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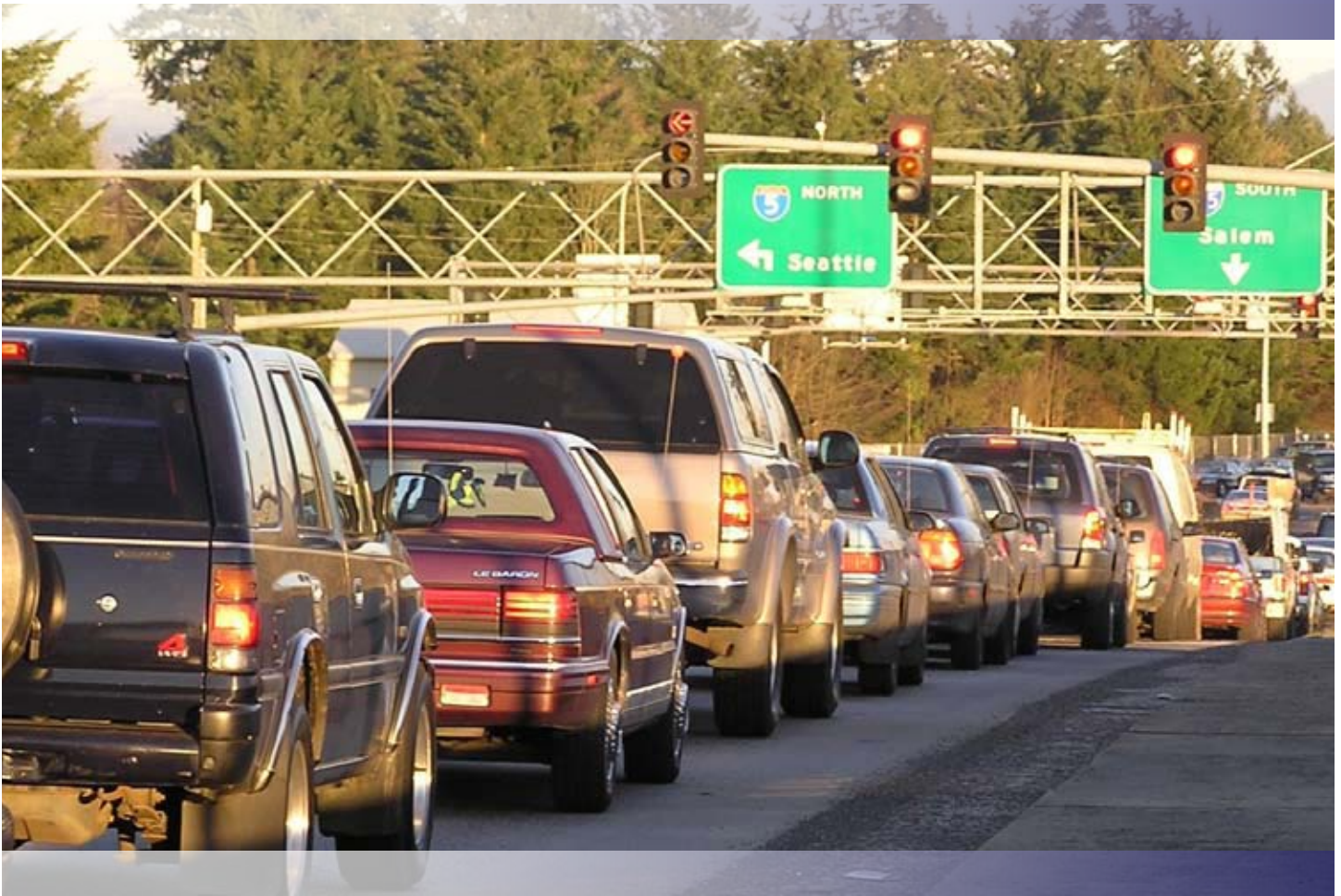


**Washington State
Department of Transportation**



Salmon Creek Interchange Project *FINDING OF NO SIGNIFICANT IMPACT*

MARCH 2010



U.S. Department of Transportation
Federal Highway Administration

SALMON CREEK INTERCHANGE PROJECT
CLARK COUNTY, WASHINGTON

FINDING OF NO SIGNIFICANT IMPACT

By the
U.S. Department of Transportation
Federal Highway Administration

The Federal Highway Administration (FHWA) has determined, in accordance with 23 CFR 771.121, that the proposed project will have no significant impact on the environment.

This Finding of No Significant Impact (FONSI) is based on the Environmental Assessment (EA) (incorporated by reference) and other documents and attachments, as itemized in this FONSI. These documents have been independently evaluated by FHWA and are determined to accurately discuss the project purpose, need, environmental issues, impacts of the proposed project, and appropriate mitigation measures. The review provided sufficient evidence and analysis for determining that an environmental impact statement (EIS) is not required.

FHWA takes full responsibility for the accuracy, scope, and content of the EA, as modified by this FONSI and the referenced documents.

3/25/2010
Date of Approval

Yamilee P. Volcy
Yamilee Volcy, Area Engineer
Federal Highway Administration



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A federal agency may publish a notice in the Federal Register, pursuant to 23 USC § 139(1), indicating that one or more federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within such shorter time period as is specified in the federal laws pursuant to which judicial review of the federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

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LIST OF ACRONYMS AND ABBREVIATIONS

ADA	Americans with Disabilities Act
APE	area of potential effect
BA	Biological Assessment
BMP	best management practice
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CO	carbon monoxide
DAHP	Department of Archaeology and Historic Preservation
DOT	United States Department of Transportation
DPS	Distinct Population Segment
EA	Environmental Assessment
Ecology	Washington State Department of Ecology
EIS	environmental impact statement
ESA	Endangered Species Act
ESU	Evolutionarily Significant Unit
FHWA	Federal Highway Administration
FONSI	Finding of No Significant Impact
FPPA	Farmland Protection Policy Act
HRM	Highway Runoff Manual
MTP	Metropolitan Transportation Plan
NAAQS	National Ambient Air Quality Standards
NAC	FHWA Noise Abatement Criteria
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NOx	nitrogen oxide
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
PGIS	pollution-generating impervious surface
RTC	Regional Transportation Council
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users
SEPA	State Environmental Policy Act
SIP	State Implementation Plan
SPCC	spill prevention, control, and countermeasures
TESC	temporary erosion and sedimentation control
TIP	Transportation Improvement Plan
TMP	Traffic Management Plan
TNM	FHWA Traffic Noise Model
USACE	United States Army Corps of Engineers

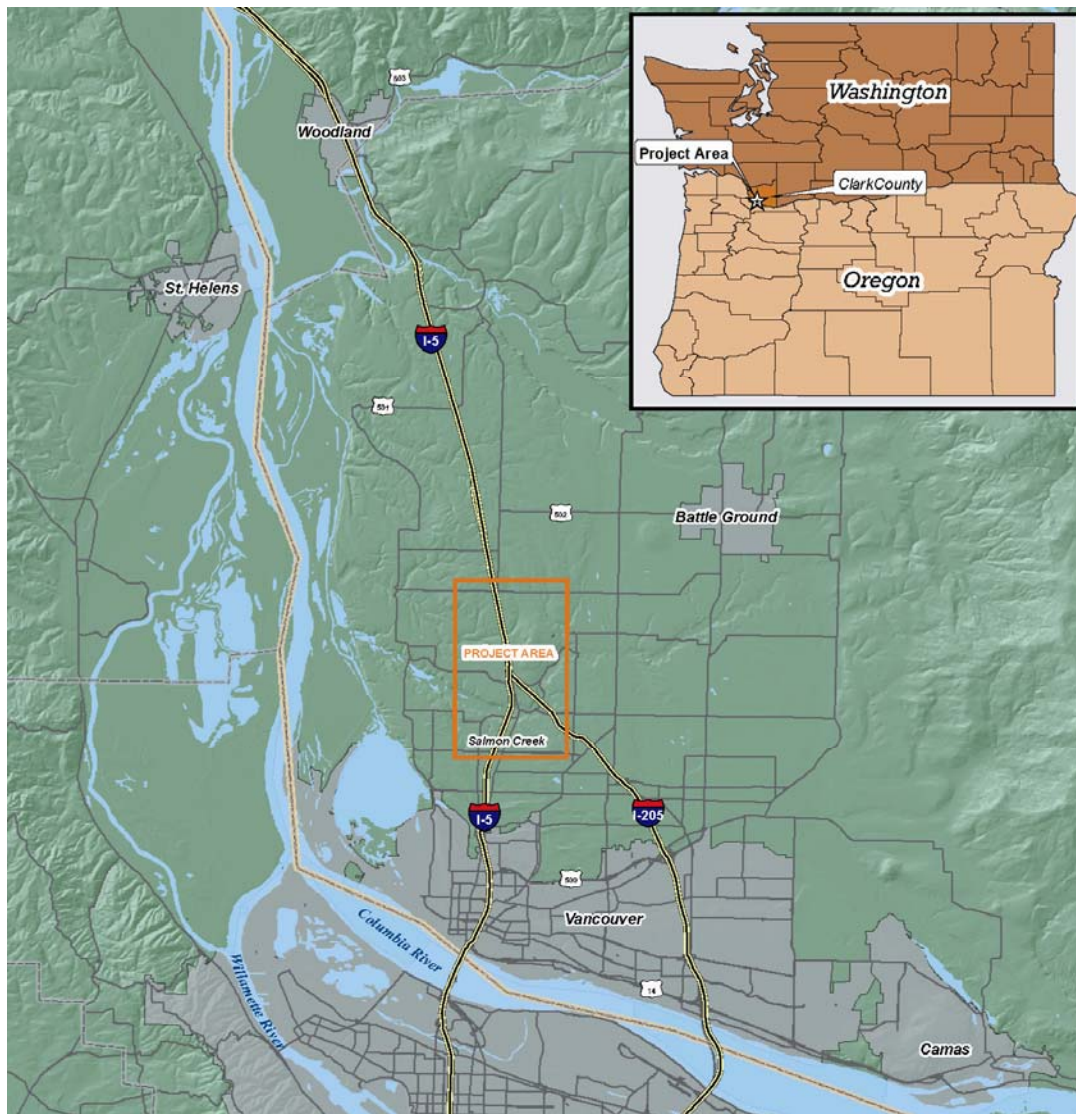
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
USC	United States Code
WAC	Washington Administrative Code
WDOE	Washington Department of Ecology
WSDOT	Washington State Department of Transportation

DESCRIPTION OF PROPOSED ACTION

The Salmon Creek Interchange Project is a joint effort between the Federal Highway Administration (FHWA), Washington State Department of Transportation (WSDOT), and Clark County. An Environmental Assessment (EA) was issued for the project on November 12, 2009.

The Salmon Creek Interchange Project is located north of Vancouver, Washington, in unincorporated Clark County (Exhibit 1). The project will be built in two phases, coinciding with the availability of funding. Phase 1 improvements have been identified as the most crucial for improving safety and mobility. Phase 2 improvements will continue to improve safety and mobility within the Salmon Creek area. It is possible that some improvements proposed in one phase will be moved to the next phase. This depends on funding availability and construction costs. Both phases, in the context of the EA, are considered as a single project.

Exhibit 1: Vicinity Map



The project includes the following improvements (see Exhibit 2):

Phase 1 Features

Interstate Improvements

Phase 1 improvements to I-5 and I-205 include the following components:

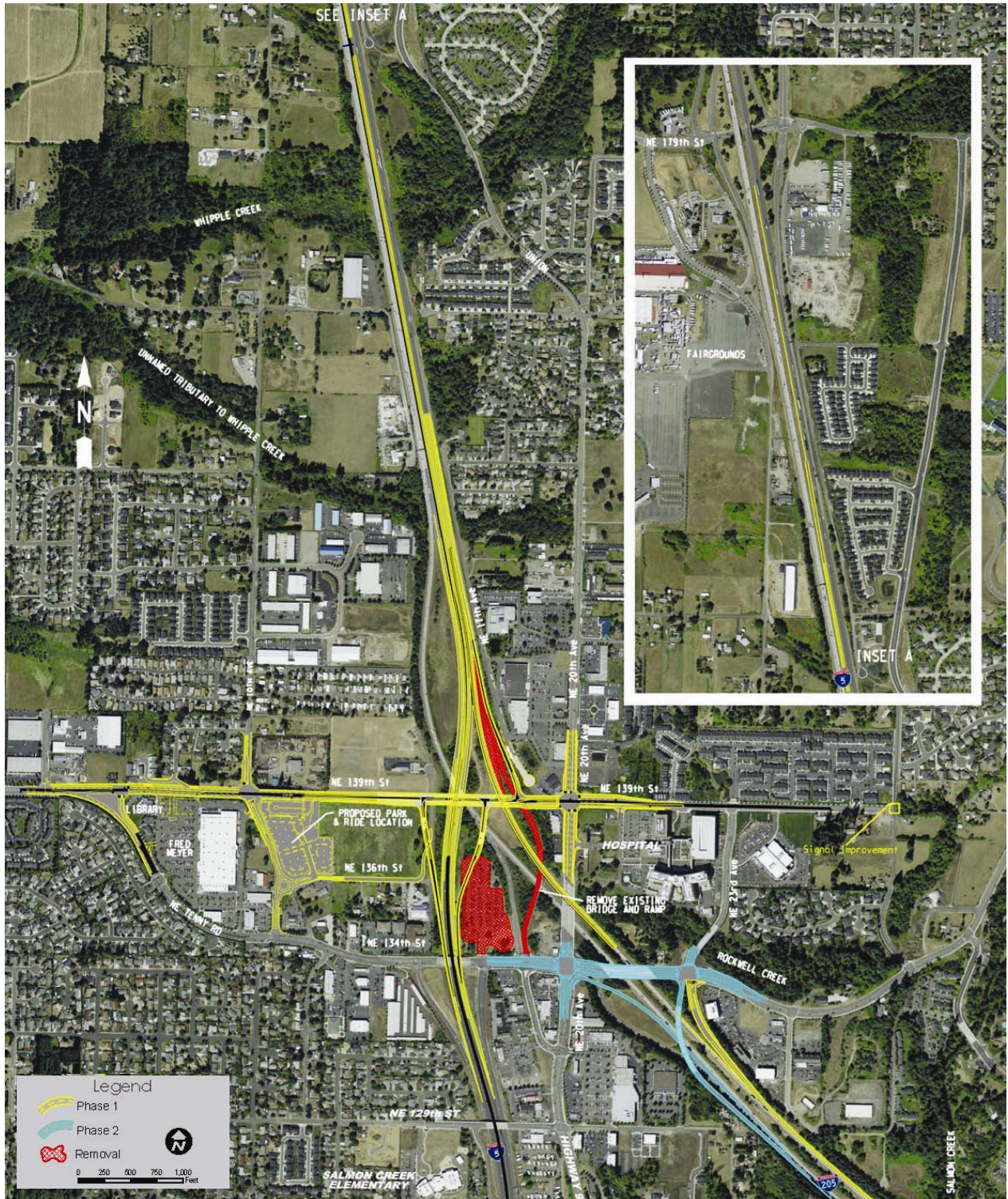
- A new overcrossing of I-5 and I-205 will be constructed at NE 139th Street.
- New ramps will be added to NE 139th Street to expand the existing interchange into an interchange complex.
- The on-ramp from NE 134th Street to I-5/I-205 northbound will be removed and relocated to NE 139th Street. The existing I-205 southbound off-ramp and northbound Highway 99 legs will remain. The NE 134th Street westbound right-turn lane at the intersection will be removed as the northbound on-ramp will be demolished.
- The existing I-205 northbound off-ramp to NE 134th Street will be widened to provide a two-lane off-ramp with an exit-only auxiliary lane on I-205 northbound.
- A new I-5 northbound auxiliary lane from the I-205 merge area to an auxiliary lane approaching the NE 179th Street interchange will be constructed in the existing median of I-5.
- A new I-5 bridge over I-205 southbound will be constructed and will be wide enough to accommodate the future expansion of I-5 to three lanes in both directions.
- Northbound I-205 will be realigned to the west at NE 139th Street to accommodate vertical clearance requirements with NE 139th Street.

Improvements to the Local Road System

Improvements to the local roadway system associated with Phase 1 of the project include the following:

- The C-TRAN Park-and-Ride will be relocated from NE 134th Street to a new location near the SE corner of NE 139th Street and NE 10th Avenue. Riders will access the Park-and-Ride from NE 136th Street. Buses will access the Park-and-Ride from NE 139th Street. The associated frontage along NE 136th Street will be improved. The signal at the existing Park-and-Ride location across from the I-5 northbound off-ramp at NE 134th Street will be modified.
- NE 139th Street will be widened to a minimum of two lanes in each direction with bike lanes, a sidewalk on the south side, and a median from NE Tenney Road to the main driveway entrance of Legacy Hospital (west of 23rd Avenue). A new segment of NE 139th Street from NE 10th Avenue to NE 20th Avenue, which passes over I-5 and I-205, will be constructed with walls and structure and will contain the necessary channelization. New signals will be installed on NE 139th Street at the intersections of NE Tenney Road, NE 10th Avenue, and NE 29th Avenue.

Exhibit 2: Proposed Project



- NE 20th Avenue and NE 139th Street will be redesigned with double left turn lanes and right turn lanes in all directions. The existing traffic signal will be replaced to accommodate the additional lanes at this intersection.
- NE 139th Street and NE Tenney Road will be redesigned to a signalized modified “T” configuration with NE 139th Street being the main through route. The eastbound NE 139th Street traffic will have a two-lane slip lane to NE Tenney Road.
- NE 16th Avenue will be realigned to the west to accommodate the I-5 southbound on-ramp from NE 139th Street.
- Access from NE 17th Avenue to NE 139th Street will be closed with the construction of the on-ramp from NE 139th Street to I-205 northbound. Access to the commercial property between NE 17th Avenue and NE 20th Avenue will be from NE 20th Avenue. Residential traffic will use NE 150th Street to travel from NE 20th Avenue to NE 17th Avenue.
- NE 10th Avenue will be widened from NE 134th Street to NE 141st Street to one lane in each direction with bike lanes, sidewalks, and turn lanes at the signalized intersection of NE 10th Avenue and NE 139th Street. A roundabout will be at the intersection of NE 10th Avenue and NE 136th Street. Modifications will be made to the curb return from NE 134th Street westbound to NE 10th Avenue northbound.

Phase 2 Improvements

Interstate Improvements

A new southbound on-ramp from NE 134th Street at NE 23rd Avenue to I-205 southbound and a northbound NE 20th Avenue to southbound I-205 slip ramp will be constructed as part of the Phase 2 improvements. The existing slip ramp from I-205 southbound to NE 134th Street will be removed.

Local Roadway Improvements

Phase 2 improvements to the local roadway system will include the following:

- NE 134th Street from NE 20th Avenue to NE 23rd Avenue will be widened.
- The NE 134th Street/NE 20th Avenue intersection will be improved.

Noise Walls

WSDOT will construct noise walls at four locations during Phase 1 of the project, provided adjacent residents are in agreement. One noise wall will be located adjacent to the residential development at NE 143rd Street near the southbound I-5 off-ramp to southbound I-205. Three noise walls will be located adjacent to the residential developments on the east side of I-5 between NE 149th Street and NE 179th Street.

Retaining Walls

The project will require retaining walls in several locations along portions of the new roadway and interchange at NE 139th Street, at the new Park-and-Ride location, and at the southbound I-205 ramp. It may also be necessary to construct retaining walls in other locations near the proposed improvements. The exact location and height of these walls will be refined as the design progresses.

Stormwater Management

The project will result in approximately 23.5 acres of new pollution-generating impervious surface (PGIS). Stormwater runoff from the new PGIS or equivalent areas will receive water quality treatment and flow control. The project will also retrofit approximately 26 acres of existing PGIS for stormwater treatment and remove approximately 9 acres of existing pollution-generating impervious surfaces.

Stormwater flow control and quality treatment will be provided according to WSDOT's Highway Runoff Manual (HRM), which is consistent with the revised Washington State Department of Ecology (Ecology) 2005 Stormwater Management Manual for Western Washington. Additional design references and guidelines will be used as required by local jurisdictional requirements, particularly those guidelines established by Clark County ordinance.

Wetland Mitigation

The Salmon Creek Interchange Project will also include wetland mitigation to compensate for effects associated with roadway improvements. Permanent effects to wetlands will be mitigated through the preservation, creation, rehabilitation, or enhancement of wetlands. The project will utilize three of the four possible mitigation sites covered in the EA to meet the project wetland mitigation needs. The sites chosen are Dietrich, Padden and Grimm. All sites are located within the Salmon Creek Watershed.

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EA COORDINATION AND COMMENTS

A public open house and public hearing to provide information and accept comments on the EA was held on December 2, 2009, following the issuance of the EA on November 12, 2009. The open house and public hearing was held at Alki Middle School in Vancouver, Washington. The open house and public hearing was an informal format, drop-in style open house where participants were invited to review information on display boards, talk to staff, and submit comments, either through a written comment form or orally with a stenographer. Citizens were invited to comment on the EA or any other general aspect of the project or process by December 11, 2009. Comment collection methods included:

- Comment forms available at the December 2, 2009 open house.
- Oral testimony through a stenographer at the December 2, 2009 open house.
- E-mail to the project team: swVanc@wsdot.wa.gov
- Online at www.wsdot.wa.gov/projects/I5/nc134thi205/feedback.htm
- Project hotline number 1-877-624-7196.

The Notice of Availability of the EA and the notice of the December 2, 2009 open house and public hearing were advertised in *The Columbian* and the *El Hispanic News* on November 12, 2009. WSDOT and Clark County coordinated the following outreach efforts to notify and invite citizens to the open house and issuance of the EA:

- Press release distributed to the local media
- Legal notice in the Columbian newspaper
- Website announcement on the WSDOT project website
- Project newsletter mailed to approximately 4,000 area residents
- A news article appeared in the November 25 Columbian

Approximately 79 people attended the open house. During the comment period, from November 12, 2009 through December 11, 2009, two agencies provided written comments. In addition, 20 comment submittals were received from members of the general public in the form of written letter, emails, written comments submitted at the open house, oral testimonies taken at the open house and public hearing, and voice mail messages left on the project hotline. The comments focused primarily on issues related to transportation (see Attachment 5).

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DETERMINATION OF FINDINGS

National Environmental Policy Act Finding

FHWA served as lead agency under the National Environmental Policy Act (NEPA) for the project. WSDOT and Clark County prepared the EA in compliance with NEPA, 42 United States Code (USC) Section 4321 et seq. and with FHWA's regulations, 23 Code of Federal Regulations (CFR) Part 771, and the State Environmental Policy Act (SEPA). The EA discusses the potential impacts of the project on the environment so that FHWA can determine whether significant adverse impacts (Council on Environmental Quality [CEQ] 1508.27) are probable. If such a determination were made, an environmental impact statement (EIS) would need to be prepared.

The EA indicates that the project's construction and operation will not cause any significant adverse environmental impacts that will not be mitigated. This finding applies to all applicable environmental elements.

After carefully considering the EA, its supporting documents, and the public comments and responses, FHWA finds under 23 CFR 771.121 that the Salmon Creek Interchange Project, with the mitigation to which WSDOT and Clark County has committed, will not have any significant adverse impacts on the environment. The record provides sufficient evidence and analysis for determining that an EIS is not required.

Air Quality Conformity Statement

The project is located within a maintenance area for carbon monoxide (CO). Projects located in maintenance area must comply with the project-project level and regional conformity criteria described in the U.S. Environmental Protection Agency Conformity Rule (40 CFR 93) and with Washington Administrative Code (WAC) Chapter 173- 420. And, therefore, must show that existing air quality can be maintained for at least 10 years. Because this project is not expected to increase air emissions of criteria pollutants regulated through the National Ambient Air Quality Standards (NAAQS), it meets project-level conformity requirements per 40 CFR 93.123

This project, as well as all others in the Southwest Regional Transportation council's Transportation Improvement Program and Regional Transportation Plan, conforms to the State Implementation Plan (SIP) at the regional level. The U.S. Environmental Protection Agency has approved the current SIP for this area. FHWA has approved SWR's Transportation Improvement Program conformity analysis. This project conforms to the SIP and to federal and state Clean Air Act requirements of 40 CFR 93 and WAC.

The project is included in the Southwest Regional Transportation Council's (RTC's) current conforming regional Metropolitan Transportation model for CO. The project is included in the Transportation Improvement Plan (TIP). The TIP is be consistent with the Metropolitan Transportation Plan (MTP) and meets CO National Ambient Air Quality Standards (NAAQS).

The project level hot spot analysis used the latest planning assumptions. Traffic and growth assumptions used in the regional model by the RTC (and the hot spot analysis) used Mobile 6 factors, the latest emissions estimation model available.

Surface Water, Floodplains, and Water Quality Finding

The project will improve existing water quality by providing water quality treatment for both the new impervious surfaces and some of the existing impervious surfaces that currently discharge without treatment. Stormwater will be directed through ecology embankments, stormwater treatment wetlands, detention facilities, and biofiltration swales before draining to streams that eventually discharge to Rockwell Creek, Salmon Creek or Whipple Creek. The water quality treatment provided will result in a decrease in pollutant loading of total suspended solids, total and dissolved zinc, and total and dissolved copper. Flow control will be provided for all new and replaced impervious surfaces. Flow control for this project has been designed based on the WSDOT Highway Runoff Manual (HRM) and the Washington State Department of Ecology Stormwater Management Manual for Western Washington (WDOE, 2005). Stormwater discharges within each basin have been designed to match developed discharge durations to pre-developed durations for the range of pre-developed rates from 50 percent of the 2-year peak flow to up to the full 50-year peak flow.

The project is located outside of mapped floodplain boundaries. No fill is proposed within mapped floodplain boundaries, and flow control will be provided to maintain existing flows prior to discharge to downstream waters. FHWA finds that no adverse impacts to any 100-year floodplains or floodways will occur as a result of the project.

Endangered Species Act Finding

The FHWA initiated formal Section 7 Endangered Species Act (ESA) consultation for species listed under the jurisdiction of the National Marine Fisheries Service (NMFS) and WSDOT initiated informal consultation for species listed under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS) on behalf of FHWA pursuant to 50 CFR 402.07. The USFWS and NMFS, the agencies responsible for administering the ESA, were contacted early in the project environmental review process.

Federally listed threatened species that occur within the project vicinity include Lower Columbia River fall Chinook salmon (*Oncorhynchus tshawytscha*), Lower Columbia River coho salmon (*O. kisutch*), Columbia River chum salmon (*O. keta*), Lower Columbia River steelhead (*O. mykiss*), and water howellia (*Howellia aquatilis*). Bradshaw's lomatium (*Lomatium bradshawii*), a federally listed endangered species, also occurs within the project vicinity. In addition, designated critical habitat for Columbia River chum salmon occurs in the project vicinity. A biological assessment (BA) was prepared for the project and submitted to the USFWS and NMFS.

The USFWS issued a letter of concurrence on the BA on May 4, 2007 concurring with the project determination of "may affect, not likely to adversely affect" for Bradshaw's lomatium and water howellia. The NMFS issued a biological opinion on March 20, 2009. NMFS concurred with the project determination of "may affect, not likely to adversely affect" for Columbia River fall Chinook salmon, Columbia River chum salmon, and designated critical habitat for Columbia River chum salmon. The biological opinion concluded that the project would result in a "may affect, likely to adversely affect" determination for Lower Columbia River coho salmon and Lower Columbia River steelhead due to indirect effects related to future growth and

stormwater. However, the adverse effects will be experienced by far too few fish to produce an observable effect on the abundance, distribution, diversity, or productivity of these species at either the population, Evolutionarily Significant Unit (ESU), or the Distinct Population Segment (DPS) level; thus, NMFS concluded the action will not jeopardize the continued existence of these species.

Magnuson-Stevens Act Finding

The project vicinity includes habitat that has been designated Essential Fish Habitat for Chinook and coho salmon. NMFS concluded the project would have the following adverse affects to Essential Fish Habitat: temporary effects to instream habitat, temporary loss of benthic habitat from dewatering and short term degradation of water quality, temporary effects from construction in riparian and upland areas, and increased delivery of water quality contaminants. NMFS provided three conservation recommendations in the Biological Opinion pursuant to Magnuson-Stevens Act Section 305(b)(4)(A) These recommendations include development and implementation of a TESC and SPCC plan, limiting equipment use to that with the least effects on the environment, and requiring equipment cleaning, maintenance, refueling, and fuel storage to a minimum of 100 feet away from the top of any streambank or wetland. WSDOT will implement these conservation recommendations to avoid, mitigate, or offset the impact of the proposed action on Essential Fish Habitat.

Farmland Finding

The Farmland Protection Policy Act (7 U.S. Code 4201-4209) requires that FHWA consider potential losses of prime farmland associated with its proposed actions. According to the Natural Resources Conservation Service (NRCS) there are approximately 297,101 acres of farmable land in Clark County, of which approximately 295,691 acres meet the definition of “farmland” under the FPPA. The regulations implementing the Act set up criteria for determining whether a site is prime farmland. An agency receives a score of a site's relative value from the NRCS and then conducts a site assessment to identify the impacts of its program on prime farmland. Sites receiving a total score of less than 160 need not be given further consideration for protection and no additional sites need be evaluated. When a site receives a total score of 160 or more, the agency is encouraged to consider use of other land that is not farmland, the use of other sites that would also serve the proposed purpose, and the extent to which alternative sites fail to consider the special siting requirements.

A review of proposed conversion areas within the project area (Salmon Creek interchange area) was completed by the NRCS. The area reviewed was determined to be in urban development and would therefore not be considered farmland, and no further action with NRCS is required.

Four wetland mitigation sites were considered during the development of the Environmental Assessment (the Carpio, Dietrich, Padden, and Grimm properties). Padden and Grimm are publicly owned by Clark County and were intended to be used for wetland mitigation purposes for planned projects. Carpio and Dietrich are privately owned properties. In accordance with the FPPA, form AD-1006 was completed in cooperation with the NRCS. NRCS determined that

the Padden mitigation site was in urban development and therefore no further action was needed. Grimm received a score of 97, less than the 160 needed for further consideration under FPPA. Carpio and Dietrich received scores of 172 and 163 respectively. It should be noted that the Carpio property includes 1.4 acres of statewide and local important farmland.

The project selected the Dietrich property for conversion. The Dietrich property received a score of 163, marginally above the 160 needed for further consideration under FPPA. The conversion of 36.3 acres of prime and unique farmland for wetland mitigation is relatively minor in the context of the overall pattern of farmland conversion, representing .01 percent of the farmland in Clark County as defined by FPPA.

The Dietrich property was one of over 35 sites meeting initial screening criteria for potential wetland mitigation sites within the Salmon Creek Watershed. Potential mitigation sites were selected following the Washington Department of Ecology (WDOE) and U.S. Army Corps of Engineers (USACE) Watershed Approach requirement, as well as WSDOT, SW Regions watershed function and soils based methodology.

Of the approximately 35 sites meeting initial screening criteria, only two were willing to discuss mitigation opportunities with WSDOT. A reasonable resolution could be reached for the Carpio property, although this site would not have been adequate to completely meet the project mitigation needs. The owners of the Dietrich property had considered mitigation opportunities in the past and were excited and willing to work with WSDOT to permanently protect a portion of their property for natural resource preservation and restoration.

The Dietrich property is located within rural Clark County immediately west of the rapidly developing Hockinson area. The new Hockinson High school is visible from the access easement on NE 159th Street and The Cedars golf course and associated housing development is located to the west of WSDOT's acquisition area. Rural housing (R-5 zoning) surrounds the larger Dietrich holdings. Approximately 21 of the 40.5 acres (64%) being proposed as mitigation are existing category I forested wetlands, one of the most valuable wetland types in SW Washington. The remainder of the site is composed of drained hydric soils which likely supported a continuation of the existing wetland in the past before being cleared and tilled for agricultural purposes. This area is currently used for hay production.

The Dietrich parcel has many unique attributes that warrant its use as exceptionally high quality natural resource protection and restoration. Its position at the headwaters of a seasonal tributary to Salmon Creek provide the opportunity to provide headwaters storage and other headwater functions, allowing WSDOT to match and mitigate for the impacted functions as required by state and federal mitigation policy. The existing wetland portion of the site contains a large mature Oregon Ash forest and a mature stand of Quaking Aspen, both Priority Habitats designated by the Washington Natural Heritage Program. Seasonal pools within the forested area support small crustaceans (tentatively identified as fairy shrimp). Seasonally flooded scrub shrub areas within the center of the site support high quality waterfowl habitat, well protected by a buffer of mature fir, cedar, and cottonwood trees. Wetland and habitat

biologists with the USACE, WDOE, and Clark County have visited the Dietrich property and have noted the many high value attributes of the site, and fully support restoring wetlands and associated function. Of the sites available to WSDOT, none would match the siting benefits, natural resource attributes, or mitigation value of the Dietrich property.

Based upon the information presented in the EA, coordination with the NRCS, and that the assessed score of 163 is marginally above the 160 needed for further consideration under FPPA; the conversion of 36.3 acres of prime and unique farmland for wetland mitigation is relatively minor in the context of the overall pattern of farmland conversion. The conversion represents approximately 0.01 percent of the farmland in Clark County as defined by FPPA. FHWA finds that the project would not have a significant impact to farmlands.

Wetland Finding

The project will permanently impact 13 wetlands, totaling approximately 4.06 acres of impact. The majority of the affected wetlands are located within the right-of-way and impacts could not be avoided or minimized due to roadway design standards. Most of the impacts (3.24 acres) will occur in Category 2 wetlands, while 0.11 acres of Category 3 wetlands and 0.71 acres of Category 4 wetlands will also be permanently impacted.

Several measures were taken during design to avoid or minimize impacts to wetlands, including adjustment of the project footprint. Despite WSDOT's efforts to avoid wetlands during construction, 2.78 acres of wetlands will be temporarily disturbed. These areas will be restored after project construction.

To compensate for permanent effects on wetlands resulting from the project, WSDOT will provide mitigation that will offset (no net loss) wetland losses through the preservation, creation, rehabilitation, or enhancement of wetlands elsewhere. The Dietrich, Padden, and Grimm mitigation sites will be used to meet the mitigation needs of the project. All of the sites are located within the Salmon Creek watershed. Detailed information on mitigation goals, site configuration, restoration, and monitoring will be provided in a Wetland Mitigation Plan that will be submitted as part of the application to the U.S. Army Corps of Engineers (USACE) and Ecology for work in wetlands and waters.

FHWA finds that there is no practicable alternative to the proposed new construction within wetlands. The project includes all practicable measures to reduce impacts to wetlands that may result from the project.

Section 106 Finding

Archival review, tribal consultation, and field surveys identified 59 historic buildings and three archaeological sites in the project's Area of Potential Effects (APE). Four of the 59 identified historic buildings are eligible for the National Register of Historic Places (NRHP); however, none of the archaeological sites were determined to be eligible. The four resources eligible for the NRHP were determined to not be adversely affected by construction or operation of the proposed project. A "no adverse effect" finding on NRHP-eligible properties was proposed in the Cultural and Historical Resources Assessment Discipline Report.

WSDOT initiated consultation with the Cowlitz Tribe in 2005. The Confederated Tribes of Grand Ronde was contacted regarding participation in the consultation process; however, they determined that they would not initiate consultation at that time and requested to receive a copy of the EA when available. In addition, WSDOT initiated coordination and consultation with the Washington State Department of Archaeology and Historic Preservation (DAHP). In 2008, the Cowlitz Tribe concurred with the conclusions and recommendations of no adverse effect on National Register eligible historic properties and in January and July of 2009, DAHP issued a letter of concurrence that the project will have no adverse effect on NRHP-eligible historic properties.

Based on the historical and cultural resources analysis and coordination with DAHP and tribal entities, FHWA finds that the project will have no adverse impact to cultural or historical resources, and that the Section 106 coordination requirements for this project have been fulfilled.

Section 4(f) Finding

Potential U.S. Department of Transportation (DOT) Act of 1966 Section 4(f) resources were evaluated as part of the EA. No parks, recreation areas, or wildlife or waterfowl refuges that meet the definition of a 4(f) resource are present near the project. However, the following four historic resources are present: Kenck House, Karas House, Barberton Grange, and the Bow truss Dunlap barn.

Coordination with Department of Archaeology and Historic Preservation (DAHP) to meet the Section 4(f) de minimis requirements occurred on February 8, 2008 when WSDOT notified the State Historic Preservation Officer of the intent to use the “no adverse effect” finding to support the de minimis Section 4(f) finding for the proposed project, and on January 8, 2009 DAHP concurred with WSDOT and FHWA’s finding of “no adverse effect” under Section 106 of the National Historic Preservation Act (NHPA) on all of the four historic resources.

Based upon the information presented in the EA, the coordination with the SHPO, and the determination of “no adverse effect” to the historic resources, FHWA finds that the Section 4(f) de minimis finding is consistent with Section 6009(a) of the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

Environmental Justice Finding

Data from the 2000 U.S. Census indicate that approximately 11 percent of the population in census block groups comprising the study area is minorities and approximately 6 percent is low-income.

Project construction will have minor, temporary effects such as higher noise levels, dust, decreased visual quality, and traffic diversions and delays that could affect people living, working, or traveling in the project area. The project will displace some residents and businesses, although the block groups these acquisitions will occur within do not have a disproportionately high minority or low-income population. The completed project will increase noise levels and change visual quality for some residents; however, the project will benefit the area population by improving mobility and safety.

FHWA finds that the construction and operation of the project will not have disproportionately high and adverse impacts on minority or low-income populations in the study area. Project design and mitigation measures will ensure adverse impacts will not occur or will be minimized. Upon completion of the project, mobility improvements along the interstate and local roadway system for passenger vehicles and public transit will benefit local residents, including minority and low-income populations.

Noise Finding

Noise levels were predicted at 85 modeled locations (receptors) in five delineated segments of the project site using the FHWA Traffic Noise Model (TNM), version 2.5 for existing conditions and for the year 2030 with and without the project. With the proposed project, modeling indicates that without the recommended noise barriers, noise levels would approach or exceed the FHWA Noise Abatement Criteria (NAC) at 63 of the 85 modeled locations, representing 168 residences. In the absence of the project, 62 locations representing 161 residences would approach or exceed the NAC.

Measures for reducing noise effects were identified and evaluated using WSDOT's *Traffic Noise Analysis and Abatement Policy and Procedures* dated March 17, 2006 for determining feasibility and reasonableness. Noise walls that meet WSDOT's guidelines are proposed at four locations in the project study area: one noise wall adjacent to the residential development at NE 143rd Street near the southbound I-5 off-ramp to southbound I-205 (Segment 4); and three noise walls adjacent to residential developments on the east side of I-5 between NE 149th Street and NE 179th Street (Segment 5). These noise barriers will reduce traffic noise levels at 30 modeled receptors, representing 86 residences.

Measures for reducing noise effects in segments 1, 2, and 3 were evaluated and found to not meet the reasonable and/or feasible criteria for noise abatement per WSDOT's *Traffic Noise Analysis and Abatement Policy and Procedures* dated March 17, 2006.

Hazardous Materials

Under the build alternative the project will have construction activities occurring on or adjacent to two properties (Vista Mart and Vancouver Oil Company) that had documented soil and/or groundwater contamination. Both sites had taken remedial action. Research completed in the Hazardous Materials Discipline Report states that residual contamination at the Vista Mart was left onsite and remediation for groundwater contamination was not required but monitoring residual groundwater contamination levels was required. The Vancouver Oil Company, Inc. has entered Ecology's Voluntary Cleanup Program, and further remediation has occurred.

Although both sites had taken remedial action, there is a possibility that petroleum hydrocarbons may still exist onsite or within WSDOT or Clark County right of way. If any petroleum contaminated soils or groundwater are encountered during site construction activities, WSDOT and or Clark County will handle and dispose of the material in accordance with the applicable state and federal environmental regulations.

Prior to construction, a Spill Prevention, control, and Countermeasures Plan would be developed and implemented by the contractor. Handling and disposal of any contaminated materials would follow methods outlined in WSDOT's Environmental Procedures Manual Section 620.08, Construction Manual M 41-01, and the WSDOT Standard Specifications M 41-10.

FHWA finds that the analysis of the effects of the proposed action on known hazardous materials sites within the project indicates that none would rise to the level of significance. There will be no significant impacts related to hazardous materials from the proposed action.