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Date July 29, 2016

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Subject: Comments on the DRAFT ENVIRONMENTAL IMPACT STATEMENT for the BURKE-GILMAN TRAIL MISSING LINK PROJECT

Sir,

Thank you for this opportunity to comment on the Draft EIS. We are a marine electric business on Shilshole associated with the Pacific Fishermen Shipyard whose maritime property would be tri-sected by the two Shilshole alternatives.

Our comments are all about safety and potential traffic hazards from mixing bicycles and truck freight traffic; especially at driveways used for freight trucks on the Shilshole alternatives.

The background information in the REQUEST FOR COMMENTS ON THE SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT BURKE-GILMAN TRAIL EXTENSION PROJECT states; *"On appeal of the Reissued Revised DNS, the City of Seattle Hearing Examiner determined that an environmental impact statement (EIS) should be prepared to address traffic hazard impacts along the Shilshole Segment, specifically those impacts related to truck movements and conflicts with other traffic and trail users. Now, SDOT proposes to prepare an EIS on the entire Missing Link including the evaluation of a broader array of impacts and alternatives."*

The DEIS in Chapter 1 Project History and Alternatives says *"In 2012, after the third appeal to the City's Hearing Examiner over the project's environmental determination, the Hearing Examiner required SDOT to develop an environmental impact statement (EIS) related to traffic hazards on the Shilshole segment of the project."*

For a document that the hearing City of Seattle Hearing Examiner determined needed to assess traffic hazards relating to truck movements the City has once again failed to actually examine the safety of truck and bike interaction. The DEIS spends a lot of ink on street intersections and levels of service. Other than counting the number of driveways entering streets the DEIS is silent or dismissive of the interaction of truck freight at those driveways where a proposed bike path would cross existing truck driveways.

The DEIS quotes City Code *SMC 11.58.230*, which states: *"Except as directed otherwise by official traffic-control devices, the driver of a vehicle emerging from any alley, driveway, private property, or building shall stop such vehicle immediately prior to driving onto a sidewalk or onto the sidewalk area extending across any alley or driveway, or onto a public path, and shall yield the right-of-way to any*

pedestrian or bicyclist as may be necessary to avoid collision, and upon entering the roadway of a street shall yield the right-of-way to all vehicles approaching on the roadway.”

A. The DEIS goes on to state *“Drivers would be required to stop before crossing the trail, which would allow drivers to look for trail users before continuing to the roadway. There would be no sight distance concerns for vehicles entering driveways because trail crossings would be clearly marked with signage, pavement markings, and other safety enhancements, and buildings would not block views of the trail. Driveways would be wide enough to safely accommodate industrial and commercial traffic.”*

B. *The trail would cross approximately 41 driveways and loading docks under the Shilshole South Alternative. Trail crossings with driveways and intersections would be clearly delineated, which would improve comfort and safety for nonmotorized users in the study area compared to the No Build Alternative by organizing and creating predictability of potential conflict points between vehicles and nonmotorized users. Vehicles would be required to stop for trail users at all driveway/trail intersections. However, after stopping before the trail, vehicles would continue forward over the trail and stop at the roadway. It is possible that vehicles blocking the trail would occasionally delay trail users during the day. On average, trail users could have to wait between 15 to 25 seconds for a vehicle to clear the trail.*

C. *Approximately 41 driveways and loading docks are located along the alignment of the Shilshole South Alternative. At driveways, freight vehicles could be delayed from zero to 11 seconds (on average) above the No Build Alternative during the PM peak hour. With the anticipated volume of trail users, and because trail users would be spread out, this delay would occur sporadically during the PM peak hour and all day. Although some driveways could experience additional delay compared to the No Build Alternative, this delay would not be considered a significant impact. Up to 10 freight access points (driveways and loading docks) to private properties could change because the Missing Link would be constructed within the City’s right-of-way along the north side of NW 54th St and the south side of Shilshole Ave NW. Some businesses that currently use the City right-of-way to access parking or loading docks on their properties might need to relocate their access points to driveways or possibly to the ends of the blocks. The change in access would potentially change how private property owners use the space between their buildings and the City’s right-of-way. Some businesses may not be able to access their businesses as they currently do, and they may have to reorient their business operations to accommodate freight by relocating loading docks or driveways. Businesses that currently use the public right-of-way for loading and unloading activities would no longer be allowed to continue this unpermitted use under the Shilshole South Alternative. Properties with multiple driveways or access points may need to consolidate these where possible to improve safety and operations.*

The above quoted wait times in paragraphs B. and C. is at odds with the City Code quoted regarding who has right of way in driveways. Bikes frequently do not wait at intersections and instead use cross walks to bypass intersection delays or just ride on through if no one is coming. If bikes have to wait 15 to 25 seconds, they will try to go around the trucks creating a hazardous driveway situation. Bikes generally do not travel in clumps but are strung out with a distance between each one. There is nothing in the Code that says how far away the approaching bike or pedestrian has to be for the truck to have the legal right to pull across and block the path. This is a question for the City Attorney.

The intersection at Market Street and 24th Avenue NW East bound for the right hand turn to Shilshole is not marked and is widely ignored. Remarking the Market and 24th intersection and adding lights was supposed to have reduced the unimpeded East bound flow of cars and bikes onto Shilshole to allow cars, trucks an opportunity to safely enter Shilshole and pedestrians a greater opportunity to cross. **What was promised has not been delivered.** The fact is East bound cars and bicycles ignore their lane’s red light and turn onto Shilshole even while West bound left turn lane is making turns onto Shilshole. SDOT did not mark the new signal “NO RIGHT TURN ON RED”.

The above quoted paragraphs A, B and C from the DEIS does not address the economic impact of the City proposed required "relocating loading docks or driveways.", "relocate their access points to driveways or possibly to the ends of the blocks." The REQUEST FOR COMMENTS ON SCOPING... said "SDOT proposes to prepare an EIS on the entire Missing Link including the evaluation of a broader array of impacts and alternatives." the lack of evaluation of the economic impacts of the proposed changes to business access and operability is a glaring omission.

"the City of Seattle Hearing Examiner determined that an environmental impact statement (EIS) should be prepared to address traffic hazard impacts along the Shilshole Segment, specifically those impacts related to truck movements and conflicts with other traffic and trail users." Without more detailed design showing the problems and the engineered solutions proposed by the City we believe that the DEIS has failed the Hearing Examiner's determination. The DEIS does not distinguish between types and frequency of driveway use. Without more detailed design that allows cost estimates of proposed engineered solution; the DEIS fails to even have the means to evaluate the economic costs of the available routes with equally safe solutions. Modeling average time delays and levels of service which later are frequently found to be in error does nothing to determine safety.

The DEIS specifically ignores or disregards the impacts that would occur to the industrial and manufacturing businesses on the two Shilshole alternatives of installing The Burke-Gilman Trail on Shilshole is primarily a **recreational bike trail**, in an urban shoreline industrial zone. Because the trail is not primarily a bike commuter route there is no justification to use the excuse of *least distance route* for a **recreational trail** through an industrial zone. There is no justification to increase hazards of crossing approximately 41 truck driveways for a **recreational trail**. The economic impacts would constitute a city tax of specific segment of shoreline industry not shared by the all of the City marine industry for a **recreational public good**. The DEIS does not compare the relative safety of the trail alternative or the costs of the trail alternatives.

A significant number of commuter bikers will not allow themselves to be delayed by using a slower bike path even if it parallels a Shilshole alternative. They will continue riding in the street. The City realizes this and encourages the behavior by installing bike lanes on streets like Nickerson which already have a parallel **recreational bike path**. Some commuter bikers prefer to use Leary Way rather than the existing parallel Burke-Gilman trail. Using bike commuting as a reason to pick a specific bike path is not justified.

The DEIS makes estimates of bicycle numbers based on a sunny day in September without regard to the fact that in rainy weather the bicycle traffic is greatly reduced. Bicycling in rain is much less safe due to the reduced effectiveness of bike brakes and in the fall losing traction on wet fallen leaves. The use of estimated numbers of bikes to justify a *least distance route* would be very questionable. For recreational bikers it is the journey not how fast you get there.

The use by SDOT and METRO of traffic models have seldom achieved positive results. we see no reason to even consider Level of Service (LOS) and time delay information in the DEIS. The modeling of the D-Line showed a time saving for the route to down town. The actual result was it took 2 minutes longer and that was with a reduction in the number of stops. The reduction in the number of stops resulted in longer loading times. Thus all the money spent on bus bulbs and reducing the number of stops failed to get the desired result. The result was the further reduction in the number of stops to barely get the desired result.

7.34 Safety

The Shilshole South Alternative would improve safety for nonmotorized users and motor vehicles in the study area. Under this alternative, a dedicated bicycle facility would improve predictability of conflict points between motor vehicles and bicyclists and reduce the likelihood of collisions. Potential conflict points would be clearly organized and delineated, which would allow motor vehicle drivers and trail users to be aware of where to travel cautiously. A dedicated facility would also reduce the likelihood of nonmotorized injury incidents by providing a facility that safely traverses or avoids obstacles in the study area such as the railroad tracks. The Missing Link would be designed to clearly delineate trail

user space from the roadway and would include safety features such as buffers, pavement markings, raised crosswalks, curb treatments, signage, and lighting. Under the Shilshole South Alternative, there would be sight distance concerns for exiting vehicles at up to eight driveways on the south side of Shilshole Ave NW between 20th Ave NW and 11th Ave NW where buildings are constructed up to the property lines. Buildings and structures adjacent to the trail could reduce visibility for both vehicles and trail users. However, the final trail design would include safety features to reduce conflicts between trail users and vehicles. The placement of the trail could also be moved to locations farther from the property lines, but this would require additional relocation of the BTR tracks. The final placement of the trail would be decided during final design. Where possible, signage, pavement markings, and advanced warning systems, among other safety enhancements, would notify trail users and vehicle drivers of the trail crossing. Although a buffer would not be provided between the property line and the trail, these driveways would still operate safely under SMC 11.58.230

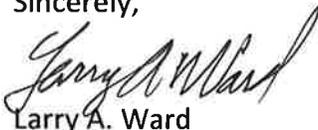
The previous paragraph list promise's a lot of changes that the City will do to make a bike trail safe It ignores that most of the changes on Shilshole will be City required changes made at the expense of the affected industrial businesses. The DEIS does not show that the *"final trail design would include safety features to reduce conflicts between trail users and vehicles. The placement of the trail could also be moved to locations farther from the property lines, but this would require additional relocation of the BTR tracks. The final placement of the trail would be decided during final design."* will be safe or is even possible because there is no final design that deals with the existing driveways or proposed curbs and sidewalks. The railway would have to move the rails. There is no discussion of the costs to the City to move the City owned railway. The businesses would have to move their loading docks and driveways. The City would put paint on the street and install sidewalks that would interfere with truck freight access. The City has proved time and again that it does not understand the turning radius of a semi-truck and trailer.

The DEIS does not say explicitly that there is any danger in any of the alternate routes. The public meetings did not inform the public that any of the alternate routes had hazardous and what would be done to mitigate those hazards. As a result, the public does not think there are any safety issues.

The failure of the DEIS to take the Hearing Examiners admonitions seriously are deeply disappointing. Safety requires prudent decisions based on the best available engineering practice. Shilshole Avenue NW is the only City designated major freight street west of 15th Avenue NW which supports the BINMIC north of the Ship Canal. The DEIS fails to compare the cost and disruption to existing businesses and the Maritime/Heavy Industrial complex of Shilshole alternatives versus the other Shilshole alternatives. The level of damage to the BINMIC we believe would rule out the use of the two Shilshole alternative as a failure to follow the intent of the State Growth Management Act admonition to not drive manufacturing out of one place where there is existing infrastructure to require duplicating that infrastructure in another location.

The Ballard Avenue alternative is too narrow a road to really work well. The Leary to Market Street alternative while feasible conflicts with all the infrastructure recently installed by the City for bus transit on Market and the intent to rezone Market street for additional pedestrian friendly design. The least costly and safest location for the Missing Link would be up on 58th Avenue Greenway which is already in existence NW and already has signs and traffic signals crossing 15th Avenue NW and 24th Avenue NW. Connections from the existing sections of the Burke-Gilman could be 17th Street on the east and 28th Street down to 54th. This would be cheaper and much quicker to install than the four potential alternatives that were really not studied in the DEIS.

Sincerely,



Larry A. Ward

Facilities Manager