 450 trip threshold would enter and leave the site at one intersection, a temporary secondary site access. All other intersections and roadways remain in their current configuration. The Baltimore connection would not be in place. Table 3.7-17 summarizes LOS for each turning movement at intersections near the project site. A comparison of existing conditions with conditions resulting from the 450th project generated trip does not show any significant impacts that would require mitigation to be in place before this time with the exception of impact to vehicles entering Ruston Way from a temporary secondary site access (LOS-E). This could be mitigated in the short term by providing separate turn lanes or a second temporary access while the improvements are made along Ruston Way. While the proponent plans to provide these improvements before 300 PM peak hour trips are generated, the analysis shows that existing facilities could easily accommodate trips generated by the initial phase of development.

The proponent will commit to providing the identified improvements on a schedule that is tied to the 450 and 600 trip thresholds. This commitment will ensure that all of the mitigation is in place by the time 40% of the forecasted PM peak hour project generated trips materialize.

Table 3.7-17
PM Peak Hour LOS – Existing Conditions and With
450 and 600 Project Generated Trips

Intersection	Dir.	Existing 2006			450 Project Trips			600 Project Trips		
		LOS	Delay	Max Vehicle Queue	LOS	Delay	Max Vehicle Queue	LOS	Delay	Max Vehicle Delay
51st/ Pearl	EBT	C	33	2	C	28	1	C	27	2
	WBLT	D	40	6	D	41	8	D	37	8
	WBR	C	31	1	C	27	2	C	26	2
	NBL	B	14	2	C	21	2	B	10	1
	NBTR	B	15	3	C	26	9	B	13	7
	SBL	A	4	2	A	9	1	A	9	1
	SBTR	A	4	3	A	7	2	A	8	3
	AVG	B	18		C	24		B	19	
46 th /Pearl	EBL	A	7	1	A	6	0	A	7	0
	EBTR	A	7	2	A	7	1	A	7	1
	WBL	A	7	3	A	7	2	A	8	2
	WBTR	A	7	2	A	7	1	A	7	1
	NBL	A	6	0	A	7	1	A	7	1
	NBTR	A	7	1	A	7	2	A	7	2
	SBL	A	6	0	A	7	1	A	7	1
	SBTR	A	6	0	A	7	2	A	7	2
	AVG	A	7		A	7		A	7	
46 th / Baltimore	EBT	A	1	0				A	2	0
	WBT	A	0	0				A	0	0
	NBT	B	15	0				C	19	0
	SBT	B	14	0				C	18	1
	AVG	A	2					A	4	
49 th /Ruston Way	EBL	B	10	0				B	14	1
	EBR	A	4	1				A	3	1
	NBL	A	0	0				A	0	0
	SBTR	A	0	0				A	0	0
	AVG	A	4					A	3	

Table 3.7-17
PM Peak Hour LOS – Existing Conditions and With
450 and 600 Project Generated Trips (con't.)

Ruston Way/Alder	SBTR	A	0	0				A	0	0
	NBL	A	0	0				A	2	1
	NBT	A	2	1				A	0	0
	EBLR	B	12	1				C	19	2
	AVG	A	3					B	3	
Ruston Way/ McCarver St	EBT	A	6					A	6	8
	EBR	A	5					A	5	1
	WBL	A	5					A	5	1
	WBT	A	9					B	15	25
	NBLR	B	13					C	35	9
	AVG	A	9					B	16	
Ruston Way/ Baltimore-Yacht Club Drive (Roundabout)	EB							D	43	2
	WB							A	5	4
	NB							C	34	1
	SB							A	10	1
	AVG							B	18	
Ruston Way/ Primary Site Access (Roundabout)	EB							D	43	2
	WB							A	4	4
	SB							B	10	1
	AVG							B	17	
Ruston Way/ Secondary Access	EBTL				A	4	1	A	1	0
	WBTR				A	0	0	A	0	0
	SBLR				E	38	5	B	15	0
	AVG				B	10		A	1	

No Action Mitigation Recommendations

Mitigation for impacts of the *No Action* alternative would be the same as for the *Proposed Action*.

3.7.5 Significant Unavoidable Adverse Impacts

With the recommended mitigation in place, development of the *Proposed Action* or *No Action* alternative would not result in significant adverse impacts.

SECTION IV

***WRITTEN COMMENTS
CONCERNING THE DSEIS AND
RESPONSES TO THE COMMENTS***

SECTION IV

WRITTEN COMMENTS CONCERNING THE DSEIS AND RESPONSES TO THE COMMENTS

This section of the Final SEIS contains written comments that were received concerning the DSEIS. The DSEIS was issued January 16, 2008 for a 30-day public comment period. During the DSEIS public comment period, written comments were received via letter and email from 18 agencies/divisions, 7 organizations and 18 individuals. Each comment letter is numbered and included in this section of the FSEIS. Comments within each comment letter are also numbered and responses are provided for each comment immediately following each comment letter. Comments were received from the following:

Agencies

FEDERAL

1. U.S. Army Corps of Engineers, Seattle District
2. Puyallup Tribe of Indians – Historic Preservation

STATE

3. Washington State Department of Ecology

LOCAL

City of Tacoma

4. Tacoma Finance Department – Halo Office
5. Tacoma / Pierce County Health Department
6. Tacoma Police Department
7. Tacoma Public Utilities – Tacoma Power
8. Tacoma Public Works Department – Building and Land Division
9. Tacoma Public Works – Environmental Services Engineering Division
10. Tacoma Public Works – Engineering
11. Tacoma Public Works – Engineering Division – Traffic Section
12. Tacoma Water

Metro Parks Department

13. Metro Parks Department

Pierce County

14. Pierce County Council – Councilmember Calvin Goings
15. Pierce Transit

Tacoma School District

16. Tacoma School District

Town of Ruston

17. Town of Ruston

18. Town of Ruston – Supplementary Comments

19. Town of Ruston – Councilmember Wayne Stebner

Organizations

20. Citizens for a Healthy Bay

21. Economic Development Board

22. Executive Council for a Greater Tacoma

23. Laborer's International Union of North America – Local No. 252

24. Tacoma – Pierce County Chamber of Commerce

25. Tacoma Yacht Club

26. Washington State Jobs with Justice

27. Washington State Jobs with Justice, Addenda 1

28. Washington State Jobs with Justice, Addenda 2

Individuals

29. Robin Austin-Parsons

30. Kate Babbo

31. Douglas W. Blankenship

32. Ken Brown – Windermere/Commencements Assoc.

33. Creighton Carroll

34. Nicole Cochran

35. Sarah Everding

36. Chris Green

37. James and Beth Hall

38. Nancy and John Kennedy

39. Don Lloyd – Rushforth Construction Co.

40. Todd Miller

41. Karen Murphy

42. Stanley Jay Rumbaugh – Rumbaugh Rideout Barnett & Adkins

43. Dan Showalter

44. Warren Smith

45. Robert and Beth Thoms

46. Beth Torbet

The comment letters follow the sequence noted above. Comments within each letter are identified by number and responses to these individual comments follow each letter. Several responses identify revisions to the 1997 EIS; those revisions are reflected in applicable sections of this FSEIS.

Responses are provided for substantive comments. Expressions of opinions, subjective statements and positions for or against the *Proposed Action* are acknowledged without further comment.

WAC section **197-11-545** (2) provides that “Lack of comment by other agencies or members of the public on environmental documents, within the time periods specified by these rules, shall be construed as lack of objection to the environmental analysis, if the requirements of WAC 197-11-510 are met.”

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Wednesday, January 23, 2008 3:16 PM

To: Garypedersen123@cs.com; Steve Yester; Terry McCann

Subject: FW: Point Ruston Project/Comments from the Army Corps.

FYI

From: Ekendiz, Koko NWS [mailto:Koko.Ekendiz@usace.army.mil]

Sent: Wednesday, January 23, 2008 2:37 PM

To: khayashi@cityoftacoma.org

Subject: Point Ruston Project

Hi Kari,

The Corps would have jurisdiction over the installation of structures in/on/over/under 1
navigable (tidal) waters waterward of the MHW line. Additionally, the applicant would 2
need to also apply for a permit to permanently moor the vessel intended for use as office 3
space. The U.S. Coast Guard would also likely have interest in a permanently moored 4
vessel. If there are any outfalls proposed with the discharge of fill into waters, the Corps 5
would likely have jurisdiction over that as well. Furthermore, because the site is in the
Commencement Bay Nearshore Tideflats Superfund Site, the Corps would have to
conduct independent consultation with the EPA. We would advise that your proponent
start the process early with our agency and even schedule a preapplication meeting.

Thank you for the opportunity to comment on this project,

Koko

Ms. Koko Ekendiz
Biologist/Project Manager
Regulatory Branch
Seattle District Corps of Engineers

206-764-6878

RESPONSE TO COMMENTS FROM THE U.S. ARMY CORPS OF
ENGINEERS, SEATTLE DISTRICT
(Letter #1)

Comment 1

The comment is noted. The temporary moorage of the ferry will occur in navigable waters of the United States and, as such, will require an Army Corp Section 10 permit.

Comment 2

At such time as the location of the ferry is affirmed, necessary permit applications would be submitted to the applicable agencies.

Comment 3

At such time as the intended location of the ferry is affirmed, necessary permit applications would be submitted to the applicable agencies, such as PATON approval from the Coast Guard.

Comment 4

Comment acknowledged. At such time as the need for constructing outfalls with discharge into waters is affirmed, necessary permit applications would be submitted to the cognizant agencies.

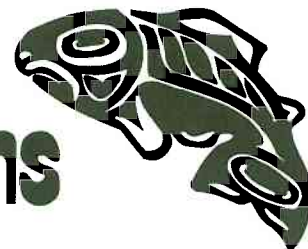
Comment 5

Comment noted. Proponent contacted the Corps on February 20, 2008 to schedule the advised pre-application meeting, a coordination meeting with the EPA project manager and to discuss future applications and necessary coordination.



Historic Preservation

Puyallup Tribe of Indians



January 16, 2008

Letter 2

JAN 18 2008

City of Tacoma
Public Works Department
Building and Land Use Service
747 Market Street, Room 345
Tacoma, WA 98402
Attn: Karie Hayashi

1

RE: Asarco Tacoma Smelter Site
Location: 5005 Ruston Way, Tacoma, WA
8950003310, 0221231000

Dear Ms. Hayashi:

Thank you for your letter of January 16th. The subject property is located within the Usual and Accustomed area of our people. The term "Usual and Accustomed Areas" comes from the treaties that the tribes in this area signed with the federal government. Tribes reserved the right to hunt, fish and gather in our "usual and accustomed grounds and stations." These U&A areas have been adjudicated by the federal courts. As with all of these areas they are significant areas to our Tribe.

We recommend that you hire an archaeologist to oversee and evaluate the proposed location of your project and complete a cultural resource report. Any exposure of historical sites will need to be reported to my office immediately.

1

The comments contained within this letter apply to cultural and historic resources exclusively. The Tribe encourages your agency to contact the Tribe's Natural Resources, Land Use, or other applicable departments and solicit those departments' input on your project. Other Tribal departments may have objections, concerns or input into your proposal above and beyond comments contained within this letter.

2

Thank you for your prompt response in this matter.

Sincerely,

Amber Santiago
Historic Research Assistant

RESPONSE TO COMMENTS FROM THE PUYALLUP TRIBE OF INDIANS (Letter #2)

Comment 1

At the time of the initial permit application for the *Point Ruston* project, an analysis was performed entitled “An Archaeological Assessment of the Potential for Intact Archaeological Deposits at the ASARCO Tacoma Plant.” That report, which was prepared by Richard D. Daugherty, PhD and Ruth Kirk, provides cultural background regarding the site as well as a chronological history of industrial-related activities that occurred on-site for over 100 years. The report was submitted as part of the application materials and remains a part of the City’s project file. The 1997 EIS also included a Historic and Cultural Resource section (4.16).

The 1997 EIS and recent assessment both conclude that it is unlikely the Proposed Action would expose archeological materials given prior disturbance of industrial activity and remediation, the geologic nature of the site and the earthwork proposed being generally confined to existing fill above massive slag. However, the proponent acknowledges and accepts the mitigation required by the 1997 EIS that “if any significant archeological materials are exposed or discovered during further construction related excavations or subsurface disturbance of any kind, operations would cease within 10 feet of the find. A qualified archeologist would be contacted for further recommendation and notification of a Puyallup Tribal official would occur.” (1997 EIS pg. 4-165)

The proponent has also committed to make available to the Tribe information in the property records that may be of interest and has expressed an interest in working with the Tribe to incorporate aspects of the history of the immediate area within public art and historical monuments to be installed as part of the proposed *Point Ruston* development.

Comment 2

On February 13, 2008 the proponent met with representatives of the Puyallup Tribe, representatives of the City of Tacoma, and the proponent’s EIS consultant to discuss the Tribe’s concerns and reiterate the proponent’s commitment to the archeological mitigation under the 1997 EIS. The proponent agrees to continue to coordinate with the Tribe as the project progresses.



Letter 3

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47775 • Olympia, Washington 98504-7775 • (360) 407-6300

February 14, 2008

Mr. William Pugh
City of Tacoma
Public Works Department
747 Market Street, Room 345
Tacoma, WA 98402

Dear Mr. Pugh:

Thank you for the opportunity to comment on the draft environmental impact statement for the Point Ruston Waterfront project (SEP2007-40000090529, SHR2007-40000090530 & PLT2007-0000090531) located at 5005 Ruston Way, as proposed by Point Ruston, LLC. The Department of Ecology (Ecology) reviewed the information provided and has the following comment(s):

AIR QUALITY: Bernard Brady (360) 407-6803

Best management practice for minimization of track out and windblown dust should be included in any applicable permitting. 1

SOLID WASTE & FINANCIAL ASSISTANCE: Al Salvi (360) 407-6287

Solid Waste & Financial Assistance Program comments submitted May 23, 2007 still apply to the project described (see enclosure). There are no new comments submitted at this time. 2

Ecology's comments are based upon information provided by the lead agency. As such, they do not constitute an exhaustive list of the various authorizations that must be obtained or legal requirements that must be fulfilled in order to carry out the proposed action.

If you have any questions or would like to respond to these comments please contact the appropriate reviewing staff listed above.

Department of Ecology
Southwest Regional Office

(SM: 08-0357)
Enclosure

cc: Bernard Brady, AQP
Al Salvi, SW&FAP
Point Ruston, LLC (Applicant)
Karie Hayashi, Building & Land Use Services Division, Tacoma Public Works Department (Contact)

RESPONSE TO COMMENTS FROM THE WASHINGTON STATE
DEPARTMENT OF ECOLOGY
(Letter #3)

Comment 1

Best management practices will be included as part of the City of Tacoma and the Town of Ruston's permitting process.

Comment 2

The comments are noted. The proponent has indicated a willingness to work with the Department of Ecology regarding the solid waste program.

From: Guzman, Peter

Sent: Thursday, February 14, 2008 3:57 PM

To: Hayashi, Karie

Subject: Asarco Smelter Site Master Development Plan Final EIS - Point Ruston -
Comments

Karie, I am submitting the following comments regarding the Point Ruston DSEIS:

"Point Ruston L.L.C has agreed to voluntarily participate in the City of Tacoma's Local Employment & Apprenticeship Training Program (LEAP) by making a good faith effort to ensure that 15% of the total labor hours worked on the project are performed by City of Tacoma residents and/or state approved residents from Pierce County. Mr. Mike Cohen has ensured the City of Tacoma that it plans to comply with the intent of the LEAP program on this construction project to the fullest extent possible".

1

Respectively submitted by,

Peter Guzman

Peter Guzman
LEAP Coordinator
HALO Office
747 Market Street, #132
Tacoma, WA 98402-3773
(253) 594-7933
Pguzman@cityoftacoma.org

RESPONSE TO COMMENTS FROM THE TACOMA FINANCE
DEPARTMENT – Halo Office (LEAP)
(Letter #4)

Comment 1

The comment is noted. The proponent has indicated a willingness to voluntarily participate in the City's Local Employment & Apprenticeship Training Program (LEAP) with an aim of 15 percent of the total labor hours to be performed by City of Tacoma and/or State-approved apprentices from Pierce County. The proponent has also voluntarily agreed to participate in the City's Historically Underutilized Business program (HUB) to procure goods and services from HUB-qualified firms.



FEB 06 2008

Governed by a local Board of Health

Letter 5

February 4, 2008

Karie Hayashi
Tacoma Public Works Department
747 Market Street, Room 345
Tacoma, WA 98402

RE: Asarco Smelter Site Master Development

Dear Ms. Hayashi

The Tacoma-Pierce County Health Department (TPCHD), Environmental Health Program, has reviewed the above checklist and has the following comment(s):

The project proponent is responsible for completing all remaining on-site remediation (and significant portions of off-site remediation) as stipulated in the second amendment to the Asarco Consent Decree with the Environmental Protection Agency (EPA). Each remediation/building phase must be approved by the EPA before being released for residential occupancy and use.

1

If you have further questions, please contact me at (253) 798-6462.

Sincerely,

Nedda S. Turner, RS
Environmental Health Liaison
ENVIRONMENTAL HEALTH PROGRAMS

NST/cif

cc: Point Ruston, LLC
5219 N Shirley ST, Ste. 100
Tacoma, WA 98407

RESPONSE TO COMMENTS FROM THE TACOMA / PIERCE COUNTY
HEALTH DEPARTMENT
(Letter #5)

Comment 1

The proponent of the proposed *Point Ruston* development concurs and will complete all remaining on-site remediation and the offsite remediation agreed to in the Second Amendment to the ASARCO Consent Decree and attached Statement of Work. Design documents, quality assurance plans, operations, maintenance and monitoring plans, quality assurance plans, and institutional controls will be reviewed and approved by EPA prior to implementation by *Point Ruston*. EPA will provide oversight and agency coordination during all phases of site remediation and final approval prior to residential occupancy of each phase.



Letter 6

Date: February 14, 2008

To: Karie Hayashi, Land Use Administration Planner
Building and Land use Services

Subject: Preliminary review of Pt. Ruston Development - Tacoma Police Department and CPTED concerns

The Point Ruston preliminary development site plans embody the vision of a vibrant mixed-use residential and commercial community. Situated at the north end of Ruston Way in both the City of Tacoma and the Town of Ruston, this site will command a stunning view of Commencement Bay, as well as being ideally situated near popular local restaurants, shops, waterfront parks, and Point Defiance. It is anticipated that this development will be a focal point and define the north end of the Tacoma waterfront in a positive manner; much like Carillon Point did for the City of Kirkland.

Below are the combined comments from the City of Tacoma Police Department 2-Sector Commander, Public Works Department Crime Prevention Program Specialist and the Human Rights and Services Department Crime Free Programs Coordinator on the Point Ruston Asarco Smelter Site Master Development Plan as presented in the January 2008, Draft Supplemental Environmental Impact Statement prepared for the City of Tacoma.

Comments are arranged with regard to the City of Tacoma Police Department's concerns in the area of public safety and in the area of *Crime Prevention Through Environmental Design* (CPTED) strategies as an approach to planning and designing developments which can reduce fear of crime, reduce opportunities for crime to occur, manage risk to property owner and assist in providing a sustainable space that adds to the quality of life to the users and the community.

Tacoma Police Public Safety Concerns

The Tacoma Police Department has the following concerns with specific sections:

1. 3.6.1.1.2 Police Services – While there are bilateral Notice of Consent agreements that give the City of Ruston Police Officers full authority within the City of Tacoma and City of Tacoma Police Officers full authority within the City of Ruston, the full authority is limited to the following:
 1. In response to an emergency involving an immediate threat to human life or property;
 2. In response to a request for assistance pursuant to a mutual law enforcement assistance agreement with the agency of primary territorial jurisdiction or in response to the request of a Peace Officer with enforcement authority;
 3. When the Officer is transporting a prisoner;
 4. When the Officer is executing an arrest warrant or search warrant; or
 5. When the Officer is in fresh pursuit, as defined in RCW 10.93.120.

- The City of Tacoma Police Department does not enforce City of Ruston municipal ordinances and does not actively assist the City of Ruston Police Department with the vast majority of their calls for service except when requested pursuant to requests for mutual aid. Likewise, the City of Ruston does not actively assist the City of Tacoma Police Department with the vast majority of our calls for service except when requested pursuant to requests for mutual aid. Cooperation between the two cities respective Police Officers and Departments is common; it should not be construed as broadly stated within the Draft Supplement EIS. 2
2. 3.6.1.1.2 Police Services – Tacoma Police Department has an actual budgeted end strength of 387 commissioned officers and 45 civilians vice the 381 and 39 stated in the Draft Supplemental EIS. We are currently under strength in both categories of employees. As of 31 December, 2007, we have 379 commissioned officers, of which eight were Recruits, fourteen in the Police Academy, ten assigned to the Post Academy Training Program and nine who have not completed their one year probationary period. Of the 379 commissioned officers, one Lieutenant, six Sergeants, thirty-four Officers, and three Community Liaison Officers are assigned to the 2-Sector which has a population of nearly 73,000 people. While the Draft Supplement EIS states that approximately 25 Officers are patrolling Tacoma at any given time, the number is actually less. Depending on daily staffing levels, during day shift (0600 – 1600 hours) there are typically three or four Officers patrolling the 2-Sector. Swing shift (1300 – 2300 hours) there are five or six Officers patrolling and during Graveyard shift (2000 – 0600 hours), there are the same five or six Officers. Of the 46,070 calls for service (25% of all calls for service in the City of Tacoma) in the 2-Sector, one third of all calls for service result in a formal police report being written, which takes time away from the Officers' ability to provide proactive patrol to the residents of the 2-Sector. The level of police services available for Point Ruston is overstated. 3
3. 3.6.2.1.2.2 Police Services – The Draft Supplemental EIS states “ Potential impacts on fire and emergency services from the *Point Ruston* project were assessed based on established level of service standards and information provided by the TPD and RPD and relative to the estimated on-site residential and employee population. Based on existing staffing and service levels, the TPD and RPD each have excess capacity to absorb increased demands/impacts resulting from the proposed *Point Ruston* development.” The addition of nearly 1000 new multi-family dwelling units with as many as 2000 – 3000 more residents, 228,000 square feet of commercial/retail space (approximately 20% the size of the Tacoma Mall), and associated vehicle and pedestrian traffic will put more demand on police services in the 2-Sector that are already struggling to meet the demands placed upon them. 4

While there is no doubt that there is a direct economic benefit of the development of the Point Ruston project to both the City of Tacoma and City of Ruston as well as the surrounding communities, there are areas of interest that can be addressed in cooperation between the developer and the City of Tacoma during the entire length of the project. It is the Tacoma Police Department's profound belief that a proactive and cooperative relationship must exist between the builder and the City of Tacoma and Tacoma Police Department in order to minimize potential for criminal activity and maximize the economic impact that the development can have on our community.

Of items that are of concern that were noted throughout the Draft Supplemental EIS, the following are significant to the Tacoma Police Department:

1. The noted use of Ruston Way as an arterial to be used for ingress/egress to Point Ruston development. Ruston Way is currently a two lane road that sees a fair amount of vehicle, bicycle, and pedestrian traffic, particularly during fair weather months. The vast majority of this traffic is focused primarily in the southern part of Ruston Way, the location of several businesses and parks. The Tacoma Police Department has for the last several years, instituted a specific Traffic Management Plan to address the increased flow of traffic during the summer time. It is anticipated 5

that the Point Ruston Development will likely draw an increased amount of traffic flow onto Ruston Way during other months as well and that the Traffic Management Plan will likely become normal operating procedures. The Traffic Management Plan currently uses One Sergeant and eight Officers/Detectives on a given day for ten hours of overtime each. There is currently not enough assigned Officers in the 2-Sector to institute the Traffic Management Plan outside of overtime. A significant aspect of the Traffic Management Plan involves limiting Ruston Way to one-way (northbound) and routing traffic onto neighboring roadways that lead through residential neighborhoods. The various roads that lead to and away from Ruston Way, as well as the their surrounding residential communities may not be able to handle the increase demands placed upon them, regardless of whether the Traffic Management Plan is instituted.

5 cont.

2. With the developer planning on keeping Ruston Way a two lane road, there are significant issues related to the ability of emergency vehicles to use the road to respond to calls for service at Point Ruston. Fire Trucks and Fire Engines are large vehicles with limited ability to maneuver around the planned traffic circles and roundabouts. Pierce Transit buses will also have issues related to maneuvering around the same circles. With the likely increase in traffic flow as a result of the development, police vehicles will have a difficult time maneuvering around vehicles that have yielded the right of way when a two lane road limits the ability for vehicles to pull off to the right.
3. The additional residents and commercial/retail space along with parks and green space will draw a significant amount of vehicles into the area. It is anticipated that there will be significant increase in vehicle related crimes and vehicle related concerns. Those being:
 - a. Traffic Accidents
 - i. Fatalities
 - ii. Injuries
 - iii. Non-Injury
 - iv. Auto versus Pedestrian
 - b. Speeding
 - c. Cruising
 - d. Negligent Driving
 - e. Reckless Driving
 - f. Use of Parking Facility in Congested Public Parking Area
 - g. Impeding Traffic
 - h. Following Too Close
 - i. Obstruct Vehicle Traffic in Public Congested Parking Facility
 - j. Stolen Vehicle
 - k. Vehicle Prowl
 - l. Vandalism
 - m. Noise Disturbance
4. In addition to the vehicle related crimes, the increased access to parks and green space along with additional visitors and use will also see an increase public disturbance crimes such as:
 - a. Fighting in Public
 - b. Drinking in Public
 - c. Liquor in Park
 - d. Fireworks
 - e. Littering
 - f. Noise Disturbance
5. With the large amount of commercial/retail space, there will be significant number of calls related to the businesses located within the development to include the following:

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- a. Forgery
- b. Identity Theft
- c. Shoplifting
- d. Robbery
- e. Burglary
- f. Theft

7 cont.

While the above listed issues are of a concern to the City of Tacoma and the Tacoma Police Department, it is our expressed desire to work with the developer to mitigate these and other issues while maximizing safety and security of the potential residents, retailers, visitors, and shoppers. It is suggested that the developer consider the inclusion of a Business District and a Neighborhood Council during the development stage of the project. This would allow a proactive approach of dealing with the concerns of the businesses and residents while fostering and building positive relationships.

8

In addition to these suggestions, working in partnership with the Tacoma Police Department to include programs such as Store Front offices for public safety, Business Improvement Areas with funded Police Officer positions to provide proactive patrols in the development, and implement Crime Prevention Through Environmental Design (CPTED) strategies in conjunction with Tacoma Public Works Department, Building and Land Use Services Division, and Tacoma Police Department can significantly reduce demands on Police Department services.

9

It is neither the purpose nor the intent of the Tacoma Police Department to neither discourage nor prevent the development of Point Ruston. It is our expressed desire to work in partnership with the developer of Point Ruston to ensure the safety and security of the residents and visitors to the area. While the above listed areas of concern are by no means an inclusive list or a harbinger of the future, it is only by working as partners during the entire process can overcome the issues and prevent others from occurring.

Specific CPTED Site Concerns

Comments from HRHS Crime Free Programs Coordinator:

In order to encourage safe and proper use of the parks, businesses and residential areas of this development, it is desired that a cooperative effort be conducted in site plan review and project implementation. Review of the preliminary plans have shown some areas of potential safety concerns, that if addressed before the development is built, will help to provide a safer place for business merchants, area residents and visitors to the property.

These issues are listed below.

1. Concerns are foreseen due to the combination of public and private spaces adjoining one another throughout this development. For example, there are many townhome-style residences along the exterior of the property, located between large combination business/residential buildings and the waterfront area of Commencement Bay. These homes will most likely have the main living spaces facing the waterfront, in order to make best use of the views. Between these homes and the water is proposed to be a public access and public use park/waterway promenade type of location. It is anticipated that the near proximity of private homes and public walkways along the beach, may encourage problems such as: complaints from the residents re crimes like trespassing, residential burglary and vandalism; as well as nuisance complaints such as excessive noise, camp fires on the beach, public intoxication, juvenile activity, transients and illegal dumping of garbage. The private property of the homes will need to be clearly defined with architecture and landscaping, and steps should be taken to mitigate public use of the adjacent waterfront property after sunset. Recommend physical barriers between the private and public property, as well as clearly posted Park Rule signs that also close beach property to non-residents, hotel or other local restaurant guests during the hours of darkness.

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2. The waterfront area of the site plans will be an asset to the City of Tacoma and its residents, and will also serve to encourage visitors to the property to shop and eat at the many proposed restaurants. In order to facilitate the needs of the users of the beach and park areas, either public restrooms will need to be built, or the business owners will need to allow use of their facilities to the public. If public restrooms are to be considered, they should be placed in the business sector (preferably in the Grand Plaza), and in a well-lighted area that can be observed by the residents and patrons of the adjacent businesses. Public restrooms frequently invite such criminal behavior as vice and drug activity, and care should be taken to place restrooms in a safe environment – as well as preferably being locked during the hours of darkness. Due to the prevalence of cellular phones, public phone booths are not recommended. 11
3. Trash receptacles will need to be placed throughout the common areas of the property to discourage nuisance dumping, especially along the waterfront where it is feasible users will stroll, have picnics, etc. 12
4. The development of this site is foreseen to draw vehicular and pedestrian traffic north on Ruston Way from the businesses and parks located farther south. Analysis of the site plans shows that vehicular traffic will pass through the site in circular patterns. This will encourage pass-through of the property and enable the easy ability to loop through the property and head back south onto Ruston Way. In order to discourage cruising, speeding, traffic accidents and attendant problems, recommend traffic calming structures such as speed bumps or chicanes that will configure the streets to flow in a more serpentine pattern (forcing cars to slow down). 13
5. Recommend demand-lights on Ruston Way instead of the traffic circles. This will encourage an easier flow of vehicular and pedestrian traffic, and help to reduce difficulty for emergency response vehicles and buses. 14
6. It is anticipated that the senior assisted-living residential building (#6), will result in a higher demand for public services such as emergency health care. Current access into the property will make it difficult for a fire truck or ambulance to maneuver to this site. Recommend review of the access points for Pt. Ruston, and/or redesignation of a different building for seniors, in order to address this concern. It is also recommended that a green space or park area be located near the building to allow seniors easy access to it for recreational activities and also provide a place observation into the surrounding area. 15
7. The Grand Plaza and fountain will be a main architectural and artistic focal point of the development. Its prominent placement in the business sector, along with its alignment, proximity, views and access to the waterfront, will tend to draw pedestrian traffic to this main location. Water features can also be frequent draws to transients who wish to use the fountain for personal hygiene reasons, or for the possibility of gleaning coins from the bottom of the pool. Recommend automatic water shut-off during the hours of darkness to help discourage after-hours transient or nuisance types of behaviors. If coins are tossed into the pool, measures will need to be implemented to clean them out to keep the pipes free and undamaged, and a policy will need to be in place to determine where the cash will go. Recommend bright lighting around this plaza area, as well as a strong landscape plan that will eliminate hiding/sleeping places for transients. Decorative fencing to restrict access to the water feature should also be considered. 16
8. Many underground parking structures have been identified for this development. As plans become more detailed, review of each structure for safety and crime prevention techniques will need to be implemented. Recommend all underground parking for residents and business owners/employees have gated entry with access control and assigned spaces. Parking garages will need to be extremely well lighted, with convex mirrors in blind-spots to allow for better visibility. Emergency call-boxes are recommended in each structure that call 9-1-1 directly at the push of a button and use an intercom-type of system that doesn't require handsets (Group Health on 2nd/J 17

St. has a system like this in their parking garage. Calls go to their security control center).

9. The Point Ruston development is ideally designed for a police or private security bike patrol. Due to the nature of mutual aid agreements between the Town of Ruston and the City of Tacoma, as well as current staffing issues, it is recommended that planners implement a Business Improvement Area, Business Watch Program, Crime Free Housing and Home Owner's Association for this site. Dues can be assessed to the merchants, home owners and renters that can be applied to the maintenance of a store-front /sub-station facility, as well as providing employment for private security officers exclusively on this site. In addition, a store-front facility can be used by police officers responding to calls for service at Pt. Ruston, and it will provide them with a place to write reports or meet with the public. The addition of a store-front sub-station will reduce the potential for criminal activity simply by its presence, as will the sight of a police vehicle parked in a prominent location.

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10. The "attractive nuisance" element of building materials and construction vehicles on site during the construction phase should be addressed. Developers frequently leave tools and equipment in lock-boxes that are pretty easy to pry open, and then their tools get stolen. Mitigation plans to increase the safety of the site during construction, to help reduce theft of materials and vandalism should be considered. This should include temporary fencing around the property, with No Trespassing signs clearly posted, as well as temporary lighting during the hours of darkness, etc.

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Overall CPTED Design Considerations

Comments from PW CPTED Program Development Specialist:

The international success of CPTED strategies has shown that the proper design and effective use of the built environment can lead to a reduction in both the opportunity for crime and fear of crime. Below is a list of design elements to help guide in the safe development of the physical environment. It is not meant to be an exhaustive checklist however CPTED is part of a comprehensive approach to crime prevention and CPTED review should be incorporated into all design stages of a development process to identify potential problem areas. The categories below are not all inclusive but are mutual, overlap in application will occur.

1. Neighborhoods:

- Minimize the number of entry and exit points on a block.
- Design roadways to discourage through-traffic.
- Maximize residents' ability to view public spaces.
- Encourage residents' use of public spaces.
- Provide appropriate level of lighting for streets, paths, alleys, and parks.

2. Buildings:

- Clearly delineate private property (e.g., yard, entryway, courtyard,) from public space (i.e. street, sidewalk) through low shrubbery, alternate paving stone color, and changes in grade.
- Provide unobstructed views of surrounding area.
- Ensure entrances are visible and overlooked by windows.
- Avoid landscaping that may conceal offenders.
- Install bright security lights on motion sensors, photo cells or timers.
- Hallways are well lit, elevator banks and bathroom entry within view of people in the area.

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3. Multifamily

- Provide common spaces to encourage tenant interaction.
- Minimize the number of units sharing a common entrance.
- Equip entrances with an intercom system.
- Ensure hallways are well lit.

- Install deadbolt locks and 180 degree eye viewers on unit doors.
- Provide children's areas that can be easily observed.
- Provide windows that allow for surveillance in laundry rooms and community areas.
- Install visible address, unit numbers on all buildings and a Site directory to help direct visitors/patrons and emergency services.

4. Parking lots and garages:

- Avoid enclosed, underground, multi-story garages (maximum of 2 levels below ground).
- Install bright lights over driving lanes and parking spaces.
- Use light colored paint to increase interior light levels.
- Control access and egress with automatic doors and gates.
- Avoid pillars, low walls and recesses that may hide offenders.
- Avoid placing trees in front of light standards and luminaries that will block light when mature.

20 cont.

5. Public/Common spaces:

- Design for legitimate users, avoid low walls, planters, and water features that encourage use by transient populations.
- Use fencing, bollards, pavement textures and grade levels to enforce territoriality and control access.
- Avoid placing dark, and or hidden areas near activity nodes.
- Install appropriate lights that meet the needs of all intended users including pedestrian scale lighting along walkways.
- Restrict the use of covered or enclosed outdoor areas where loitering may be a problem.
- Limit use of street furniture; specify single seating furnishings and small tables to avoid opportunity of becoming sleeping areas.
- Use low growing shrubs and more transparent plant materials to reduce ambush points and shadows.

The four Basic CPTED Strategies

Although conceptually distinct, it is important to realize the strategies tend to overlap in practice.

1. Natural Surveillance -maximizing the ability to spot suspicious people and activities

Surveillance is a design concept directed primarily at keeping intruders under observation. Therefore, the primary thrust of a surveillance strategy is to facilitate observation although it may accomplish the effect of an increased perception of risk. Surveillance strategies are typically classified as organized (e.g., police patrol), mechanical (e.g., lighting) and natural (e.g., windows and landscaping).

Design considerations:

- Locate gathering areas to locations of natural surveillance and access control as opposed to locations away from the view of would-be offenders. For example, all tot lots should be located within the central common area of the building with as many units as possible able to watch children at play.
- Place activities in locations to create surveillance of these activities to increase the perception of safety for legitimate users and risk for offenders. For example, well used common areas (safe location) may overlook a parking area (unsafe location) to provide additional security to the parking area. Common bathrooms and laundry rooms should not be located in a remote area or at the end of a long hallway. Locate these facilities (from a unsafe location) adjacent to the entry or location where there is normally high foot traffic (to a safe location).

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- Improve scheduling of space to allow for effective use and activities that support observation and interaction.
- Design space to increase the perception or reality of natural surveillance.
- Provide an opportunity for people engaged in normal everyday activity to observe the space around them. Place activities where individuals engaged in those activities will become part of the natural surveillance system without any interruption to their activity.
- Provide a good visual connection between residential and/or commercial units and public environments such as streets, common areas, parks, sidewalks, parking areas and alleys.
- Place actively used rooms such as kitchens, living/family room and lobbies to allow for good viewing of parking, streets and/or common areas. Managers, doormen, attendants and security personnel should have extensive views of these areas. Provide for the ability to see into a room or space prior to entering.
- Take advantage of mixed use if it exists and provide good visual connection between uses; this may enable natural surveillance during the day and evening (i.e., a commercial zone which becomes vacant in the evening or a residential zone which is uninhabited during the day).

Landscaping and Fencing

- Specify thorny landscape as a natural barrier to deter unwanted entry. Utilize the 2-6 rule in plant maintenance by trimming bushes down to 2 feet and liming up trees to 6 feet. This provides a window of visibility into the site.
- When designing landscape plans take into account mature plant size and when planting trees in lighted areas use species have a transparent canopy that will not block lighting when they mature.
- Specify vines or planted wall coverings to deter graffiti. Avoid blank spaces which may be an invitation to graffiti vandals.
- Provide landscape and fencing that do not create hiding places for criminals. Discourage crime by creating an inhospitable environment for criminals.
- Use transparent rather than opaque fencing (i.e. galvanized or powder coated chain link, tubular steel or wrought iron). Consider creative solutions to fencing schemes which work aesthetically as well as functionally (i.e. a combination of masonry with steel tubular or modified wood fence raised off the ground or with staggered spacing of fence boards) to allow for visibility.

21

Lighting

- Provide lighting systems which provide night-time vision for motorists to increase the visibility of pedestrians, other vehicles and objects (which should be seen and avoided).
- Provide illumination which provides night time vision for pedestrians, homeowners and business people to permit pedestrians to see one another at face to reduce risks involved in walking at night and to reduce the risk of trip-and-fall accidents.
- Provide lighting systems which will enhance police ability for surveillance, patrol and pursuit.
- Provide lighting systems that minimize glare, light pollution and light trespass. Where necessary, provide light transition zones.

2. Access Control -using physical barriers, security devices and tamper-resistant materials to restrict entrance

Access control strategies are typically classified as: Organized (e.g., guards), mechanical (e.g., locks) and natural (e.g., spatial definition). This guideline will concentrate on the third strategy of

natural access control. The primary thrust of an access control strategy is to deny access to a crime target and to create a perception of risk in offenders.

Design considerations:

- Provide clearly marked transitional zones which indicate movement from public to semi-public to private space. For example, the sidewalk represents *public space* and the main path into a residential development is *semi-private* and the path which branches to individual unit(s) becomes *semi-private* and the interior of the unit becomes private.
- Re-designate the use of space to provide natural barriers to conflicting activities (e.g., adolescent recreation area next to seniors' gather area).
- Locate common areas as centrally as possible or near major circulation paths within the project. Avoid remote locations for common areas.
- Consider containing common areas within a building layout.
- Group common areas together so that necessary tasks such as laundry may be done while watching children or using recreation areas.
- Provide clear well-lit paths from the street to the development through parking and landscape areas and within the development to building entries.
- Avoid ambiguous walkways and entries where occupants and guests may become "lost or disoriented" or must search for the correct entry or unit.
- Provide adequate lighting, width of path, definition of path and ability to see a destination.
- Provide obvious physical security techniques such as locks, lights, walls, gates, security cameras (where necessary) labeled "private security".
- Control unwanted entry through attic space; where ownership changes, provide a wall which extends from the suspended ceiling to the underside of the roof/floor assembly above.
- Identify whether surrounding properties constitute a negative or adverse impact on the development. Mitigate the adverse impact whenever possible with enhanced access control techniques.
- Ground floor units may require security above and beyond the other areas in the development. Walls, fencing, deterrent landscaping and lighting may be necessary.

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3. Territorial Reinforcement -fostering residents' interaction, vigilance, and control over their community

The concept of territoriality suggests that physical design can contribute to a sense of territoriality. That is, physical design can create or extend a sphere of territorial influence and potential offenders perceive that territorial influence. For example: low walls, landscape and paving patterns to clearly define the space around a unit entry as belonging to (and the responsibility of) the residents of that unit.

Design considerations:

- Provide clear border definition of controlled space (e.g., fences, hedges, paving patterns and low walls).
- Re-designate the use of space to provide natural barriers to conflicting activities (e.g., adolescent recreation area next to seniors' gather area).
- Avoid space which is unassigned. As much as possible, all space should become clear responsibility of someone.
- People take more interest in something they own or which they feel intrinsically involved. Therefore, the environment should be designed to clearly delineate private spaces. Provide obvious defined entries, patios, balconies and terraces. Use low walls, landscape and paving patterns to delineate ownership and responsibility.

- Create a sense of ownership to foster behavior that challenges abuse or unwanted acts in that space. Owners have a vested interest and are more likely to challenge intruders or report them to the police.
- Provide real amenities in common areas so people will use them and have a stake in them. Avoid common areas which become a "no man's land".
- Provide clearly defined and secure storage areas (including bicycles, etc.).
- Consider crating "sub-developments" within a project where people share clustered parking, entries, amenities and common areas. Avoid long corridors which are shared by all and owned by none.
- Facilitate the successful Neighborhood Watch program. Cluster units in such a way to allow occupants to interact and see unit entries (and possibly sidewalks and streets) from within other units. Create an environment where strangers or intruders stand out and are more easily identified.
- In some developments it may be appropriate to give occupants some autonomy and control over their environment. This may include devoting landscape space to tenant use and upkeep, allowing occupants to determine color, landscape and other "finish" design materials.

22 cont.

4. Image/Maintenance - primary focus is that a well kept site promotes uses by legitimate users of the space

- Ensuring that a building or area is clean, well maintained, graffiti-free and that the right plant is in the right place (trees will not block lighting or views into area from upper floors).
- Plant materials are kept to the 2-6 rule (shrubs trimmed to no more than 2 feet high and trees limbed up to 6 feet) of natural surveillance on a regular schedule.

The concerns and design guidelines in this review are for the purpose of reducing the likelihood of criminal activity and increasing public safety and property protection. While there is no guarantee that crime will not occur, the concepts of CPTED have proven themselves in cities throughout the country and abroad. Where these techniques have been applied, crimes of opportunity are known to decrease significantly. We recognize the importance of this project and offer our assistance in CPTED review as the project moves forward in the design process.

Sincerely:

Lieutenant David O'Dea
Tacoma Police Department
2-Sector Commander
(253) 591-5697

Audrey Hornbuckle
Crime Free Programs
(253) 591-5048

Mike Teskey
Tacoma Public Works Department
CPTED Program Development Specialist
(253) 591-5634

RESPONSE TO COMMENTS FROM THE TACOMA POLICE DEPARTMENT (Letter #6)

Comment 1

The text of this FSEIS regarding the limitations of the bilateral Notice of Consent agreements between the City of Tacoma and Town of Ruston Police Departments has been revised. See Section 3.6.1.1.2. of this FSEIS.

Comment 2

The text of this FSEIS regarding the mutual-aid agreements between the City of Tacoma and Town of Ruston Police Departments has been clarified to reflect the limitations of this agreement. See Section 3.6.1.1.2 of this FSEIS.

Comment 3

Information and data regarding current City police staffing levels have been revised per this comment. See Section 3.6.1.1.2 for revised language.

Comment 4

The text of this FSEIS has been revised. See Section 3.6.1.2.2 for revised language.

Comment 5

The existing Traffic Management Plan will need to be reviewed and possibly modified to adapt to changes in traffic volumes and circulation patterns. The removal of the vehicle tunnel and addition of roundabouts and the Baltimore connection to Ruston Way will change circulation patterns. Additional discussion has been provided to describe the Traffic Management Plan and related issues. (See section 3.7.2)

Comment 6

The roundabouts would be designed to accommodate a WB-67 truck type. The wheel base of this truck type is 67 feet between axles. The roundabouts would easily accommodate transit coaches and fire engines. The inside circle of the roundabout would be constructed with a mountable curb and 4 foot truck apron, which would accommodate vehicles with a larger turning radius. The segment of Ruston Way that is being constructed would also include 5-foot wide bike lanes on each side of the street. The street width from curb to curb would be approximately 34 feet and would provide adequate space for passing emergency vehicles.

Comment 7

Language has been revised to reflect potential new demands on police services resulting from the *Proposed Action*. See Section 3.6.2.1.2.3 of this FSEIS.

Comment 8

Comment noted. The proponent indicates contact has been made with North and West End Neighborhood Councils and several local businesses. The proponent will consider the inclusion of a Business District during the development stage of the project as a means taking a proactive approach to dealing with the concerns of the business and residents while fostering and building positive relationships..

Comment 9

The proponent indicates a commitment to work in partnership with the Tacoma Police Department to implement Crime Prevention Through Environmental Design (CPTED) strategies in conjunction with building design and configuration considerations of the Tacoma Public Works Department.

Comment 10

The proponent indicates that private areas would be delineated from the surrounding publicly-accessible spaces, as suggested, by utilizing combinations of landscaping, architectural elements, elevation changes and signage to make the distinction between public and private more obvious. The proponent concurs that this would be most important with the townhome style condominiums that face the promenade.

Comment 11

The proponent agrees that the design of public restroom facilities would need to be considered carefully and that these facilities should be either located within buildings that provide some measure of observation and safety or in well-lit, central public areas. No public phone booths are proposed.

Comment 12

The proponent agrees that convenience of trash receptacles throughout public areas is important in maintaining the cleanliness of the public spaces and would incorporate facilities into the landscaping and design.

Comment 13

The proponent concurs that, in order to slow speeds on the internal roads and thus protect the primacy of pedestrians and to discourage cruising, traffic calming devices (e.g., speed tables, traffic circles, narrower drive lanes, etc.) would be utilized.

Comment 14

Traffic signals were evaluated as a traffic control for the site accesses and Baltimore/ Ruston Way intersection. Roundabouts were selected as the preferred traffic control device over signalization because of their ability to accommodate fluctuations in traffic volumes, improved circulation that allow vehicles to reverse direction, and record of increased safety for both vehicles and pedestrians. The roundabouts will be designed to accommodate the turning radii of emergency vehicles and transit coaches.

Comment 15

The proponent agrees that easy emergency vehicle access to the proposed senior assisted living facility and convenience of that facility to green space are important considerations and will review the final location of the facility with these factors in mind.

Comment 16

The proponent agrees that safety and security at the Grand Plaza and fountains are important design concerns and appreciates the suggestion of automatic water shut-offs during nighttime hours.

Comment 17

The proponent agrees that designing for safety and security in and around parking garages is important. Other than proposed public garages that may be professionally-managed, the remaining proposed parking garages would be secured with gate access. Emergency phones or intercoms linked to security would be provided.

Comment 18

The proponent indicates an intent to form an Owner's Association, which will organize business, as well as residential owners and tenants around community interests including crime prevention. The proponent agrees that police presence could be provided with a store-front/sub-station and would be a benefit to the neighborhood. The proponent or Owner's Association may provide private security services as well, but in no manner as a replacement or substitute for public law enforcement. The proponent indicates the intent to coordinate with the Tacoma and Ruston Police departments during the design development phase of the project to best meet their needs and to facilitate a presence within the neighborhood.

Comment 19

The proponent indicates an awareness of the particular problems of construction site security and the importance of exercising theft prevention measures, which would include temporary fencing, secured collective tool management, material storage, and private security.

Comment 20

The text in Section 3.6.2.1.2.2 of this FSEIS has been revised to indicate the intention of the proponent to utilize these suggestions and coordinate further with the Tacoma and Ruston Police Department and Public Works Department to optimize opportunities to incorporate CPTED design principles to improve crime prevention and reduce impacts to police services.

Comment 21

See response to Comment 20.

Comment 22

See response to Comment 20.

FEB 05 2008



DATE: January 18, 2008

TO: Karie Hayashi, Land Use Administration Planner, Public Works

FROM: Rich Barrutia, Transmission & Distribution Supervisor, New Services Engineering

SUBJECT: SEP2007-40000090529, SHR2007-40000090530, PLT2007-40000090531

LOCATION: 5005 Ruston Way

RESPONSE DUE BY: THURSDAY, JANUARY 31ST

~~NO COMMENTS~~

— COMMENTS CONTINUED ON REVERSE SIDE

COMMENTS:

1

New Services Engineering
Transmission & Distribution

Date _____

01/31/8

RESPONSE TO COMMENTS FROM TACOMA PUBLIC UTILITIES –
TACOMA POWER
(Letter #7)

Comment 1

No comments were submitted and no response is necessary.

PREFACE

Change the 2nd paragraph to read:

"This document supplements the 1997 ASARCO Smelter Site Master Development Plan EIS. The 1997 EIS is a non-project EIS that identifies and evaluates the probable impacts that could result from four possible alternatives – a No Action Alternative and three project development alternatives of high, middle, and low intensity. This document is a project-level EIS and is intended to supplement the 1997 EIS a project-level EIS by analyzing additional areas and new information to address changes in the proposed action since 1997. In order to focus on the changes since 1997, this DSEIS utilizes the middle intensity development alternative contained in the 1997 EIS as its No Action Alternative."

1

Then consider referring to the 1997 EIS as the "1997 EIS" throughout the document.

2

3rd paragraph. last sentence, the areas should be separated by semi-colons to clarify what the **seven** areas are.

3

In first bullet, insert "No Action" before "alternative".

4

In 4th bullet, insert "seven" before "environmental parameters"

5

Page I, under Proposed Action, 2nd paragraph: delete "Although this is a master plan- without detailed project design information at this time –". Combine remainder of paragraph with previous paragraph.

6

Page 1-4, last paragraph. last sentence: change to:

It has . . . of possible four future redevelopment alternatives identified in 1997 were adequately....."

7

Figures 1, 2, 14, 15, 16, 17: Note label reads "Point Ruston EIS Addendum". Figures throughout the document should all be checked to make sure they read "Point Ruston Supplemental EIS"	8
Page 2-5, first paragraph refers to "EIS Addendum" instead of "Supplemental EIS". The document should scanned for the word "Addendum".	9
Page 2-12, 1 st full paragraph, 2 nd sentence: change to "it was concluded by the City of Tacoma".	10
Pages 2-21 to 2-25: It would be helpful to include a timeline for each of these Districts.	11
Page 2-33: change "applicant" to "Proponent" as used elsewhere.	12
Page 2-42: Change 2nd paragraph under 2.6 to read: <u>This document supplements the 1997 ASARCO Smelter Site Master Development Plan EIS. The 1997 EIS is a non-project EIS that identifies and evaluates the probable impacts that could result from four possible alternatives – a No Action Alternative and three project development alternatives of high, middle, and low intensity. This document is a project-level EIS and is intended to supplement the 1997 EIS a project-level EIS by analyzing additional areas and new information to address changes in the proposed action since 1997. In order to focus on the changes since 1997, this DSEIS utilizes the middle intensity development alternative contained in the 1997 EIS as its No Action Alternative. This DSEIS presumes that if, for some reason, the Proposed Action was not implemented, [delete "presumably"] the development ..."</u>	13
Insert into 2nd paragraph under 2.6.1, that the No Action Alternative in this DSEIS is the same as the middle intensity of the 1997 EIS.	14
Page 3-1: Entitle "Land Use and Shoreline Use."	15

Page 3.1.9, last paragraph of 3.1.1.3, last sentence: Change to:	16
It has . . . of possible <u>four</u> future redevelopment alternatives <u>identified in 1997</u> were adequately.....”	
Page 3-17, 4th paragraph:	17
Page numbering switches here from 3.1.17 to 3-17.	
Page 3-25: needs label on Figure	18
Page 3.5-6 to page 3.5.11: Link phasing of the project to the percentages of park, open space, promenade available.	19
Page 3.5-15: Show the 26 acres and 24 acres of park and open space, with type and phasing indicated.	20

RESPONSE TO COMMENTS FROM THE TACOMA PUBLIC WORKS
DEPARTMENT – Building and Land Use Division
(Letter #8)

Comment 1

The change requested to the *Preface* of this FSEIS has been made.

Comment 2

Wherever possible we have referred to the *ASARCO Smelter Site Master Development Plan* EIS as the 1997 EIS.

Comment 3

The revision has been made.

Comment 4

The revision has been made.

Comment 5

The revision has been made.

Comment 6

The revision has been made.

Comment 7

The revision has been made.

Comment 8

The revisions have been made.

Comment 9

The revision has been made.

Comment 10

The revision has been made.

Comment 11

The comment is noted. Information has been inserted into section 2.5.2 regarding the intended phases and sequencing of development.

Comment 12

The revision has been made.

Comment 13

The revision has been made.

Comment 14

The revision has been made.

Comment 15

The revision has been made.

Comment 16

The revision has been made.

Comment 17

The numbering has been corrected.

Comment 18

The figure has been labeled.

Comment 19

Discussion of the project phasing has been expanded in section 2.5.2 to describe the phasing of publicly accessible parks, recreation areas, open space, the promenade, view corridors and public access including major thoroughfares.

Comment 20

The approximate percentages of the promenade, open space and public accesses within each district are indicated in the graphic added to section 2.5.2 along with a discussion of phasing as it relates to the development of these areas.



City of Tacoma
Public Works
Department

Memorandum

TO: Karie Hayashi, Building and Land Use Services Division
FROM: Merita Trohimovich, P.E., Environmental Services Engineering Division
SUBJECT: Point Ruston DSEIS
DATE: February 13, 2008

MKT

A detailed plan for surface water and wastewater management has not been presented at this time. Based upon the information presented, ESSE has no objections to the proposal as presented and has the following comments:

1. The applicant shall obtain all appropriate permits and approvals prior to construction. 1

Wastewater

2. All wastewater facilities shall be designed and constructed in accordance with the requirements of the City of Tacoma. 2
3. Mitigation shall be provided as outlined in the attached letter to Mike Cohen of MC Construction Consultants Inc. from Karen Larkin of City of Tacoma and dated July 21, 2006. 3

Surface Water

4. All surface water shall be managed in accordance with the City of Tacoma Surface Water Management Manual including mitigation of downstream conditions if applicable. 4
5. All surface water facilities shall be designed and constructed in accordance with the requirements of the City of Tacoma. 5

The City of Tacoma Surface Water Management Manual is available as an online version at www.ci.tacoma.wa.us/waterServices/permits/manual.htm. The Surface Water Management Manual can be purchased by contacting the Public Works Department, Environmental Services Engineering Division at (253) 591-5588.

RESPONSE TO COMMENTS FROM THE TACOMA PUBLIC WORKS
DEPARTMENT – Environmental Services Engineering Division
(Letter #9)

Comment 1

The proponent would be required to obtain all appropriate permits and approvals necessary for construction to occur.

Comment 2

Wastewater facilities would be designed and constructed in accordance with City of Tacoma requirements.

Comment 3

Mitigation would be provided in accordance with the July 21, 2006 letter.

Comment 4

Surface water would be managed in accordance with City of Tacoma requirements, as well as terms of the Second Amendment to the Consent Decree and other applicable regulations.

Comment 5

Surface water facilities would be designed and constructed in accordance with City of Tacoma requirements.



City of Tacoma
Public Works Department

July 21, 2006

Mike Cohen
MC Construction Consultants Inc.
P.O. Box 8478
Lacey, Washington 98509

Subject: ASARCO Redevelopment (Point Ruston)
Wastewater Mitigation Requirements

Dear Mr. Cohen:

The purpose of this letter is to provide you with an update regarding City of Tacoma Mitigation Requirements for the proposed development at the ASARCO site. In 1997 the City established mitigation requirements for the redevelopment of the ASARCO site, based on the review of the "Master Development Plan Draft Environmental Impact Statement", (ASARCO 1997).

The mitigation requirements specific to the wastewater sewer, required the developer to reduce inflow & infiltration (I/I) in an amount equivalent to the projected new flow generated from the development. The I/I reduction was to be achieved by funding the reconstruction of existing sewer mains.

Based on comments from interested parties, the City has reviewed these mitigation requirements and found they are not consistent with the City's current policies. Therefore, the mitigation requirements established in 1997 for the wastewater sewer are replaced with the following requirements. We believe that you will find these requirements can be more readily addressed and more conducive to the proposed development plans as we understand them.

1

Relocation of Existing 24" Wastewater Trunk Line

The developer will be required to reconstruct the existing 24-inch trunk line in the proposed right-of-way corridor. It is anticipated that this corridor will extend from Ruston Way and Orchard Street to North 51st and Gallagher Way to North 51st and Bennett Street. See attached map.

The reconstruction of the trunk line shall include:

- Extension of any existing mains that currently connect to the existing 24-inch trunk line
- Abandon the existing trunk line. (Method of abandonment will be determined based on redevelopment plan.)
- Minimum pipe size of 24-inch diameter with a minimum full pipe capacity of 23 cfs.

2

The reconstruction of the trunk line shall be designed and approved in accordance with the City of Tacoma's Design Manual and Private Work Order process.

Mike Cohen
July 21, 2006
Page 2 of 2

The reconstruction of the trunk line, as well as, the construction of other public wastewater sewers specific to the site will result in the waiving of the in lieu of assessment fee.

2 cont.

It should be noted that the Town of Ruston may have additional wastewater mitigation requirements, such as capacity fees, associated with the redevelopment of the ASARCO site within the limits of the Town of Ruston.

3

If you have questions or need additional information please contact Jim Parvey, P.E. at (253) 502-2111.

Sincerely,



Karen J. Larkin, P.E.
Asst. P.W. Director/Environmental Services

cc: Eric Anderson, City Manager
William L. Pugh, Director of Public Works
Craig Sivley, Assistant Public Works Director/City Engineer
Jim Parvey, Science & Engineering, Division Manager
Martha Anderson, Assistant Director, CEDD

Attachment: Relocation Map



**ASARCO REDEVELOPMENT
WASTEWATER TRUNK LINE RELOCATION**

LEGEND

— APPROXIMATE
RELOCATION LIMITS

RESPONSE TO COMMENTS FROM THE TACOMA PUBLIC WORKS
DEPARTMENT – Engineering Division
(Letter #10)

Comment 1

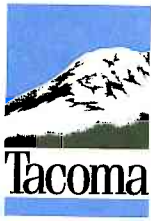
The comment is noted. The project has been designed to comply with mitigation requirements that are now in effect.

Comment 2

The existing 24-inch sanitary sewer truck line that is presently located in Ruston Way would be abandoned and replaced with a minimum pipe size of 24-inch diameter with a minimum full pipe capacity of 23 cubic feet per second (cfs). This work and the construction of public sewers that would serve the project would be designed and approved in accordance with the City of Tacoma's Design Manual. With approval by the Public Works Department, the alignment may be different than that shown in the exhibit that was attached to the comment letter. This is due to a need to either follow the final Ruston Way alignment or the alignment of roads within the Point Ruston development. The proponent has indicated that some portion of this reconstruction or the construction of new sewers to serve the proposed project may be included in a "developer" Local Improvement District project associated with the realignment of Ruston Way.

Comment 3

The proponent indicates that they will work closely with the Town of Ruston with regard to wastewater mitigation requirements for that portion of the proposed *Point Ruston* development that is located within the Town of Ruston.



City of Tacoma
Public Works Department

DATE: February 14, 2008

TO: Karie Hayashi, Senior Land-Use Planner
Building and Land Use

FROM: Kurtis D. Kingsolver, P.E. *LDK*
Engineering Division Manager

SUBJECT: Traffic Engineering Comments for the Asarco Smelter Site Master Development
Plan EIS for Point Ruston--Transportation.

The City of Tacoma Public Works Engineering Division has reviewed the Transportation Section of the Point Ruston Draft Supplemental EIS dated January 2008. Our comments herein focus on project traffic impacts as they relate to the City's transportation system, plans, level-of-service requirements, and public safety. Roadway design and code requirements will be reviewed and approved by City staff later during the plan submittal process. There are two mitigation project lists below. The first list shows the proposed mitigation identified by the applicant. The second list shows additional transportation mitigation identified by the City of Tacoma for the applicant. The completion of both lists will help to ensure this proposal meets the needs of existing and future residents and current and future area businesses.

The transportation study and review of this project was complex because of its size, its multi-jurisdictional location, proximity to waterfront activity and summertime use. As such, the City recognizes the traffic mitigation identified here could be implemented proportional to the development phases of the Point Ruston project. The use of threshold analysis for the completion of project mitigation may be appropriate for this project. The exact timing of these improvements will require additional dialog and agreements between the applicant, the City, and other partners or processes.

1

Applicant Identified Improvements and Mitigation:

Arterial Improvements:

Ruston Way

1. Reconstruct Ruston Way from a two to a three lane cross section with curb and gutter on both sides of the street and planting strip and sidewalk on the project side of the street. 2
2. Provide bicycle lanes on both sides of the street between the north terminus of the Ruston bicycle/pedestrian trail and the proposed intersection at Baltimore/ Ruston Way. Provide a marked pedestrian crossing on Ruston Way to provide a link between the southbound bicycle lane and the Ruston bicycle/pedestrian trail. 3

3. Decommission the existing tunnel on Ruston Way. 4
4. Provide a single lane roundabout at the proposed intersection of N. Baltimore Street/ Ruston Way. Include slip lanes in the roundabout if in the design process they are shown to reduce delay on the more heavily utilized approaches. 5
5. Provide a single lane roundabout at the primary access to the southeast of N. Baltimore Street/ Ruston Way. Include slip lanes in the roundabout if they are shown to reduce delay on the more heavily utilized approaches. 6
6. Provide a two-way stop controlled access with separate outbound turn lanes at the secondary site access to the south of the primary access. 7

Arterial Mitigation:

Ruston Way

1. Widen Ruston Way along the commercial frontage immediately north of N. Alder Street to provide for a center turn lane to reduce delays for through traffic. 8

Arterial and Road Mitigation and Improvements:

Baltimore Street

1. Provide a two-lane roadway with bike lanes to reconnect N. Baltimore Street with Ruston Way. 9
2. Provide curb and gutter on the west side of Baltimore Street north of N. 49th Street where needed. (Improvements to the east side of the street are provided as part of the Stack Hill development.) 10
3. Provide curb, gutter, and sidewalk between N. 49th Street and N. 46th Street where needed. 11
4. Develop a channelization plan for the segment of Baltimore between N. 49th Street and N. 46th Street that provides for a single travel lane in each direction, additional road width for bicycles, and accommodates parallel parking within the usable right of way. The plan should minimize impacts to existing land uses. Review and refine plan with City staff and construct improvements. 12

Improvements to Intersections

1. N Alder Street & N Ruston Way – The level of service on the controlled eastbound approach drops from LOS-A to LOS-F. Providing separate left and right turn lanes or a channelized right turn on the controlled approach would improve level of service on the controlled approach to LOS-D. 13
2. N 30th Street & N Orchard Street – This all-way stop controlled intersection operates at LOS-F under existing PM peak hour conditions and is forecasted to remain at LOS-F with increased delays under future conditions. This intersection is not identified as needing improvement in the Comprehensive Plan but is recommended for signalization. Given its distance from the project site, existing operation, relatively small number of 14

project trips entering the intersection, and absence of plans for improvement; mitigation should be limited to a proportionate share of any improvement that is planned prior to the approval of the Point Ruston development agreement. Signalization would improve level of service to LOS-B.

14 cont.

3. N 51st Street. & N Winnifred Street. – This all-way stop controlled intersection drops from an intersection average of LOS-A to LOS-C with the project complete and occupied. The intersection does not currently meet the warrant requirements for an all-way stop or signalization due to the relatively low volumes on Winnifred Street. From a technical perspective, it would be appropriate to remove the stop signs on N. 51st Street to reduce delays on N. 51st Street. This would increase delays for the small number of vehicles entering N. 51st Street from N. Winnifred Street.

15

While this modification would improve level of service, it would also remove the calming effect of the stop signs on N. 51st Street, which keeps vehicle speeds low between Winnifred and Pearl. A more appropriate tool to maintain low vehicle speeds on the westbound approach to Winnifred would be to narrow the travel lane by providing a curb bulb on the north side of N.51st Street.

4. N. 46th Street & N. Baltimore Street - Provide eastbound and westbound left turn lanes and a southbound right turn lane. Reconstruct the sidewalks/curb ramps at the corners of the intersection to meet current road standards. Provide a marked pedestrian crossing on N. 46th Street.

16

Nonmotorized Improvements

1. Pedestrian and bicycle access to the waterfront for the public will be improved with the proposed waterfront promenade that will connect the north terminus of the Ruston bicycle/pedestrian trail with the proposed Peninsula Park.
2. Bicycle lanes will be provided on Ruston Way between N. Baltimore Street and the north terminus of the Ruston bicycle/pedestrian path.
3. A bicycle route will be included with improvements to the segment of N. Baltimore Street between Ruston Way and N. 46th Street.
4. Provide secure bicycle parking facilities to accommodate a minimum of 75 bicycles.

17

18

19

20

Other Improvements

1. Design the internal roadway to provide for a future access to Peninsula Park when it is developed.
2. In coordination with Pierce Transit, design the internal roadway to provide for future transit service.

21

22

City of Tacoma Project Mitigation for Traffic Analysis Alternatives 1 & 2 without Park, Marina, and Summer Peak Trips:

Ruston Way

- Based on the submitted Synchro reports, the analysis shows that the slip ramps are warranted based on an operating Level of Service (LOS) E and F at the intersections of North Baltimore Street & Ruston Way and the primary access southeast of North Baltimore Street & Ruston Way. Also, Section 3.7 page 49 of the report states that the slip ramps may be needed. The round-a-bouts should be designed for LOS D functionality or at the approval of the City's Traffic Engineer. 23
- The intersection of North Alder Street and Ruston Way will require the installation of a traffic signal. The increased traffic volumes (+300 opposing trips) generated from the project on Ruston Way creates unacceptable delays and safety concerns for left-turning vehicles. Additionally, pedestrians attempting to cross Ruston Way to access area parking lots, restaurants, and neighborhoods will require a traffic signal to make it safer to cross the street. 24
- Extension/Installation of a left turn lane on Ruston Way. The increased traffic volumes generated from the project on Ruston Way creates unacceptable delays and safety concerns for vehicles that turn left to access restaurants and parking lots. The increased volumes also reduce the traffic gaps that permit safer pedestrian crossings. The City has conducted a field and GIS assessment of the location and it has produced the attached map which shows the likely location and length of the warranted left turn lane. The applicant shall work with the City to determine the design and length of the new left turn lane both north and south of the Alder Street intersection as shown. 25
- The intersection of Ruston Way and McCarver Street will require the installation of a protected/permissive left-turn phase to the existing traffic signal. The increased traffic volumes generated from the project on Ruston Way creates unacceptable delays and safety concerns for left-turning vehicles on Ruston Way. 26
- The intersection of North 49th Street and Ruston Way may require the installation of a traffic signal. The increased traffic volume generated from the project on Ruston Way creates unacceptable delays and safety concerns for left-turning vehicles. Pedestrian attempting to cross Ruston Way in this section may need a traffic signal to make it safer to cross. 27

North 51st Street

- The intersection of North 51st Street and Pearl Street in the Town of Ruston continues to be a major concern for the City of Tacoma. Specifically the left turn movement from westbound 51st to southbound Pearl Street has unacceptable (LOS F) delays. The failure to provide an appropriate level of mitigation at this intersection will effect how trips get to and leave the project site. Persons frustrated by the congested intersection will logically use Baltimore Street or Ruston Way as an alternative. The applicant provided an analysis showing Alt #1 (10%) and Alt #2 (20%) shifts in traffic from 51st Street to Baltimore Street however, the 20% 28

shift in traffic to Baltimore Street did not remedy the failed LOS at N. 51st Street. Additional shifts of traffic to these arterials may trigger additional traffic mitigation in Tacoma. The City strongly encourages a quick resolution to the type and installation of mitigation needed to provide a minimum LOS D at this intersection.

28 cont.

- The intersection of North 51st Street and Winnifred Street in the Town of Ruston should remain all-way stop controlled to provide a better measure of pedestrian safety.

29

North 30th Street

- The intersection of North 30th Street and Orchard Street is identified as needing project mitigation by the applicant. City engineering staff recommends the removal of the project from the mitigation list.

30

We appreciate the opportunity to work with Point Ruston and look forward to future communications to help with a successful implementation of the Point Ruston Development.



**RESPONSE TO COMMENTS FROM THE TACOMA PUBLIC WORKS
DEPARTMENT – Engineering Division, Traffic Section
(Letter #11)**

Comment 1

Proponent agrees to construct identified improvements to Ruston Way adjacent to the site, the Baltimore connection with Ruston Way, and improvements to Baltimore Street between Ruston Way and N 46th St. prior to issuance of occupancy permits for any combination of commercial or residential projects that generate the 450th PM peak hour trip generated by the site. This represents 30% of the total number of PM peak hour trips that the development is forecasted to generate. Identified mitigation projects outside of the corridors identified above would be completed prior to issuance of occupancy permits for projects that generate the 600th PM peak hour trip generated by the site. The potential signalization of the intersection of Ruston Way/ N. 49th St would be provided when signal warrants are met.

Comment 2

Proponent agrees to provide this improvement.

Comment 3

Proponent agrees to provide this improvement as to the vehicle tunnel.

Comment 4

Proponent agrees to provide this improvement.

Comment 5

Proponent agrees to provide this improvement.

Comment 6

Proponent agrees to provide this improvement.

Comment 7

Proponent agrees to provide this improvement.

Comment 8

Proponent agrees to provide this improvement.

Comment 9

Proponent agrees to provide this improvement.

Comment 10

Proponent agrees to provide this improvement.

Comment 11

Proponent agrees to provide this improvement.

Comment 12

Proponent agrees to provide this improvement.

Comment 13

See response to comment #24.

Comment 14

See response to comment #24.

Comment 15

See response to comment #29.

Comment 16

Proponent agrees to provide this improvement.

Comment 17

Proponent agrees to provide this improvement.

Comment 18

Proponent agrees to provide this improvement.

Comment 19

Proponent agrees to provide this improvement.

Comment 20

Proponent agrees to provide this improvement over the course of development with facilities provided proportionally with each phase.

Comment 21

Proponent agrees to provide this improvement to the common property line with Metro Parks and has agreed to coordinate on the final design.

Comment 22

Proponent will coordinate internal roadway design with Pierce Transit. Per Pierce Transit's comments, its primary interest is developing facilities along Ruston Way which pronent agrees to provide.

Comment 23

Proponent agrees to coordinate the design of the roundabouts with City staff.

Comment 24

The FSEIS identifies that signalization of Ruston Way/ N Alder St. would improve level of service to LOS-B and identifies signalization as the recommended mitigation. (See 3.7.2 and 3.7.4)

Comment 25

Proponent agrees to work with the City to determine a feasible design to extend existing and provide new center turn lanes on Ruston Way to the north and south of Alder Street as indicated on the exhibit provided with this comment. The intent of the improvement is to provide a refuge for vehicles making left turn movements and reduce delays to through traffic.

Comment 26

Proponent agrees to provide this improvement.

Comment 27

Proponent agrees to provide this improvement when signal warrants are met.

Comment 28

See section 3.7.2 for additional discussion that relates to this comment.

Comment 29

Proponent agrees with the comment and agree the retention of the all-way stop benefits pedestrian safety.

Comment 30

Proponent agrees with the City's comment and the change has been made.

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Wednesday, January 30, 2008 10:46 AM

To: Garypedersen123@cs.com; Steve Yester; Terry Mccann; Loren Cohen

Subject: FW: DSEIS- Asarco Smelter Site Master Development Plan Final EIS

FYI comments from Tacoma Water.

Karie Hayashi

Building and Land Use Services Division, Room 300

Public Works Department

City of Tacoma

747 Market Street

Tacoma WA 98402

253.591.5387/khayashi@cityoftacoma.org

From: Angel, Jesse

Sent: Wednesday, January 30, 2008 10:09 AM

To: Hayashi, Karie

Cc: Bowen, Heather; Johnson, Christopher

Subject: DSEIS- Asarco Smelter Site Master Development Plan Final EIS

DSEIS- Asarco Smelter Site Master Development Plan Final EIS

Tacoma Water has reviewed the DSEIS- Asarco Smelter Site Master Development Plan Final EIS, and has no additional comments other than what was stated in the response to SEP2007-40000090529, SHR2007-40000090530 and PLT40000090531 Point Ruston which I've attached below.

SEP2007-40000090529, SHR2007-40000090530 and PLT40000090531 Point Ruston, 5005 Ruston Way, Parcel No. 8950003310 and 0221231000

Tacoma Water has reviewed the proposed request and has the following comments:

1. *City ordinance 12.10.045 requires a separate water service and meter for each parcel.* 1
2. *The Customer is advised to obtain private utility easements for any property-side water pipes leading from the City meter to the building on any portion(s) existing on adjacent parcels.* 2
3. *The nearest water main capable of serving this property is located within Ruston Way. Calculated static pressure at the nearest City water main is approximately 100 psi. If fire sprinklering, contact the Tacoma Water Permit Counter at (253) 502-8247 for policies related to combination fire/domestic water service connections.* 3
4. *The Uniform Plumbing Code requires that a pressure-reducing valve (PRV) be installed on the customer's property side service line if pressure exceeds 80 PSI.* 4

<i>Since the supply elevation of 251' that serves this project will supply an approximate pressure 100 PSI, a PRV will be required for all services.</i>	<i>4 cont.</i>
<i>5. New water services will be installed by Tacoma Water after payment of the Service Construction Charge and the Water Main Charge. New meters will be installed by Tacoma Water after payment of the System Development Charge.</i>	<i>5</i>
<i>6. If a new fire hydrant is required at a location with an existing water main, the hydrant will be installed by Tacoma Water after payment of an installation charge.</i>	<i>6</i>
<i>7. Sanitary sewer mains and sidesewers shall maintain a minimum horizontal separation of ten feet from all water mains and water services. When extraordinary circumstances dictate the minimum horizontal separation is not achievable, the methods of protecting water facilities shall be in accordance with the most current State of Washington, Department of Ecology "Criteria For Sewage Works Design".</i>	<i>7</i>
<i>8. Proposed change in zoning density could necessitate upgrading of the water system. This upgrading will be determined by Tacoma Water and paid for by private developers.</i>	<i>8</i>
<i>9. Within Ruston Way, proposals indicate significant re-alignment and grade changes. If existing water facilities need to be relocated or adjusted due to street improvements for this proposal they will be relocated by Tacoma Water at the owners' expense.</i>	<i>9</i>
<i>10. All new or relocation of water main will be installed at the expense of the developer using the Private Contract or L.I.D. process.</i>	<i>10</i>
<i>11. For all water main facilities and appurtenances constructed within the ASARCO Clean-up area a corridor of clean soils shall be provided at the developer's expense and prior to installation of any services. Future ownership and maintenance by Tacoma Water requires clean fill.</i>	<i>11</i>
<i>12. The developer may elect to form a Local Improvement District to finance relocation, extension, and construction of new water mains. A Local Improvement District is an area in which improvements are made and the properties involved are assessed. The improvements are financed by the City of Tacoma thru the sale of Bonds. After all construction is complete and the City Council certifies the final Assessment roll the property owners are billed for their portion of the improvement. The assessments may be paid in full at that time or the property owner may choose to make payments over the course of a set number of years. A lien is filed on the properties in the district for the estimated amount of assessment at the time the Local Improvement District is formed and that amount is changed when the final assessment roll is approved the City Council. The lien is removed when the assessment is paid in full. The developer will be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developers</i>	<i>12</i>

Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing.

12 cont.

13. In addition to item 11 above, relocation, extension, and construction of a permanent water main may be constructed by private contract. The developer of the privately financed project will be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications. The engineering charge for the preparation of plans and specifications will be estimated by Tacoma Water. The developer will be required to pay a deposit in the amount of the estimated cost. The actual costs for the work will be billed against the developer's deposit. The new mains will be installed by and at the expense of the developer. The developer will be required to provide a 20-foot wide easement over the entire length of the water main, fire hydrant, service laterals and meters. The developers Professional Land Surveyor shall prepare and submit the legal description of the easement to Tacoma Water for review and processing. Prior to construction, a second deposit in the estimated amount for construction inspection, testing, and sampling will be due to Tacoma Water. Upon completion of the project, the developer will either be refunded the unused amount of the deposit or billed the cost overrun. Approximate design time is ten weeks.

13

14. Whether electing to form Local Improvement District or construct the water main through the Private Contract process, the developer will be responsible for all costs and expenses incurred by Tacoma Water for preparation of plans and specifications, construction inspection, testing, flushing, sampling of the mains, and other related work necessary to complete the new water main construction to Tacoma Water standards and specifications.

14

Jesse Angel
Engineering Office Coordinator
Tacoma Water
253-502-8280
jangel@ci.tacoma.wa.us

RESPONSE TO COMMENTS FROM TACOMA WATER
(Letter #12)

Comment 1

Comment noted.

Comment 2

Comment noted.

Comment 3

Comment noted. Proponent has indicated the majority of proposed buildings will be fire sprinkled as a matter of compliance with applicable building and fire codes and that combination fire/domestic water service connections will be coordinated with Tacoma Water in the course of design and development

Comment 4

Comment noted. Proponent has acknowledged that it is likely all water services will require a pressure-reducing valve as it is anticipated that all services will exceed 100 PSI at the property side service line.

Comment 5

Comment noted.

Comment 6

Comment noted.

Comment 7

Comment noted.

Comment 8

Comment noted.

Comment 9

Comment noted.

Comment 10

Comment noted.

Comment 11

Comment noted. Proponent has indicated that all utilities within the project will be located in corridors of clean soil as required by the Second Amendment to the ASARCO Consent Decree with EPA.

Comment 12

Comment noted.

Comment 13

Comment noted.

Comment 14

Comment noted.



MEMORANDUM

TO: Karie Hayashi, Tacoma Public Works Department (591-5387)

FROM: Lois Stark, Metro Parks Tacoma (305-1077)

SUBJECT: Point Ruston Project – DSEIS

DATE: 2/14/08

Below are Metro Park Tacoma's comments regarding the SDEIS to the Asarco Smelter Site Master Development Plan Final EIS for the Point Ruston Project. Please note that we will need to be provided additional opportunities to review and comment on the design for the street, park, open space, view corridors, parking and promenade features as these are developed during later stages of the project development process.

Overall Comments

Metro Parks is in support of the remediation and redevelopment of the former Asarco property if the overall goals relating to public access and open space/recreation opportunities of the Asarco Master Development Plan are met. This Plan was developed after extensive consultation with the public, and accepted by the Park Board, Town of Ruston, and City of Tacoma in 1997.

1

We again want to emphasize the need to ensure that the Point Ruston development is designed in a manner that supports and facilitates the safe movement of pedestrians, cyclists, parents with strollers, roller bladers, dog walkers and other waterfront users along the Ruston Way Promenade to and from Point Defiance Park and the future Peninsula Park site. Closing of this "missing link" in our regional waterfront trail system is a long awaited improvement and an expectation of the public. Vehicular access to and from the Tacoma Yacht Club property must also be maintained, and vehicular access to the future Peninsula Park site must be accommodated.

2

Specific Areas of Concerns

Public Promenade and Public Spaces: We are very supportive of the amount of public spaces that Point Ruston is proposing within this development. The project has the potential of making a significant contribution to the quality of life of not only Tacoma and Ruston residents and

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visitors, but for the entire South Sound region. These public spaces are shown on Figure 6 of the DSEIS.

To ensure that these public spaces continue to be well maintained and operated in a safe manner, the ownership and maintenance/operational responsibilities for the public spaces, including the public promenades, interior public access ways, plazas, and other open spaces, along with the proposed features such as art work, sculptures, fountains, and furnishings such as benches and lighting must be clarified. Costs associated with ongoing m/o should be estimated and a strategy to ensure that these public spaces and features are well taken care of into the future needs to be developed and approved by all impacted parties.

3

In the SDEIS Section 3.5.2.3 (Point Ruston Promenade) we would recommend that the “automotive” use described for the Promenade relates only to emergency vehicle and m/o vehicles such as park or utility maintenance vehicles rather than cars/vehicles driven by members of the public or delivery vehicles to the proposed residential or commercial uses.

4

Pedestrian Links / View Corridors: The view impact analysis included in the DSEIS was very helpful and addressed the concerns that we raised in our earlier comment letters. The design of the corridors, called “Interior Public Access” on Figure 6 of the DSEIS, will need to be done in a manner that welcomes the public to walk through the development from the proposed parking areas adjacent to Ruston Way, to the Public Promenade.

5

Impacts on Existing Park Facilities: DSEIS Section 3.5.2.5 (Demand on Existing Park Facilities) describes the Point Ruston project as having no significant impact to the existing parks surrounding the development since the project is providing a large amount of public open space. The DSEIS also describes a very small number of anticipated children to reside in the development based on experience from other similar developments in our area.

6

The information provided in the DSEIS addresses many of our earlier comments, however, the impacts of these new residents on our nearby Vassault Park, a community park which provides active ball and playfields for league and organized sports, should be further explored to determine whether any mitigation measures are warranted.

Traffic and Transportation: SDEIS Section 3.7 (Transportation), the analysis of traffic must take into account vehicular trips both to and from the Tacoma Yacht Club and the proposed Peninsula Park.

SDEIS Section 3.7.4 (Transportation – Mitigation Measures – Other Improvements), the proposed internal roadway system must be designed to provide for future access to Peninsula Park and the Tacoma Yacht Club. The design needs to recognize that traffic to the future Peninsula Park site and to the Tacoma Yacht Club must accommodate commercial semi-trucks and trucks with trailers hauling boats and other equipment/supplies. Consideration must be given to the fact that the Tacoma Yacht Club uses a gate/guard to secure access to their facility.

7

The proposed Public Promenade must be wrapped from the waterfront up along the northern edge of the project to allow for Promenade users to access Peninsula Park and Point Defiance Park. Promenade users must also be provided safe places to cross any proposed vehicular access roads, and the promenade connection through the Tacoma Yacht Club lease area needs to take existing TYC buildings, parking areas, and the City of Tacoma's surface water outfall line into account.

8

The proposed roadway into Peninsula Park will function as a very long cul-de-sac from Ruston Way and deadending in Peninsula Park. An assessment of the public safety and traffic implications of this proposed cul-de-sac configuration should be included in the Final SEIS.

9

Thank you for the opportunity to provide comments on this project. We look forward to continuing to work with you to ensure that this project truly enhances the Ruston Way waterfront.

RESPONSE TO COMMENTS FROM METRO PARKS DEPARTMENT (Letter #13)

Comment 1

The comment is noted.

Comment 2

The proponent has made a commitment to work with Metro Parks in partnership to design public access, open space and recreational opportunities in a manner that supports and facilitates the safe movement of pedestrians, cyclists, parents with strollers, roller bladders, dog walkers and other waterfront users along the Ruston Way Promenade to and from Point Defiance Park and the future Peninsula Park site. The use of crosswalks at stop-controlled intersections, speed tables where appropriate, change in surface materials or color, and well-designed signage for pedestrians and drivers are design elements that would be employed.

Comment 3

To ensure that public spaces within the development are well maintained and operated in a safe manner, the proponent has indicated their willingness to:

- dedicate public right-of-way for Yacht Club Road and Ruston Way improvements including sidewalks, bicycle lanes, etc.;
- grant a perpetual easement for public access and use of the promenade and view corridors; public access easements would be recorded and would run with the land;
- use landscaping, architectural elements, changes in elevation, street furniture, change of surface materials & color and signage to identify the transition and distinct separation of public and private spaces;
- provide space for store-front police substation on-site; and
- work with stakeholders to address ongoing maintenance and operation and implement a strategy to ensure that publicly accessible spaces and features are well taken care of into the future.

Comment 4

It is intended that vehicular access to the public promenade would be restricted to emergency vehicles and maintenance and operation vehicles, such as park or utility maintenance vehicles.

Comment 5

The view corridors, referred to as “Interior Public Access” on Figure 6, would be designed in a manner that welcomes the public to walk through the development from parking areas adjacent to Ruston Way to the promenade. A combination of landscaping, surface materials and color, and signage would be used to clearly delineate public spaces and move the public between Ruston Way and the shoreline promenade.

Comment 6

The proponent has agreed to work with Metro Parks regarding possible mitigation after completion of an assessment of potential impacts of new residents on nearby Vassault Park, a community park with active ball and playfields for league and organized sports. If mitigation is found to be necessary, it could take the form of on-site improvements such as active ball and playfields within the development or field improvements at Vassault.

Comment 7

The proponent agrees to construct a roadway to serve Peninsula Park and the Tacoma Yacht Club designed to accommodate commercial semi-trucks and trucks with trailers hauling boats and other equipment & supplies and to accommodate a gate/guard to secure access to the yacht club. "Yacht Club Road" is proposed to be built within a 60-foot wide public right-of way from Ruston Way to the shared property boundary with Metro Parks, and continue along the shared property line within a 40-foot wide easement or Right of Way until turning north onto Metro Parks property (see revised Figure 20).

The segment of Yacht Club Road between Ruston Way and the perpendicular intersection with Metro Parks property is proposed as a 60-foot wide right-of-way accommodating 32 feet of pavement with two 11-foot drive lanes, two five-foot bike lanes, and 7.5 foot sidewalks on both sides of the roadway. A speed table and crosswalk at the stop-controlled hammerhead T-intersection would be provided to safely move pedestrians through this area as they travel to and from Peninsula Park and Point Defiance.

As the proposed road continues along the shared property line, the proponent would build more than half of the eventual street configuration within a 40-foot easement that would accommodate two ten-foot wide drive lanes, 5-foot wide landscaping strip, and a 15-foot wide sidewalk as part of the promenade as it wraps around Building 15. Eventually, the property line could become the road centerline when Peninsula Park is constructed.

As shown in revised Figure 20, the proposed road contains two 45-foot radius cul-de-sacs that would be built to the same dimensions as City of Tacoma standard DR-06 to accommodate commercial semi-trucks and trucks with trailers hauling boats, equipment & supplies.

Comment 8

The proponent agrees to revise the design of the promenade to wrap around Building #15 along the north edge of the proposed development in order to facilitate the safe movement of pedestrians crossing vehicular access roads to access Peninsula Park and Point Defiance Park. The promenade connections to Metro Parks property would be designed in partnership with the park district and would take into account the location of existing Tacoma Yacht Club buildings, parking areas, and City of Tacoma's surface water outfall line.

Comment 9

The proposed cul-de-sac configuration, as shown in revised Figures 10 and 20, meets requirements for public safety & traffic requirements, including length of roadway and turning radii.

From: Calvin Goings [CGOING1@co.pierce.wa.us]
Sent: Thursday, February 14, 2008 4:41 PM
To: khayashi@cityoftacoma.org
Subject: Point Ruston SEIS

February 14, 2008

Karie Hayashi, Land Use Planner
Public Works Department
City of Tacoma
747 Market Street
Tacoma, WA 98402

Subject: Point Ruston SEIS

Dear Ms. Hayashi:

Thank you for requesting my comments regarding regional land use and park issues in Tacoma and Pierce County. As the Chair of the County Council's Community Development Committee which focuses on recreation and development issues, I always appreciate the opportunity to comment on such critical items.

As you are aware, the Growth Management Act requires a periodic report on development patterns and vacant/underdeveloped land capacity for Pierce County and its cities and towns. The recent Buildable Lands Report as submitted to the State of Washington, clearly shows that more must be done to accommodate quality, compact development in the urban core of Pierce County. To that end, mixed use proposals that complete needed environmental restoration in existing urban areas should receive our utmost attention.

1

As our community grows, the provision of open space and recreational amenities will also continue to be a challenge throughout Tacoma and Pierce County. Proposals for development that contain large amounts of community parks, as well as complete critical links in our regional trail network are vital.

Thank you again for the ability to comment. Please feel free to contact my office with any questions you may have.

Sincerely,

CALVIN GOINGS
Councilmember
Pierce County Council
(253) 798-6694 (voice)
(253) 798-7509 (fax)
cgoing1@co.pierce.wa.us
www.piercecountywa.org/council

RESPONSE TO COMMENTS FROM THE PIERCE COUNTY COUNCIL
Councilmember Calvin Goings
(Letter #14)

Comment 1

Comments Noted. The proponent indicates that it is intended that the proposed *Point Ruston* development be a mixed-use neighborhood that includes 800 to 1,000 multifamily units (for sale and for rent); as much as 228,000 sq.ft. of retail/commercial space; a 150-room hotel with restaurants and conference facilities; and parks, trails and shoreline amenities along Commencement Bay.

February 14, 2008

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma Public Works Department
747 Market Street, Room 300
Tacoma WA 98402-3769

RE: POINT RUSTON PROJECT
ASARCO SMELTER SITE MASTER DEVELOPMENT PLAN FINAL EIS (FEIS)

Thank you for the opportunity to review and comment on the above referenced project. Pierce Transit staff enjoyed the opportunity to review the project information. We believe that this site is an appropriate location for intensive development. This is the type of project with good densities that provides opportunities ideal for transit to serve. Based on the information in the FEIS, transit would likely attract about 240 transit trips per day. While this is not enough to support a route in and of itself, it will significantly improve the market potential of Ruston Way and the ferry terminal at Point Defiance. Accordingly, we anticipate transit service to the site once constructed and if Pierce Transit's finances allow.

Pierce Transit is very supportive of the pedestrian friendly nature of the project's internal design. Given its narrower internal circulator streets, Pierce Transit will likely not operate off of Ruston Way and Yacht Club Drive. While the project proponent has been very supportive of transit requirements and willing to introduce transit service into these internal circulator streets, their design does not lend itself to transit vehicle operations. As a means of speeding travel to and from the ferry dock, we will be pursuing the future connection of Yacht Club Drive to the roadway segments to the north. In the near term, Yacht Club Drive should be constructed to accommodate transit vehicles which might need to access Peninsula Park during community and special events.

1

Additionally, we have the following comments:

1. Page 2-30, The Public Transportation Access section of the FEIS, identifies one transit stop located adjacent to Building 11A. We request three bus stops on each side the street. We will continue to coordinate with the project team as plans progress to identify the appropriate bus stop locations at approximately Ruston Way adjacent to Building 4B, Ruston Way at Building 11A, and Yacht Club Road at Building 14. Provisions should be made for all three pairs of transit stops including ADA boarding area at each bus stop and connections to sidewalks.

2

- The FEIS does not address the impact of pedestrian crossing movements along Ruston Way on the road's traffic capacity. As already occurs on Ruston Way, there will be pedestrians crossing on Ruston Way and their safe crossing should be considered. At the three locations identified for future bus stop improvements, provisions should be made for crossing both Ruston Way and Yacht Club Drive. Additionally, we request that Pierce Transit be involved in the design of traffic circles and roadway segments adjacent to the site. 3
2. Pg. 2-30, Public Transportation Access section also indicates that "Special programs such as flex cars and carpools are also being discussed." As an incentive to encourage the use of alternative transportation modes and given the 3,700 parking stalls included in this project, we request that dedicated Vanpool parking stalls be designated for residents. These would be reserved parking stalls located in high visibility locations for parking of the Vanpool vehicle. A convenient, centrally located carpool area could be utilized as a marketing tool for the high occupancy residences. These should be full size parking stalls as a Vanpool van is generally a 15 passenger vehicle. 4
3. Pg. 2-30, Public Transportation Access section identifies Pierce Transit as Pierce "County" Transit. Please delete the reference to County from our title. 5
4. Pg 1-13. Proposed Action Mitigation Measures, last bullet, the sentence is not complete and ends with "Provide curb and gutter on the...." 6
5. Pg 1-11, No Action Alternative, Transportation Mitigation Measurement, indicates "Employers with 100 or more employees on-site could participate in a Commuter Trip Reduction Program." Similar to our earlier comment, we request placement of convenient, centrally located designated Vanpool parking stalls. 7
6. Pg 1-17. Other Improvements, second bullet, "In coordination with Pierce Transit, design the internal roadway to provide for future transit service." We appreciate this consideration. We anticipate future transit service on Ruston Way and Yacht Club Road. We look forward to coordinating the placement of three pairs future transit bus stops 8
7. Pg. 2-15, Project Objectives, sixth bullet, "provide vehicular, bicycle and pedestrian connections and utility stubs to the Metropolitan Park Districts Yacht Basin property and Peninsula Park serving as a connection between the existing Ruston Way Parks and Point Defiance Park". Pierce Transit supports this objective. 9
8. Pg. 3.5-8, Item I, Roundabout Spaces, indicates that "these roundabouts would provide more efficient flow for traffic generated by Point Ruston." The roundabouts will need to meet design standards to accommodate turning radius of transit vehicles. Again, Pierce Transit requests that we be involved in the design of traffic circles and roadway segments adjacent to the site 10
9. Pg. 3.7-32, Transportation Section, Transit Service section indicates the "Pierce Transit does not currently have plans to provide transit service along Ruston Way. However, the project will increase the population density in the area and Pierce Transit will evaluate transit service needs once the timing of occupancy and density is known. Point Ruston will provide space 11

for transit stops within the site and support additional stops along Ruston Way if recommended by Pierce Transit.”

Future service along Ruston Way is depicted in Pierce Transit’s Strategic Business Plan in the potential network of urban and suburban routes. We concur that the project will increase density in this area aiding the development of a viable transit market. As indicated earlier we anticipate transit service to the site once constructed and if Pierce Transit’s finances allow. We request accommodation for three pairs of transit stops within the project site.

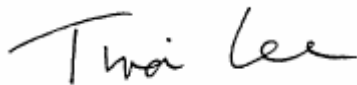
11 cont.

10. Page 3.7-51, Other Improvements, Item 2, indicates “In coordination with Pierce Transit, design the internal roadway to provide for future transit service.” Given the pedestrian orientation of the internal roadway, we do not anticipate transit service on the internal roadway except for Yacht Club Road which should be constructed to accommodate transit service and bus maneuvering movements. We anticipate occasional service along Yacht Club Road accessing Peninsula Park for community and special events.

12

Again, thank you for the opportunity to review and provide comments on this very important project. The project team has been very responsive to Pierce Transit and inclusive of public transportation needs. We look forward to further collaborative efforts as site develops. If you have questions or require additional information on Pierce Transit’s comments, do not hesitate to contact me directly at 253.589.6887 or tlee@piercettransit.org.

Sincerely,



Tina Lee, Senior Planner
Capital Development & Construction Projects

tl

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RESPONSE TO COMMENTS FROM PIERCE TRANSIT (Letter #15)

Comment 1

Comment noted. The proponent will work with Pierce Transit to ensure that the segments of Yacht Club Drive controlled by the proponent will be designed to accommodate transit vehicles. The Proponent will construct Yacht Club Drive to the boundary of the Point Ruston property. Future connections to Peninsula Park, the Yacht Club, or N. Waterfront Drive are not part of the proposed project.

Comment 2

The Proponent will work with Pierce Transit to refine the location and design of transit stops.

Comment 3

Pedestrian crossings will be included in the roundabout designs at the primary site access on Ruston Way and at the intersection of Ruston Way/Baltimore-Yacht Club Drive. A third pedestrian crossing will be provided on Ruston Way at the south end of the site where the southbound bike lane terminates and crosses Ruston Way to connect with the Ruston Trail.

Pierce Transit will have the opportunity to review roundabout and roadway designs as part of the review process prior to permitting.

Comment 4

The proponent agrees dedicated HOV parking stalls will be provided in high visibility, central locations in support of Vanpool and other alternative transportation programs.

Comment 5

Comment noted.

Comment 6

Comment noted.

Comment 7

Comment noted.

Comment 8

Comment noted.

Comment 9

Comment noted.

Comment 10

Comment noted. The roundabouts will be designed to accommodate A WB-67 truck type which is significantly larger than a transit coach.

Comment 11

Comment noted.

Comment 12

Comment noted.

FEB 14 2008



Learning and Leadership

General Support Services
Buildings & Grounds • Food Services
Planning & Construction • Risk Management

3223 South Union Avenue
Tacoma, WA 98409-3194
253.571.3300 • Fax 253.571.3320

February 14, 2008

Karie Hayashi
City of Tacoma
Public Works Department
747 Market Street, Room 345
Tacoma, Washington 98402

Letter 16

Re: Point Ruston Waterfront – Phase I
File Nos: 40000090530/SHR2007, 40000090531/PLT2007,
40000090529/SEP2007
Comments – Draft Supplemental Environmental Impact Statement

Dear Ms. Hayashi:

Tacoma Public Schools (the “District”) has reviewed the Draft Supplemental Environmental Impact Statement (the “DSEIS”) for the above-referenced project (the “Project”) and submits the following comments.

We understand that the Project includes the development of between 800 to 1,000 residential dwelling units over a period of 8 to 10 years. As the DSEIS notes, students generated from dwelling units in the Project will attend District schools. However, the DSEIS incorrectly states that students from the Project will only attend the following District schools: Point Defiance Elementary School, Truman Middle School, and Wilson High School. *See* page 3.6-7 of the DSEIS. Based upon the Project boundaries and the District’s existing service areas, the following schools will also serve the Project: Sherman Elementary School and Mason Middle School. Please update the language in the DSEIS to reflect this information.

1

Existing School Capacity Data:

Please note that the District’s Board of Directors recently directed the District to implement all-day kindergarten classes. As a result, school capacities have been adjusted accordingly to fit with the District’s adopted “Recommended Program Capacity” (or “RPC”). The RPC is driven by the physical size of the school, program placement and desire to limit enrollment to 550 (ES), 750 (MS) and 1800 (HS) regardless of the size of the facility.

Consistent with this information, the DSEIS should reflect the following school capacities and associated enrollments:

	Point Defiance Elementary	Sherman Elementary	Mason Middle School	Truman Middle School	Wilson High School
Capacity	525	450	750	750	1,800
Enrollment (October 2007)	355	326	778	659	1,189
Available Capacity/Deficiency	170	124	(28)	91	611

We understand from the developer of the Project that the residential units in the Project (900 total based upon the developer's figures) would primarily be served by Sherman Elementary School, Mason Middle School (except for 228 units that would be served by Truman Middle School), and Wilson High School.

3

Based upon the above capacity analysis, the District will likely have available capacity at the elementary and high school levels to serve the students generated by the Project, but will lack capacity at the middle school level. In fact, Mason Middle School, which will serve most of the dwelling units in the Project, is currently operating over capacity.

Student Generation Rates:

As the DSEIS notes, the District hired a consultant to establish the average number of students generated from new development within the District (known as the "Student Generation Rate" or "SGR"). The Student Generation Rate quantifies the average number of students generated from a new multi-family dwelling unit in the District.¹ Given that the District's SGR was developed using actual data from recent development within the District, the District disagrees with the conclusions and use of the "Expected Student Generation Rates" in the DSEIS. See pages 3.6-9 and 3.6-10 of the DSEIS.

4

Applying the District's SGR indicates that, if all 900 units are developed, the Project will

¹ The District assumes that all units in the Project are multi-family units as defined by the City of Tacoma Municipal Code. Please note that a different student generation rate is applied to single family units. Single family units tend to generate more students than multi-family units.

generate the following students per grade level:

	Elementary (900 units)	Mason Middle (672 units)	Truman Middle (228 units)	High (900 units)
Multi-Family SGR	.130	.047	.047	.069
Total Expected Students (900 MF units)	117	32	11	62

4 cont.

As noted above, Mason Middle School, which will serve 672 dwelling units in the Project, is currently operating over capacity. Any additional students, especially the estimated 32 students, generated from the Project will adversely impact the District's middle school facilities in this service area. As such, the Project, without mitigation, will adversely affect middle school capacity.

5

Furthermore, the District respectfully disagrees with the comment in the DSEIS that "[r]evenues from property taxes, along with school impact fees to be paid by future residential developers, would help offset increases in demand for school services from Point Ruston redevelopment." See page 3.6-18 of the DSEIS. The developers of the Project should be required, like other developers impacting schools, to provide appropriate school mitigation

6

We appreciate the opportunity to comment on this DSEIS for the Project. Please contact me at (253) 571-3300 if you have any questions. In addition, please provide me with a copy of all notices regarding this Project. Thank you.

Sincerely,



Sam Bell
Executive Director,
General Support Services

cc: Pete Wall, Director, Planning & Construction
Denise L. Stiffarm, K&L Gates, LLP

RESPONSE TO COMMENTS FROM TACOMA SCHOOL DISTRICT (Letter #16)

Comment 1

Analysis in **Section 3.6** of this FSEIS has been revised to reflect that Sherman Elementary and Mason Middle School would also serve the *Proposed Action*.

Comment 2

Analysis in **Section 3.6** of this FSEIS has been revised to reflect provided capacity, enrollment and available capacity information for schools that would serve the *Proposed Action*

Comment 3

Analysis in **Section 3.6** of this FSEIS has been revised to reflect that Mason Middle school is operating over capacity and does not have excess capacity to serve the *Proposed Action*.

Comment 4

The comment is noted.

Comment 5

Analysis in **Section 3.6** of this FSEIS has been revised to note that additional students generated from the *Proposed Action* would likely adversely impact Mason Middle school without mitigation.

Comment 6

A commitment by the proponent to work with the School District on the mitigation of its direct actual impacts has been added to **Section 3.6.3**.



TOWN OF RUSTON

5117 N. WINNIFRED STREET

RUSTON, WASHINGTON 98407-6597

PHONE (253) 759-3544

FAX (253) 752-3754

Letter 17

February 13, 2008

City of Tacoma
ATTN: Karie Hayashi
747 Market Street, Room 345
Tacoma, WA 98402

RE: Town of Ruston Comment Letter - Draft Supplemental Environmental Impact Statement to the Asarco Master Development Plan Final EIS

Dear Ms. Hayashi:

On January 16, 2007, the Town of Ruston received the Draft Supplemental Environmental Impact Statement (hereafter DSEIS) to the Asarco Smelter Site Master Development Plan Final Environmental Impact Statement. The Town has completed its review of the DSEIS and is submitting the following comments relating to the potential impact of the proposal as it relates to the Town of Ruston.

General Comments:

The Town of Ruston has several specific comments on the DSEIS which will be discussed in more detail below. There is, however, one overarching concern that impacts several components of the DSEIS and which is extremely concerning to the Town of Ruston – this concern is the proposal's inconsistency with the Town of Ruston's Development regulations. While the Town is currently reviewing those regulations for possible revisions, the Town, like any other jurisdiction, can only amend its development regulations through the normal legislative and public process. As such, the Town cannot support a DSEIS that is inconsistent with those regulations.

1

The Asarco Master Development Plan (MDP), adopted by the Town of Ruston in 1997 by Ordinance 1002 and amended by Addendum A, is the primary development regulation controlling development on this site within the Town of Ruston. Both the MDP and Ordinance 1002 went through an extensive planning process, which involved multiple public meetings and in-depth environmental review.

As presented in this DSEIS, several revisions/amendments to Ordinance 1002 and the Town's Shoreline Plan will be required before this proposal could move forward. This fact is not fully or consistently acknowledged in the DSEIS. Furthermore, the DSEIS includes many misleading and inaccurate statements about Town of Ruston Ordinance 1002 itself, and about the relationship of the proposal to Ordinance 1002. These statements must be corrected as will be noted further in this letter.

2

This issue was previously documented in the Town's May 23, 2007 Scoping Comment Letter. In that letter, the Town noted:

The Land Use and Shoreline use section (Plans and Policies) should include a discussion of all changes that will require an amendment to the Asarco Master Development Plan (Town Ordinance 1002) and the Town's Comprehensive Plan. For example, the applicant has proposed the elimination of the round-about located at the convergence of Ruston Way, Baltimore Street & N. 52nd Street and the elimination of a connection to the Ferry terminal, but these attributes are shown in Figure A-10 *Subdivision Plan* of the Asarco Master Development Plan and Figure 16 of the 1997 EIS Appendices.

3

It is the Town of Ruston's position that the DSEIS must specifically identify the areas where the proposal is different or inconsistent with the Town's adopted development regulations, and that the DSEIS must make clear that any inconsistencies with the Town's development regulations must be resolved. This analysis should include inconsistencies with the:

4

- Land uses allowed
- Open space standards
- Transportation network changes (pedestrian/bicycle/vehicle circulation)
- Subdivision Plan
- Physical layout of open spaces and view corridors,

Furthermore, the Asarco Master Development Plan as adopted by Ordinance 1002 has not been amended to allow residential uses on the entire site. Section II the Draft SEIS asserts that with Asarco's approval (letter in Appendix C) the proposals are consistent with the adopted MDP, this is not correct. While the Town and other stakeholders did agree on the concept of residential land use on the entire site; the agreement has never gone through the necessary process for amending the development regulations. The conceptual agreement was:

5

- In the form of a resolution. Resolution 333 adopted by the Town recognized Residential uses on the site. A Resolution is not an instrument that modifies the MDP or Ordinance 1002.
- The agreement was made subsequent to the Asarco Master Development Plan EIS and the adoption of Ordinance 1002, thus the impact of residential use has not been fully examined.

Unless and until Ordinance 1002 is amended, it is difficult to determine what the proposed project will ultimately consist of or whether it will be substantially similar to that which is proposed. Consequently, it is difficult to conclude whether the environmental review as contained in the DSEIS is adequate. Clearly further environmental review will be necessary if the analysis and changes recommended in this letter are not adequately addressed. It must therefore be noted in the DSEIS that the Town of Ruston may require additional environmental analysis at the time of application for permits in the Town of Ruston and/or when amendments to the MDP and Ordinance 1002 are considered.

6

Specific Comments:

In the following comments a reference to the Master Development Plan indicates a reference to the plan as adopted by the Town of Ruston in Ordinance 1002. The comments were formatted to follow the structure of the Draft Supplemental EIS. The general comments provided above should be read to apply to the following specific comments. The Town's Comments are as follows:

Table of Contents, List of Figures

pg x. List Figure 8 as being on page 2-27.

7

pg x. List Figure 9 as being on page 2-28.

Fact Sheet

pg iv.

- **Town of Ruston:** Needs to reflect that an amendment to the Town's Development Regulations will be required. 8
- **Washington State Department of Ecology:** will a Phase II NPDES permit be required for the Town of Ruston? The development will have an impact on the Town's population; the Town's population will increase to over 1,000 persons. A discussion on the NPDES requirement's applicability to the Town must be included in the FSEIS. 9

Summary

1.2 PROJECT DESCRIPTION and ALTERNATIVES

pg 1-2, the last two sentences state: *The development baseline, therefore is not an underdeveloped site, but rather the development that was approved as the Asarco Smelter Site Master Development Plan and is described in the No Action Alternative in the DSEIS. As such, no significant adverse land use impacts are anticipated.*

The proposal submitted to the City of Tacoma differs from the regulations set forth in the Asarco Master Development Plan as adopted by Ordinance 1002, thus there are impacts on the site within the Town of Ruston. It is the City of Tacoma and the Town of Ruston responsibility to make a determination on significant impacts, therefore the statement, *As such, no significant adverse land use impacts are anticipated*, must be removed. A similar comment applied to the summary table (Table 1.3 Summary: Impacts and Mitigation Matrix); the word "significant should be removed from Table 1.3.

10

Section II Project Description

Figures 4 through 7, 10, and 11 all show the incorrect jurisdiction limits, this must be revised to reflect the accurate Town of Ruston and City of Tacoma jurisdiction limits. 11

Figures 4 through 7, 10, and 11 are not complete; the legend does not contain any information on Buildings 16, 17, 18A, and 18B. These need to be revised. 12

Figures 1, 2, 10, 14, 15, 16, 17, and 18 title blocks make reference to Point Ruston EIS Addendum; this reference needs to be changed to Supplemental EIS. 13

2.3 BACKGROUND INFORMATION

The first paragraph states that the Draft Environmental Impact Statement is an EIS Addendum. This is incorrect and needs to be corrected. 14

2.3.1 Site History

Specific requirements that impact a specific proposed district under the Conditions of Sale of the property to Point Ruston should be incorporated into this component of the SEIS. Areas of specific concern to the Town of Ruston are: (1) landscaping of steep slopes above Ruston Way and around the OCF, (2) treatment of the cooling pond site, (2) and provisions of the hard surface pathway on the edge of Promontory Park what was also designed to accommodate vehicles monitoring and maintaining the OCF. 15

2.3.2 Master Development Plan EIS

pg 2-8 states that: *Residential uses were contemplated and made conditional upon Asarco's approval (See Master Development Plan Section D.1.6.5), which was provided to Point Ruston LLC (Appendix B of this DSEIS).*

Modify this paragraph to accurately describe the MDP EIS. The EIS did not include the potential for residential uses except on the Stack Hill sites (development areas U-2 and U-3). Also, the reference to the letter in Appendix B is not correct, it is in Appendix C. The Asarco letter in Appendix C describes the subsequent actions where Ruston and other stakeholders accepted the concept of placing residential uses on the site, but this was not covered in the MDP EIS. 16

The Master Development Plan was adopted by the Town of Ruston with Ordinance 1002 and has not undergone the necessary process to change the Asarco Master Development Plan to allow residential uses on any site other than Stack Hill. A change in land uses will require an amendment to the Asarco Master Development Plan. The sentence must be revised to accurately reflect the status of residential uses in Ordinance 1002.

2.5 DESCRIPTION OF THE PROPOSED ACTION

A chart describing in greater detail the phasing of the various development districts with the related infrastructure must be provided to assure coordination among service providers. 17

2.5.1 Project Overview

The opening paragraph describes four proposed development districts. For purposes of comparison to the Asarco Master Development Plan development districts, a map showing the relationship of the four proposed development districts to the Asarco Master Development Plan districts must be provided. 18

The last paragraph on page 2-16 describes the open space concept and refers to Figure 6 (page 2-19); it is difficult to differentiate between public and private space in Figure 6. This figure must differentiate between public and private space. 19

Is the triangle of water area adjacent to the Marina District to the north included in the open space figures for the Town of Ruston; this issue must be clarified. 20

2.5.2 Point Ruston – Full Build Out

2.5.2.3 Baltimore District

pg 2-25. The site plan shows a footprint for building 12 in the Baltimore Street District. Ordinance 1002, Addendum A identifies the area where building 12 is proposed as a supplemental public parking area specifically planned to serve Promontory Park and for residents to have access to the Promenade. The SEIS must discuss how this need will be met in the current proposal. 21

2.5.2.4 Marina District

pg 2-25. It appears that Building 14 may conflict with Ordinance 1002, which identifies the need for a pedestrian path/stair connecting from the upper pathway around Promontory Park to the lower development area and pedestrian system. Discussion of an alternative for this connection must be provided. 22

2.5.2.6 Open Space

pg 2-26. The bulleted items do not reflect the Open Space provisions as outlined in the Asarco Master Development Plan. The Asarco MDP references a 12 foot pedestrian path and view point at the edge of the Promontory which would also be used for monitoring and upkeep of the OCF. 23

The Asarco Master Development Plan also makes provision for a path connection from the top of Promontory Park to the pedestrian system serving the lower portion of the site.

Discussion of the impact of the proposal on these items in Ordinance 1002 must be provided. 23 cont.

2.5.2.7 Roadways, Access, and Parking

A phasing chart must be provided in 2.5.2.7 showing the development schedule with related roadways, access, and parking improvements. 24

pg 2-31. Figure 10, Park Enhancements, must show at least the pedestrian path at the perimeter of Promontory Park and the path/stair connection to the lower development area and pedestrian system. 25

pg 2-32. Figure 11, Site Plan Connectivity, must show the pedestrian path at Promontory Park as well as the connection to the lower development areas and pedestrian system. 26

3.1 Land Use

3.1.3.2.3 Town of Ruston Comprehensive Plan

pg 3.1-15, **Summary** states: *In 1994, the Town of Ruston adopted a Comprehensive Plan consistent with the provisions of the Growth Management Act. That Plan identified the ASARCO site as a mixed use Planned Development.*

This statement is not accurate. The 1994 plan did not identify the ASARCO site as a mixed use Planned Development. The Comprehensive Plan was updated in 2003, at that time the Asarco site was given a land use designation of MPD, Master Planned Development (Mixed Use). The statement must be revised. 27

After the second sentence in this paragraph, all information pertains to the Asarco Master Development Plan, NOT the Comprehensive Plan. A new heading for "3.1.3.2.4 Town of Ruston, Asarco Master Development Plan" must be inserted. 28

pg 3.1-15 The third sentence of the **Summary** states, *The Master Development Plan (MDP) provides detailed long range planning direction for redevelopment of the former ASARCO site in terms of the site plan, infrastructure, parks, and open space and development.*

This sentence must be changed to state: As applied to the Town of Ruston, the Asarco Master Development Plan is a development regulation that provides detailed long range planning direction for redevelopment of the former ASARCO site in terms of the site plan, infrastructure, parks, and open space development. 29

pg 3.1-15 The fifth sentence of the **Summary** states: *Specifically, it identifies encouraged uses for all areas of the site. These uses include: commercial (e.g. office and professional business, research and development, financial services, business services, personal services, food and beverage, hotel and hospitality, and health care).* 30

This fifth sentence is not accurate. It is Table D-1 of Addendum A to the Asarco Master Development Plan that identifies the uses appropriate for development areas. This statement must be revised to reference Table D-1.

30 cont.

pg 3.1-15 The sixth sentence of the **Summary** that states: *Residential uses were noted as conditional, upon approval by ASARCO.*

The sixth sentence is not accurate. Addendum A to the Asarco Master Development Plan states that Residential uses are noted as a conditional use, upon approval by ASARCO **ONLY** in areas designated as U-2 and U-3 (Stack Hill area) of the Asarco Master Development Plan. Areas U-2 and U-3 are not included within the applicant's proposed action under review in this SEIS (Areas U-2 and U-3 are currently in the process of being platted as Stack Hill in the Town of Ruston). An amendment to the Asarco Master Development Plan will be required to accommodate residential uses within areas U-1, C-1, C-2 (these are the development areas, as defined by the Asarco Master Development Plan, associated with the applicant's proposed action).

31

This sentence must be revised to indicate that Residential Uses are not permitted on the Waterfront Site in Ordinance 1002.

pg 3.1-15, the **Summary** second paragraph states: *The MDP specifies height and bulk limitation for the development of the site. The height limit is 60 feet above minimum floor area for all areas within the Town and the Floor Area Ratio (FAR) is 0.75.*

The Asarco Master Development Plan Table D-2 Development Area Restrictions established a height limit of 60 feet above minimum floor elevation. Table D-2 indicates the Minimum recommended floor elevations. Data from Table D-2 of the Asarco Master Development Plan must be included in the second paragraph.

32

Discussion must be provided regarding the difference in the site area under which the FAR is calculated in the proposal and effect on building footprint, and square footages.

33

The proposal uses different development areas than those of Ordinance 1002. The impact of this change on building coverage of the total site must be discussed. The development areas established in the applicant's proposed action (Marina District, Promenade District, Viewpoint District, Baltimore District) are not consistent with the development areas established in the Asarco Master Development Plan (U-1, C-1, C-2). The Asarco Master Development Plan states that a maximum Floor Area Ratio of 0.75 is allowed in development areas U-1, C-1, C-2 of the Asarco Master Development Plan. The SEIS must acknowledge that the Floor Area Ratio proposed must be calculated in accordance with the site areas set forth in the Asarco Master Development Plan.

34

pg 3.1-15, **Discussion** states: *The proposed Point Ruston development would be consistent with the intent of the mixed-use nature of the adopted Master Development Plan. With the residential use approval provided by ASARCO, the Proposed Action is also consistent the use provisions of the Master Development Plan, as well as the development standards.*

The statements in the **Discussion** are not correct. The SEIS must acknowledge that the Proposed Action is not consistent with the use provisions of the Asarco Master Development Plan as currently adopted under Ordinance 1002. Residential Uses are not a conditionally allowed use in the area of the applicant's proposal. 35

3.1.3.3 City of Tacoma and Town of Ruston Shoreline Management Plans

3.1.3.3.2 Town of Ruston Shoreline Management Plan

Pg 3.1-17, **Summary**, second paragraph, fourth and fifth sentence states: *The Master Development Plan for re-use of the former ASARCO site was adopted by the Town in 1997 (Ord.1002). The plan in essence amended the City's Shoreline Management Plan by defining the uses and development standards authorized within the shoreline district portion of the project site.*

This statement must be removed. The Shoreline Management Plan was not amended by the adoption of the Asarco Master Development Plan, Ordinance 1002. 36

Pg 3.1-17 **Discussion** states: *Either a revision to the City's SMP may be necessary or adoption and approval of that portion of the Point Ruston development as a replacement to the existing Master Development Plan.*

Town's Shoreline Master Plan states that, "Commercial uses which are not dependent upon a shoreline location shall be prohibited." 37

The SEIS must be revised to state: "To accommodate the applicant's proposal, the Town's Shoreline Master Plan will need to be revised in a public process led by the Town of Ruston or a conditional use permit from the Town will be required; both actions will require approval from Washington State Department of Ecology." 38

3.1.3.4 City of Tacoma and Town of Ruston Development Regulations

A new sub-heading must be included in Section 3.1.3.4 to facilitate a discussion on the **Town of Ruston Asarco Master Development Plan**. This new section must include a detailed discussion on what amendments will be necessary to the Asarco Master Development Plan to facilitate the applicant's proposal. 39

3.1.3.4.2 Town of Ruston Zoning Code (pg 3.1-17)

Pg 3.1-17 **Discussion** states: *The proposed Point Ruston development would be consistent with the uses allowed by the MDP and the development standards.*

Residential Uses are not consistent with the Asarco Master Development Plan. Areas identified as Open Space (Areas E, F, and N) in the Asarco Master Development Plan are shown as developed multi-use development areas in the applicant's proposal. The SEIS must identify 40

amendments to the Asarco Master Development Plan that will be required to allow for the development of the applicant's proposal. 40 cont.

3.2 Aesthetics

Figure 3.2-18, Location 3: Residence around 51st and Bennett Street (pg 3-30) shows the view as it would be as proposed by the applicant. Figure 3.2-32, Location 3: Residence around 51st and Bennett Street (pg 3-50) shows the view if the site was developed in accordance with the Asarco Master Development Plan. The Asarco Master Development Plan created a view corridor for people as they traveled down 51st Street to the water front site. From the exhibits, it appears this corridor has been blocked by the applicant's proposed action's configuration of the structures on the site. 41

The SEIS document must discuss the impact on the view corridor from 51st Street as an unavoidable adverse impact of the proposal.

3.3 Housing

pg 3.3-2. Land Use and Population Density/Planned Development. The 6th bullet identifies a household size of 2.45 persons per multi-family unit, but in discussing park level of service and guidelines the applicant suggested that a household size of 1.75 person per unit be used. Justification for the suggestion must be provided. 42

3.4 Environmental Health

Section 3.4 needs to be expanded to include more detail provided from the Second Amendment to the Consent Decree regarding specific requirements that affect the development and the phasing of the project. 43

pg 3.4-2 The EPA letter dated November 13, 2007 to the City of Tacoma is referenced as being in Appendix C; this is incorrect, this letter is in Appendix E. 44

3.5 Public Parks, Recreation, Open Space

3.5.1.1 Parks Level of Service Guidelines, Town of Ruston

pg 3.5-5 The FEIS must discuss how the proposed project is in compliance with the Parks and Recreation Concepts & Goals and the Park Standards in Chapter 6.5 of the Town's Comprehensive Plan. 45

3.5.2 Impacts of the Proposed Action

Section 3.5.2 must include a discussion of the impact the proposed development will have on "Crescent Park" as shown in the Asarco Master Development Plan. The proposal would be a major change from the open space system adopted by the Town of Ruston with Town Ordinance 1002, the Asarco Master Development Plan. On page C-25 of the Asarco Master 46

Development Plan, it states that “The Crescent Park is likely to be the central focus of the site for pedestrians using the promenade, as well as occupants of buildings on Development Areas C-1 and C-2.” 46 cont.

pg 3.5-5 states that the household ratio of 2.45 residents per dwelling unit is too high for multi-family units. The Draft SEIS states that a 1.75 residents per dwelling units is more appropriate, this assumption results in a population range from 1400-1750 persons rather than 1,950 -2,450 residents as configured by the Tacoma Comprehensive Plan. There is no substantial discussion or data provided in the Draft SEIS on this matter. The rationale for the lower household size must be discussed in greater detail; and unless persuasive, the higher figure should be utilized. 47

3.5.2.2 Operations

This section may need to be revised in response to the comment on 3.5.2. 48

Table 3.5.3 Point Ruston Proposed Parks, Recreation, and Open Space Area

pg 3.5-8. Row L: The language in the *Description* implies that not all of Promontory Park is owned by Point Ruston; however, the site plan maps in Section II show the entire site to be included. Clarification must be provided. 49

The description and maps must reflect the viewpoint and pedestrian path at the edge of Promontory Park or the proposed path /stair connection from the top of the promontory to the lower development's recreation facilities shown in the Master Development Plan. Discussion of the supplemental parking proposed off Ruston Way as indicated in the Asarco Master Development Plan (Ordinance 1002) must be included. 50

This Table must include reference to the Green Hillides along Ruston Way and around Promontory Park shown in the Master Development Plan. These are listed in 2.5.2.6. These steep slopes must be discussed and given a high priority for landscaping in the phasing of the project. 51

3.5.2.4 Park Construction – Phased Approach

pg 3.5-10

It is noted in the document that the 12 foot pedestrian path at the perimeter of Promontory Park would be utilized as part of the monitoring and maintenance activity of the OCF. Is the requirement for the construction of this path such that it needs to be built prior to the related development in the Marina District? Please clarify. 52

The Green Hillides are environmentally sensitive and need to be landscaped in the first phase of the development process. Please clarify the phasing of this work. 53

3.5.2.5 Demand on Existing Park Facilities

pg 3.5-11. In the second paragraph on this page, the lower population range has again been utilized. This needs to have an expanded discussion and justification as previously indicated. 54

In the fourth paragraph the acreage in the City of Tacoma includes a significant amount of open space that is water in Tract A, the comparison to requirements of the Tacoma's Comprehensive Plan are therefore overstated. The acreage figures must be revised or clarified. 55

In the fifth paragraph in the discussion on the Town of Ruston, the demand must be restated to recognize that the park, recreation, and open space contained in the Asarco Master Development Plan was adopted with Ordinance 1002. 56

3.5.3 Impact of No Action Alternative

pg 3.5-13. In the third paragraph the SEIS notes that the sale of school property in Ruston has precluded the expansion of Promontory Park across Bennett Street. The SEIS must acknowledge that, this does not change the requirement to provide the pedestrian path, view point and some recreation development on that property. 57

Table 3.5.4 No Action Alternative Asarco Master Development Plan Park Tracts

Pg 3.5-13 through 3.5-15. The green hillsides and cooling pond must be included within the Table 3.5.4 58

3.5.4 Mitigation Measures

Pg 3.5-15 and 3.5-16 A significant amount of open space that is water in Tract A is included in the amount of parks and open space provided in the City of Tacoma, thus the amount of open space provided is overstated, the acreage figures must be clarified. 59

The second paragraph again refers to the Town of Ruston not having an adopted Level of Service Guideline for Parks and Open Spaces. This is incorrect. The SEIS must acknowledge that the adoption of the Asarco Master Development Plan with the park, recreation, and open space facilities anticipated in the plan and as adopted in the Town's Comprehensive Plan constitutes the Town's Level of Service. 60

Pg 3.5-17. Figure 19 MDP/Point Ruston Parks Comparison. The park related parking at the base of Promontory Park adjacent to Ruston Way must be shown. 61

3.6 Public Services and Utilities

3.6.1.1

Fire Department Planning

pg 3.6-5. second paragraph, states: *The RFD has acknowledged sufficient capacity for the anticipated build out of Point Ruston.* This statement is not true and should be removed. 62

3.6.2.1.2.4 Utilities

Electricity

pg 3.6-20 Fourth paragraph (under Electricity subheading) states that: *the question of whether Ruston provides power to the portion of the property within the Town limits or Tacoma Power directly supplies the entire project is being discussed.*

This statement should be removed; the Point Ruston site will be served by both the Town of Ruston Electric Utility Department and by Tacoma Power. The Town of Ruston Electric Utility Department will serve the 37.81 acres of the property that is within the Town of Ruston boundaries and Tacoma Power will serve the remaining 44.43 acres that is within the City limits of Tacoma. 63

The Ruston side of the project site can be served from the Town's existing electrical distribution system on North 52nd Street where the extension of Baltimore meets 52nd Street and/or from the extension of the Tacoma Power electrical distribution system on Ruston way through a second primary metering system 64

Currently the Town of Ruston is served out of Tacoma Power Defiance substation through a 12.5 KV primary metering system. Town of Ruston has submitted a written request to Tacoma Power to obtain source of power from Tacoma. With the addition of the second source of power, Town of Ruston would have ability to loop the power line through the site and be able to serve the site from either of the two sources when necessary.

Stormwater

The City of Tacoma's storm sewers operate under a Phase I Municipal Stormwater Permit. The Town of Ruston does not operate under a Phase I or Phase II NPDES permit as the population of the Town has not required that the Town's system obtain an NPDES permit from the Department of Ecology. 65

The Office of Financial Management Official April 2007 population estimate for the Town was 750. The proposed development could cause the population to increase to over 1,000. It is possible that an NPDES Phase II permit will be required to be obtained from the DOE by the Town. The impact of this project on its requirement for an NPDES permit must be discussed. 66

3.7 Transportation

General Transportation Comments:

- The extension/connection of Ruston Way to the Ferry Terminal in Figure B01 of the Asarco Master Development Plan was eliminated in the applicant's proposal. The extension/connection of Ruston Way to the Ferry Terminal is an important mitigating measure that was included in the 1997 FEIS; this was noted in Comment 9 of the May 23, 2007 letter in response to the project application. This issue must be discussed in the Final SEIS. If alternative options are proposed from Ruston Way to the Ferry Terminal, these issues must be discussed as well. 67
- The Asarco Master Development Plan requires Ruston Way have a setback of 19' from curb to sidewalk on the north side, this is not shown in the DSEIS. 68
- Hammerhead turnarounds must comply with International Fire Code Requirements. 69
- The impact of removing the Peninsula Park walkways must be examined in the Final SEIS. The removal of the Peninsula Park walkways is not consistent with the Asarco Master Development Plan. 70
- Roadway profiles of proposed street connections were not provided. The Roadway profiles must be provided in the Final SEIS. The roadway profiles shall be consistent with the AASHTO Guidelines for Roadways and Streets. 71
- No fencing of remediation facilities is shown. The Asarco Master Development Plan requires screen fencing remediation facilities, these are not shown in the DSEIS exhibits. The impacts of not having screen fencing will need to be examined. Not having screen fencing is not consistent with the Asarco Master Development Plan. 72
- The Ruston Way improvements are shown to extend up to Pearl Street in the Asarco Master Development Plan, it is not clear where the Ruston Way improvements end from the information provided in the DSEIS. If the improvements are not shown to extend to Pearl Street, this impact must be examined in the Final SEIS. 73
- The consistency of proposed street sections with the street sections adopted in Ordinance 1002 is not discussed. A table must be provided showing the Ordinance 1002 street section requirement and the current proposal. 74
- Figure 11 of the DSEIS shows a 4 foot bike lane on the north side of Ruston Way, this is inconsistent with Table B-2 of the Asarco Master Development Plan which shows a 5 foot bike lane and 6 foot sidewalks on both sides. The impacts on pedestrian and bicycle circulation must be examined in the Final SEIS. 75
- Figure 11 of the DSEIS shows Ruston Way to be a two lane road, the Asarco Master Development Plan shows Ruston Way to be a three lane road. 76

Figure 11 of the DSEIS, the Bike lanes are not shown on North 51st Street on both sides of the street; two 5' bike lanes are required on each side of North 51st Street. 77

pg 3.7-14, Figure 3.7-3. Average Weekday PM Peak Hour Traffic Volumes, Existing 2006. The data in Figure 3.7-3 does not correspond with the data in Chart 3.7-1, Chart 3.7-2, Chart 3.7-3, Chart 3.7-4, Chart 3.7-5, Chart 3.7-6 (pages 3.7-6 through 3.7-8) or the data in Appendix D. The discrepancies in the data in the two locations must be corrected to be consistent with each other in order to evaluate the project's impact. 78

pg 3.7-21 states that: *Table 3.7-11 summarizes the revised trip generation forecast used to analyze future condition in 2014 with the project complete and occupied.* However, the Draft SEIS indicates in the Summary on pg 1-2 that it is anticipated that full build out of Point Ruston could occur within an 8 to 10 year timeframe. The project complete and occupied date in the Transportation component of the Final SEIS must correspond with the projected full build out date of 2018 for project impact analysis. 79

A twenty year forecast must be utilized to illustrate traffic volumes resulting from the average and summer conditions and the redistribution scenarios, rather than a 6 year. 80

Page 3.7-49 discusses some transportation improvements. The widths and roadway sections of improvements must be shown (not currently). The proposed sections must be consistent with Ordinance 1002 within the Town of Ruston. If deviations from Ordinance 1002 are proposed, the SEIS must note and discuss the deviations. 81

The SEIS proposes to remove the stop signs at 51st Street and Winnifred to improve traffic flow on 51st, but this will make it harder to turn onto 51st from Winnifred. A bulbout is proposed to slow traffic and mitigate this impact. The increased difficulty of turning from Winnifred onto 51st should be specifically noted as an adverse impact that won't be fully mitigated. Options of mitigating this impact must be discussed in the Final SEIS. 82

Point Ruston must be required to submit sufficient design information to allow the Town the ability to determine if peak traffic during holidays and the summer are capable of being served. 83

General Cumulative Impacts

The cumulative impacts of surrounding projects must be considered and discussed as a component of the Final SEIS document. 84

Discussion must be provided on the pier removal, retention and or future use. 85

Conclusion:

The Town of Ruston looks forward to working with the City of Tacoma and the applicant towards resolving these issues. Please contact Carl Stixrood at 206.324.5500 if you have any questions.

Sincerely,


Not Available for Signature

Michael Transue
Mayor of the Town of Ruston

cc: Town Council
Jennifer Forbes, Town Attorney
Carl Stixrood, Town Planner
David Talcott, Consulting Engineer
Robert Burke, Consulting Planner

RESPONSE TO COMMENTS FROM THE TOWN OF RUSTON (Letter #17)

Comment 1

The multiple comments relating to the inconsistency of the *Proposed Action* relative to underlying land use regulations of the Town of Ruston are acknowledged. As is indicated within the SEIS document and further acknowledged by the proponent, all future development within the City of Tacoma and the Town of Ruston must comply with applicable codes and regulations at the time a specific project application is submitted and would be reviewed for compliance at that time. A list of the specific permits/approvals potentially required for the *Proposed Action* is provided in the *Fact Sheet* to this FSEIS (page iii). The list includes the City of Tacoma, Town of Ruston and other agencies that may have jurisdiction. Where the proposal is determined to be inconsistent with applicable regulations, either the proposal or the regulations must be modified prior to approval of the application.

As noted in the *Preface* of the DSEIS and this FSEIS:

The purpose of this Draft Supplemental Environmental Impact Statement (DSEIS) is to identify and evaluate probable significant environmental impacts that could result from the Proposed Action and the alternative and to identify measures to mitigate those impacts. As such, this DSEIS is a disclosure document. It evaluates the direct, indirect and cumulative impacts of the Proposed Action, as well as construction-related impacts. By its nature, this DSEIS does not authorize a specific action or alternative nor does it recommend for or against a particular course of action; but rather, the DSEIS is one of several key documents that will be considered in the decision-making process for this project" (see Preface to the Draft Supplemental Environmental Impact Statement for the ASARCO Master Development Plan Final EIS).

This Supplemental EIS is analyzing the environmental impacts of those elements of the proposal that are different than those analyzed in the 1997 EIS and thus provides additional information to help consistency. It is envisioned that additional code and regulatory analysis will be performed by planning staff in making recommendations to decision makers on specific project applications.

Comment 2

Comment noted; please see response to Comment 1

Comment 3

Comment noted; please see response to Comment 1. It may be noted that two round-a-bouts are proposed as part of the *Proposed Action* as a mitigation of potential traffic impacts along Ruston Way, including one at the convergence of Ruston Way, Baltimore St., and the Yacht Club Rd. Yacht Club road is provided to the property line in common with Metro Parks, the extent controlled by the proponent, in a manner to facilitate future extension by Metro Parks or the Yacht Club as they determine.

Comment 4

Comment noted; please see response to Comment 1. SEPA regulations do not require that every regulation or every potential regulatory change be identified in an EIS. Final analysis of conformance with applicable regulations is determined at time of project applications.

Comment 5

The comment is noted; please see response to Comment 1. Reference to Resolution 333 was an acknowledgment of the Town's prior support for the inclusion of residential uses. Recognizing that the 1997 EIS did not sufficiently analyze the impact of residential uses on the site, this Supplemental EIS was completed to analyze impacts of residential use and other changes to the proposal.

Comment 6

The comment is noted. The analysis that is contained in this FSEIS addresses the probable environmental impacts of the *Proposed Action*. Please see response to Comment 1.

Comment 7

Comment noted and change implemented.

Comment 8

Comment noted and change implemented.

Comment 9

Change implemented: NPDES Permit has been added to the *Fact Sheet*. The proponent has indicated they intend to conform with all applicable regulations, and obtain all permits required of the proponent. The proponent is responsible for an NPDES permit for the project. A municipal permit such as a Phase II NPDES would be the responsibility of the municipality. The financial or regulatory implications of population growth are beyond the scope of the EIS.

For more information on Phase II NPDES permits, the following resources are available:

http://www.ecy.wa.gov/programs/wq/stormwater/municipal/phase_II_ww/ww_ph_ii-permit.html

http://cfpub1.epa.gov/npdes/regresult.cfm?program_id=6&view=all&type=1

<http://www.ecy.wa.gov/programs/wq/stormwater/municipal/ph2-introduction.html>

http://www.ecy.wa.gov/programs/wq/stormwater/phase_2/urban_maps/maps_06/tacoma_ua.pdf

http://www.ecy.wa.gov/programs/wq/stormwater/municipal/petition_criteria.pdf

Comment 10

Comment noted and change implemented.

Comment 11

Comment noted and change implemented.

Comment 12

Comment noted and change implemented.

Comment 13

Comment noted and change implemented.

Comment 14

Comment noted and change implemented.

Comment 15

The proponent indicates that conditions of the sale of the property from ASARCO to Point Ruston LLC did not include topics referred to in this comment. To the extent existing landscape or vegetation at steep slopes or around the cooling pond are disturbed in the course of development activities, BMP's would require stabilization and replanting. Specific elements of park and open space areas within Ruston will be decided as a part of the final design process and project permitting in the Town of Ruston.

Comment 16

Comment noted, please see response to Comment 1. The Appendix has been updated to note the Town's comment relating to ASARCO's letter regarding residential uses on the Project Site.

Comment 17

Section 2.5.2 of this FSEIS has been revised to include more information regarding phasing of the *Proposed Action*.

Comment 18

Comment noted. The Districts that are described in Section II relative to the *Proposed Action* refer to the organization, phasing, and build-out of infrastructure and the development as a whole. The lay out is different and the impacts are analyzed with respect to the proposed layout.

Comment 19

Comment noted. This figure is color-coded with five different hues representing Private Space (white), Public Promenade (yellow), Interior Public Access areas (blue), Public Roads (pink), & Open/Green Space (green).

Comment 20

Yes. The triangular in-water property is included. The property within this area is part of the *Proposed Action* and is property owned by the proponent which is potentially developable but not proposed for development and was therefore considered open space. To the extent the Town disagrees with this designation, comment noted.

Comment 21

Comment noted. The specific plans for parking and public access to the Promenade are discussed at Section 2.5.3 in the project description.

Comment 22

Comment noted; please see response to Comment 1. Though the Proposed Action maintains a different plan than proposed under the 1997 EIS, the *Proposed Action* achieves the same ends.

Comment 23

Comment noted; please see response to Comment 1. A path is not required for the monitoring and upkeep of the OCF. Specific elements to be constructed within this open space area located within the Town of Ruston are a matter of final design and project application approvals.

Comment 24

Comment noted; please see response to Comment 17.

Comment 25

Comment noted; please see response to Comment 1 and Comment 23.

Comment 26

Comment noted; please see response to Comment 1 and Comment 23.

Comment 27

Comment noted. The proponent notes, however, that Ordinance 1002, which the Town passed in December 8th, 1997, states “Whereas, The Town of Ruston adopted a Comprehensive Plan consistent with the provisions of the Growth Management Act in June 1994 which indicated the ASARCO site as a Master Planned Development (Mixed Use).” The 2003 Comprehensive Plan updates did not alter such designation.

Comment 28

Comment noted; Section 3.1.3.4.3 added.

Comment 29

Comment noted; change made to refer to the *Master Development Plan* as development regulation.

Comment 30

Comment noted; statement modified.

Comment 31

Comment noted; please see response to Comment 1 and Section 3.1.3.3.2 which acknowledges the differing interpretations and the role of this FSEIS.

Comment 32

Comment noted; correction made to the sentence to read minimum floor elevation. Analysis for the purposes of SEPA was based on maximum height above highest proposed grade.

Comment 33

Comment noted; please see response to Comment 1. Development pads are not part of this *Proposed Action*, and thus for purposes of SEPA's environmental impact analysis biggest possible building is analyzed, so as to serve the purpose of determining impact.

Comment 34

Comment noted; please see response to Comment 1 and Comment 33. Reference to the definition of FAR from the Master Development Plan has been added to Section 3.1.3.4.3 as a footnote.

Comment 35

Comment noted; please see response to Comment 1 Section 3.1.3.3.2 and the role of this FSEIS.

Comment 36

Comment noted; Section 3.1.3.3.2 of this FSEIS has been updated.

Comment 37

Comment noted; please see response to Comment 1.

Comment 38

Comment noted; please see response to Comment 1.

Comment 39

Comment noted; Section 3.1.3.4.3 has been added to acknowledge the Town's adoption of the *Master Development Plan*. The specific process of achieving consistency between the Town's land use regulations and the proposed action is not considered in this document and will be a matter of project permit approval processes.

Comment 40

Comment noted; please see response to Comment 1. Under the *Proposed Action* the open space and park areas are delineated on Figure 10 and discussed in Section 3.5 of this SEIS. It

is acknowledged that the configuration of the park and open space areas are different but does not create any probable environmental impacts.

Comment 41

Comment noted. View corridors that would be provided in the proposed action are reconfigured and the roundabouts are relocated from the *Master Development Plan*. The view corridors are adjacent to the two roundabouts anticipated in this proposal. Other view corridors have also been modified and the analysis of the impacts on views are discussed in the *Aesthetics* section of the FSEIS.

Comment 42

WA State Office of Financial Management (OFM) bases annual population estimates on unit characteristics including the following categories: single-family, duplex, tri- and four-plex and buildings with five units or more. OFM's 2006 report for Tacoma established population generation rates for residential buildings with 5 or more units at 1.75 persons per unit and 2.45 persons per unit for all residential types combined.

Comment 43

Comment acknowledged. It is to be noted that the Consent Decree is a separate document and process. The affect of the Consent Decree on the phasing of the proposed action is that the EPA maintains jurisdiction over remediation and must approve and will over see project phasing.

Comment 44

Comment noted. This change has been made to reflect that the EPA letter is at Appendix E.

Comment 45

Comment noted; please see response to Comment 1. Further, the *Proposed Action* is in accordance with the Town's Comprehensive Plan "Section 6.5 Parks and Recreation". Specifically, the "Goals" and "Parks and Recreation Concepts" sections seeks for the development of the ASARCO site to "provide a number of new [park] opportunities" and that such opportunities shall have a "final configuration of the access and related parks areas ... be determined as part of the development plan for the area." The *Proposed Action* adds parks and open space to a property that has been closed to the public for over 100 years; such specific park amenities will be created collaboratively with direct input from Metropolitan Parks District, City of Tacoma, and Town of Ruston as well as other interested stakeholders at the time of specific project permitting.

Comment 46

Comment noted; please see response to Comment 1 and Comment 45.

Comment 47

Comment noted; please see response to Comment 42.

Comment 48

Comment noted.

Comment 49

Comment noted. The property line of the area in question lies along the edge of right of way of Bennett Street, and along the property boundary shared with the Commencement Condominium which has been allowed in an area included with Promontory Park in the *Master Development Plan*.

Comment 50

Comment noted; please see response to Comment 1. The *Proposed Action* does not call for the development of such facilities at this time. Specific elements within this open space area are to be the subject of future project applications.

Comment 51

Comment noted; please see response to Comment 15..

Comment 52

This comment is unclear as to what document is being referenced regarding a 12' pedestrian path; thus, comment is noted. See also Comment 15.

Comment 53

Comment noted. The phasing of park and recreation construction is stated in section 3.5.2.4 of the DSEIS and this FSEIS. See also Comment 15 concerning the landscape steep slopes.

Comment 54

See Comment 42.

Comment 55

"Tract A" of the project site is "in-water" property that is privately-owned by the proponent. As privately-owned property, it is potentially developable but is not per the *proposed action*. It has therefore been calculated as open space. Further, it serves as a significant view corridor from Ruston Way and from properties across Ruston Way.

Comment 56

Comment noted; please see response to Comment 1. Analysis of the configuration presented with the proposed action is provided in Section 3.5.

Comment 57

Comment noted, please see response to Comment 1 and Comment 15.

Comment 58

Comment noted. The Cooling Pond tract was added to the Table under “F” as a result of this comment. The “green hill sides” were already accounted for under “O” as General Site Enhancement of the Bennett Street Promontory.

Comment 59

Comment noted; please see response to Comment 55.

Comment 60

Comment noted. A change to the verbiage has been implemented. A reference to the Master Development Plan is not necessarily a quantifiable, community-wide Level of Service standard and is therefore supplemented with a comparison to Tacoma’s.

Comment 61

Comment noted; please see response to Comment 1. In terms of the environmental impact, while the location may have changes, public parking is provided and discussed in Section 2.5.

Comment 62

Comment noted and change implemented. Proponent indicates this statement was based on conversations with the Town Fire Chief and appeared to be supported by information included in the 2007 report of the Fire Committee.

Comment 63

Comment noted and change implemented. Fundamental capacity to serve the *proposed action* is not at issue which is the concern of this FSEIS.

Comment 64

Comment noted. Please see response to Comment 63.

Comment 65

Comment noted; please see response to Comment 9.

Comment 66

Comment noted; please see response to Comment 9.

Comment 67

Comment noted. Though the 1997 EIS recognized the Ferry Terminal connection as a project listed in the City of Tacoma’s list of unfunded roadway improvements needed by 2017, the 1997

EIS traffic analysis did not allocate trips to this connection and it was therefore not an important mitigating measure. The project is no longer on the City of Tacoma's CIP list and it is not an element of this *Proposed Action* and, as such, does not need to be evaluated as part of the traffic impact studies associated with *Point Ruston*. The proponent is designing the internal road system to allow for a future connection to Ruston Way via Yacht Club Drive when the Yacht Club or City of Tacoma determine that they would like to modify their existing road systems to take advantage of the connection provided by the proponent.

Comment 68

Comment noted; please see response to Comment 1.

Comment 69

Comment noted.

Comment 70

Comment noted; please see response to Comment 1. Park impacts have been analyzed based on the proposed action. Park improvements, road and utility extensions that would be provided to the common property line with Metro Parks facilitate the future development of the Peninsula Park, including walkways.

Comment 71

The importance of the transportation analysis for *Point Ruston* is to determine the impacts of the *Proposed Action* on existing and planned future roadway systems – in terms of volumes, turning movements, etc. Roadway profiles and complete roadway plans will be provided as part of the review process for construction permit applications and expected to meet applicable requirements.

Comment 72

Comment noted; please see response to Comment 1. Screening is discussed in Section 3.4 and is noted to be the jurisdiction of EPA in overseeing remediation of the site.

Comment 73

Improvements to Ruston Way would terminate at a point just west of the new intersection at Ruston Way/ Baltimore-Yacht Club Drive. The west leg of the intersection would transition into N 51st Street in a manner consistent with local road standards. The traffic analysis recognizes this termination point.

The Transportation section of the ASARCO Master Development Plan EIS identifies planned improvements under Alternative 1: No Action (Smelter Site EIS page 4-99). These were improvements that were planned by either the City of Tacoma or the Town of Ruston and were independent of that proposed development. They include elimination of the tunnel on Gallagher Way and roadway realignment. Project-related improvements included construction of a roundabout at the intersection of Gallagher Way/Baltimore/N 51st Street. The current proposal includes this roundabout. Other mitigation for the N 51st Street corridor included elimination of

parking on the east leg of the intersection of Pearl St/ N 51st St to provide space for a left turn lane. No other improvements to N 51st St were identified as mitigation in the 1997 EIS.

Comment 74

Comment noted; please see response to Comment 1.

Comment 75

Comment noted; please see response to Comment 1. The provisions of the proposed action for bicycle and pedestrian circulation have been analyzed.

Comment 76

Comment noted; please see response to Comment 1. With the provision of roundabouts at major intersections eliminating left hand turning movements a center lane to provide for such movements is unnecessary.

Comment 77

Comment noted.

Comment 78

The data in Charts 3.7-1 through 3.7-6 are derived from mechanical tube counts made over 2 weekends and 5 weekdays and reflect average hourly traffic volumes on selected road segments. The data is contained in Appendix D (3.7-A) of this FSEIS (refer to the Table of Contents in the *Fact Sheet* of this FSEIS). The data illustrated in Figure 3.7-3 and based on turning movement counts made at intersections between 4 and 6 PM on a weekday. A review of the two types of counts shows only minor discrepancies that are attributable to the fact that the tube count data is an average of counts made over a number of days and the turning movement counts are made at one point in time.

Comment 79

The discrepancy between the build-out year used in the traffic analysis (2014) and the build-out year used in the Summary on page 1-2 (8 to 10 years) does not affect the number of trips generated by the proposed development. The 2- to 4-year discrepancy would have a minor effect on the calculated growth of background traffic not related to the project. The traffic analysis assumed that existing traffic volumes would grow at 2% per year through 2014. A comparison of the existing conditions section of the 1997 EIS and this FSEIS shows that level of service and average vehicle delay have not changed significantly over the intervening 11 years. The 2% growth rate is considered to be very conservative and the effects of applying that growth rate to an additional 2-to 4-years would not have a significant effect on intersection operations nor would it alter the recommended mitigation.

Comment 80

A 20 year forecast is typically used for long range plans such as a jurisdiction's Comprehensive Plan. SEPA requires analysis of impacts resulting from the proposed project. This project level

analysis is limited to the build-out of the proposed development. To analyze conditions beyond that time frame would not be consistent with SEPA requirements.

Comment 81

Comment noted; please see response to Comment 1.

Comment 82

While the existing all-way stop at N 51st St/ Winnifred is not warranted because of traffic volumes, it does provide a safer crossing for pedestrians and should be retained. The mitigation section of the FSEIS (See section 3.7.4) has been revised to reflect this change.

Comment 83

The traffic section of the draft SEIS and this FSEIS analyzes average weekday and summer weekday conditions. Recommended improvements are intended to mitigate identified traffic impacts for average and summer PM peak hour conditions. SEPA requires that mitigation have both a nexus to the impact, be proportional, and be reasonable. It is reasonable to provide improvements to mitigate impacts that would occur on a regular basis. It would not be reasonable to design improvements to accommodate traffic volumes that occur only a few times per year.

Comment 84

The only significant project in the vicinity of the site is the Commencement condominium development. The traffic analysis for that project did not include an assignment of project generated trips to the local road network. For the purposes of the DSEIS analysis associated with Point Ruston (and this FSEIS), the small number of trips generated by the Commencement project were included in the annual growth rate for background traffic. The trips generated by the Stack Hill development were also included in the analysis. Traffic analyses for other projects in the area were requested from the Town of Ruston and City of Tacoma. The Commencement condominium and Stack Hill projects were the only projects identified and, therefore, were included in the analysis to address cumulative impacts.

Comment 85

Comment noted; dock removal has been noted to Section 2-6 as an action related to accommodating the in water capping of the DNR tidelands property as required under the Second Amendment of the Consent Decree.

From: Stixrood, Carl [CarlS@Huitt-Zollars.com]

Sent: Thursday, February 14, 2008 4:55 PM

To: Hayashi, Karie

Cc: Talcott, David; Michael Transue; Robert Burke; Jennifer A. Forbes; McHendry, James

Subject: Traffic Comments on behalf of Town of Ruston, Point Ruston DSEIS
Hi Karrie

We would like to supplement our comments sent earlier with a concern that we identified after our letter was sent.

Left turn movements from 51st onto Pearl are a concern that does not appear to be adequately addressed in the DSEIS. The Town would like to have information on how far cars may que to the east of Pearl on 51st during peak traffic. 1

We would like discussion provided regarding the effect that delays at 51st and Pearl might have on traffic volumes on Baltimore Street and possible use of Winnifred and Highland and 49th as shortcuts to avoid the 51st street intersection. 2

Thank you for considering this additional comment from the Town of Ruston.

Carl Stixrood, LA AICP
Huitt-Zollars
206-324-5500 x10835
206-328-1880 (Fax)
206 550-2514 (Cell)

RESPONSE TO COMMENTS FROM THE TOWN OF RUSTON #2 (Letter #18)

Comment 1

Section 3.7.2 of this FSEIS discusses the impacts of the *Proposed Action*. Table 3.7-14 shows that the intersection of N 51st St and N Pearl St is forecasted to operate at LOS-C under the two distribution scenarios during average weekday PM peak hour conditions. On summer weekdays the intersection would operate at LOS-D under both scenarios. A closer look at intersection operations may be made by examining the Synchro reports contained in *Appendix D* (on-file with Tacoma PWD).

See response to Comment #2 below for discussion of the distribution scenarios analyzed. The westbound left turn movement at the intersection of N 51st St and N Pearl St is forecasted to operate at LOS-D with an average queue of 8 vehicles (210 feet) and a maximum queue of 13 vehicles (328 feet). Under Scenario 2, the westbound left turn movement would also operate at LOS-D with an average queue of 8 vehicles (207 feet) and a maximum queue of 12 vehicles (307 feet).

Comment 2

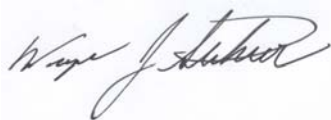
Section 3.7.2 of this FSEIS analyzes the effects of two distribution scenarios that reroute a portion of existing traffic volumes that currently make a northbound right turn or westbound left turn at Pearl/51st to the proposed Baltimore connection at Ruston Way. This analysis shifts 10% (Scenario 1) and 20% (Scenario 2) of the existing turning volumes to Baltimore to make use of the new route between Ruston Way and Pearl Street. Recommended mitigation includes improvements to Baltimore between Ruston Way and N 46th St and improvements to the intersection of Baltimore/ N 46th St to encourage the use of this alternative route and reduce the increase of traffic volumes on N 51st St.

Mrs. Karie Hayashi

I think that the redevelopment of the Asarco site is very much needed and is going to be a great benefit to both of our communities. I would like to commend Point Ruston in making this sizable investment in our communities. Reading over the Draft Supplement Environmental Impact Statement (DSEIS) brought up a few questions I have that I would like addressed.

1. DSEIS page 3.7-50 addresses the intersection of 51st & Winnifred St by removing the 4 way stop signs. This is unacceptable and needs to remain a 4 way stop or upgraded to a stop light. (Thank you for reconnecting Baltimore and Ruston Way) 1
2. DSEIS page 3.6-2 states that Ruston Fire Department (RFD) employs a full-time Fire Chief. This is misleading as the position is paid \$2,400 per year and is basically a volunteer position. 2
3. DSEIS page 3.6-2 states that RFD provides Advanced Life Support (ALS). Ruston RFD does not provide ALS. My understanding is the local ambulance services Rural Metro provides the ALS from South 12th and Monroe St. 3
4. The Washington Survey and Ratings Bureau (WSRB) grades fire departments in Washington State for two thirds of the insurance companies that provide fire insurance in Washington. WSRB has a grading scale 1-9 (with 1 begin the very best) with which they rate each Fire Department. The grade is called a protection code (PC). A Fire Department's PC is assigned to each zip code that the Fire Department protects. Ruston and north Tacoma both share the zip code 98407. WSRB has explained to me that one of the factors that it considers when it rates, is how many buildings are 35 feet or taller? If a fire department protects 5 or more structures 35 feet or taller and/or requires 4,000 gallons per minute, that department needs a ladder truck to protect these buildings in order to maintain the current PC level. To Ruston this means investing in a new fire house and new ladder truck. If Ruston chooses not to make this investment how will this affect north Tacoma's PC? 4
5. DSEIS page 3.6-2 refs to response times. A clear definition is required for this term to be at all meaningful. For example does the time start when the 911 call is *placed* or when RFD *receives* the call? When does the response time end? How many personnel and equipment are on scene? What level of protection can be provided when they *first* show up on scene for Basic Life Support, Advanced Life Support or Fire protection? 5
6. DSEIS statement of the building heights on the Ruston side does not agree with the MDP. This should be corrected. 6
7. Ruston Way should bypass the tunnel and Baltimore Street needs to be connected with Ruston Way before any permits for new building are granted. 7

Sincerely



Wayne Stebner
Town of Ruston Councilmember

RESPONSE TO COMMENTS FROM THE TOWN OF RUSTON
Councilmember Wayne Stebner
(Letter #19)

Comment 1

The traffic mitigation portion of section 3.7 has been changed to state that the all-way stop should be retained to ensure pedestrian safety.

Comment 2

Comment noted and changes made.

Comment 3

Comment noted and changes made to Section 3.6.1.1.1.

Comment 4

The Washington Survey and Ratings Board (WSRB) has indicated to the proponent that grades are given by fire district rather than by zip code to avoid potential issues such as the comment suggests might then occur. Buildings within Tacoma are reviewed in light of Tacoma's capabilities and those in Ruston are reviewed according to the Town's capabilities.

Comment 5

Comment noted and definitions and additional information included in Section 3.6.1.1.1.

Comment 6

Please see Letter 17, response to Comment #1. In order to present a worst-case analysis for SEPA compliance, the DSEIS (and this FSEIS) analyze development with a height of up to 60 feet within the Town of Ruston.

Comment 7

Opinion noted.



Letter 20

917 Pacific Avenue
Suite 100

Tacoma, WA 98402
Phone (253) 383-2429
Fax (253) 383-2446
chb@healthybay.org
www.healthybay.org

Executive Director
Nancy Dilworth

Board of Directors
Cheryl Greengrove
Bruce Kilen
Dave McEntee
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February 14, 2008

Ms. Karie Hayashi
Building and Land Use Services Division
Tacoma Public Works Department
747 Market Street, Room 345
Tacoma, WA 98402

Re: Asarco Smelter Site Master Development Plan, Final EIS
SEPA File Number: SEP2007-40000090529

Dear Ms. Hayashi:

This letter conveys comments by Citizens for a Healthy Bay (CHB) in response to the above referenced document

BACKGROUND:

- The former site of the Asarco smelter facility is part of the Commencement Bay Nearshore/Tideflats Problem Area. On January 30, 1997 Asarco and EPA entered into a Consent Decree pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for cleanup of the site.
- As part of the site cleanup process, a Master Development Plan (MDP) and Final Environmental Impact Statement (FEIS) was completed in autumn 1997. The MPD and FEIS focused on light industrial redevelopment of the site.
- In 2000 Asarco initiated discussions with US EPA (EPA) and Washington State Dept. of Ecology (Ecology) to change site redevelopment proposals from light industrial to residential based on regional market conditions.
- On August 9, 2005, Asarco LLC filed for bankruptcy protection under Chapter 11 of the Bankruptcy Code in the United States District Court for the Southern District of Texas.
- On December 8, 2005, Asarco LLC entered into an agreement with MC Construction to sell approximately 97 acres of its real property located in Tacoma and Ruston, Washington.
- On January 6, 2006 the Bankruptcy Court approved the sale of the Smelter Property to MC Construction conditional upon MC entering into and the approval of a cleanup agreement with EPA.
- MC Construction appointed its rights under the sale agreement to Point Ruston.
- In August 2006 The Second Amendment to the Asarco Tacoma Smelter Consent Decree, which added Point Ruston to the Consent Decree, was entered into court.
- The Point Ruston development is proposed to include residences, shops, restaurants, offices, a hotel, parks, trails and shoreline amenities.

GENERAL COMMENTS

- The proposed project will complete the Superfund cleanup action of the Asarco Smelter Site under EPA oversight. Cleanup of the site will favorably impact human health and environmental receptors.
- The proposed project is consistent with the terms and conditions of the 2nd Amendment to the Consent Decree and accompanying Scope of Work (submitted as attachments).
- The proposed project is consistent with the Washington State Growth Management Act (GMA), the City of Tacoma Shoreline Master Plan (SMP) and Comprehensive Plan.
- The proposed project is compatible with surrounding land use.
- The impacts and mitigations in the DSEIS are consistent to the levels of impacts as determined in the FEIS released in October 1997.
- The proposed project is consistent with the 2001 findings and recommendations of the Development Management Team (DMT) that residential developed be added as an appropriate site use.
- II.17.D.i.(m) of the Second Amendment to the Asarco Smelter Consent Decree states that "*Master Redevelopment Plan*" does not apply to Point Ruston. As such, agreements made with Asarco are not legally binding upon Point Ruston.
- The DSEIS traffic analysis finds that traffic impacts would increase slightly over those anticipated in the 1997 EIS, from 1,304 to 1,376 peak-hour trips, but that the impact of an office park on afternoon peak –hour traffic would be greater because 86% of the trips would be "outbound" during the peak hour creating traffic back-ups. The mix of land uses at Point Ruston could be expected to achieve a greater balance of inbound/outbound trips during the peak-hour.
- The Point Ruston project proposes improvements to accommodated increased traffic including reopening Baltimore Street, off-site intersection improvements, a transit stop on Ruston Way, and the addition of a turn lane and roundabouts as part of the Ruston Way realignment. The realignment of Ruston Way will eliminate the existing vehicle tunnel and allow a public transit stop to be installed as well as sidewalks and bicycle lanes.
- The DSEIS analysis finds that the buildings proposed in the Point Ruston project are consistent with those in the approved MDP posing the same level of significance in respect to views. While the proposed development will alter the nature of the site, adverse impacts to aesthetics will not occur.
- The proposed action increases recreational and open space opportunities in the form of 50 acres of parks and open space in 12 distinct areas.

1

DISCUSSION

Since the site of the former Asarco Smelter facility was added to the National Priorities List (NPL) in 1983, cleanup and redevelopment of the site has been an important priority for the North Tacoma and Ruston communities. As Asarco's financial picture diminished, cleanup completion was moved back, first to 2003, then to 2008. When Asarco filed for bankruptcy protection, the still-contaminated former smelter site as well as the North Tacoma/Ruston communities faced a grimly uncertain and contaminated future.

2

With the purchase of the former smelter property, Point Ruston entered into an agreement with EPA to complete the remedial action abandoned by the bankruptcy process and to redevelopment the site. EPA will oversee the site remediation, which will be conducted in concert with phased-in redevelopment.

February 14, 2008
Ms. Karie Hayashi
Page Three

Point Ruston's redevelopment proposal of an Urban Village incorporating green building and Energy-Star standards are technologies and strategies the City of Tacoma, as an Urban Growth Center, needs to promote to protect the livability of our community as it continues to grow. 2 cont.

CONCLUSIONS

In general, CHB supports the proposed redevelopment in concert with the completion of the long overdue Superfund cleanup of the former smelter site. Our review and analysis of the DSEIS finds that the project and its associated outcomes are consistent and compatible with those considered in the 1997 FEIS and MDP.

The nature of Point Ruston as a Superfund problem area under the oversight of EPA as well as a development site poses a unique project coordination scenario requiring close and consistent communication between the City of Tacoma and EPA. Documents prepared by Point Ruston for site remedial activities will be submitted to EPA for review and EPA must approve of the remedial design or activity prior to Point Ruston going forward with the work that will result in construction. 3

CHB urges the City of Tacoma and EPA to develop a matrix of all site activities associated with the remedial action and redevelopment of Point Ruston that defines which actions are under the purview of the City and which actions are under the oversight of EPA.

CHB is a community based, non-profit environmental organization representing the community stakeholders in the Commencement Bay Nearshore/Tideflats Superfund problem area. Our membership includes citizens of the Ruston and North Tacoma communities directly impacted by contaminated soils as well as boaters and others restricted by sediments contaminated by the operation of the Asarco smelter facility.

We appreciate the commitment and cooperation of all parties and look forward to working collaboratively with all stakeholders in the clean up and redevelopment of the former smelter site property.

Sincerely:

Leslie Ann Rose

Leslie Ann Rose
Senior Policy Analyst

cc: Mr. Kevin Rochlin, US EPA Region 10
Ms. Sue O'Neill, Point Ruston

RESPONSE TO COMMENTS FROM THE CITIZENS FOR A HEALTHY BAY (Letter #20)

Comment 1

The comments are noted. The points that you have raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

Comment 2

The comments are noted. Please refer also to *Section II*, subsection 2.3.1 of this FSEIS.

Comment 3

The proponent concurs that the project requires unique coordination between all parties including the City of Tacoma and EPA. CHB's suggestion for a matrix is appreciated. *Point Ruston* will develop a responsibility matrix as recommended and incorporate it into the Construction Management Plan that is required by EPA for each remediation/redevelopment phase. The matrix will also be provided to the City of Tacoma and others to aid in an understanding of project responsibilities.



ECONOMIC DEVELOPMENT BOARD
FOR TACOMA-PIERCE COUNTY

FEB 07 2008

February 6, 2008

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

RE: Point Ruston

We are writing in support of the Point Ruston project as described in the Draft Supplemental Environmental Impact Statement (DSEIS) published by the City of Tacoma on January 16, 2008.

Point Ruston's commitment to complete environmental remediation and redevelop the former Asarco site as a mixed-use neighborhood will bring measurable benefits to the greater community, such as:

- Private investment that could top \$1 billion at build-out with \$28-\$32 million spent to complete environmental remediation of an EPA Superfund site.
- The creation of roughly 650 permanent full-time jobs as well as a significant number of construction jobs and the purchase of local materials and services over the 8-10 year build-out.
- Higher density development that meets the spirit and intent of the Growth Management Act including 800-1000 condos, apartments and townhomes, up to 228,000 sq. ft. of office and retail space, a 150-room upscale hotel to support the business community and tourism, and more than 60% of the site dedicated to public access, open space, and parks.
- A master plan that embraces public use and opens up almost a mile of shoreline for a waterfront promenade in an area that hasn't been open to the public in over 100 years.
- A responsible approach to traffic mitigation through the realignment of Ruston Way, adding a public transit stop, installing roundabouts, sidewalks and bicycle lanes, and eliminating the existing vehicle tunnel that is both a safety concern and prevents the free-flow movement of traffic in this area.

1

Thank you for the opportunity to comment on one of the most economically significant projects in our region.

Sincerely yours,

Bruce Kendall
President & CEO

RESPONSE TO COMMENTS FROM THE ECONOMIC DEVELOPMENT
BOARD
(Letter #21)

Comment 1

The comments with regard to consistency with GMA, the provision of public open space and shoreline access, and planned revisions for Ruston Way are noted. These points will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development. While the proposed *Point Ruston* development would generate employment opportunities during construction and long-term, direct and indirect economic factors associated with the proposed *Point Ruston* development are not environmental considerations that are analyzed in this FSEIS.

Executive Council for a Greater Tacoma
1119 Pacific Avenue, Suite 1103 Tacoma, WA 98407
(253) 380-7044

February 13, 2008
Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

RE: Point Ruston

The Executive Council of Greater Tacoma is writing in support of the Point Ruston project as described in the Draft Supplemental Environmental Impact Statement (DSEIS) published by the City of Tacoma on January 16, 2008.

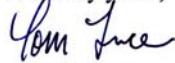
Point Ruston's commitment to complete environmental remediation and redevelop the former Asarco site as a mixed-use neighborhood will bring measurable environmental, economic and social benefits to the greater community, such as:

- Private investment that includes \$28-\$32 million in environmental remediation to complete the clean-up of a Superfund site that has been off the tax rolls for decades.
- Significant public amenities paid for by private investment rather than by taxpayers such as the rebuilding of Ruston Way and the extension of the Ruston Way Park to form a shoreline connection to Metro Parks property to the north.
- A proposed mixed-use neighborhood that sets aside a greater percentage for public access, parks, view corridors, and open space than it does for development.
- The creation of approximately 650 permanent full-time jobs.
- The use of structured parking that allows a slightly greater square footage of development to be built than allowed in the 1997 EIS Preferred Alternative, but without the impact of large surface parking lots and predictable peak-hour traffic imbalances.
- Traffic improvements that will eliminate the existing vehicle tunnel and the installation of a public transit stop, sidewalks and bicycle lanes as well as numerous off-site traffic improvements.

1

We are looking forward to the completion of remediation on the former Asarco site and the redevelopment of the property as proposed in the Point Ruston DSEIS.

Sincerely yours,



Tom Luce
Executive Council for a Greater Tacoma

RESPONSE TO COMMENTS FROM THE EXECUTIVE COUNCIL FOR
GREATER TACOMA
(Letter #22)

Comment 1

The comments with regard to the provision of public open space and shoreline access, the provisions of structured parking and planned revisions for Ruston Way are noted. These points will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development to be fully implemented. While the proposed *Point Ruston* development would generate employment opportunities during construction and long-term, direct and indirect economic factors associated with the proposed *Point Ruston* development are not environmental considerations that are analyzed in this FSEIS.

Laborers' International Union of North America – Local No. 252

(253) 383-1493
FAX (253) 597-4980



4803 South M Street
Tacoma, Washington 98408-3506

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mfs
cc: PK/CHC
JR

February 9, 2008

Letter 23

Mr. William L. Pugh, P.E.
Assistant City Manager/Director, Public Works Department
Building and Land Use Services Division
747 Market Street
Room 345
Tacoma WA 98402

RE: Point Ruston LLC DSEIS Comments

Dear Mr. Pugh:

After careful review of the DSEIS we have serious concerns about the adequacies of the document. Considering the lengthy history of the site and the potential negative impacts to the existing neighborhood, waters and future residents we feel that this DSEIS does not sufficiently study the actual impacts. These comments will follow the DSEIS and address our concerns.

Scoping

1. The date of issuance is suspect. Appeals had been filed over the scoping of this document yet the comment date has been hand written in before the appeal timelines had run their course. This should be a very detailed document and we find it hard to believe that the applicant could have prepared it without knowing what the full scope would entail. 1
2. On page v of the fact sheet the date of January 2, 2008 and February 1, 2008 have been crossed out and now read January 16, 2008 and February 14, 2008. Both dates come before the appeals deadline. This gives the appearance of fore knowledge by the applicant that the City of Tacoma had pre-judged the appeals. 2

Section 1

1. Page 1.7: Housing: What is the exact number of affordable housing units will be available? 3
2. Page 1.8: Environmental health: We are very concerned with this area. There are no mitigation measures studied in detail. The applicant needs 4

to outline the plan for further clean up. Point Ruston LLC has already violated health and safety standards for the workers and community by not providing adequate worker protection equipment, lack of maintenance of the silt fences, and contaminated dust migration off site.	4 cont.
3. Page 1.11: We would like to have included in this DSEIS a definition of what appropriate measures would be implemented to control temporary construction impacts.	5
4. Page 1.11 and Page 1.12: The traffic numbers are far below the national average of 10 vehicle trip per day in a residential development.	6
5. Page 1.13: There is no impact mentioned concerning businesses, parking, rail traffic and recreation if Ruston Way is widened.	7
6. Page 1.15: There is no mention of who pays for the road improvements.	8

Section 2

1. Page 2.6: The developer is already moving contaminated soil without proper permits on site.	9
2. Page 2.29: The question of impact fees for roadways must be evaluated.	10

Section 3

1. Page 3.3-3: The data contained on this page comes from studies done in 2000. There have been substantial changes since then and more current information must be included.	11
2. Page 3.3-4: The majority of the proposed residents are of child rearing age... The impacts to schools are under estimated.	12
3. Page 3.3-7: In the previous section the DSEIS note that there will be affordable housing, yet on this page it states that the developer will research grants for this type of housing. Which is it?	13
4. Page 3.4-1 Why wasn't residential use concerned for the site based on Asarco's preference? This entire subject needs to be studied at greater length.	14
5. Page 3.4-2: No studies have been done to address the problem if a leak occurs.	15
6. Page 3.5-6: Impacts must be studied in greater detail since Metro Parks refused the offer of the developer.	16
7. Page 3.5-8: The whole section of parks is not adequate.	17
8. Page 3.6-1: There is no feasible plan for public services.	18
9. Page 3.6-6: Once again the question of who pays needs to be answered.	19
10. School impacts are grossly underestimated.	20
11. Page 3.6-14: Study of health impacts are not studied in enough detail.	21
12. Page 3.6-15: The actual run times and staff times are not adequate.	21
There will have to be impacts and this DSEIS does not address this issue.	22

Primary Areas of Concern

1. Physical environment: This DSEIS does not adequately evaluate the following areas: 23
 - a. Toxic waste: Existing poisons, landscaping run off, vehicle leaks, household chemicals, boating leaks
 - b. Traffic and parking: The traffic study under estimates the traffic from this development, does not address the parking needs on Ruston Way for existing businesses and recreation, impacts to rail setbacks, impacts from run off to the aquatic environment, the impact of additional impermeable surfaces, pedestrian impacts. 24
 - c. Neighboring community impacts: The view and traffic impacts will be forever altered to the detriment of the existing community. 25
2. Public Services: Public Services: This DSEIS would have us think that the residents will never need schools, Emergency medical services or fire suppression, police services, sewers, water or other utilities. This section is totally inadequate. 26
3. Parks and Recreation: While the plan for this development calls for internal parks and open space it does not adequately study the many impacts to Point Defiance Park and Zoo. 27

Considering the time issues it is our position that this DSEIS is totally inadequate and must address the many concerns of all affected members of the community. It is obvious that the concerned jurisdictions and the developer rushed into this review. Thank you for your time and consideration. I can be reached at 206-734-9104



Don McLeod Jr.
Business Manager/Secretary Treasurer

RESPONSE TO COMMENTS FROM THE LABORER'S UNION – LOCAL 252 (Letter #23)

Comment 1

As SEPA Lead Agency, the City of Tacoma exercised control over the analysis and preparation of the DSEIS and this FSEIS. Copies of the DSEIS were printed by the consultant team on behalf of the City and delivered to the City for distribution. Whereas it was intended that the date was to be left blank – in order to be inserted later by the City – as the result of a printing error a date was inadvertently included, which necessitated the hand-written change that is noted in the document. The DSEIS was published on January 16, 2008 and copies of the DSEIS were distributed to agencies, organizations and individuals noted on the Distribution List (Appendix A of the DSEIS), including the Washington State Department of Ecology.

Comment 2

The comment is noted. Refer to response to Comment #1 above.

Comment 3

The proponent has indicated a willingness to provide 10-15% of all for-rent units be made available and affordable to households earning 80% of the county-wide Annual Median Income as established annually by the Department of Housing and Urban Development, with rental rates established at the time the units are offered for rent. Of the 150-200 apartments and senior rental units expected to be built this would equate to 15-30 units out of the total for-rent units. Subsidized housing is neither anticipated nor required as a component of the proposed development.

This is a voluntary commitment for a minimum percentage of units. An exact number is not known at this stage of conceptual development. It should be noted there are no requirements for affordable housing.

Comment 4

Remediation of the Point Ruston site is under EPA jurisdiction and described in the Second Amendment to the ASARCO Consent Decree and attached Statement of Work. Design documents, quality assurance plans, operations, maintenance and monitoring plans, and institutional controls are reviewed and approved by EPA prior to implementation by *Point Ruston*. EPA provides oversight and agency coordination during all phases of site remediation and redevelopment. *Point Ruston* has not violated health and safety standards for workers or the community. Training and personal protective equipment are provided consistent with regulatory requirements for the work being performed. Perimeter air monitoring of the site is conducted as required by EPA during construction operations. Outfall monitoring is conducted in compliance with the EPA approved remedial action monitoring plan.

Comment 5

Construction impacts and required mitigation would comply with the jurisdictional requirements applicable to the area where the work is performed.

Comment 6

See Section 3.7.2 for a complete discussion of the trip generation characteristics of the Proposed Action.

Comment 7

Comment noted. The *Proposed Action* does not call for a widening of Ruston Way that would have such an effect.

Comment 8

Comment noted. Proposed road improvements are recognized to be the proponent's responsibility.

Comment 9

All current work on site is under Second Amendment to the Consent Decree with EPA.

Comment 10

The City of Tacoma does not have an impact fee ordinance. *Transportation* impacts are analyzed in this FSEIS and mitigation measures proposed (see Section 3.7 of this FSEIS). Also, see response to Comment 8 above.

Comment 11

The 2000 census data is the most current available from the U.S. Census Bureau. The population and household income statistics provided on page 3.3-3 taken from the 2000 Census deemed to be an acceptable and reliable resource for providing this data.

Comment 12

Estimates based on the proponent's survey of the experience of other projects were provided as were the student generation rates provided by the School District. See comment: 16

Comment 13

The proponent has voluntarily agreed to provide 10%-15% of the for-rent units as affordable to households earning 80% of Area Median Income. Because of accelerating construction costs, rising interest rates, and the significant cost of environmental remediation associated with a Superfund site, the cost to develop a unit that is offered at below-market rates may require the use of grants or funding other than commercial financing used by the proponent to build out the project.

Comment 14

Residential use was not originally considered for the site based primarily on ASARCO's preference. It was ASARCO's intent to remediate the site to a lesser clean up standard for continued use as an industrial site, which is logical given they were not in the business of developing residential projects. Point Ruston LLC, after taking possession of the property, agreed to take responsibility for meeting the EPA's requirements for residential standards and received ASARCO's consent to include residential as a land use within the redevelopment plans. The impacts of residential uses are considered throughout this FEIS.

Comment 15

The incomplete statement in the DSEIS has been revised to include the following text, which is included in this FSEIS. "The On-site Containment Facility was designed and constructed in compliance with the Federal Code of Regulations specific to hazardous waste landfills (40 CFR Part 264) inclusive of the requirements for a leak detection, collection and removal system as required by the March 1995 EPA Record of Decision. "

Comment 16

Metro Parks has not determined a schedule for the construction of Peninsula Park on this publicly-owned land. However, Peninsula Park is independent of the *Proposed Action* and thus is not a factor in the FSEIS for *Point Ruston*.

Comment 17

This comment is an expression of opinion and not substantive in nature. As noted in the introduction to *Section IV*, no response is necessary.

Comment 18

Please refer to the discussion in *Section II* of this FSEIS relative to anticipated development phasing and information also in *Section II* concerning the project design and infrastructure. *Section III* of this FSEIS analyzes the impacts of the proposed *Point Ruston* development in light of fire and emergency services, police, and school. See also comment letters presented previously in this FSEIS from service providers and responses to the comments raised.

Comment 19

Section 3.6.3 discusses mitigation measures for which the Proponent is responsible.

Comment 20

Opinion noted.

Comment 21

Please refer to Section 3.4 for information concerning health impacts. The human health risk assessment for the ASARCO Tacoma Plant (Kleinfelder 1993) was completed in 1993 by ASARCO with EPA oversight. The Record of Decision (ROD) for the site was written by EPA

and published in March 1995. The EPA ROD provides an overall summary of the risk assessment document and work completed to assess the potential human health risks from contamination. The human health risk assessment was completed according to national and regional EPA risk assessment guidelines.

Comment 22

It is unclear what “run times and staff times” noted in this comment refers to. The page that is referenced (3.6-15) addresses Fire and Emergency services relative to the City of Tacoma and the Town of Ruston, as well as providing an introduction into the discussion of Police Services for the City and the Town.

Comment 23

Existing site contaminants and remediation are under the jurisdiction of EPA (Please see response to Comment 4). Upon development, household hazardous wastes, vehicle leaks, boating leaks, and landscaping runoff will be regulated by the applicable jurisdiction or regulatory authority. Any breach or potential breach of the site cap will be addressed by the long-term operations, maintenance and monitoring plan that will be implemented under EPA’s jurisdiction and oversight.

Comment 24

The trip generation forecasts for the *Proposed Action* are based on the current edition of ITE Trip Generation Manual, which is the most current source of trip generation statistics. Parking for existing recreation is provided in Parks Department parking lots. The proponent would provide adequate on-site parking for the land uses that are proposed, in accordance with applicable development standards. Existing businesses along Ruston Way are responsible for providing their own parking. The *Proposed Action* would not impact the rail corridor. The *Proposed Action* provides new pedestrian link through and around the site to effectively connect the existing Ruston Way Trail with the proposed Peninsula Park and other points to the north and west of the site. Surface water management would meet current code requirements.

Comment 25

This comment is an expression of opinion and not substantive in nature. As noted in the introduction to *Section IV*, no response is necessary.

Comment 26

The comment is noted. Public Services and Utilities are evaluated in *Section III* (3.6) of this FSEIS. Refer also to comment letters presented previously in this FSEIS from service providers and responses to the comments raised.

Comment 27

Point Defiance is defined by Metropolitan Parks as a regional park that will attract visitors from the entire District and beyond. The proponent has been working closely with Metropolitan Parks to address issues related to park properties and related impacts.



TACOMA-PIERCE COUNTY CHAMBER
P O W E R T H R O U G H
C O N N E C T I O N S

February 13, 2008

Letter 24

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

FEB 14 2008

Dear Ms. Hayashi:

RE: Point Ruston

The Tacoma-Pierce County Chamber is writing in support of the Point Ruston project as described in the Draft Supplemental Environmental Impact Statement (DSEIS) published by the City of Tacoma on January 16, 2008.

The long-awaited remediation and environmental remediation of the former Asarco site as a mixed-use neighborhood will bring measurable environmental, economic and social benefits to the greater community, such as:

- Private investment that includes an estimated \$28-\$32 million in environmental remediation to complete the clean-up of a Superfund site, returning the property to the tax rolls.
- Public amenities that are paid for by private investment rather than by taxpayers such as the rebuilding of Ruston Way and the extension of the Ruston Way Park to form a shoreline connection to Metro Parks property to the north.
- A proposed mixed-use neighborhood that sets aside a greater percentage for public access, parks, view corridors, and open space than it does for development.
- Creation of an estimated 650 permanent full-time jobs.
- Structured parking that allows a slightly greater square footage of development to be built than allowed in the 1997 EIS Preferred Alternative, but without the impact of large surface parking lots and predictable peak-hour traffic imbalances.
- Traffic improvements that will eliminate the existing vehicle tunnel and the installation of a public transit stop, sidewalks and bicycle lanes as well as numerous off-site traffic improvements.

1

This project has significant potential as a model for the nation as well as for regional economic development. We look forward to the completion of the remediation on the former Asarco site and the redevelopment of the property as proposed in the Point Ruston DSEIS.

Sincerely yours,

David W. Graybill
President & CEO

cc: J.J. McCament

RESPONSE TO COMMENTS FROM THE TACOMA – PIERCE COUNTY
CHAMBER OF COMMERCE
(Letter #24)

Comment 1

The comments with regard to the provision of public open space and shoreline access, the provisions of structured parking and planned revisions for Ruston Way are noted. These points will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development to be fully implemented. While the proposed *Point Ruston* development would generate employment opportunities during construction and long-term, direct and indirect economic factors associated with the proposed *Point Ruston* development are not environmental considerations that are analyzed in this FSEIS.



JAN 31 2008

Ms. Karie Hayashi
Urban Planner 111/Special Assistant
City of Tacoma
Building and Land Use Services
Public Works Department
Point Ruston SEPA and DSEIS

January 25, 2008

This is the Tacoma Yacht Club's response to your notices of December 18, 2007 and January 16, 2008 in respect to Point Ruston LLC's proposed development of the Asarco Smelter Site.

Our general input to these documents is that there isn't enough detail to determine whether the Tacoma Yacht Club's interests are protected.

1

Point Ruston has yet to make a clear commitment that it will remediate all of Metro Park's land, including the Tacoma Yacht Club lease area, in a way that allows for development and improvement of that area pursuant to Metro Parks 1997 Comprehensive Plan. Please remember that Metro Parks plan calls for tying the promenade along Ruston Way through Point Ruston to Point Defiance Park, and development of Peninsula Park. This requires the relocation of the Yacht Clubs access road, gate house, security gate and utilities on what Point Ruston calls Yacht Club Road. Thus it creates the absolute need that Point Ruston and EPA guarantee we are able to efficiently work in the area after remediation is complete.

2

The second area of concern is the design and capacity of the access road and the utilities that are brought to the Metro Park property boundary. Point Ruston should be required to supply enough design information to show that peak traffic and utility requirements during holidays and the summer season are capable of serving the Peninsula Park, the Yacht Club and the residents of the Marine Division of their development. Given the present gridlock on Ruston Way in the summer, we doubt the conclusions of the traffic survey. We want assurance that the designs are capable of serving those joint needs, including turning radiuses for trucks and emergency vehicles, and the relocation of our gate house and security gate.

3

4

The Yacht Club does not believe the information that has been made available is sufficient to properly assess Point Ruston's impacts on Yacht Club operations. Further, we believe that unless the remediation issue is properly handled, Metro Park's plans may never be realized and the public's interest's permanently damaged. We request that Tacoma withhold further processing of the DSEIS and associated development permits until it is clear that adverse impacts to the Yacht Club, as an affected party, are properly mitigated.

5

6

7

Thank you for soliciting and considering our input.



Bob Witter, Vice Chairman BOT

Tacoma Yacht Club

Cc: Metro Parks Department, attn. Lois Stark
Environmental Protection Agency, attn. Kevin Rochlin
Town of Ruston, attn. Mayor Michael Transue

RESPONSE TO COMMENTS FROM THE TACOMA YACHT CLUB (Letter #25)

Comment 1

This comment is an expression of opinion and not substantive in nature. As noted in the introduction to *Section IV*, no response is necessary.

Comment 2

Point Ruston's remedial responsibilities are contained in the Second Amendment to the ASARCO Consent Decree, The Second Amendment to the Consent Decree as agreed to between the EPA and Point Ruston LLC specifies the remediation requirements that the Proponent is under an obligation to perform. As a Bonafide Prospective Purchaser under CERCLA section 107(r) the Proponent's environmental liabilities are limited to the scope of the aforementioned Consent Decree. Should the EPA wish to further study any Potentially Responsible Parties (PRPs) for the environmental remediation of the Peninsula Park, the Agency would likely look towards the landowner and its subordinate tenants.

The *Proposed Action* would provide connections to the property line in common with the Metro Park's property including the southeast end of the Tacoma Yacht Club lease area. These connections include the Yacht Club Road as the primary vehicular and utility connection and the waterfront promenade, which provides non-motorized connectivity. From discussions with Metro Parks, the turning radii of emergency vehicles and a 19-foot truck and 20-foot recreational trailer were considered in the Yacht Club Road design. The alignment of Yacht Club Road was updated from the DSEIS based on this additional analysis to allow for greater turning radii. Please see the response to Letter 13 Comment 7 for a discussion of the changes and Figure 20 for an illustration. *Point Ruston* has also proposed to stub an 8-inch water main and 4-inch pressure line from the closest sewer manhole to the property line for connection by the Yacht Club and/or Metropolitan Park District.

Comment 3

Please see Letter 13, Comment 7 as well as Figure 20 of the DSEIS. The traffic impacts have been studied in-depth, and their analysis and conclusions have been incorporated throughout this FSEIS, as well as in Appendix D, the detailed traffic study. Specific engineering and design of the roadways is not applicable to this level of environmental impact analysis, however, the proponent has made a commitment to work in a coordinated effort with the Metropolitan Parks Department during the design and construction phase of this project, to ensure such concerns are met.

See above response concerning turning radii. To perhaps clarify, the *Proposed Action* does not require or propose the relocation of the Yacht Club's gate or gate house but would provide an access alternative from Yacht Club Road which the Yacht Club or Metro Parks may choose to utilize.

Comment 4

Evaluation of remediation requirements and associated impacts is not the intent of this document. The *Proposed Action* does not include work on the lease area or relocation of the Yacht Club facilities. The extension of infrastructure through the project site has taken into account the potential future extension of and use by the Tacoma Yacht Club. These extensions are a potential benefit to the Yacht Club.

Comment 5

Opinion is noted.

Comment 6

Comment noted.

Comment 7

Comment noted.

WASHINGTON STATE JOBS WITH JUSTICE

Letter 26

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SEPA Public Information Center
Tacoma Municipal Building, 3rd Flr
City of Tacoma Public Works Department
747 Market Street, Room 332
Tacoma, WA 98402-3769
By hand delivery to: Karie Hayashi

02-14-08P01:58 RCVD

February 14, 2008

Karie
To: Karie Hayashi SEPA Officer and William L Pugh, Assistant City Manager/Director Public Works

Re: Project File #s 40000090530/SHR2007, 40000090531/PLT2007, xxxxxxxxxx/BLD2007, 40000090529/SEP2007, SEPA File # SEP2007-40000090529; Comments on Draft Supplemental Environmental Impact Statement to the Asarco Smelter Site Master Development Plan Final EIS

Washington State Jobs with Justice is a local organization composed of individuals with JwJ voting rights who live and work in the impacted area of Tacoma and Ruston and is also composed of member organizations with JwJ voting rights that also have individual members who and work and live in Tacoma and Ruston. Jobs with Justice asserts standing, procedural, and subject matter jurisdiction to participate in this process. In the Draft Supplemental Environmental Impact Statement (DSEIS) dated January 16, 2008, the City of Tacoma invites us to comment on the scope of the Supplemental Environmental Impact Statement (SEIS) outlined in the DS. We make the following comments to the DSEIS:

After careful review of the DSEIS, we believe it to be grossly inadequate. Considering the track record of the developer, the size of the project, the history of the site and its previous owner, and the potential negative impacts to the existing neighborhood, waters, surrounding region, and future residents we feel that this DSEIS does not sufficiently study the actual impacts.

Housing

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction simultaneous to significant residential and commercial activity impacts his housing plans. As per Mr. Cohen's inadequately addressed impacts and track record discussed in "Environmental Health" of these comments, residents living next to the site and on the site will need to don Tybek suits and respirators. Occupied housing structures may need to be encapsulated in plastic. By the EPA's account, "additional ideas such as wind fences, tents, and chemical tacifiers of excavation areas are being considered." This DSEIS lacks an adequate study of the impacts on housing this project will have for the next 10 years, or longer "depending on market conditions."

1

Page 1 of 9

Seattle Office

P.O. Box 9662 · Seattle, WA 98109
206.441.4969 · fax 206.441.5059
wsjwj@igc.org

Tacoma Office

3049 S 36th St #201 · Tacoma, WA 98409
253.459.5107
southsound@wsjwj.org

Whatcom County

P.O. Box 579 · Ferndale, WA 98248
360.647.1752
whatcom@wsjwj.org



Mr. Cohen refers to "affordable housing" but this DSEIS lacks clarity in the terms used "apartments" and "for rent units." Mr. Cohen's DSEIS seems to apportion 15 to 30 units or 1.5 to 3.7% of the 800 to 1000 units he is constructing to "affordable housing" ("10 to 15% for rent" of the "150-200 apartments"). This non-binding 1.5% of units will be affordable to 80% of an undetermined Annual Median Income (AMI). If the AMI is of the County, the units will be affordable to those earning about \$40,000 per year. Income of \$40,000 is far higher than many if not most of the workers earn constructing Mr. Cohen's developments or destined to be the workforce (retail clerks, janitors, and Silver Cloud hotel staff) at Point Ruston under his current scheme.

Mr. Cohen also inadequately addresses the timeline and process to secure the "research program and grants as well as community partnerships" he will pursue to subsidize his generous allotment of 1% affordable housing. He thus inadequately addresses the impact of these timelines and processes on the timeline and development of the overall project.

Mr. Cohen alleviates his moral responsibility to build a reasonable portion of affordable housing by stating in the DSEIS, "because of accelerating construction costs, rising interest rates on consumer mortgages, and site remediation costs that influence the base cost of a unit, for-sale units are not expected to be a viable affordable housing option at *Point Ruston*." Mr. Cohen neglects to include the factor of the profit he wants to reap on this project due to far lower development costs than Downtown Tacoma while he charges prices (\$2M to \$300K per condo, page 3.3.3) that approximate Downtown Tacoma markets. Mr. Cohen can afford a Bear Fountain (Table 3.5.3) but can't afford to house many of the workers that build his Pt Ruston.

Mr. Cohen's DSEIS does not adequately address the impacts on housing if hundreds of Point Ruston resident have to be evacuated and be absorbed into the community due to a leak of the massive poisons on the Point Ruston property and residing under the homes. Contaminants of concern at the site include heavy metals (primarily arsenic, lead, copper, and zinc). During 1998 - 2004, ASARCO completed excavation of soils from the most highly contaminated areas of the site. These soils, classified as federally hazardous waste, were placed in the **On-Site** Containment Facility (OCF). Mr. Cohen plans to build a park on top of the OCF "allowing for a children's play area, large open field, picnic shelters" and other public activities (Table 3.5.3). Other poisoned soils from the property and surrounding properties still reside on significant portions of Point Ruston either exposed during ongoing construction or under a relatively thin cap of supposedly uncontaminated soil. Mr. Cohen's DSEIS pays no attention to how gases given off and liquids leaching from the OCF and other site poisons would impact housing stock and residents. Examples of impacts are including but not limited to air residents breathe, aquifers that may supply housing resident water and underground streams and drainage that may surface around homes.

Government and Public Services/Schools/Parks

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction simultaneous to significant residential and commercial activity impacts schools, public services provided to children and adults, and open space.

As per Mr. Cohen's inadequately addressed impacts and track record discussed in "Environmental Health" of these comments, schools and locations with high populations of children most susceptible to lead and arsenic poisoning will need to endure toxic exposure testing again. Mr. Cohen's DSEIS demographic chart 3.3.4 reveals that the age-range in the local market that could afford Mr. Cohen's units are in the child-raising years. Yet, Mr. Cohen does not adequately address the project's impact on public school services by citing his own company's "informal poll" (methodology undisclosed), a smaller

town (Federal Way) study in 2002, and a national study done in 2005. Mr. Cohen mysteriously projects the students living at Point Ruston to be as high as 221 students but then proceeds to use his lowest figure of 45 for his analysis. He refers to "market data from comparable developments" but does not share the data or the methodology of collecting and analyzing the data.

7 cont.

Mr. Cohen's DSEIS provides inadequate analysis and data for his "assumption for multi-family dwelling units would be 1.75 residents per unit" or how many workers, recreators, and consumers the site would attract. This needs to be adequately studied in the DSEIS to evaluate the real impacts on government services and open space when considering thousands of new residents, workers, recreators, and consumers will be drawn to the commercial facilities, waterfront, and workplaces.

8

Mr. Cohen's DSEIS does not adequately address the impacts on surrounding parks and recreational facilities. Mr. Cohen admits to his project's "increased demands" but then provides no data or studies to assert that these demands "would likely be distributed among" other nearby parks and facilities. Since Mr. Cohen's DSEIS is guessing at the increase in population, it cannot adequately evaluate whether this proposed project meets the MPT LOS guidelines. Mr. Cohen's park and open space improvements fall short of the Definitive Agreement standard of 53 acres that formed the basis of the 1997 EIS MDP. Mr. Cohen claims that the Definitive Agreement was "nullified" when he purchased the property from Mr. Cohen but provides no authority for that assertion or how this assertion impacts the 1997 EIS MDP.

9

Mr. Cohen also asserts no significant impacts on parks and recreation facilities caused by construction, and dismisses construction impacts as "temporary" in 3.5.2.1. Mr. Cohen's construction will span 10 years or longer "progressing building by building (and assuming mini-park to mini-park as market conditions warrant." Delayed park access impacting other park use spanning an entire childhood is significant. This needs to be adequately studied in the DSEIS to evaluate the impacts on other parks.

10

In the few sections (Parks & Services) where Mr. Cohen's DSEIS does evaluate the impact of the 1997 EIS alternative, his evaluation on the impact on Parks is nevertheless inadequate. Mr. Cohen states, "the MDP EIS indicated that existing park facilities and Schools... could be indirectly affected by construction-related activities and traffic congestion, road closures or road alterations. These impacts were determined to be temporary." This evaluation is inadequate when it comes to a phased 10 year project "progressing building by building as market conditions warrant."

11

Given that Point Ruston is one of the largest, if not largest, for-profit developments proposed in Greater Tacoma in recent history and will impose significant impacts on the delivery of government services, this DSEIS does not adequately explore whether the City should implement service impact mitigation fees on for-profit developments of a certain size during 10 plus years of construction (when tax collection is low) and during operation. Mr. Cohen's DSEIS does not with data and analysis adequately address how the government service costs to support Point Ruston will be funded during construction and operation. Undocumented taxes collected "to help offset demands for public services" is not a substitute for data and analysis that informs budgetary planning at the foundation of providing services. Apparently based on mysterious conversations of which we don't know the substance, Mr. Cohen's DSEIS claims that certain government services "would have excess capacity" to meet the "added demand."

12

The DSEIS should not only study the impact to the surrounding community in regard to such necessities as schools, parks, sewer, water, power, stormwater, solid waste, telecommunications, police, fire, water rescue, and emergency medical services, but also access to food and healthcare, and all other human needs. Mr. Cohen does not address the impact of climate change on these service needs. Tacoma and Pierce County population has expanded rapidly and is projected to increase exponentially. The area

13

surrounding Mr. Cohen's site is already a major destination for this expanding population which is taxing this infrastructure.

13 cont.

Transportation

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction and simultaneous to significant residential and commercial activity impacts transportation. As per Mr. Cohen's inadequately addressed impacts and track record discussed in "Environmental Health" of these comments, roads used by contaminated construction vehicles will need to be regularly monitored and/or blocked off to reduce poisons exposure. Construction vehicles will need to be thoroughly cleaned on public streets if found contaminated after leaving the site before navigating additional residential streets. Mr. Cohen refers to "stockpiles of soils" on site as the reason for not needing to import "significant amounts of additional materials associated with heavy truck traffic." It is difficult to imagine the mud huts for which potential residents will pay \$2,000,000. The public should not have to assume that the reputedly sufficient "soil stockpiles" are uncontaminated until Mr. Cohen can give an accounting whether and how much uncontaminated soil needs to be trucked in. Mr. Cohen's DSEIS is inadequate in quantifying heavy truck traffic and route choices required by the project.

14

As Mr. Cohen has identified his project as targeting a high income population (see Housing section of these Comments), this DSEIS inadequately analyzes the impacts on transportation of higher consumption and commuting patterns of high income people. Additionally, Mr. Cohen's DSEIS inadequately analyzes the impact of reverse commuting patterns of the low-wage workers performing the jobs at the Point Ruston site but unable to afford to live at or near Point Ruston. Due to the dearth of high-wage jobs in the area, Mr. Cohen should explore this impact on surrounding roads, freeways, and mass transit.

15

Mr. Cohen's DSEIS does not adequately address the impacts on transportation and roads by underestimating the true numbers, times, and patterns of vehicles, trips, mass transit usage, biking, and foot traffic. Mr. Cohen's DSEIS provides inadequate analysis and data for how many trips would be generated. Thus the traffic study is based on faulty data assumptions and needs to be redone. The traffic study also is inadequate in methodology. For example, Mr. Cohen asserts that "roundabouts would provide more efficient flow for traffic" but does not cite any Northwest-specific studies. Small and busy roundabouts are not familiar traffic diversions in the Northwest and especially visiting drivers could find navigating them confusing thus creating more congestion. Since Pt Defiance park attracts about 2 million mostly one-time visitors annually, area drivers likely will face major congestion at the roundabout of Ruston Way and Baltimore and 51st and Yacht Club Road. This congestion will also impact the 54th Street Point Defiance Park entrance and the Ruston Way arterial link to the Vashon Island ferry. Given the bottlenecked access to the future Peninsula Park and The Marina District, there will be an additional impact on these park entrances. Access to the surrounding areas is already severely limited. Specific street changes during a lengthy construction phase and a permanent population explosion by residents and visitors should be analyzed more carefully.

16

Mr. Cohen's DSEIS does not adequately address how proposed transportation changes and maintenance costs will be funded during construction and operation. A proposed "Construction Traffic Management Plan... to manage traffic flow during the reconstruction of Ruston Way and other construction activity" impacting transportation also needs to be part of this DSEIS to be adequately discussed under SEPA. Mr. Cohen's DSEIS also unacceptably increases traffic delays such as entering N. 51 St from N. Winnifred Street. Even by Mr. Cohen's DSEIS counting, 17408 extra weekday trips is a significant adverse impact on the area. The study does not appear to have a weekend trip projection. While the traffic study was conducted during peak recreating season and thus evaluates recreational traffic, another study needs to

17

be conducted during a peak work season to properly evaluate work commuting traffic. The Transportation section should also adequately examine the impacts of Mr. Cohen's requested Street Vacation.

17 cont.

Project Impacts Relating to 1997 Ruston EIS

Applicant Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation) has not adequately addressed the proposed project's impact on Environmental Health, Land Use and Shoreline Use, Recreation, Housing, Transportation, Aesthetics, Public Services/Schools, Infrastructure for Expanding Population, and any other category of scrutiny as it relates to the City of Tacoma's adopted Existing Environmental Document "1997 EIS" within this DSEIS. Mr. Cohen dismisses his responsibility to study and evaluate his project despite the limits, assumptions, and premises of the "1997 EIS." City of Tacoma's adopting the 1997 EIS does not relieve Mr. Cohen of his responsibility to study and evaluate his project's impacts on conditions that were addressed in the 1997 EIS Asarco MDP, which he now calls the "baseline" or the "No Action Alternative." (See page 3 "Note" of the Adoption of Existing Environmental Document (SEPA File # SEP2007-40000090529) and decision of Hearing Examiner (HEXAPL2007-00011, page 4 #3). Mr. Cohen claims that "no challenge to the adequacy of the MDP EIS (1997) was raised" but, in fact, challenges were raised and the City of Tacoma Hearing Examiner has determined that challenges are "premature" at this point and Mr. Cohen did not appeal that decision.

18

The 1997 EIS documents (1997 EIS) are not appropriate and relevant to the current EIS process and should not be utilized in this EIS process. The 1997 EIS is not adequate as part of this final environmental impact statement, even if it is adopted only "in part" by the decision titled "Adoption of Existing Environmental Document" dated October 26, 2007. The 1997 EIS is premised on a significant unfulfilled assumption as well as greatly outdated data. In addition, the 1997 EIS prejudices a current EIS process that should start with a clean slate.

19

The 1997 EIS states "The remediation is *assumed* to be complete before the development analyzed in the EIS occurs... The EIS has been prepared to address development issues and related environmental issues that directly relate to redevelopment of this area *following* remediation." Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation) is not completing the remediation before development. On its face, the 1997 EIS does not "directly relate" to Mr. Cohen's proposed phased development plan. Mr. Cohen will be remediating very toxic materials at the same time as significant building activity and potentially at the same time as significant residential and commercial activity. Every significant aspect of the 1997 EIS needs to be completely reevaluated to consider serious environmental factors never before analyzed. Given the track record of Mr. Cohen's remediation behavior toward workers, residents, and the general public around his development sites, the DSEIS should adequately address these impacts.

20

Since 1997, growth of activity and density around the proposed development site has quantitatively changed every significant aspect examined by the 1997 EIS. Tacoma and Pierce County population has expanded rapidly and is projected to increase exponentially. As a whole, these quantitative changes also generate significant qualitative changes not examined by the 1997 EIS such as good weather weekend access. Also lacking is an analysis of how these qualitative changes will then impact future quantitative changes. The data in and structure of the 1997 EIS has little value to this DSEIS process after years of rapid expansion and the potential for much more rapid expansion. The DSEIS should adequately address the project's impacts as it relates to the new data and a qualitative analysis.

21

Even if the City deems 1997 EIS incorporated into this DSEIS appropriately, Mr. Cohen's DSEIS has a responsibility to evaluate changes to the data and analysis of the 1997 EIS. He has not done this adequately.

21 cont.

Environmental Health

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction and simultaneous to significant residential and commercial activity impacts Environmental Health. Mr. Cohen has not adequately addressed this in the DSEIS. In 2.5.2.1 of the DSEIS, Mr. Cohen proposes that construction will be "progressing building by building as market conditions warrant."

22

Based on Mr. Cohen's remediation track record and behavior toward workers, residents, and the general public around his development sites, every significant aspect of surrounding community life will be impacted by serious environmental factors. By email to Ms. Hayashi, we have attached 11 photos that help demonstrate Mr. Cohen's "remediation" practices at the Asarco site including dust clouds, lack of appropriate worker safety equipment and water-trucks, and fallen silt fences. During Mr. Cohen's remediation efforts, we have received reports of a lack of rain runoff protection, broken or inoperable monitoring devices and systems, workers without proper training and safety practices, and vehicles contaminated with Asarco site dust moving through surrounding communities. For the DSEIS record, further documentation of Mr. Cohen's toxic exposure to the surrounding community can be found in the complaints of nearby residents to the EPA which should be a matter of public record. This information helps illustrate that unless Mr. Cohen's practices are significantly changed or mitigated, residents, recreators, students, teachers, commuters, workers, and City planners will need to make and endure much more severe adjustments to limit toxic exposure beyond individual health precautions. Workers next to the site and on the site will need to don Tybek suits and respirators.

23

This exposure is especially of concern as Mr. Cohen has scheduled to provide areas for outdoor child play and gardening in his first phase of construction.

24

The EPA's offer to oversee phased remediation during phased construction does not preempt the SEPA process and the applicant's and City's responsibility to evaluate the environmental impacts of phased remediation and phased construction. The EPA's letter dated November 13, 2007, assuring the City of Tacoma that the EPA will be developing a plan some time in the future of Mr. Cohen's staged remediation/development does not substitute for evaluating this plan's impacts in this DSEIS and SEIS process. In fact, the 1997 EIS (Asarco MDP) which specifically excluded residential use at the site nevertheless reviewed "certain aspects of RA [remedial action] regarding mitigation of impacts for toxic and hazardous wastes as they relate to redevelopment of the Asarco Smelter site."

25

While a Development Strategy Team made up of local government officials has deemed "a phased approach where remediation and redevelopment is occurring simultaneously by phase is acceptable within certain constraints established to protect residents occupying completed phases of the project," Mr. Cohen's DSEIS inadequately addresses these constraints and their impacts. Mr. Cohen cites no authority to enable the Development Strategy Team to preempt SEPA and the DSEIS responsibilities.

26

Mr. Cohen's assertion that residents and workers should rely on the Bush Administrations' pro-arsenic EPA oversight (administered in this region by a former Dow Chemical executive) is not comforting. "Many discussions have already taken place" with EPA and "several options... are being considered" does not substitute for disclosing determined plans and a public discussion that is provided under the SEPA process. It appears Mr. Cohen's DSEIS is premature. Should political changes in 2008 produce an EPA

27

and a state Ecology Department in 2009 that defends the environmental rights of our local community, we will also most likely see much stronger measures imposed on this project to protect against toxic exposure. These measures will also have impacts far beyond health issues that impact the below additional categories.

27 cont.

The DSEIS is inadequate in addressing the impacts of the Ferry Boat sales center use (page 3.1-4). Since a Shoreline Substantial Development permit would be obtained prior to moorage, the DSEIS analysis should evaluate impacts to aquatic life, contaminated sediments, and the the shoreline environment. The DSEIS claims that "Other than the ferry to be moored over owned submerged land, all development would be located on the upland portion of the site." Yet the DSEIS refers to a development alternative on page 1-9 and in Table 3.5.4 that would embrace "Tacoma Public Boat Ramp Area Improvement : 1. Boat Ramp/Marina Breakwater, 2. Ferry Night Moorage Slip, 3. Log Boom or Guide Wall, 4. Public Viewing Area, Enhancements, 5. Ramp, Parking, Restroom, Relocated Floats." If Mr. Cohen considers this improvement a "baseline," the DSEIS inadequately addresses many impacts from these developments.

28

Mr. Cohen's DSEIS does not adequately address how grading to control drainage that results in a slope of 2 to 2.75 percent extending from the shoreline of Commencement Bay to Ruston Way and the discharge of runoff in the Bay from scores of acres of hardscape will impact residents, aquatic life, and Bay poisoning when the project is completed even if filtration systems are used. Contaminants of concern at the site include heavy metals (primarily arsenic, lead, copper, and zinc). During 1998 - 2004, ASARCO completed excavation of soils from the most highly contaminated areas of the site. These soils, classified as federally hazardous waste, were placed in the **On-Site** Containment Facility (OCF). Other poisoned soils from the property and surrounding properties still reside on significant portions of Point Ruston either exposed during ongoing construction or under a relatively thin cap of supposedly uncontaminated soil. Mr. Cohen's DSEIS pays no attention to gases given off and liquids leaching from the OCF and other site poisons and impacting housing stock and residents. Examples of impacts are including but not limited to on air residents breathe, aquifers that may supply housing resident water,

29

Mr. Cohen's DSEIS does not adequately address the impact of litter and other sanitation issues on the shoreline and Bay given that "All buildings with frontage on the promenade would be of a mixed-use nature." ~~All buildings with frontage on the promenade would be of a mixed-use nature.~~ Since the promenade is hardscape and it is unclear whether it touches the OHWM, rain run off of contaminants left on the hardscape might also impact the Bay life and shoreline.

30

Mr. Cohen's DSEIS does not adequately address the safety issues in regard to navigating the train tracks caused by widening Ruston Way and taking away parking slots.

31

Land Use and Shoreline Use

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction and simultaneous to significant residential and commercial activity impacts land use and shoreline use. As per Mr. Cohen's inadequately addressed impacts and track record discussed in "Environmental Health" of these comments, large swaths of shoreline and waterfront promenade may need to be encapsulated in plastic. This DSEIS lacks an adequate study of the impacts on surrounding land, shoreline, and aquatic use this project will have for the next 10 years, or longer "depending on market conditions."

32

Mr. Cohen's DSEIS inadequately analyzes how the project impacts embrace the mandates of the Shoreline Management Act especially in light of view and public access protection. Figure 5 demonstrates that a

33

substantial number of private residences and commercial structures will occupy the State Shoreline Management Zone. Mr. Cohen's DSEIS also fails to address the impacts of this project on the shoreline as climate change causes seas to rise and approach private buildings merely 100 feet from the OHWM. 33 cont.

This DSEIS inadequately analyzes how the project will define and impact "public accessible property" in the future. It appears to leave that issue to the "urban village neighborhood" which will be governed by a private "Community Association." References such as "probably" and "cannot be determined now" do not resolve the issue and Mr. Cohen does not appear to be leaving land trusts to MPT or the City of Tacoma. 34

Mr. Cohen's DSEIS Comparative Analysis table 3.1.3 is incomplete and inadequate in addressing land use of the Marina and Baltimore Districts as well as building heights for the other districts. 35

Recreation

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction and simultaneous to significant residential and commercial activity impacts recreation. As per Mr. Cohen's inadequately addressed impacts and track record discussed in "Environmental Health" of these comments, certain recreation areas and access roads will need to be closed. This DSEIS lacks an adequate study of the impacts on recreation this project will have for the next 10 years, or longer "depending on market conditions." 36

Aesthetics

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s proposed phased remediation of very toxic materials while conducting phased construction and simultaneous to significant residential and commercial activity impacts aesthetics. As per Mr. Cohen's inadequately addressed impacts and track record discussed in "Environmental Health" of these comments, large swaths of viewsheds may need to be encapsulated in plastic. By the EPA's account, "additional ideas such as wind fences, tents, and chemical tacifiers of excavation areas are being considered." This DSEIS lacks an adequate study of the impacts on aesthetics this project will have for the next 10 years, or longer "depending on market conditions." 37

This DSEIS should embrace the federal Consent Decree in light of public park commitments. Mr. Cohen's hostile comments to neighboring rights of views, waterfront access, and designated public park land have raised concerns in the local community. We wish to preserve water, mountains, and territorial views and object to multi-story structures up to 80 feet and possible higher that will alter or destroy these views. 38

This DSEIS inadequately addresses the impact of Mr. Cohen's plans to build above the Asarco MDP height limits. Mr. Cohen's DSEIS does not adequately address whether the Asarco tunnel on Ruston Way should be preserved as a historic monument. 39

Economic Impacts on Existing Businesses and Community

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s DSEIS inadequately studies and evaluates the impact on existing businesses. Mr. Cohen's DSEIS does not adequately address the impacts on surrounding businesses by widening Ruston Way and taking away parking slots. 40

Mr Cohen also does not disclose or address data leading to his conclusions regarding the economic and business benefits and disadvantages of delaying implementation. He would have the community and the City subvert a public democratic process based on so far baseless threats that delay would make "more difficult, if not impossible to meet" his commitments to EPA under the consent decree "if development of the site does not commence in 2008 as anticipated in the Consent Decree." As he raises this issue in the 41

DSEIS, Mr. Cohen opens the door to an adequate study of his financing and economics of this project and the impact of various alternatives on surrounding businesses and community as well as each section of this comment. This DSEIS inadequately studies the "Alternatives."
In 2.6.2,

41 cont.

Town of Ruston Comprehensive Plan

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s DSEIS inadequately studies and evaluates the impact on the Town of Ruston Comprehensive Plan. This failure includes but is not limited to Mr. Cohen's DSEIS not performing a comparative study of the building requirements in the Town of Ruston Comprehensive Plan for those structures proposed to be build on Ruston land. There is at least 1 violation of building height limits. It also includes not adequately evaluating the open space requirements especially given Mr. Cohen's DSEIS reduces the park acreage from the 1997 EIS. Mr. Cohen's DSEIS does not adequately address the density of population in the TRCP.

42

SEPA-EIS Procedures

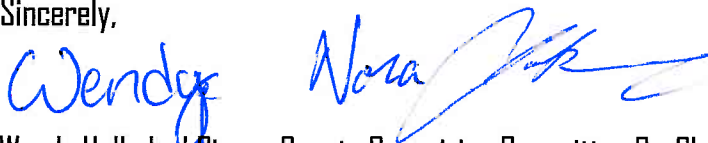
The date of the DSEIS issuance raises issues of an inadequate procedure and suspiciously lacks good faith. For example, an appeal was filed over the scoping of this document yet the issuance and comment dating in the DSEIS reveal that this document was prepared prior to resolving the scoping issues. Issuance and comment dating in the DSEIS have been hand written on one page and hand written over inappropriately typed dates on another page. This should be a very detailed document and it is clear that the applicant did not prepare it knowing what the full scope would entail.

43

On page v of the fact sheet, the date of January 2, 2008 and February 1, 2008 have been crossed out and now read January 16, 2008 and February 14, 2008. Both dates come before the appeals deadline. This gives the appearance of fore knowledge by the applicant that the City of Tacoma had pre-judged the appeals.

44

Sincerely,



Wendy Hall, JwJ Pierce County Organizing Committee Co-Chair, Nora Leider, Chair to the Socially Responsible Development project JwJ Steering Committee workgroup, and Jacob Carton, South Sound staff organizer, on behalf of:
Washington State Jobs with Justice
3049 S. 36 St, #201
Tacoma, WA 98409-5801
(253) 459-5107

RESPONSE TO COMMENTS FROM WASHINGTON STATE JOBS WITH JUSTICE (Letter #26)

The majority of the comments made by this organization imply that this document is “Mr. Cohen’s EIS...” While Point Ruston LLC is the proponent The City of Tacoma Public Works Department, Building and Land Division is the SEPA Lead Agency for this project and this FSEIS is the City’s document. The City has exercised operational control over preparation of the DSEIS and this FSEIS believes them to be consistent with SEPA, and represent an objective analysis of the environmental impacts that may result from the *Proposed Action*.

Comment 1

Point Ruston LLC is the proponent of this *Proposed Action* and the owner and developer of the proposed *Point Ruston* development. As the EPA maintains ultimate jurisdiction over the remediation of this property, they will implement all applicable controls under an approved and adopted institutional controls plan, which will limit the amount of interaction between potentially harmful contaminants and the public.

Comment 2

The proponent has agreed to voluntarily provide 10-15% of all for-rent units be made available and affordable to households earning 80% of the county-wide Annual Median Income (AMI) as established annually by the Department of Housing and Urban Development. HUD does not establish AMI figures for individual communities but rather on a county-wide basis.

Of the 150-200 apartments and senior rental units expected to be built, this would equate to 15-30 units out of the total for-rent units. Subsidized housing is neither anticipated nor required as a component of the proposed development.

Comment 3

Construction will follow environmental remediation of the site, generally moving from the Viewpoint District in the southeast portion of the property to the Marina District in the northeast portion of the site. Buildings #6 (Assisted Living/Senior Housing Facility) and #7 (Apartments) are located in the Viewpoint District.

Comment 4

Project Objectives outlined in Section 2.4, page 2-15, include in part, the completion of the environmental remediation by a private party rather than taxpayers, and to provide an adequate financial return to pay for significant public amenities that go beyond code requirements.

Section 3.4 analyzes Environmental Health Impact. Site remediation and release of completed phases for residential occupancy is under the jurisdiction of EPA. The site will be capped with concrete, asphalt, or a soil cap that includes an impermeable layer to prevent human contact with contaminated soils. The site cap will be monitored and maintained on an established schedule and in accordance with an EPA approved plan to ensure that the integrity of the cap is maintained into perpetuity. Site water will come from the City of Tacoma municipal water system

only, groundwater use is prohibited at the site. The OCF is a triple lined facility designed and constructed per federal requirements and was constructed with a leak detection and collection system (please see response to Laborer's Union comment 15). Organics and liquids were not allowed in the OCF. The cell contains soil, concrete and bricks that do not generate gases. Completed landfill covers are commonly used as recreational spaces such as playfields and parks with EPA approval.

Comment 5

Site remediation and release of completed phases for residential occupancy is under the jurisdiction of EPA. The site will be capped with concrete, asphalt, or a soil cap that includes an impermeable layer to prevent human contact with contaminated soils. The site cap will be monitored and maintained on an established schedule and in accordance with an EPA approved plan to ensure that the integrity of the cap is maintained into perpetuity. Site water will come from the City of Tacoma municipal water system only, groundwater use is prohibited at the site. The OCF is a triple-lined facility designed and constructed per federal requirements and was constructed with a leak detection and collection system (please see response to Laborer's Union comment 15). Organics and liquids were not allowed to be placed in the OCF. The cell contains soil, concrete, and bricks that do not generate gases. Completed landfill covers, such as this Asarco constructed OCF, are commonly used as recreational spaces for playfields and parks with EPA approval.

Comment 6

The Draft SEIS addressed the comprehensive remediation and redevelopment project at *Point Ruston*. Phased remediation and construction will be completed in compliance with EPA approved plans under EPA oversight. Remediation and associated mitigation will comply with the Second Amendment to the ASARCO Consent Decree and attached Statement of Work to meet the site remedy under EPA's jurisdiction. Development, associated construction impacts and required mitigation will comply with the jurisdictional requirements applicable to the area where the work is performed.

Comment 7

The EPA-approved site cap will provide a physical barrier preventing human contact with site soils. Exposure testing will not be necessary for children or adults residing at Point Ruston. Student generation rates provided by Tacoma School District are also provided and analyzed.

Comment 8

The DSEIS takes into account impacts from residents as well as potential employees, consumers, and visitors to the site. Mitigation that is noted in this FSEIS addresses impacts from such groups.

Comment 9

Opinion noted. Because distribution of park activity cannot be determined based on quantifiably verified statistics, it is presumed that the local parks would share in the park-related impacts

associated with the *Proposed Action*. Further, park and recreational facilities associated with the *Proposed Action* exceed any quantified LOS. Comments related to the obligations under the Definitive Agreement (continuation of the promenade to Point Defiance Park, and development of Peninsula Park) are not applicable to this SEIS as these liabilities were rejected on November 2, 2006 under an Order from the Federal Bankruptcy Court (Order dated November 27, 2006 by the Honorable Judge Richard S. Schmidt).

The proponent has indicated a willingness to work with Metro Parks to assess and mitigate, if required, possible impacts from the development on existing park facilities. See Letter 13, Comments 2 and 6.

Comment 10

Additional information has been added to Section 3.5.2 concerning the proportionality between development phasing with park and open space creation and public access. Access to existing parks are to be maintained.

Comment 11

A Construction Traffic Management Plan is typically prepared when a construction plan and schedule is in place, haul routes are identified, and specific plans for roadway construction are in place. Such a plan is required by the City of Tacoma prior to issuance of permits to work within the right of way.

Comment 12

Direct and indirect economic factors associated with the proposed *Point Ruston* development are not environmental considerations that are analyzed in this FSEIS

Comment 13

The scope of the DSEIS and this FSEIS were determined by the City as part of the EIS Scoping process that occurred for this project, which occurred October 26, 2007 through November 16, 2007. Comments received during the EIS Scoping period were considered by the City of Tacoma, Department of Public Works in determining the range of environmental issues and alternatives to be analyzed in the DSEIS, as well as this FSEIS. As a result of EIS Scoping, seven broad areas of environmental review are evaluated in this FSEIS; they include: *land use*; *aesthetics* (viewshed); *housing*; *environmental health*; *public parks, recreation and open space*; *public services and utilities*; and *transportation*. This FSEIS addresses those key public services and utilities that conceivably could experience a significant adverse impact.

Comment 14

Comment noted. Haul trucks are required to use the site truck wash prior to leaving the site or when traveling from an area undergoing remediation to a clean area. Equipment is decontaminated prior to demobilization from the site or prior to use in a clean area following use in an area undergoing remediation. The proponent will be responsible for ensuring that roadways adjacent to the site or used by project haul trucks are cleaned as necessary. Separation of clean areas at the site will be accomplished using clean roads and a temporary cap per EPA approval. Remediation and development will be completed by phase under EPA

oversight. EPA approval and release of a remediated phase will be necessary prior to residential occupancy of a phase as required by the Second Amendment to the Asarco Consent Decree and attached Statement of Work.

Comment 15

See section 3.7.2 for a discussion of the trip generation characteristics of the Proposed Action. The trip generation statistics used in this analysis are based on numerous traffic counts made for specific land uses. The trip generation characteristics for each land use reflect all trips generated by that land use, including the separation of inbound and outbound trips – without regard to economic status.

Comment 16

Opinion noted.

Comment 17

A Construction Traffic Management Plan is typically prepared when a construction plan and schedule is in place, haul routes are identified, and specific plans for roadway construction are in place. Such a plan is required by the City of Tacoma prior to issuance of permits to work within the right of way.

The Final SEIS does not recommend modifying the intersection of N. 51st St and N Winnifred St.

Mitigation is proposed to offset the trips generated by the Proposed Action.

See Section 3.7.1 and 3.7.2 for a complete discussion of seasonal changes in traffic volumes. Traffic conditions are analyzed for the PM peak hour, which is the time period when the potential for congestion is at its greatest.

Comment 18

Comment noted.

Comment 19

Opinion noted.

Comment 20

Comment noted. See responses to Comment 4 and 6.

Comment 21

All analysis in the SEIS is based on current data. Data for the transportation section is based on numerous mechanical tube counts and PM peak hour turning movement counts made in 2006 and 2007 which included weekends and good weather to account for use patterns and conditions.

Comment 22

Please see response to Comment #5.

Comment 23

Please see response to Laborer Union Comment #4.

Comment 24

Please see response to Comment #7.

Comment 25

Please see response to Comment #5. The 1997 EIS was completed prior to remediation design and construction at the ASARCO site. EPA's review and approval of design documents and construction oversight during ongoing remediation activities since 1997 has included mitigation requirements. Mitigation of impacts from remediation, including phased remediation, development and residential occupancy, will continue to be addressed at the site by EPA under their oversight authority.

Comment 26

Comment noted. Additional information on project phasing has been added to Section 2.5.2.

Comment 27

Responses are provided for substantive comments. This comment is an expression of opinion and not substantive in nature. As noted in the introduction to *Section IV*, no response is necessary. Information relative to *Environmental Health* and the remediation process is presented in *Section III* (3.4) of this FSEIS.

Comment 28

Comment noted. The temporary ferry moorage site is proposed at the southeast end of the former ASARCO site and within the boundaries of Point Ruston LLC's property. Moorage would not occur over the sediment cap that was placed in 2007. As a Supplement to an existing and Finalized EIS (1997 EIS) the "baseline" has already been analyzed, and thus the Tacoma Public Boat Ramp Area Improvement, as an aspect of the Alternative Action, was studied under the 1997 EIS.

Comment 29

Comment noted, please see response to Comment 1. Further, opinion is noted.

Comment 30

The proponent agrees that convenience of trash receptacles throughout public areas is important in maintaining the cleanliness of the public spaces and would incorporate them into the landscaping and design. Analysis relative to stormwater runoff is described in *Section* (3.6)

of this FSEIS. Compliance with all applicable water quality standards will be a requirement of all development including the promenade.

Comment 31

The Proposed Action will not impact the existing rail corridor. Ruston Way will be relocated to bypass the tunnel and provide a new roadway that will be two lanes wide along most of its length and meets current design standards. The new roadway will eliminate existing deficiencies, improve safety, and not remove any legal parking supplies.

Comment 32

Responses are provided for substantive comments. This comment is an expression of opinion and not substantive in nature. As noted in the introduction to *Section IV*, no response is necessary. Information relative to *Environmental Health* and the remediation process is presented in *Section III* (3.4) of this FSEIS.

Comment 33

Analysis of project consistency with provisions of the City and the Town's Shoreline Master Programs is analyzed in *Section III* (3.1 -- *Land and Shoreline Use*) of this FSEIS. A comprehensive analysis of aesthetic impacts with a focus on viewshed considerations is analyzed in *Section III* (3.1 -- *Aesthetics*) of this FSEIS.

Comment 34

Proponent has committed that public access will be a matter of recorded easement or other agreement between the proponent, City of Tacoma, Town of Ruston and Metro Parks.

Comment 35

The comment is noted. This comment lacks sufficient specificity in order to respond.

Comment 36

Comment noted, please see response to Comment 1. Further, the construction impacts occurring during the build out of the *Proposed Action* such as impact to recreation and access will be mitigated as conditions of the building permits.

Comment 37

Responses are provided for substantive comments. This comment is an expression of opinion and not substantive in nature. As noted in the introduction to *Section IV*, no response is necessary. Information relative to *Environmental Health* and the remediation process is presented in *Section III* (3.4) of this FSEIS and analysis relative to *Aesthetics* is presented in *Section III* (3.2) of this FSEIS.

Comment 38

The comment is noted.

Comment 39

Information relative to building heights is presented in *Section III (3.1 – Land and Shoreline Use)* of this FSEIS and viewshed analysis is provided in *Section III (3.2 – Aesthetics)*. The vehicle tunnel is to be abandoned and filled as a requirement of the Consent Decree.

Comment 40

Direct and indirect economic factors associated with the proposed *Point Ruston* development are not environmental considerations that are analyzed in this FSEIS

Comment 41

See response to Comment #40.

Comment 42

Please also refer to Letter 17, response to Comment 1.

Comment 43

As SEPA Lead Agency, the City of Tacoma exercised control over the analysis and preparation of the DSEIS and this FSEIS. Copies of the DSEIS were printed by the consultant team on behalf of the City and delivered to the City for distribution. Whereas it was intended that the date was to be left blank – in order to be inserted later by the City – as the result of a printing error a date was inadvertently included, which necessitated the hand-written change that is noted in the document. The DSEIS was published on January 16, 2008 and copies of the DSEIS were distributed to agencies, organizations and individuals noted on the Distribution List (*Appendix A* of the DSEIS), including the Washington State Department of Ecology.

Comment 44

See response to Comment #43.

From: WA State Jobs with Justice [wsjwj@igc.org] on behalf of southsound@wsjwj.org
Sent: Thursday, February 14, 2008 4:24 PM
To: Khayashi@cityoftacoma.org
Subject: Addenda #2 to Comments from Jobs with Justice on DSEIS Project File #s 40000090530/SHR2007,90531/PLT2007, /BLD2007, 90529/SEP2007, SEPA File # SEP2007-40000090529

SEPA Public Information Center
Tacoma Municipal Building, 3rd Flr
City of Tacoma Public Works Department
747 Market Street, Room 332
Tacoma, WA 98402-3769
By hand delivery to: Karie Hayashi

February 14, 2008

To: Karie Hayashi SEPA Officer and William L Pugh, Assistant City Manager/Director Public Works

Re: Project File #s 40000090530/SHR2007, 40000090531/PLT2007, xxxxxxxxxxxx/BLD2007, 40000090529/SEP2007, SEPA File # SEP2007-40000090529; Addenda #2, Comments on Draft Supplemental Environmental Impact Statement to the Asarco Smelter Site Master Development Plan Final EIS

Washington State Jobs with Justice is submitting the below addenda to accompany our Comments in the public record for the above-referenced DSEIS submitted on February 14, 2008. Please contact us at the below info if you have any questions or concerns if the documents did not come across completely or you've had any problems accessing or opening the information in the files. Please send us confirmation that you received this email. Thank you

Washington State Jobs with Justice is a local organization composed of individuals with JwJ voting rights who live and work in the impacted area of Tacoma and Ruston and is also composed of member organizations with JwJ voting rights that also have individual members who and work and live in Tacoma and Ruston. Jobs with Justice asserts standing, procedural, and subject matter jurisdiction to participate in this process. In the Draft Supplemental Environmental Impact Statement (DSEIS) dated January 16, 2008, the City of Tacoma invites us to comment on the scope of the Supplemental Environmental Impact Statement (SEIS) outlined in the DS. We make the following comments to the DSEIS:

Environmental Health

Mike Cohen Construction (acting as Point Ruston, Limited Liability Corporation)'s DSEIS does not adequately address the impact of the Point Ruston project on environmental health issues caused by poverty. The link between environmental health and poverty is well established. From human health issues such as infant mortality, child development, and asthma to the spread of fatal epidemics, poverty is a significant factor. See http://www.sciencedirect.com/science?_ob=ArticleURL&_udi=B7GVY-4PK8MW5-1&_user=10&_rdoc=1&_fmt=&_orig=search&_sort=d&view=c&_acct=C000050221&_version=1&_urlVersion=0&_userid=10&md5=006eefa8f8672ed4f8c87ebdea641134 and http://www-wds.worldbank.org/servlet/WDSContentServer/IW3P/IB/2006/07/25/000104615_20060726100222/Rendered/INDEX/Project0Inform1cument1Concept0Stage.txt. Mr Cohen's DSEIS should collect more data and provide more analysis on how the Point Ruston project might generate more poverty and thus impact the environmental health of the surrounding community.

1

Examples of impacts include but are not limited to the thousands of poverty-wage jobs that might be generated by the Point Ruston project. Given Mr. Cohen's property development track record of projects paying poverty wages and denying affordable family healthcare, the Point Ruston project construction could propel thousands of workers and family members into poverty. Given the retail and property service sector is well-known for generating poverty-wage jobs without adequate healthcare, Mr. Cohen's projection of 651 on-site operation workers would add to these ongoing poverty levels. Mr. Cohen has publicly declared the Silver Cloud hotel chain will open a franchise at Point Ruston. The Silver Cloud chain is infamous for generating poverty-wage jobs. Mr. Cohen should disclose the other retail and service companies he is contemplating and is negotiating with to occupy and employ workers at Point Ruston.

Sincerely,

Jacob Carton, South Sound staff organizer, on behalf of:
Washington State Jobs with Justice
3049 S. 36 St, #201
Tacoma, WA 98409-5801
(253) 459-5107

RESPONSE TO COMMENTS FROM WASHINGTON STATE JOBS WITH
JUSTICE – Addenda #1
(Letter #27)

Comment 1

Please refer to the discussion of *Environmental Health* and site remediation that is contained in *Section III* (3.4) of this FSEIS. Economic Status is not an issue that is subject to SEPA review and analysis.

From: WA State Jobs with Justice [wsjwj@igc.org] on behalf of southsound@wsjwj.org
Sent: Thursday, February 14, 2008 3:19 PM
To: Khayashi@cityoftacoma.org
Subject: Addenda to Comments from Jobs with Justice on DSEIS Project File #s 40000090530/SHR2007,90531/PLT2007, /BLD2007, 90529/SEP2007, SEPA File # SEP2007-40000090529

Attachments: Dust clouds from shovel1-MCC Asarco site.JPG; Dust clouds from shovel2-MCC Asarco site.JPG; Dust from Trucks passing - Stack Hill Sept 19a-MCC Asarco site.jpg; Dust clouds from shovel3-MCC Asarco site.JPG; Shovel near home2-MCC Asarco site.JPG; collapsed silt fence1-MCC Asarco site.jpg; collapsed silt fence2-MCC Asarco site.jpg; collapsed silt fence3-MCC Asarco site.jpg; collapsed silt fence4-MCC Asarco site.jpg; dig&distant reloading water truck1a-MCC Asarco site.jpg; dig&distant reloading water truck2a-MCC Asarco site.jpg

SEPA Public Information Center
Tacoma Municipal Building, 3rd Flr
City of Tacoma Public Works Department
747 Market Street, Room 332
Tacoma, WA 98402-3769

Addenda By Email to: Karie Hayashi: Khayashi@cityoftacoma.org and hand delivery
February 14, 2008

To: Karie Hayashi SEPA Officer and William L Pugh, Assistant City Manager/Director Public Works

Re: Project File #s 40000090530/SHR2007, 40000090531/PLT2007, xxxxxxxxxxxx/BLD2007, 40000090529/SEP2007, SEPA File # SEP2007-40000090529; Comments on Draft Supplemental Environmental Impact Statement to the Asarco Smelter Site Master Development Plan Final EIS

Washington State Jobs with Justice is submitting the attached 11 photos to accompany our Comments in the public record for the above-referenced DSEIS submitted on February 14, 2008. Please contact us at the below info if you have any questions or concerns if the documents did not come across completely or you've had any problems accessing or opening the information in the files.

1

Please send us confirmation that you received this email. Thank you

Sincerely,

Wendy Hall, JwJ Pierce County Organizing Committee Co-Chair; Nora Leider, Chair to the Socially Responsible Development project JwJ Steering Committee workgroup; and Jacob Carton, South Sound staff organizer, on behalf of:
Washington State Jobs with Justice
3049 S. 36 St, #201
Tacoma, WA 98409-5801
(253) 459-5107

RESPONSE TO COMMENTS FROM WASHINGTON STATE JOBS WITH
JUSTICE – Addenda #2
(Letter #28)

Comment 1

The comment is noted. The photos that were included as an attachment to this comment letter are contained in *Appendix G* of this FSEIS.

February 6, 2008

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

RE: Point Ruston SEIS

Point Ruston has come to my attention over the last several years through a variety of sources -- friends who live in Ruston, newspaper articles, attending Ruston Town Council meetings and through my work as a Realtor. The more I learn, the more excited I am.

The Point Ruston master plan that will build a mixed-use neighborhood with homes, jobs, restaurants, a beautiful hotel and a waterfront promenade is like hitting a home run at the ball park!

1

Although I'm not an expert, the issues of increased traffic, building Ruston Way anew with views to the water, and extending the Ruston Way public park from where it ends now to Metro Parks property on the peninsula appear to be adequately addressed in the environmental review.

I look forward to seeing this urban neighborhood develop over the coming years and the public benefits it will bring to the area.

Sincerely yours,



Robin Austin-Parsons
5620 112th St. E #125
Puyallup, WA 98373

RESPONSE TO COMMENTS FROM ROBIN AUSTIN-PARSONS
(Letter #29)

Comment 1

The points raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

February 11, 2008

FEB 13 2008

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

I am writing in support of the Point Ruston project as described in the Draft Supplemental Impact Statement (DSEIS) published by the City of Tacoma.

Our community is fortunate to have the Asarco, a superfund site, being remediated and have this truly special part of our community come back into use and I thank MC Construction for their hard work and investment in our community.

The Pt. Ruston project represents a positive step toward the complete cleanup and future interface with the community and the Bay and waterfront. I will continue to pay attention to MC Construction's efforts, but I and my neighbors will do so in a way that is positive and seeks to see an expeditious cleanup and utilization of this site.

1

Lastly, I understand the process will be dynamic and have multiple uses, but I think having many facets will ensure there is a timely cleanup and revitalization in my opinion. MC Construction's commitment to complete environmental remediation and redevelopment of this superfund site is impressive and I look forward to their success.

Thank you for the opportunity to comment on one of the most significant projects in the history of Tacoma.

Sincerely yours,



Kate Babbo
3824 N 9 St
Tacoma, WA 98406

RESPONSE TO COMMENTS FROM KATE BABBO
(Letter #30)

Comment 1

The points raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

13202 S.E. 342nd Street
Auburn, WA 98092

Letter 31

February 8, 2008

Karie Hayashi
Building and Land Use Services Division, Room 300
Public Works Department
City of Tacoma
747 Market Street
Tacoma WA 98402

Dear Karie:

I am responding to request for comments on the Environmental Impact Statement (EIS) for the proposed Point Ruston development. I read the entire document, have asked related questions of Mike Cohen and his staff, and have the following comments:

In terms of general impression, this is a tremendous set of plans for developing the ASARCO site. It will be a huge asset to both Tacoma and Ruston if it gets completed as designed. Mike Cohen and his organization deserve a lot of credit for the overall planning and design of the project. So I am hoping the project goes forward.

The overall design of the project will enhance the waterfront in a big way. It provides a new waterfront living, shopping, and restaurant experience that should be the envy of every major Northwest City located on salt water. It also will do wonders for removing the eyesore associated with the ASARCO site and turning it into very useful attractive property.

I have a degree in Forestry and 32 years of experience in Weyerhaeuser, so I looked at the environmental side of the draft carefully. It looks like it handles the soil removal and capping required by the EPA, and the stormwater drainage requirements. It also provides enough grade to alleviate concerns about being so close to the water level during storms or other high water. It appears to have a well-designed traffic plan and street layout. It should meet all the major environmental concerns that I see.

1

I would encourage the City of Tacoma to do all it can to assist Mike Cohen and his developers in completing this project as quickly as possible. Whatever the city of Tacoma and Ruston can do to provide support, whether it's with utilities, traffic management, or relocating Ruston Way and decommissioning the automobile tunnel will get this project moving and enhance the economic base. The project has a lot economic potential for both cities, so I encourage you to move quickly.

This is a very forward-looking plan and an exciting project that I hope gets green-lighted without delay so it can move on and begin improving the Ruston area.

Sincerely,

Douglas W. Blankenship
206-910-2183
oldforester@comcast.net

RESPONSE TO COMMENTS FROM DOUGLAS BLANKENSHIP
(Letter #31)

Comment 1

The points raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

From: J.J. McCament [JJ@pointruston.com]
Sent: Friday, February 08, 2008 11:46 AM
To: Hayashi, Karie
Subject: SEIS Comment

Karie: Mr. Brown asked me to forward his comments to you. If you need it from him directly, his phone number is given below. Thank you.

Thank you to MC Construction.

My wife I have lived in Ruston since 1995 and have patiently waited for the old Asarco site to be reclaimed. The count down to 2003 has come and gone. We are so encouraged by MC Construction's commitment to develop and transform this site into a wonderful water front community.

1

Listening to residents, traffic seems to be the biggest concern. People may not remember that the site once employed over 2000 workers running 24 hours a day. The reopening of Baltimore Street and new traffic flow plan may mitigate the issues within Ruston. The waterfront has always been congested on summer days. This can only insure the success of the business's that locate at Point Ruston. Instead of cruising, the development of the site will provide destinations to shop, enjoy the parks or restaurants.

2

One suggestion to the traffic issue is to work with the Transit Authority to have double decker Hop on Hop off buses(like in London) or trolley style buses running from South 9th Street(end of Link light rail line) along the water front with frequent stops for parks, Old Town, Restaurant Row, Ruston and Pt Defiance Park.

3

We are very excited about Point Ruston. We encourage the Town of Ruston and City of Tacoma to expedite the process to support and complete this exciting development.

4

Ken and Kathy Brown
Residents of Ruston

Ken Brown
Windermere/Commencements Associates
Tacoma Central
253-988-4253

RESPONSE TO COMMENTS FROM KEN BROWN
(Letter #32)

Comment 1

Comments noted. The points raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

February 6, 2008

FEB 11 2008

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Letter 33

Dear Ms. Hayashi:

I am writing in support of the Point Ruston project as described in the Draft Supplemental Impact Statement (DSEIS).

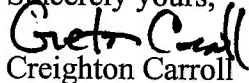
Point Ruston's commitment to complete environmental remediation and redevelop the former Asarco site as a mixed-use neighborhood will bring measurable benefits to the greater community, such as:

- Private investment that could top \$1 billion at build-out with the creation of roughly 650 permanent full-time jobs as well as a significant number of construction jobs and the purchase of local materials and services over the 8-10 year build-out.
- A master plan that embraces public use and opens up almost a mile of shoreline for a waterfront promenade in an area that hasn't been open to the public in over a 100 years.
- A responsible approach to traffic mitigation through the realignment of Ruston Way, adding a public transit stop, installing roundabouts, sidewalks and bicycle lanes, and eliminating the existing vehicle tunnel that is both a safety concern and prevents the free-flow movement of traffic in this area.

1

Thank you for the opportunity to comment on one of the most economically significant projects in our region.

Sincerely yours,


Creighton Carroll

711 N. Junett Street
Tacoma, WA 98406

RESPONSE TO COMMENTS FROM CREIGHTON CARROLL
(Letter #33)

Comment 1

Comments noted. The points raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

JAN 08 2008

Nicole Cochran

4905 N. 29th, Tacoma WA 98407 ~
(253) 459-0051 ~ lionhearted4ever@netzero.com

Letter 34

January 11, 2008

Ms. Karie Hayashi
Building and Land Use Services Division, Room 300
Public Works Department: City of Tacoma
747 Market Street
Tacoma WA 98402

POINT RUSTON: BIKE TRAFFIC CONCERNS

Dear Ms. Hayashi,

In engaging in our senior cumulative government project required of Bellarmine Preparatory School, myself and my partners (Kayla Evans and Joey Mullan) have become interested in the construction project underway at Point Ruston. Our specific interest has brought our concerns to bike access and bike safety with the addition of a new road, around the present tunnel, and new traffic designs. In an effort to ensure cyclists' safety, our intent deals with the bike lane on the road, essentially allowing a bicycle connection between the equally popular Point Defiance Park and the Ruston Way Waterfront. At this point, their designs include two roundabout intersections making it difficult for cyclists. Our attention lies here.

1

After interviewing the construction company overseeing the project, M.C. Construction, we are now making strides toward public input dealing with the bicycle plans. We have distributed questionnaires to Old Town Bicycle so that local cyclists can have the opportunity to give individual feedback to the plans affecting them. Our goal is to bring that information back to the construction company and hopefully implement a solution but we are still open to other suggestions and input in order to accomplish our original goal of connecting the Town of Ruston and Ruston Way through safe access for cyclists. If you have any further suggestions or resources to aid in our project, we would much appreciate your guidance.

Thank you for your time and attention.

Sincerely,

Nicole Cochran

RESPONSE TO COMMENTS FROM NICOLE COCHRAN
(Letter #34)

This letter was received by the City of Tacoma prior to issuance of the DSEIS.

Comment 1

The proponent for *Point Ruston* notes that access for pedestrians and bicyclists -- as well as vehicles -- is a key design consideration for the overall development. Please refer to the discussion in this FSEIS in Section II describing aspects of the proposed project and project design, as well as analysis that is contained in the Transportation section of this FSEIS, *Section III* (3.7).

From: Sarah Everding [sarah.everding@gmail.com]

Sent: Thursday, February 14, 2008 8:13 PM

To: Hayashi, Karie

Subject: DSEIS Response- Pt Ruston

Karie Hayashi:

The Draft Supplement Environmental Impact Statement (DSEIS) brought up a few questions I hope will be addressed.

- Page 3.7-50, intersection of 51st & Winnifred St: removing the stop signs. Removing the stop signs not a solution. It would create many traffic problems at this busy and awkward intersection. A light? A roundabout? 1
- Page 3.6-2, states that Ruston Fire Department (RFD) employs a full-time Fire Chief. The Fire Chief is an appointed position with a stipend of \$300 per month. This is a volunteer position, not a full-time Fire Chief. 2
- Page 3.6-2 states that RFD provides Advanced Life Support. Ruston RFD does not provide ALS. Ruston first response requests ALS from Tacoma. 3
- Page 3.6-2, response times. A clear definition is not provided. How is the response time calculated? How many personnel and what equipment must be on scene? What level of protection can be provided when they *first* respond? 4
- DSEIS statement of the building heights on the Ruston side does not agree with the MDP. The Ruston MDP specifies a 45 foot height maximum, not 60. A table that is associated with the MDP states 60 feet, but it was never formally adopted by the Town. 5

Thank you for your thorough DSEIS. I appreciate the thorough and open process.

Sincerely,

Sarah Everding
5034 N Highland
Ruston, WA 98407

RESPONSE TO COMMENTS FROM SARAH EVERDING
(Letter #35)

Comment 1

Comment noted. The Final SEIS will recommend that the all-way stop at intersection of N 51st St and N Winnifred remain in its present configuration.

Comment 2

Comment noted. *Section III* of this FSEIS (3.6.1.1.1) has been revised to reflect this change.

Comment 3

Comment noted. *Section III* of this FSEIS (3.6.1.1.1) has been revised to reflect this change.

Comment 4

The text of this FSEIS (3.6.1.1.1) has been revised to include this definition and additional information on RFD equipment and capabilities.

Comment 5

Please see Letter 17, response to Comment #1. In order to present a worst-case analysis for SEPA compliance, the DSEIS (and this FSEIS) analyze development with a height of up to 60 feet within the Town of Ruston.

FEB 13 2008

February 6, 2008

Letter 36

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

I am writing in support of the Point Ruston project as described in the Draft Supplemental Impact Statement (DSEIS) published by the City of Tacoma on January 16, 2008.

Our community is fortunate to have the Asarco property, a superfund site, being remediated and have this truly special part of our community come back into use, I for one thank MC Construction for their vision and hard work.

It was just two short years ago when our community appeared to be held hostage again regarding the cleanup of the former copper smelter site when Asarco was liquidating its ability to pay using our own US bankruptcy laws. This company was set on not having to pay for future cleanup responsibilities and our environmental watchdog, the EPA, was helpless to capture funding from Asarco to take care of future cleanup cost.

EPA, along with many other of our federal elected officials worked hard to find a way to continue the cleanup, despite Asarco filing for bankruptcy and the superfund not being funded by polluters taxes for over more than a decade. Along came MC Construction, a small and local developer who thought they might be able to turn around this diamond in the rough parcel. MC Construction decided it would take on the cleanup liability and partner with the EPA to continue the remediate this site, a daunting task even for much larger contractors. I applaud MC Construction for taking on this project and I and the entire community should hope that he and the project is wildly successful.

This project will take many years and will be in several phases and will change to be sure. The basic point I am hoping to articulate is that the need to reclaim the land at this site is vitally important to our community.

The Pt. Ruston project represents a positive step toward the complete cleanup and future interface with the community and the Bay and waterfront. I will continue to pay attention to MC Construction's efforts, but I and my neighbors will do so in a way that is positive and seeks to see an expeditious cleanup and utilization of this site.

1

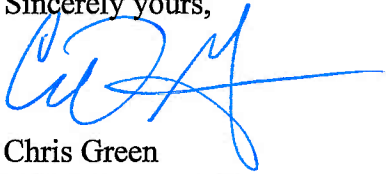
Lastly, I understand the process will be dynamic and have multiple uses, but I think having many facets will ensure there is a timely cleanup and revitalization in my opinion.

FEB 13 2008

MC Construction's commitment to complete environmental remediation and redevelopment of this superfund site is impressive and I look forward to their success. 1 cont.

Thank you for the opportunity to comment on one of the most economically significant projects in our region.

Sincerely yours,



Chris Green
3005 N Bennett St
Tacoma, WA 98407

RESPONSE TO COMMENTS FROM CHRIS GREEN
(Letter #36)

Comment 1

Your concerns and the issues raised regarding site remediation are noted. As described in *Section II* of this FSEIS, a condition of the sale agreement indicates that Point Ruston, LLC is responsible for the remaining smelter cleanup work, as well as cleanup of some adjacent lands – capping the slag peninsula, capping offshore sediments, and excavating shallow sediments in the yacht basin. EPA, the U.S. Department of Justice and Point Ruston LLC negotiated a settlement – the Second Amendment to the ASARCO Consent Decree (2006 Consent Decree) – for the remaining cleanup work. EPA held public meetings in August 2006 to discuss the sale and cleanup of the ASARCO Smelter site and invited public comments. Point Ruston, LLC began remediation in 2006 with acceptance and placement of residential soils, continued site monitoring, and placement of the offshore portion of the nearshore/offshore sediment cap. Point Ruston LLC will complete remediation of the upland smelter, cap the slag peninsula, complete capping of the offshore sediments, and excavate the shallow sediments in the yacht basin, as specified in the 2006 Consent Decree and associated Scope of Work. As described in these documents, remediation and development will be completed concurrently with construction of hard surfaces on-site (e.g., building foundations, roadways, pathways and the promenade), serving as part of the site cap.

FEB 07 2008

Karie Hayashi
Land Use Planner/Building & Land Use Services
City of Tacoma
Public Works Dept.
747 Market St., Room 300
Tacoma, WA 98402-3769

Letter 37

Ms Hayashi:

Having reviewed the information of the planned community of Point Ruston as proposed by MC Construction, we feel great excitement that a part of the beautiful waterfront of Commencement Bay with its fantastic views of surrounding vistas will be available to the public as well as to the residents of the proposed housing, hotel and businesses that will be a part of this gigantic enterprise.

That such a sordid, spoiled area of Tacoma could become such a very beautiful addition to the city by the foresight and dedication of a very successful and respected company and its officials----- this is almost a miracle happening before our very eyes! So much of the water front of the Pacific Northwest has been usurped by private interests leaving many without ready access to the pleasures of the waterfront, whether to stroll, entertain or be entertained near that which makes the Northwest unique in its appeal to residents as well as visitors---the beautiful waters and beaches of the Pacific Northwest.

1

It is with avid anticipation we anticipate the final approval and go-ahead movement by the powers that be which will permit this gigantic and beautiful plan go come to fruition.

Most sincerely,

James A. Hall
Beth A. Hall

Mr. & Mrs. James A. Hall
2820 Colonial Drive
Centrailia, WA 98531
360-736-8206

RESPONSE TO COMMENTS FROM JAMES AND BETH HALL
(Letter #37)

Comment 1

The comments are noted. The points that you raise will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

From: kennedyandcompany007@msn.com
Sent: Wednesday, February 13, 2008 3:44 PM
To: khayashi@cityoftacoma.org
Subject: Development of Tacoma Smelter Site
Karie Hayaski, Land Use Planner
Land Use Planner Building and Land Use Services
City of Tacoma
Public Works Department
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayaski,

As long-time residents of Pierce County and the City of Tacoma, we have been keenly interested in the handling, cleanup, development and ultimate outcome of the land formerly known as the old Tacoma Smelter Site. As many others in the community, we have recognized the beauty, views and value of this waterfront property to the citizens of Tacoma and Ruston.

We were pleased as we watched the environmental reconstitution of the Arsarco Smelter Site and then applauded the energy, courage and foresight of Mr. Mike Cohen and MConstruction when they purchased this 67 acres two years ago.

After reviewing Point Ruston's completed Draft Supplemental Environmental Impact Statement (DSEIS) to the 1997 Asarco Site Master Development Plan Final EIS, we are responding in the affirmative to this well conceived, developed and engineered project.

We would like to make the following comments:

1. The overall development plan as outlined by Point Ruston, LLC, is extremely sensitive to the needs of the citizens of Pierce County, to those closeby neighborhoods and those who would want to live in/and enjoy this village close up. The land use mixture is good with plenty of open space, parks and walking areas, plans for single-family homes, townhomes, condominiums and a hotel and suitable commercial enterprise. It will be another **magnate** drawing people to the City of Tacoma and making Tacoma's citizenery proud.
2. The current plan fits beautifully with a space linking Ruston Way with it's Esplanade and Parks to Point Defiance Park with all of its magnificance. To be able to walk the promenade from Old Town to Point Defiance and to enjoy the fresh air, the scenic beauty of Commencement Bay, Browns Point and Dash Point, Vashon and Maury Islands, etc. is something that few communities could emulate and many will envy.
3. The structures to be built appear to be of a variety of sizes, heights and shapes, consistent with code and yet making the mixed- use community aesthetically pleasing to the eye and a draw to anyone who knows of it.
4. The walk ways will allow a maximum of foot traffic to enjoy the amenities of this community.
5. It does not appear that motor traffic will be impaired; in fact, the closing of the narrow tunnel and the construction of surface roads will be a major improvement for motor vehicles. Yet, surface parking does not appear to be excessive or unsightly.
6. There is no question this planned community will contribute to the vibrancy and vitality of Tacoma's beautiful waterfront. It will complement Ruston Way and will add to Tacoma's stature as a scenic boating/sailing community with it's link to the Tacoma Yacht Club and Point Defiance Boathouse.
7. The adjacent Peninsula Park will add to the enjoyment of everyone and along with the pathways and promenade encourage the type of physical activity we all benefit from.
8. In our opinion this Development Plan utilizes this waterfront property in a way that will compliment and benefit all in the nearby areas---a user-friendly waterfront, beautiful yet

From: Don Lloyd [dlloyd@rushforth.com]

Sent: Friday, February 08, 2008 3:39 PM

To: khayashi@cityoftacoma.org

Subject: Point Ruston

I think we are way overdue to put in place a development that will clean up a blighted piece of property that has given the greater Tacoma area a lot of negative press. I am glad that Mike Cohen and his crew are opening the waterfront for public use, for creating a mixed use of building types and adding so much appeal to the area with great designs, and bringing life back to what we all remember as being a Dead Zone, filled with all kinds of Toxic garbage. I also appreciate Mike going above and beyond with what the code will be requiring and making it more of a pedestrian user friendly area with larger walkways and creating safer streetscapes. I applaud Mike Cohen for his determination to stick with it and look at the big picture, to be a person that has the patience and the expertise to take one of the very best view scapes in our State and develop it with excellence.

1

Don Lloyd

RUSHFORTH CONSTRUCTION CO. INC.

6021 12th Street East #100

Tacoma, WA 98424-1399

D: 253.284.8511

P: 253.922.1884

C: 253.353.6565

F: 253.922.2089

E: dlloyd@rushforth.com

W: www.rushforth.com

RESPONSE TO COMMENTS FROM NANCY AND JOHN KENNEDY
(Letter #38)

Comment 1

The comments are noted. The proponent indicates that it is their intent that the proposed *Point Ruston* development would transform the former ASARCO Superfund site into a new mixed-use neighborhood where people live, work, shop and play and that a focus of the project is to create an urban village neighborhood that integrates a mix of uses with public spaces.

The points that you raise will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development. Comments concerning actions by the Metro Park Board need to be addressed to that entity. The development that is mentioned in your comment is not a specific component of this *Proposed Action*.

From: Don Lloyd [dlloyd@rushforth.com]

Sent: Friday, February 08, 2008 3:39 PM

To: khayashi@cityoftacoma.org

Subject: Point Ruston

I think we are way overdue to put in place a development that will clean up a blighted piece of property that has given the greater Tacoma area a lot of negative press. I am glad that Mike Cohen and his crew are opening the waterfront for public use, for creating a mixed use of building types and adding so much appeal to the area with great designs, and bringing life back to what we all remember as being a Dead Zone, filled with all kinds of Toxic garbage. I also appreciate Mike going above and beyond with what the code will be requiring and making it more of a pedestrian user friendly area with larger walkways and creating safer streetscapes. I applaud Mike Cohen for his determination to stick with it and look at the big picture, to be a person that has the patience and the expertise to take one of the very best view scapes in our State and develop it with excellence.

1

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P: 253.922.1884

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F: 253.922.2089

E: dlloyd@rushforth.com

W: www.rushforth.com

RESPONSE TO COMMENTS FROM DON LLOYD
(Letter #39)

Comment 1

The comments are noted. The points that you have raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Tuesday, February 12, 2008 8:14 AM

To: Garypedersen123@cs.com; Steve Yester; Terry McCann; Loren Cohen

Subject: FW: Point Ruston Comment

FYI

From: Todd Miller [mailto:carcrunch@aol.com]

Sent: Monday, February 11, 2008 5:28 PM

To: khayashi@cityoftacoma.org

Subject: Point Ruston

Karie Hayashi,

I thought I'd drop a note to you regarding the development of Point Ruston.

I am very excited to see the development happen and look forward its immediate progress. I am considering the purchase of a condo at this development and hope it can get started as soon as possible.

1

I look forward to this semi-self contained community. It is what appears to be one of the few affordable waterfront communities in the Puget Sound area.

Thank you for your consideration.

Todd Miller

425-922-5477

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RESPONSE TO COMMENTS FROM TODD MILLER
(Letter #40)

Comment 1

The comments are noted. Please refer to the intended development schedule that is described in *Section II* of this FSEIS.

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Tuesday, February 05, 2008 1:05 PM

To: Garypedersen123@cs.com; Steve Yester; Terry McCann; Loren Cohen

Subject: FW: Point Ruston Comments

FYI

From: Karen Murphy [mailto:Klnmurphy@charter.net]

Sent: Tuesday, February 05, 2008 12:56 PM

To: khayashi@cityoftacoma.org

Subject: Point Ruston

Dear Ms. Kayashi,

It is with great pleasure that I write to tell you my experiences with the Point Ruston project.

My husband and I are looking to settling in the Tacoma area following retirement, as two of our children already reside in near proximity. We are focusing our efforts on Point Ruston. It offers for us all the amenities of a developed community within Tacoma, a city we love.

What attracted us to Point Ruston is the well thought out use of the land, accounting for spectacular views, accessibility, pedestrian avenues and a continuation of waterfront spaces. In addition, the levels of housing will offer families such as us, a lifetime of opportunities to stay within this community. By choosing a single family home now, we certainly can move into a townhome or condominium as our lifestyle changes and still continue to value how close we are to the natural beauty of the area supported by Point Ruston.

1

Having this new community developed in the ashes of such a wasteland is an remarkable feat for MC Construction. They bring foresight, quality, ability to focus on the natural surroundings and enhancement to the waterway and neighborhoods nearby. As residents and supporters of Tacoma, it is treasure to have them at the helm of such a monumental undertaking to bring positive changes to this part of Tacoma. They have captured the essence of what will bring family and friends to this new neighborhood along the shore.

We look forward to being a part of Point Ruston's future!

Sincerely,

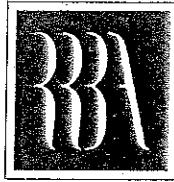
Karen Murphy

RESPONSE TO COMMENTS FROM KAREN MURPHY
(Letter #41)

Comment 1

The comments are noted. The points that you raise will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

FEB 19 2008



Stanley J. Rumbaugh
Teri L. Rideout
Terry J. Barnett
Thomas M. Adkins

RUMBAUGH RIDEOUT
BARNETT & ADKINS
ATTORNEYS AT LAW

820 A Street, Suite 220
P.O. Box 1156
Tacoma, Washington 98401
Tacoma 253.756.0333
Seattle 253.838.0309
Fax 253.756.0355

February 14, 2008

Letter 42

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

Please allow me to express my support of the Point Ruston project as described in the Draft Supplemental Impact Statement (DSEIS).

It is my impression that many in the community would like to see the Pt. Ruston project come to fruition as soon as possible. Certainly, after over 30 years of living in Tacoma myself, I am anxious to see positive development on the site. Significantly, the preservation of a contiguous walkway completely through the development into Point Defiance will benefit all in the community, not just the developer. This project will act as a natural book end for the waterfront walkway, with the Thea Foss being the other end. This development will allow citizens to access the entire Commencement Bay waterfront.

Our community is fortunate to have Asarco, a superfund site, being remediated and have this truly special part of our community come back into use. After over 100 years of inappropriate industrial usage in Tacoma's residential district, MC Construction should be admired for their vision and hard work in reshaping the uses on the site.

1

It is useful to recall that only two years ago when our community appeared to be held hostage as Asarco was liquidating its ability to pay to clean up its mess, using our own US bankruptcy laws. Through this legal artifice, the company was trying to weasel out of its environmental remediation obligations after extracting the economic value out of this unsafe and contaminated copper smelter site. This company was set on not having to be economically responsible for its future cleanup responsibilities. Our environmental watchdog, the EPA, seemed helpless to capture funding from Asarco to take care of future cleanup cost.

Ms. Karie Hayashi
February 14, 2008
Page 2

EPA, along with many other of our federal elected officials worked hard to find a way to continue the cleanup. This despite Asarco filing for bankruptcy and the superfund not being funded, as required, by polluter's taxes (including those of Asarco). MC Construction, a small and local developer, undertook the risk of development of this contaminated parcel because that envisioned all it could become, in spite of the obvious and well documented problems with what the site contained. MC Construction decided it would take on the cleanup liability and partner with the EPA to continue the remediate this site, a daunting task even for much larger contractors. The entire community should hope that MC Construction will be successful in implementing its vision for this forward looking project.

This project will take many years and will be in several phases. As with many large scale projects, the final result may change in small detail, but be true to its original purpose. The basic point I am hoping to articulate is that the need to reclaim the land at this site is vitally important to our community, and now is the time to go forward.

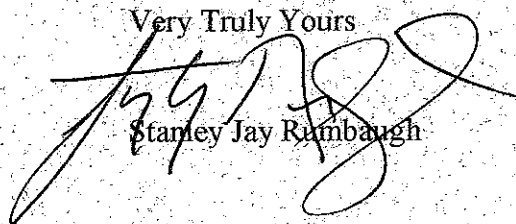
1 cont.

The Pt. Ruston project represents a major step toward the complete cleanup and future interface with the community and the Bay and waterfront. I will continue to pay attention to MC Construction's efforts, but I and my neighbors will do so in a way that is positive and seeks to see an expeditious cleanup and utilization of this site.

This development process will be obviously be dynamic, and is characterized by inclusion of multiple uses. MC Construction's commitment to complete environmental remediation and redevelopment of this superfund site is impressive. I look forward to their success.

Thank you for the opportunity to comment on one of the most economically significant projects in our region.

Very Truly Yours



Stanley Jay Rumbaugh

RESPONSE TO COMMENTS FROM STANLEY RUMBAUGH (Letter #42)

Comment 1

Your concerns and the issues raised regarding site remediation are noted. As described in *Section II* of this FSEIS, a condition of the sale agreement indicates that Point Ruston, LLC is responsible for the remaining smelter cleanup work, as well as cleanup of some adjacent lands – capping the slag peninsula, capping offshore sediments, and excavating shallow sediments in the yacht basin. EPA, the U.S. Department of Justice and Point Ruston LLC negotiated a settlement – the Second Amendment to the ASARCO Consent Decree (2006 Consent Decree) – for the remaining cleanup work. EPA held public meetings in August 2006 to discuss the sale and cleanup of the ASARCO Smelter site and invited public comments. Point Ruston, LLC began remediation in 2006 with acceptance and placement of residential soils, continued site monitoring, and placement of the offshore portion of the nearshore/offshore sediment cap. Point Ruston LLC will complete remediation of the upland smelter, cap the slag peninsula, complete capping of the offshore sediments, and excavate the shallow sediments in the yacht basin, as specified in the 2006 Consent Decree and associated Scope of Work. As described in these documents, remediation and development will be completed concurrently with construction of hard surfaces on-site (e.g., building foundations, roadways, pathways and the promenade), serving as part of the site cap.

The proponent indicates that it is their intent that the proposed *Point Ruston* development would transform the former ASARCO Superfund site into a new mixed-use neighborhood where people live, work, shop and play and that a focus of the project is to create an urban village neighborhood that integrates a mix of uses with public spaces.

The points that you raise will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]
Sent: Monday, January 28, 2008 11:20 AM
To: Dan Showalter
Cc: Garypedersen123@cs.com; Steve Yester; Terry Mccann; Loren Cohen
Subject: RE: Point Ruston

Thank you for your comments below. For my records, could you please respond with your mailing address?

Thank you much,

Karie Hayashi

Building and Land Use Services Division, Room 300
Public Works Department
City of Tacoma
747 Market Street
Tacoma WA 98402
253.591.5387/khayashi@cityoftacoma.org

From: Dan Showalter [mailto:teamshow@johnlscott.com]
Sent: Saturday, January 26, 2008 12:15 PM
To: khayashi@cityoftacoma.org
Subject: Point Ruston

Hello Karie, my name is Daniel Showalter I am writing to express my excitement about the Point Ruston project. I have lived in Ruston at 5314 N Highland St. for four years, and have driven by the Point Ruston site for years hoping someone would purchase it who had great vision. The site layout, mixed use facilities, and openness of the property is going to make Ruston and Tacoma a more exciting place to live. I personally think that the majority of people who speak up about Point Ruston are the ones who are always pessimistic about any change, and who have lived here for 60 years and who really never even leave their homes. I am 29 years old, expecting my first child in a month, and am excited to come home from work and be able to leave the front door and walk to a fun destination with my family. I speak for a large number of young families who live in Ruston and many who live on the outskirts of the Point Ruston site, whose voices you should know are excited for change. Thank you for your time, sincerely Dan Showalter and the Showalter family.

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Monday, January 28, 2008 4:03 PM

To: Garypedersen123@cs.com; Steve Yester; Terry McCann; Loren Cohen

Subject: FW: Point Ruston Comment

For your records. Karie

From: Dan Showalter [mailto:teamshow@johnlscott.com]

Sent: Monday, January 28, 2008 1:17 PM

To: Hayashi, Karie

Subject: RE: Point Ruston

My mailing address is 5314 N Highland St. Ruston Wa 98407. Thanks and have a great day.

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Mon 1/28/2008 11:19 AM

To: Dan Showalter

Cc: Garypedersen123@cs.com; Steve Yester; Terry McCann; Loren Cohen

Subject: RE: Point Ruston

Thank you for your comments below. For my records, could you please respond with your mailing address?

Thank you much,

Karie Hayashi

Building and Land Use Services Division, Room 300

Public Works Department

City of Tacoma

747 Market Street

Tacoma WA 98402

[253.591.5387](tel:253.591.5387)/khayashi@cityoftacoma.org

RESPONSE TO COMMENTS FROM DAN SHOWALTER
(Letter #43)

Comment 1

The proponent indicates that it is their intent that the proposed *Point Ruston* development would transform the former ASARCO Superfund site into a new mixed-use neighborhood where people live, work, shop and play and that a focus of the project is to create an urban village neighborhood that integrates a mix of uses with public spaces.

The points that you raise will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

-----Original Message-----

From: Hayashi, Karie [mailto:KHAYASHI@ci.tacoma.wa.us]

Sent: Tuesday, February 05, 2008 12:53 PM

To: Garypedersen123@cs.com; Steve Yester; Terry McCann; Loren Cohen

Subject: FW: Draft Suplimental Environmental Impact Statement to the ASARCO Smelter Site Comment

For your records.

Karie Hayashi

Building and Land Use Services Division, Room 300

Public Works Department

City of Tacoma

747 Market Street

Tacoma WA 98402

253.591.5387/khayashi@cityoftacoma.org

From: Warren Smith [mailto:warrensmith@johnlscott.com]

Sent: Tuesday, February 05, 2008 12:42 PM

To: khayashi@cityoftacoma.org

Subject: Draft Suplimental Environmental Impact Statement to the ASARCO Smelter Site

Karie A. Hayashi

Urban Planner III/Special Assistant

City of Tacoma

Public Works Department

747 Market St., Room 345

Tacoma, WA 98402

Dear Ms. Hayashi,

I have been a resident of Tacoma for over 40 years. I live and work in north Tacoma. I have reviewed the Draft Supplemental Environmental Impact Statement. My support is for the Proposed Action. I do not support the No Action Alternative.

The old ASARCO site has the best views in the State and has the potential to be the best development. The 100' promenade will provide public access to the waterfront that they haven't had in one hundred years. The proposed project will be a great improvement to the environment with an added benefit of providing economic health to the community.

It is important to allow a development to be profitable so it can proceed as planned and on time.

A development of this size and complexity needs government cooperation which should allow flexibility and/or changes to the plan. An example might be to modify the plans to fit what The Russell Investment Group will require to stay in Tacoma.

I support the Proposed Action and encourage a speedy permit process.

Sincerely,

Warren Smith

7917 No. 10th St.

Tacoma, WA 98406

Telephone: 253-677-8810

RESPONSE TO COMMENTS FROM WARREN SMITH
(Letter #44)

Comment 1

Comments are noted. The points raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

FEB 11 2008

February 6, 2008

Letter 45

Karie Hayashi, Land Use Planner
Public Works Department
Building and Land Use Services Division
City of Tacoma
747 Market Street, Room 300
Tacoma, WA 98402-3769

Dear Ms. Hayashi:

We are writing in support of the Point Ruston project as described in the Draft Supplemental Impact Statement (DSEIS).

We would like to see the Pt. Ruston project come to fruition as soon as possible so our community can reclaim our interface with the water. This project first and foremost will cleanup a former superfund site and ensure we are safe from future contamination concerns. Secondly, this project will act as a natural book end for the waterfront, with the Thea Foss being the other.

This development will allow citizens to drive the entire water front and Our community is fortunate to have the Asarco, a superfund site, being remediated and have this truly special part of our community come back into use, we thank MC Construction for their vision and hard work.

It was just two short years ago when our community appeared to be held hostage again regarding the cleanup of the former copper smelter site when Asarco was liquidating its ability to pay using our own US bankruptcy laws. This company was set on not having to pay for future cleanup responsibilities and our environmental watchdog, the EPA, was helpless to capture funding from Asarco to take care of future cleanup cost.

1

EPA, along with many other of our federal elected officials worked hard to find a way to continue the cleanup, despite Asarco filing for bankruptcy and the superfund not being funded by polluters taxes for over more than a decade. Along came MC Construction, a small and local developer who thought they might be able to turn around this diamond in the rough parcel. MC Construction decided it would take on the cleanup liability and partner with the EPA to continue the remediate this site, a daunting task even for much larger contractors. We applaud MC Construction for taking on this project and we and the entire community should hope that he and the project is wildly successful.

This project will take many years and will be in several phases and will change to be sure. The basic point we are hoping to articulate is that the need to reclaim the land at this site is vitally important to our community.

The Pt. Ruston project represents a positive step toward the complete cleanup and future interface with the community and the Bay and waterfront. We will continue to pay attention to MC Construction's efforts, but we and our neighbors will do so in a way that is positive and seeks to see an expeditious cleanup and utilization of this site.

1 cont.

Lastly, we understand the process will be dynamic and have multiple uses, but we think having many facets will ensure there is a timely cleanup and revitalization in my opinion. MC Construction's commitment to complete environmental remediation and redevelopment of this superfund site is impressive and we look forward to their success.

Thank you for the opportunity to comment on one of the most economically significant projects in our region.

Sincerely yours,



Robert & Beth Thoms
2501 N. Junett Street
Tacoma, WA 98406
253-759-0573

RESPONSE TO COMMENTS FROM ROBERT AND BETH THOMS
(Letter #45)

Comment 1

Comments noted. The points that raised will be considered by the Tacoma Public Works Department, Building and Land Use Section with regard to the initial Building Permit that this FSEIS accompanies, as well as the department's recommendations to the City's Hearing Examiner relative to other subsequent City approvals that would be necessary in order for the *Point Ruston* development.

From: beth torbet [bethtorbet@hotmail.com]

Sent: Thursday, February 07, 2008 3:01 PM

To: khayashi@cityoftacoma.org

Subject: Point Ruston Comment

Karie, My two concerns on the project are traffic related.

1. Please do not remove the four way stop at N. 51st and Winnifred Street. It is very important for our community to be able to cross 51st during high traffic times, driving or walking. In the summer months traffic on 51st backs up and drivers do not leave the intersection open when the light is red on Pearl Street. I do not believe the volume will decrease, in fact the Winnifred Street traffic will most likely also increase with the new developements, The Commencement Condos and Point Ruston. There is a bump out on the N.W. corner of that intersection already, so no need to spend money on that study either.

1

2. I believe public transit will be a welcome addition to the community once the tunnel is not an obstacle any longer. It would be nice to have a transit stop somewhere centrally located in Ruston. Either midway on 51st or possibly have a route continue from Orchard St. to 49th and turn North on Winnifred to 51st Street, which would serve the Stack Hill project too.

2

Thank you for the oportunity to comment. Best wishes to all embroiled in this process!

Sincerely,

Beth Torbet

Don's Ruston Market & Deli

RESPONSE TO COMMENTS FROM BETH TORBET
(Letter #46)

Comment 1

Comment noted. The Final SEIS will recommend that the all-way stop at intersection of N 51st St and N Winnifred remain in its present configuration.

Comment 2

The proponent indicates the intent to coordinate with Pierce Transit to facilitate transit service to serve the proposed *Point Ruston* development and this area of the City of Tacoma and Town of Ruston. The proponent has agreed to coordinate with Pierce Transit on the location of transit stops. See Response #2 to Comment 15.

REFERENCES

REFERENCES

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APPENDICES

APPENDIX A

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 - Construction

 - Engineering

 - Environmental Services & Engineering

 - Real Property Services

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 - Streets & Grounds

 - Tacoma Cares

- Tacoma Police Department

- Tacoma Power

- Tacoma Water

- Metropolitan Park District

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