







Federal Aid Project Number STPUL-9931(009)	Date 8/18/2015	Intent of Submittal Preliminary <input type="checkbox"/> Final <input checked="" type="checkbox"/> Re-Evaluate <input type="checkbox"/>
Agency City of Lynnwood/Snohomish Co.	Project Title 36th/35th Avenue West Improvements	
County Snohomish County		
Beginning MP: Ending MP: Miles: 2	Township(s): 27N Range(s): 4E Section(s): 3, 10, 15	
Part 1 - Project Description		
<p>This is a joint project with Snohomish County and the City of Lynnwood (lead agency). The project completes two miles of roadway improvements along 35th/36th Avenue W from Maple Road to SR 99. This project will increase capacity by adding turn lanes, traffic signal/roundabout, bicycle facilities, curb, gutter, and sidewalks. A complete project description and purpose and need statement is included in the attached technical reports.</p>		

Part 2 - Categorical Exclusion	
Select one CE from 23 CFR 771.117 (Appendix A) that fits the entire project	C (26)

NEPA Approval Signatures	New Text
	8/28/15
	18-27-15
Local Agency Approving Authority: City of Lynnwood/Snohomish Co.	Date
	9/2/15
Regional Local Programs Engineer	Date
	12/17/15
Local Programs Environmental Engineer	Date
	12/17/15
Federal Highway Administration	Date

Completed by (Print Official's Name): Katie Carroz	Telephone (include area code): 425-586-9798	E-mail address: kcarroz@dcainc.com
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Part 3 - Permits, Approvals & Right of Way (ROW)

Yes	No	Permit of Approval	Yes	No	Permit or Approval
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Corps of Engineers <input type="checkbox"/> Sec. 10 <input checked="" type="checkbox"/> Sec. 404 <input checked="" type="checkbox"/> Nationwide Type 14 Linear Transportation <input type="checkbox"/> Individual Permit No.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Rights Permit
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coast Guard Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Quality Certification - Section 401 Issued by Ecology
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Coastal Zone Management Certification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tribal Permits(s) (if any)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Critical Areas Ordinance (CAO) Permit	<input type="checkbox"/>	<input type="checkbox"/>	Other Permits (List)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Forest Practices Act Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROW acquisition required? If yes, amount needed: 1.8 acres. See Attachment A, ROW Memo.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hydraulic Project Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is relocation required?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Local Building or Site Development Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Has ROW already been acquired for this project? If yes, attach responses to Appendix F in the ECS Guidebook.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local Clearing and Grading Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Has an offer been made or have negotiations begun to acquire ROW for this project? If yes, attach responses to Appendix F in the ECS Guidebook.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	National Pollutant Discharge Elimination System (NPDES) Baseline General for Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is a detour required? If yes, please attach detour information.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shoreline Permit			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Waste Discharge Permit			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	TESC Plans Completed			

Other Federal Agencies - Does the project involve any federal properties, approvals or funding from other/ additional federal agencies? Yes No If yes, please describe.

Part 4 - Environmental Considerations

Will the project involve work in or affect any of the following? Identify proposed mitigation. Attach additional pages or supplemental information if necessary.

- 1. Air Quality - Identify any anticipated air quality issues.**
- Is the project exempt from Air Quality conformity requirements? Yes No
If Yes, identify exemption - please refer to Appendix H in the ECS Guidebook for a list of exemptions.
 - Is the project included in the Metropolitan Transportation Plan? Yes No
If Yes, date Metropolitan Transportation Plan was adopted 5/20/10
 - Is the project located in an Air Quality Non- Attainment Area or Maintenance Area for carbon monoxide, ozone or PM 10? See Attachment I, Air Quality Report Yes No

- 2. Critical and Sensitive Areas**
- Is this project within a sole source aquifer? Yes No
If Yes, please list exemption
 - If no, date of EPA approval
 - Will this project impact Species/Habitat other than ESA listed species? Yes No
 - Explain your answer
- Other than wetlands and their buffers, the project will not impact any designated habitats for sensitive species.
- Is this project within one mile of a Bald Eagle nesting territory, winter concentration area or communal roost? Yes No
- Are wetlands present within the project area? Yes No
If yes, estimate the impact in acres 0.04 acres, See Att B.
Please attach a copy of the proposed mitigation plan.

3. Cultural Resources/Historic Structures - Identify any historic, archaeological or cultural resources present within the projects' Area of Potential Effects.

Does the project fit into any of the exempt types of projects listed in Appendix J of the ECS Guidebook? Yes No If Yes, note exemption below.

If No: Date of DAHP concurrence: 3/14/13 See Attachment C, Letter of Concurrence

Date of Tribal consultation(s) (if applicable): 10/29/12

Adverse effects on cultural/historic resources? Yes No

If Yes, date of approved Section 106 MOA

4. Floodplains and Floodways

Is the project located in a 100-year floodplain? Yes No

If Yes, is the project located within a 100-year floodway? Yes No

Will the project impact a 100-year floodplain? Yes No

If Yes, describe impacts.

5. Hazardous and Problem Waste - Identify potential sources and types(s).

a) Does the project require excavation below the existing ground surface? Yes No

b) Will groundwater be encountered? Yes No

c) Will any properties be acquired as part of the is project? Yes No

d) Is this site located in a n undeveloped area (i.e. no buildings, parking, storage areas or agriculture? Yes No

e) Is the project located within a one-mile radius of a known Superfund Site? Yes No

f) Is this project located within a ½ mile radius of a site or sites listed on any of the following Department of Ecology databases? (If Yes, check the appropriate boxes below. Yes No

Voluntary Cleanup Program (VCP), State Cleanup Site (SCS), or Independent Cleanup Programs (ICP)

Underground Storage Tank (UST)

Leaking Underground Storage Tank (LUST)

Confirmed and Suspected Contaminated Sites List (CSCSL)

g) Has site reconnaissance (windshield survey) been performed? Yes No

(Please identify any properties not identified in the Ecology or ERS database search as an attachment - name, address and property use)

h) Based on the information above and project specific activities, is there a potential for the project to generate, acquire or encounter contaminated soils, groundwater or surface water? Yes No

Please explain:

g) and h): See Attachment D, Hazardous Materials Technical Report.

If you responded Yes to any of the previous questions (5A-5Cm 5F and 5H), contact your Region LPE for assistance as a "Right-Sized" HazMat Analysis Report/Memorandum most likely will be required.

Part 4 - Environmental Considerations (continued)

6. Noise
Does the project involve constructing a new roadway? Yes No
Is there a change in the vertical or horizontal alignment of the existing roadway? Yes No
Does the project increase the number of through traffic lanes on an existing roadway? Yes No
Is there a change in the topography? Yes No
Are there axillary lanes extending 1 ½ miles or longer being constructed as part of the project? Yes No
If you answered Yes to any of the preceding questions, identify and describe any potential noise receptors within the project area and subsequent impacts to those noise receptors. Please attach a copy of the noise analysis if required.
See Attachment E, Traffic Noise Technical Report.

If impacts are identified, describe proposed mitigation measures.

Abatement determined not feasible; mitigation will include daytime/weekday work hours and BMPs.

7. 4(f)/6(f) Resources: parks, recreation areas, wildlife refuges, historic properties, wild & scenic rivers, scenic byways
a. Please identify any 4(f) properties within the project limits and the areas of impacts.
The project will use 0.14 acre of Spruce Park for a sidewalk and planter strip. See Att. F.
b. Please identify any properties within the project limits that used funds from the Land & Water Conservation Fund Act.
None exist.
c. Please list any Wild and Scenic Rivers and Scenic Byways within the project limits.
None exist.

8. Agricultural Lands - Are there agricultural lands within 300 feet of the project limits? Yes No
If Yes, please describe impacts.
If present, is the land considered to be unique and prime farmland? Yes No
If Yes, date of project review by Natural Resource Conservation Service (NRCS)

9. Rivers, Streams (continuous or intermittent) or Tidal Waters
a. Identify all waterbodies within 300 feet of the project limits or that will otherwise be impacted.
Tunnel Creek, Box Spring Creek, and an unnamed tributary
b. Identify stream crossing structures by type.
No stream crossing structures will be modified as part of the project.

Part 4 - Environmental Considerations (continued)

10. Tribal Lands - Identify whether the project will impact and Tribal lands, including reservation, trust and fee lands. Please do not list usual and accustomed area.

The project will not result in impacts to Tribal reservation, trust, or fee lands.

11. Water Quality/Stormwater

Will this project's proposed stormwater treatment facility be consistent with the guidelines provided by either WSDOT's HRM, DOE's stormwater management manual for eastern/western Washington or a local agency equivalent manual? Yes No

If No, explain proposed water quality/quantity treatment for the new and any existing impervious surface associated with the proposed project.

Amount of existing impervious surface within the project limits: 14.52 acres

Net new impervious surface to be created as a result of this project: 1.64 acres

12. Previous Environmental Commitments

Describe previous environmental commitments that may affect or be affected by the project - If any.

Parcel #00859900010100 on Maple Road was deeded to the City in 1996 for wetland mitigation for Hays Estates. The project will affect 1,909 sf of wetland on this parcel and 5,975 sf of its buffer.

Mitigation will include wetland enhancement and engineered water quality treatment. *See attached letter*

13. Environmental Justice

Does the project meet any of the exemptions noted in Appendix L of the NEPA CE Guidebook? Yes No

from permit agency approving etc - MW

If Yes, please note the exemption and appropriate justification in the space below.

If No, are minority or low-income populations located within the limits of the project's potential impacts? Yes No

If No, attach appropriate data to support findings. If Yes, describe impacts and attach appropriate supporting documentation. Findings should be confirmed using at least two information sources.

Please refer to the NEPA CE Guidebook for more information. See Att. G, Environmental Justice Memorandum.

Part 5 - Biological Assessments and EFH Evaluations

1. Do any listed species potentially occur in the project's action area and/or is any designated critical habitat present within the project's action area? Attach species listings. Yes No

Affected ESA Listed Species	2. Will any construction work occur within 0.5 mile of any of the following?	3. Does the project involve blasting, pile-driving, concrete sawing, rock-drilling or rock scaling activity within one mile of any of the following?
Oregon Spotted Frog proposed critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Yellow-billed Cuckoo suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Spotted Owl management areas, designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Marbled Murrelet nest or occupied stand, designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Western Snowy Plover designated critical habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the project within 0.5 mile of marine waters? If Yes explain potential effects on Killer Whales and on Marbled Murrelet foraging areas.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Killer Whale designated critical habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Grizzly Bear suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Gray Wolf suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Canada Lynx habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Columbia White-tailed Deer suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Woodland Caribou habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Streaked Horned Lark designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Taylor's Checkerspot designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Mazama Pocket Gopher designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Eulachon designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Rockfish proposed critical habitat or suitable habitat?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
A mature coniferous or mixed forest stand?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
4. Will the project involve any in-water work?			<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
5. Will any construction work occur within 300 feet of any perennial or intermittent waterbody that either supports or drains to waterbody supporting listed fish?			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
6. Will any construction work occur within 300 feet of any wetland, pond or lake that is connected to any permanent or intermittent waterbody?			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
7. Does the action have the potential to directly or indirectly impact designated critical habitat for salmonids (including adjacent riparian zones)?			<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
8. Will the project discharge treated or untreated stormwater runoff or utilize water from a waterbody that supports or drains into a listed-fish supporting waterbody?			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
9. Will construction occur outside the existing pavement? If Yes go to 9a.			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
9a. Will construction activities occurring outside the existing pavement involve clearing, grading, filling or modification of vegetation or tree-cutting?			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
10. Are there any Federally listed Threatened or Endangered plant species located within the project limits? If Yes, please attach a list of these plant species within the action area.			<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
11. Does a mature coniferous or mixed forest stand occur within 200' of the project site?			<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Analysis for No Effects Determination - If there are any Yes answers to questions in Part 5, additional analysis is required. Attach additional sheets if needed.

See Attachment H, No Effect Determination Memorandum.

*Project w/ urban setting lacking habitat for terrestrial
BIA-listed species - W*

Analysis for RRMP ESA 4(d) determination for NMFS - A local agency must be certified by the Regional Road Maintenance Forum to utilize 4(d)

Maintenance Category (check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> 1 Roadway Surface | <input type="checkbox"/> 6 Stream Crossings | <input type="checkbox"/> 11 Emergency Slide/Washout Repair |
| <input type="checkbox"/> 2 Enclosed Drainage Systems | <input type="checkbox"/> 7 Gravel Shoulders | <input type="checkbox"/> 12 Concrete |
| <input type="checkbox"/> 3 Cleaning Enclosed Drainage Systems | <input type="checkbox"/> 8 Street Surface Cleaning | <input type="checkbox"/> 13 Sewer Systems |
| <input type="checkbox"/> 4 Open Drainage Systems | <input type="checkbox"/> 9 Bridge Maintenance | <input type="checkbox"/> 14 Water Systems |
| <input type="checkbox"/> 5 Watercourses and Streams | <input type="checkbox"/> 10 Snow and Ice Control | <input type="checkbox"/> 15 Vegetation |

Describe how the project fits in the RRMP 4(d) Program

Effect Determinations for ESA and EFH

If each of the questions in the preceding section resulted in a "No" response or if any of the questions were checked "Yes," but adequate justification can be provided to support a "no effect" determination, then check "No Effect" below. If this checklist cannot be used for Section 7 compliance (i.e., adequate justification cannot be provided or a "may effect" determination is anticipated), a separate biological assessment document is required.

- | | | | |
|--|--------------------------------|---------------------------------|--|
| <input checked="" type="checkbox"/> No Effect | NMFS
<i>12/17/15</i> | USFWS
<i>12/17/15</i> | EFH Determination |
| <input type="checkbox"/> NLTAA - Date of Concurrence | | | <input checked="" type="checkbox"/> No Adverse Effect |
| <input type="checkbox"/> LTAA - Date BO issued | | | <input type="checkbox"/> Adverse Effect - Date of NMFS concurrence |
| <input type="checkbox"/> RRMP 4(d) | | | |

Part 6- FHWA Comments