SR 522 - Cathcart Road Vicinity to US 2

Finding of No Significant Impact

November 2008

U. S. Department of Transportation
Federal Highway Administration

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SR 522 Widening Project - Cathcart Road Vicinity to US 2

City of Monroe and Snohomish 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 human environment.

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

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

11/12/08
Date of Approval

For FHWA

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Finding of No Significant Impact

Description of the Proposed Action

The Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) propose to improve and widen a 4.3-mile corridor of State Route (SR) 522. The purpose of the project is to improve safety and operations, reduce congestion, and improve current and future mobility for traffic in the SR 522 corridor from the Cathcart Road vicinity (also known as Elliott Road) to United States Highway 2 (US 2). The improvements are needed to safely accommodate the existing and growing numbers of vehicles traveling on SR 522 and the increasing truck/freight vehicle mix.

The project begins in Snohomish County near Cathcart Road at milepost (MP) 20.41. The project ends at US 2 at MP 24.68 in the City of Monroe, as shown on Exhibit 1-1 in the Environmental Assessment (EA) and on Figure 1 of this FONSI. A new ramp from eastbound SR 522 to eastbound US 2 ties in at MP 14.51 of US 2. Improvements on US 2 will extend from Cascade View Drive (MP 14.13) to SR 203, also known as Lewis Street (MP 14.92).

This project will be built to meet current WSDOT design standards and includes the following improvements:

- Widening SR 522 from one lane in each direction to two lanes in each direction.
- Providing a median to separate eastbound and westbound traffic to reduce head-on collisions.
- Building a new bridge across the Snohomish River.
- Improving two existing interchanges in Monroe.

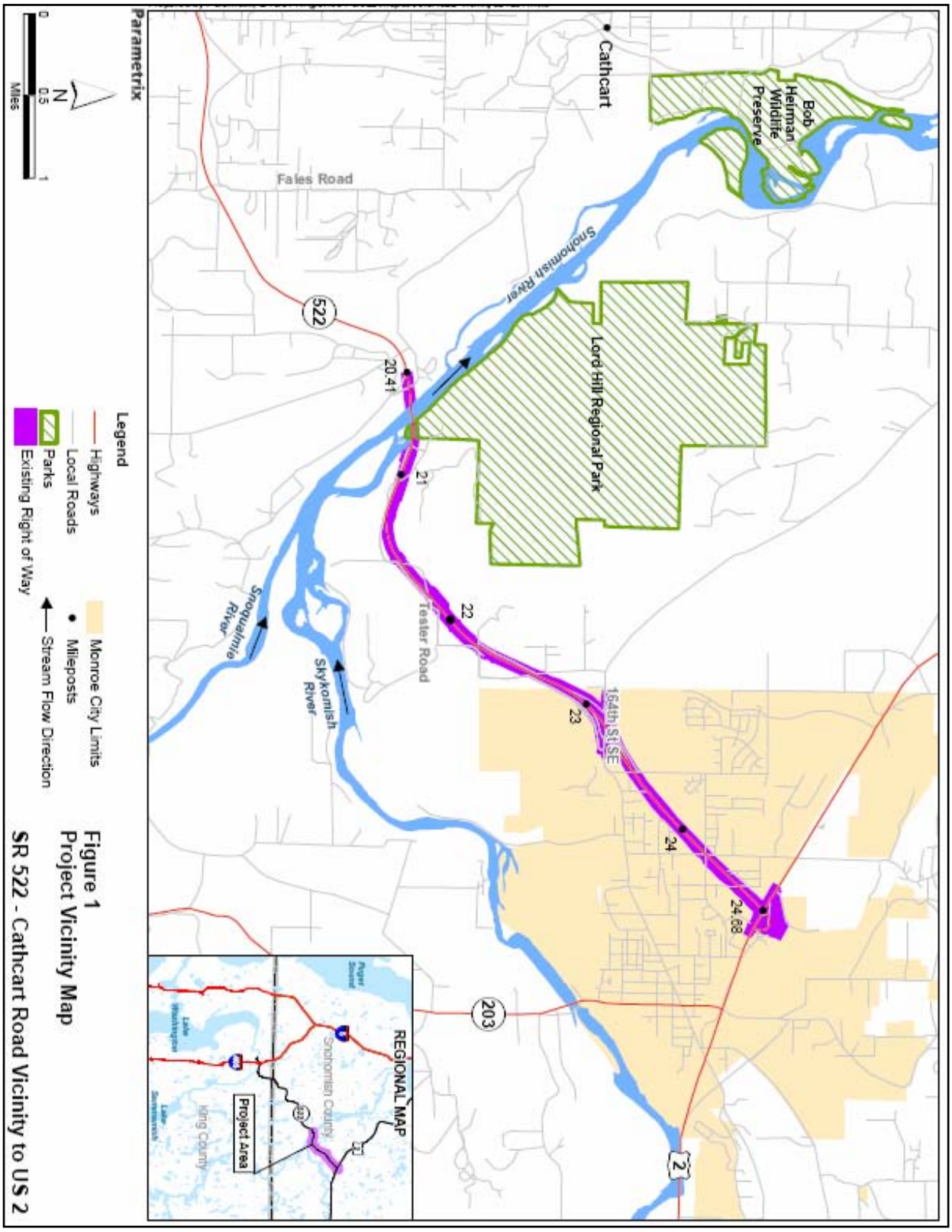

Figure 1
Project Vicinity Map
SR 522 - Cathcart Road Vicinity to US 2

This project is one of several projects that compose planned improvements on a 10-mile section of the SR 522 corridor extending from SR 9 in Woodinville to US 2 in Monroe as originally addressed in 1994 Final Environmental Impact Statement. The improvements described in this EA and FONSI make up the easternmost 4.3 miles of the 10-mile section of planned improvements.

EA Coordination and Comments

The following public and agency coordination activities took place during preparation of the EA for this project:

1. Tribe and agency scoping meetings were held on October 3, 2005 and on July 20, 2006.
2. An Open House was held on August 23, 2006 at the Monroe High School to share project plans and gather community feedback.
3. The EA was issued in April 2008, with comments due by May 23, 2008. A Public Hearing on the EA was held on May 8, 2008 at Monroe High School. A court reporter and Spanish language interpreter were available at the hearing. Copies of the Notice of Availability of the EA were mailed directly to agencies and citizens noted in Attachment 3. In addition, notice of the EA's availability and the Public Hearing were provided by a postcard mailed to a zip code mailing list of approximately 10,472 residences and businesses in the Monroe area. Comments received on the EA and the Public Hearing are included, along with responses from WSDOT, in Attachment 5.
4. The Notice of Availability of the EA and Notice of EA Public Hearing was also advertised in the following newspapers on the following dates:
    - Woodinville Weekly - April 23 and 30, 2008
    - Monroe Monitor - April 29, and May 6, 2008
    - Everett Herald - April 23 and 30, 2008

- Seattle Times - April 23 and May 3, 2008
- La Raza del Noroeste - April 25 and May 2, 2008

5. The Finding of No Significant Impact (FONSI) was distributed to the list included in Attachment 3 by November 28, 2008.

State Environmental Policy Act (SEPA) Compliance and Notice of Adoption

The "Notice of Availability of FONSI and Notice of Adoption of EA & FONSI under SEPA" (included in Attachment 2) was issued in the following newspapers on the following dates:

- Woodinville Weekly – December 3 and November 10, 2008
- Monroe Monitor – December 2, and December 9, 2008
- Everett Herald - December 3 and December 10, 2008
- Seattle Post Intelligencer - November 29, 2008
- Seattle Times - November 29, 2008
- La Raza del Noroeste – November 28 and December 5, 2008

Determinations and Findings

National Environmental Policy Act (NEPA) Finding

FHWA is the lead agency under NEPA for the project. WSDOT is the project sponsor. These agencies jointly prepared an EA pursuant to NEPA, 40 CFR 1500 to 1508, et al. and FHWA's NEPA implementation regulations, 23 CFR Part 771, and Technical Advisory TA6640.8A. The EA discusses the potential impacts and mitigation measures of the project so that FHWA can determine whether significant adverse impacts (CEQ 1508.27) are probable. If such a determination were made, an Environmental Impact Statement (EIS) would need to be prepared.

FHWA and WSDOT have incorporated environmental considerations into its study of project alternatives and have conducted evaluations of the project's potential environmental impacts. FHWA and WSDOT reviewed the EA prior to its issuance in April 2008. The EA found the project's construction and operation will cause no substantial environmental effects that will not be mitigated.

This finding applies to all applicable environmental elements, including Geology and Soils; Groundwater; Farmlands; Air Quality; Water Quality and Surface Water; Fish, Wildlife and Vegetation; Wetlands; Noise; Hazardous Materials; Land Use; Social and Economic Impacts (including Environmental Justice); Relocation; Historical and Archaeological Resources; Public Services and Utilities; Recreation; Visual Quality; and Indirect and Cumulative Impacts.

After carefully considering the EA, its supporting documents, the public, agency, and Tribe comments and responses, and the adopted Value Engineering Study recommendations, the FHWA finds under 23 CFR 771.121 that the proposed project, with the committed mitigation, will have no significant adverse impacts on the environment. The record provides sufficient evidence and analysis for determining that an EIS is not required.

Section 106 Compliance

Section 106 of the National Historic Preservation Act of 1966, as amended, requires the review of federally assisted projects for impacts to districts, sites, buildings, structures, and objects listed in, or eligible for inclusion in, the National Register of Historic Places. Federal agencies must coordinate with the State Historic Preservation Officer and potentially affected Tribes to make this determination. The advisory Council on Historic Preservation has established procedures for the protection of historic and cultural properties in, or eligible for, the National Register (36 CFR Part 800).

Tribal Consultation

Portions of the project area are in the Snohomish and Skykomish River floodplains or level areas above and directly adjacent to the floodplains that have a moderate to high probability for archaeological resources.

Information on the project was provided to the Snoqualmie Tribe, the Tulalip Tribes, the Snohomish Tribe of Indians, the Yakama Nation, and the Duwamish Tribe. In addition, a meeting was held with the Tulalip Tribes on October 26, 2005. Meeting Notes from that meeting are included in Appendix E of the EA.

A meeting, held March 14, 2008 with the Tulalip to review the EA findings, revealed no other issues posing significant impact to the environment. The Tulalip representatives concluded WSDOT to have satisfactorily addressed concerns stated in October 2005.

Archaeological and Historical Coordination

Information on the project was submitted to the Department of Archaeology and Historic Preservation (DAHP) by letter from WSDOT dated September 4, 2007. By letter dated September 6, 2007 (Appendix E of the EA), DAHP concurred with the recommendations and the finding of No Historic Properties Affected. Following survey work in October 2008 the project Cultural Resources Survey and Area of Potential Effect (APE) was appended to include stream mitigation and floodplain compensation sites at the Bob Heirman Wildlife Reserve in Snohomish County, and stream buffer mitigation at Al Borlin Park in the city of Monroe. SHPO concurrence with the finding of No Historic Properties Affected within the expanded APE is anticipated by December 2008.

Based on the cultural resources analysis, consultation with the Tribes and SHPO, FHWA finds that the project will not adversely affect cultural or archaeological resources. The cultural resources inventory did not identify any structures, properties, or resources on or eligible for the National Register of Historic Places or other local historical registers

within the area of potential effects. In addition, a qualified archaeologist will assess stormwater treatment facilities, staging areas, and wetland or stream mitigation areas prior to any construction that will disturb the ground. A professional archaeologist will monitor ground-disturbing activities in areas with a moderate to high probability for resources as identified in the cultural resource assessment to protect any unanticipated resources. The Section 106 coordination requirements for this project have been fulfilled.

Section 4(f) Findings

Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966, codified at 49 USC 303, declares a national policy that a special effort should be made to preserve the natural beauty of the countryside, public park and recreational lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation may not approve transportation projects that require the use of land from a significant publicly owned park, recreation area, wildlife or waterfowl refuge, or any significant historic sites unless a determination is made that (i) there is no feasible and prudent alternative to the use of the land; and (ii) the action includes all possible planning to minimize harm to the property resulting from such use (23 CFR 774. 3(a)).

Proposed mitigation of flood storage compensation at the Snohomish County Bob Heirman Wildlife Reserve, and wetland habitat enhancement at Al Borlin Park in Monroe will use Section 4(f) property. Use of both public properties for transportation project mitigation is determined to be a net benefit according to 23 CFR 774.3(d).

Permanent use of public lands is proposed for mitigation of transportation function. Consistent with 23 CFR 774.3(d) programmatic documentation was approved on October 7, 2008 to satisfy the intent of Section 4(f) of the USDOT Act of 1966. (See Appendix 7 of this document.) Concurrence from FHWA on the temporary use of public land at the Lord Hill Regional Park in Snohomish County by the project for construction is documented in Appendix I of the EA.

There is potential for the purchase of mitigation credits at the Skykomish Habitat Mitigation Bank in lieu of using the Bob Heirman Wildlife Preserve. When this is determined, WSDOT will amend the Programmatic 4(f) Evaluation accordingly to reflect use only of the Al Borlin Park.

Endangered Species Act Findings

The Endangered Species Act of 1973 (ESA), as amended, is intended to protect threatened and endangered species and the ecosystems on which they depend. The ESA requires a federal agency to ensure that any action it authorizes, funds, or carries out is not likely to jeopardize the continued existence of any listed species or result in direct mortality or destruction or adverse modification of critical habitat of listed species. This requirement is fulfilled under Section 7 of the ESA by review of the proposed actions and consultation with the appropriate agency responsible for the conservation of the affected species. If necessary, mitigation will be required to avoid jeopardizing listed species or their habitat.

On May 10, 1999, WSDOT was delegated by the FHWA to serve as lead for ESA Section 7 consultation on behalf of FHWA pursuant to 50 CFR 402.07.

Because listed endangered or threatened species are known to occur in the project vicinity, WSDOT prepared a Biological Assessment (BA) describing how the project would affect the species. The evaluation determined listed species are likely to be harmed by the project. Thus, FHWA initiated formal consultation with U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) to determine the ways the proposed action would be implemented to conserve listed species and their habitat.

NMFS provided a Biological Opinion (BO) dated February 28, 2008 (cover letter included in Appendix J of the EA) that concludes the proposed action is not likely to jeopardize the continued existence of Puget Sound steelhead trout and Puget Sound Chinook salmon. The NMFS BO includes an incidental take statement describing reasonable and prudent

measures NMFS considers necessary or appropriate to minimize incidental take associated with the project. It also sets forth nondiscretionary terms and conditions, including reporting requirements, that FHWA and WSDOT must comply with to carry out the reasonable and prudent measures. These measures and terms and conditions are made a part of the proposed project.

USFWS provided a BO dated February 25, 2008 (cover letter included in Appendix J of the EA), and it concurs with the determinations of "may affect, likely to adversely affect" for bull trout and designated bull trout critical habitat; and "may affect, not likely to adversely affect" for the bald eagle. The USFWS BO includes mandatory terms and conditions intended to minimize certain adverse effects. These terms and conditions are made a part of the proposed project.

WSDOT updated the USFWS and the NMFS with data describing effects to the action area proposed by the Value Engineering (VE) Study approved recommendations. The action area has changed with a decrease in the amount of impervious surface and expansion to include Al Borlin Park and the Bob Heirman Wildlife Reserve. The species, critical habitat, and Essential Fish Habitat effects determination are identical to those given in the original BA and BO. A floating access for bridge construction, which is an adopted VE Study recommendation, will reduce the amount of temporary piers as reported for ESA consultation, and may reduce the construction process to one season. Though this change is favorable, the compound level of effect under ESA remains at a substantial level.

Magnuson-Stevens Act Finding

The Magnuson-Stevens Conservation and Fisheries Management Act (MSA) (Public Law 94-265, as amended through October 11, 1996) provides for the conservation and management of fisheries in the United States.

The NMFS BO dated February 28, 2008 includes the results of NMFS' analysis of the action's likely effects on essential

fish habitat pursuant to Section 305(b) of the MSA, and includes one conservation recommendation to avoid, minimize, or otherwise offset potential adverse effects to essential fish habitat. The FHWA finds, and NMFS concurs, the conservation recommendation is an identical subset of the ESA Terms and Conditions, and is made a part of the proposed project.

The likely effects of the VE Study Recommendations on essential fish habitat can be avoided, minimized, or otherwise offset by the NMFS BO conservation measure.

Air Quality Conformity Statement

The Federal Clean Air Act (CAA) requires that states take actions to reduce air pollution in nonattainment areas to the extent that federal health-based standards are not exceeded, and to provide control measures in maintenance areas to ensure attainment for at least 10 years. The framework for meeting these goals is the State Implementation Plan (SIP). As required by the CAA, the State Department of Ecology and the Puget Sound Clean Air Agency (PSCAA) submitted both ozone and carbon monoxide SIPs to EPA for review, and the plans were approved.

Under Section 176 of the CAA (adopted by chapter 70.94 Revised Code of Washington [RCW] of the Washington State Clean Air Act), the Puget Sound Regional Council (PSRC), as the responsible metropolitan planning organization, may not adopt, approve, or accept any transportation improvement projects that do not conform to the Washington SIPs.

Conformity with a SIP is defined as complying with the plan's purpose of reducing or eliminating the severity and number of violations of an ambient air quality standard and achieving expeditious attainment of such standards. The federal and state rules and regulations governing conformity are described in 40 CFR Parts 51 and 93 and in Washington Administrative Code (WAC) 174-420.

What are Mobile Source Air Toxics?

To help protect air quality, the EPA identified a group of 21 pollutants as mobile source air toxics, which are set forth in an EPA final rule, Control of Emissions of Hazardous Air Pollutants from Mobile Sources (66 FR 17235). From the list of 21, EPA has identified six priority mobile source air toxics. These are benzene, formaldehyde, acetaldehyde, diesel particulate matter/diesel exhaust organic gases, acrolein, and 1.3-butadiene. Currently, EPA has not established regulatory concentration targets for relevant mobile source air toxics appropriate for use in the project development process.

The proposed project is included in the current Metropolitan Transportation Plan (MTP) and Transportation Improvement Program (TIP). Both of these plans have been found to meet the conformity tests as identified by federal and state conformity regulations.

The project area is in attainment for all pollutants of concern. This means that air pollutant concentrations are at or below acceptable levels established by the National Ambient Air Quality Standards (NAAQS) for carbon monoxide, particulate matter, ozone, sulfur dioxide, lead, and nitrogen dioxide. The proposed action is also outside of the Puget Sound carbon monoxide maintenance area (PSRC 2007; WSDOT 2007).

Traffic volumes on SR 522 are expected to increase with or without the project. The improvements to the 164th Street SE and US 2 interchanges may create localized areas where daily traffic will increase and other areas where traffic will decrease. It is possible localized increases and decreases in mobile source air toxics (MSAT) emissions may occur with these slight changes to the daily traffic. The magnitude and the duration of these potential increases cannot be accurately quantified because research is still being conducted on health effects and modeling techniques. If these increases do occur, they will be substantially reduced in the future due to implementation of the United States Environmental Protection Agency's (EPA) vehicle and fuel regulations.

The FHWA finds the project will not result in exceedances of the NAAQS. Therefore, no design or operational changes will be required. In the future, if EPA develops standards for MSATs and tools to determine impacts of localized concentrations of air toxics; additional efforts will be identified to mitigate for air toxics impacts. At the regional and project level, the project conforms to the SIP, STIP, TIP, and meets all requirements of the state and federal clean air acts.

Farmland Findings

Farmlands of long-term commercial or potentially commercial significance, which could be classified as prime agricultural soils by the Natural Resources Conservation Service (formerly the Soil Conservation Service) are not found in the project area or potential mitigation sites (Parametrix 2006).

The FHWA finds there would be no impacts to agricultural lands caused by the project. The proposed action includes all possible planning to avoid and minimize harm to farmlands. The project would be consistent with the Farmlands Protection Policy Act (FPPA) of 1981 (7 USC 4201-4209), and other applicable state and federal farmlands protection policies, orders, and guidance.

Environmental Justice Findings

Executive Order 12898 provides that "each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minorities and low-income populations." The USDOT's Order to Address Environmental Justice in Minority Populations and Low-Income Populations similarly requires Federal Transit Administration (FTA) and FHWA to explicitly consider human health and environmental effects related to transit projects that may have a disproportionately high and adverse effect on minority and low-income populations. It also requires them to implement procedures to provide "meaningful opportunities for public involvement" by members of these populations during project planning and development (USDOT Order No. 5680.1).

Census block groups in the project area were identified to determine the demographics. The census block groups compose the study area for the environmental justice analysis, which is larger than the immediate vicinity of the highway. Based on data from the 2000 Census, minority populations make up approximately 14 percent of the population in the study area, which is less than the Snohomish County average

of 16 percent. Approximately 8 percent of the households in the study area are low income, which is slightly above the Snohomish County average of 7 percent (Parametrix 2007a).

The presence of minority and low-income populations was confirmed by obtaining school data for the study area from the 2004–2005 school years. The school data reflects higher levels of low-income populations and minority populations as compared to the census data (National Center for Education Statistics 2005).

Outreach Efforts

WSDOT has provided opportunities for minority and low-income populations to be involved in the decision-making process through its outreach efforts. These efforts have included providing project materials and notices in Spanish, having a Spanish language interpreter at the public meeting, interviewing service providers, and interviewing businesses that may be displaced by the project.

Project Effects

The proposed action will not result in disproportionately high or adverse effects on minority or low-income populations because it will improve the safety and operations of the highway primarily within the existing right of way. Based on the results of interviews, the two businesses that will be displaced by the project do not employ minority or low-income staff or serve predominantly low-income or minority populations. Likewise, the property acquisitions for the rock cuts along SR 522 will not affect minority or low-income populations or service providers for these populations.

Minority and low-income populations will experience some benefits from the project equally with the rest of the population, primarily due to access and circulation improvements.

Based on this analysis, FHWA finds that construction and operation of the SR 522 Widening Project – Cathcart Road Vicinity to US 2 will not have disproportionately high and adverse effects on low-income or minority populations. The

proposed project will likely have beneficial effects on these populations by providing traffic congestion relief.

Floodplain Findings

Pursuant to Executive Order 1198 (Floodplain Management), floodplains were assessed within the 100-year floodplains and floodways defined by the Federal Emergency Management Agency (FEMA). The floodplains near the SR 522 project surround the Snohomish River and the area just south of Bald Hill. This includes a combination of rural residential and agricultural land uses and open space. The 100-year floodplains in the region are extensive and surround the Skykomish, Snoqualmie, and Snohomish Rivers, as shown on Exhibit 2-8 in the EA.

Peak floods in the Snohomish River generally occur in late fall (November) or early spring (February) and are associated with heavy rainfall and rain-on-snow events (Parametrix 2007b). Much of Threshold Discharge Area (TDA) 1 (Exhibit 2-8 in the EA) becomes inundated during flood events.

Snohomish County has regulatory authority for issuing flood hazard permits for the construction of any fill or structure within the 100-year floodplain and floodway associated with the Snohomish or Skykomish Rivers. The Snohomish County Code requires demonstration that such a project will not raise the base flood elevations and compensatory mitigation for fill in the 100-year floodplain.

The project is not located within the City of Monroe's flood hazard area.

The new bridge pier in the center of the Snohomish River and the other proposed piers in the floodway and floodway fringe will not have major impacts to debris/sediment transport or flood conveyance (WEST 2007). The piers will not likely affect river morphology. Preliminary hydraulic modeling indicates the piers will result in an approximately 0.05-foot increase in the 100-year base flood elevation upstream of the bridge. Compared to the total flood depth, the increase caused

FEMA Maps

FEMA has mapped both the 100-year and 500-year floodplain for the Snohomish and Skykomish Rivers. The base flood elevation increases from 39 feet National Geodetic Vertical Datum (NGVD) 29 near the bridge to 44 feet NGVD 29 near the SR 522 and US 2 interchange.

by this relatively small rise is not likely to affect scour or flooding severity.

The proposed action will also place approximately 2,400 cubic yards of fill in the 100-year floodway fringe to construct portions of the road alignment in the vicinity of the bridge, and an additional 19,000 cubic yards to construct the stormwater treatment facility in TDA 1. Because the amount of fill is very small compared to the total flood storage volume, the proposed fill required for the road embankment and stormwater ponds should not have major adverse effects to conveyance or flood stages in the Snohomish River. WSDOT will provide compensatory mitigation for the floodplain fill.

The FHWA finds no adverse impacts to any 100-year floodplains or floodways would occur as a result of the proposed project.

Implementation of the VE study recommendations is likely to not create adverse impacts to floodplains or floodways within the project area. With further design refinement the amount of floodplains and floodways to be impacted by the project will be known.

The FHWA continue to find no adverse impacts to any 100-year floodplains or floodways would occur as a result of the proposed project as modified by the adopted VE Study recommendations.

How were wetlands delineated?

Biologists delineated wetlands using the methodology outlined in the Washington State Wetlands Identification and Delineation Manual (Ecology 1997) and the U.S. Army Corps of Engineers (Corps) Wetland Delineation Manual (Environmental Laboratory 1987). Figures depicting the delineated wetlands are shown in the Wetlands Discipline Report (Parametrix 2007d).

Wetland Findings

USDOT seeks to ensure the protection, preservation, and enhancement of the nation's wetlands to the fullest extent practicable during the planning, construction, and operation of transportation facilities and projects (USDOT Order 5660.1A). This is consistent with Executive Order 11990, requiring that new construction located in wetlands be avoided unless there is no practicable alternative to the construction and that the proposed action include all practicable measures to minimize harm to wetlands that may result from such construction.

Forty-eight wetlands were identified in the project study area, 15 within the City of Monroe and 33 in unincorporated Snohomish County (Parametrix 2005, 2007c, 2007d).

The proposed action will include filling wetlands and clearing or reducing the size of wetland buffers. Exhibit 3-10 in the EA shows two examples of how the highway widening will affect wetlands. Approximately 3.3 acres of wetland and 2.6 acres of buffer will be eliminated as a result of this project. Of the total area, about 1.7 acres of the wetland and 1.5 acres of the buffer impact areas are associated with stormwater facilities (Exhibit 3-11 in the EA). The remaining 1.6 acres of wetland and 1.1 acres of buffer areas to be filled or cleared are adjacent to the existing road. These areas are currently somewhat disturbed because of past or ongoing road maintenance and adjacent residential development.

Without mitigation, the physical changes to the wetlands and their buffers will also affect the ecological functions and values these areas provide. Filling wetlands will reduce the overall stormwater storage capacity in this portion of the basin. This, in turn, will affect groundwater and stream flows. Proper stormwater management will mitigate for this lost function. Loss of buffers will also affect water quality functions by reducing biofiltration potential and making wetlands potentially more susceptible to erosion and sedimentation. Reducing wetland and wetland buffers through clearing and grading will decrease wildlife habitat and the overall value of the area for wildlife (because buffer vegetation provides visual screening and dampens noise).

The FHWA finds that there is no practicable alternative to the proposed new construction within and adjacent to wetlands. The proposed action described in the EA includes all practicable measures to minimize harm to wetlands. With implementation of appropriate mitigation, the project meets the federal wetlands requirements described above. Details of the mitigation goals, site configuration, revegetation plan, and monitoring will be provided in a Wetland Mitigation Plan

(WMP) to be prepared after this FONSI is issued. The WMP will be part of the application to the Corps to fill wetlands under Section 404 of the Clean Water Act.

With further design refinement, the amount of wetland and wetland buffer impacts posed by implementation of recommendations from the VE study will decrease.

The FHWA find the modifications to the proposed project adopted with the VE Study recommendations includes all practicable measures to minimize harm to wetlands, and with implementation of appropriate mitigation, the project meets the federal wetlands requirements.

Value Engineering Finding

A Value Engineering (VE) Study was conducted in May 2008 to further refine design of the SR 522, Cathcart Road to US 2 widening project to investigate cost savings measures. (See Attachment 6, Value Engineering Recommendations.) The team members included staff from FHWA, WSDOT, and consultants. The mission of the VE team was to verify or improve upon the various design concepts proposed for the project.

Of the six recommendations put forward by the team, all but one will be adopted or modified for inclusion in the project design. The five recommendations were to:

1. use a floating access to the Snohomish River Bridge center pier;
2. replace the moment slab barrier traffic barrier with guardrail or precast concrete barrier;
3. narrow the median and shorten the proposed SR 522 bridge at 179th Avenue and 154th Street in Monroe;
4. change the land portion of the new Snohomish River Bridge to prestressed concrete girders; and
5. reduce the 40 foot median to an 18 foot median with 28-inch high solid crash barrier.

The above recommendations were reported to FHWA via the Value Engineering Recommendation Approval Form as required. At varying degrees, the amount of environmental impact for the overall project changes by these recommendations; and the change is primarily positive.

1. The **floating access for bridge construction** will reduce the in-water construction period from two to one season, and reduce the amount of driven piles from 135 to approximately five.
2. **Replacement of moment slab barrier** for precast or other barrier type may increase the amount of wetland impacts. However, this recommendation is tandem with the reduced median width, which will substantially reduce the acreage of wetland impact. The net result of reduced wetland impacts is greater than negative impacts posed by the replacement of moment slab barrier.
3. The **median is narrowed and the proposed SR 522 bridge at the 179th Avenue and 154th Streets intersection** in Monroe is reduced from 520 to 200 feet length. Bridge pier locations allow the city to widen the local street in the future and to install an intersection signal;
4. By using **prestressed concrete instead of steel for the east end of the Snohomish River bridge**, one additional pier will be placed in the 100 year flood plain driven during construction.
5. A **reduced median from 40 feet to 18 feet** will result in approximately 10 additional acres of impervious surface. However, no additional water quality ponds or right of way is anticipated to be required to accommodate the increased run-off, except the pond sizes will increase.

Full or partial implementation of two recommendations, the floating access bridge and the 179th Street roundabout, is

dependent upon further investigation. Site conditions and or construction techniques may influence use of an adaptation of the floating access or the temporary work platform described in the EA. In either case, environmental effects and construction costs are anticipated to be less than use of the temporary construction platform described in the EA. Further research is underway to determine the extent of utility relocation required for the 179th and 154th Street roundabout. If major utility relocation is required, the bridge pier will be constructed as described in the EA, and the bridge median width will be reduced as recommended by the VE study. Additional environmental review will be undertaken if a VE study recommendation or adaptation results in greater environmental effects than those disclosed in the EA.

The FHWA finds implementation of the Value Engineering recommendations will further reduce wetland impacts and reduce project costs.

References

Ecology (Washington State Department of Ecology). 1997. Washington State Wetlands Identification and Delineation Manual, Publication No. 96-94. Olympia, Washington.

Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, Department of the Army, Waterways Experiment Station, Vicksburg, Mississippi.

Federal Highway Administration. 2008. SR 522 – Cathcart Road Vicinity to US 2, Programmatic 4(f) evaluation for the Use of Bob Heirman Wildlife Preserve and Al Borlin Park. Prepared by Washington State Department of Transportation, October 2008.

National Center for Education Statistics. 2005. Common Core of Data, Public School Data for the 2004-2005 School Year. Available at: http://nces.ed.gov/ccd/schoolsearch.

Parametrix. 2005. SR 522 Snohomish River Bridge to US 2 – Wetland Biology Report. Prepared for Washington State Department of Transportation. Prepared by Parametrix, Bellevue, Washington. April 2005.

----------. 2006. Effects of Stormwater Facilities on Agricultural Land Technical Memorandum, SR 522 Widening Project – Cathcart Road Vicinity to US 2. Prepared for Washington State Department of Transportation. Prepared by Parametrix, Bellevue, Washington. November 2006.

----------. 2007a. Final Environmental Justice Discipline Report, SR 522 – Cathcart Road Vicinity to US 2. Prepared for Washington State Department of Transportation and Federal Highway Administration. Prepared by Parametrix, Bellevue, Washington. December 2007.

----------. 2007b. SR 522 – Cathcart Road Vicinity to US 2 Floodplain Discipline Report. Prepared for Washington State Department of Transportation and Federal Highway

Administration. Prepared by Parametrix, Bellevue, Washington. June 2007.

----------. 2007c. SR 522 Snohomish River Bridge to US 2 – Wetland Biology Report Addendum. Prepared for Washington State Department of Transportation and Federal Highway Administration. Prepared by Parametrix, Bellevue, Washington. December 2007.

----------. 2007d. Final Wetland Discipline Report, SR 522 – Cathcart Road Vicinity to US 2. Prepared for Washington State Department of Transportation and Federal Highway Administration. Prepared by Parametrix, Bellevue, Washington. November 2007.

PSRC (Puget Sound Regional Counsel). 2007. Website: http://www.psrc.org/projects/airqual/index.htm. Accessed October 9, 2007.

WEST. 2007. SR 522 Snohomish River Bridge – Draft Bridge Hydraulics and Scour Evaluation. WEST Consultants. September 2007.

WSDOT (Washington State Department of Transportation), September 15, 2008. Addendum to SR 522 – Cathcart Road Vicinity to US 2: Biological Assessment, NMFS Reference No. 2007009480, USFWS.

----------2008. Draft Washington State Department of Transportation Noise Proviso.

----------2007. Statement of Exemption of Conformity Carbon Monoxide, SR 522 – Cathcart Road Vicinity to US 2. Prepared by Washington State Department of Transportation, February 6, 2007.

----------2008. SR 522 – Cathcart Road Vicinity to US 2, Supplement Traffic Noise Analysis, August 2008.

----------. 2008. Value Engineering Study, SR 522 – Cathcart Road Vicinity to US 2, Executive Summary. Prepared by Washington State Department of Transportation, June 2008.

----------. 2008. SR 522, Snohomish River Bridge to US 2 Four Lane Widening Value Engineering Recommendations. Memorandum prepared by Washington State Department of Transportation, June 17, 2008.

Attachments

The EA is incorporated by reference into this FONSI. Copies of the document are available upon request from:

Dave Edwards, PE
Washington State Department of Transportation
PO Box 330310, MS 139
Seattle, WA 98133-9710

The following attachments are also incorporated into this FONSI:

1. Errata to EA
2. Notice of Availability of FONSI and Notice of Adoption of EA & FONSI Under SEPA
3. FONSI Distribution List
4. Commitment List
5. Hearing Transcript, Comments and Responses
6. Value Engineering Study Recommendations
7. Section 4(f) Net Benefit Determination

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ATTACHMENT 1
Errata to EA

The following section addresses the potential for any corrections that may apply to the following documents prepared for the SR 522 – Cathcart Road Vicinity to US 2 widening project:

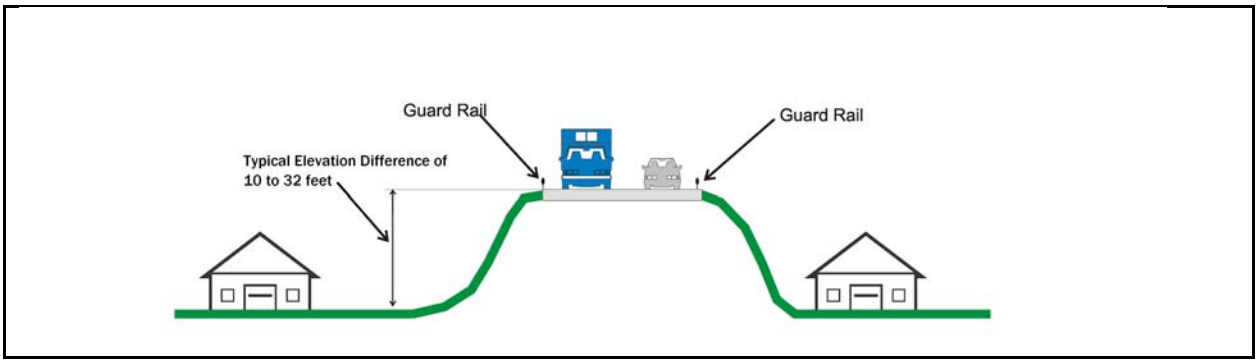
- The Environmental Assessment (EA), issued on April 23, 2008; and
- The associated public hearing held on May 8, 2008.

Environmental Assessment

The written comments received from the public and agencies, as well as the responses given, are provided as Attachment #5 of this FONSI. Neither comments nor responses substantially altered the analysis or the conclusion of No Significant Impact. A revised EA is not required however, erratum text to the EA are described as follows.

Chapter 3 - Existing Environment, Project Effects, and Mitigation

Page 3-13, Exhibit 3-4, Typical Existing Cross Section of SR 522 North of 164th Street SE

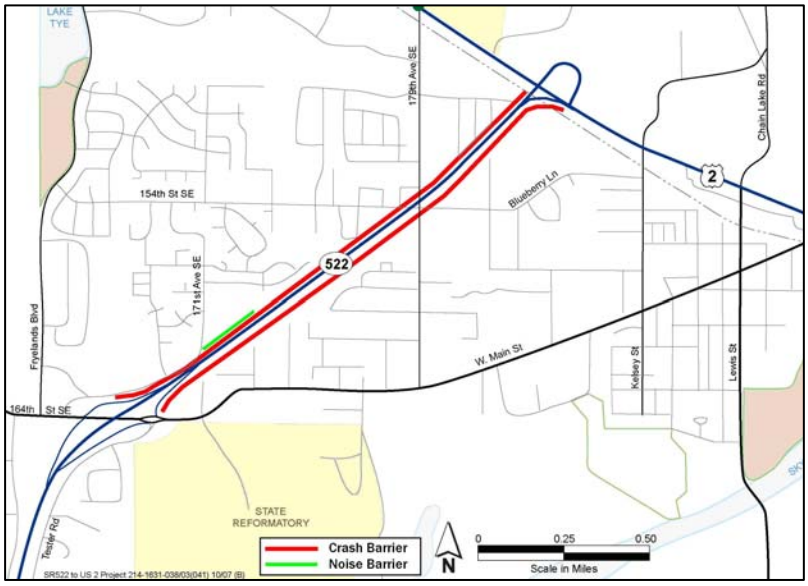


Page 3-14, Noise, Project Effects (Replaces the two paragraphs.)

Future noise levels were modeled at 82 locations for the proposed action (Michael Minor & Associates 2007; WSDOT 2008). Adopted recommendations from a value engineering study conducted in May 2008 located the proposed westbound alignment of SR 522 farther away from a new 21-home development near the intersection of 171st Avenue SE and Currie Road SE. Additional noise modeling at the residences occurred, and with the revision to the proposed action, noise levels along the corridor are predicted to range from 59 to 72 dBA L_{eq} during peak hours.

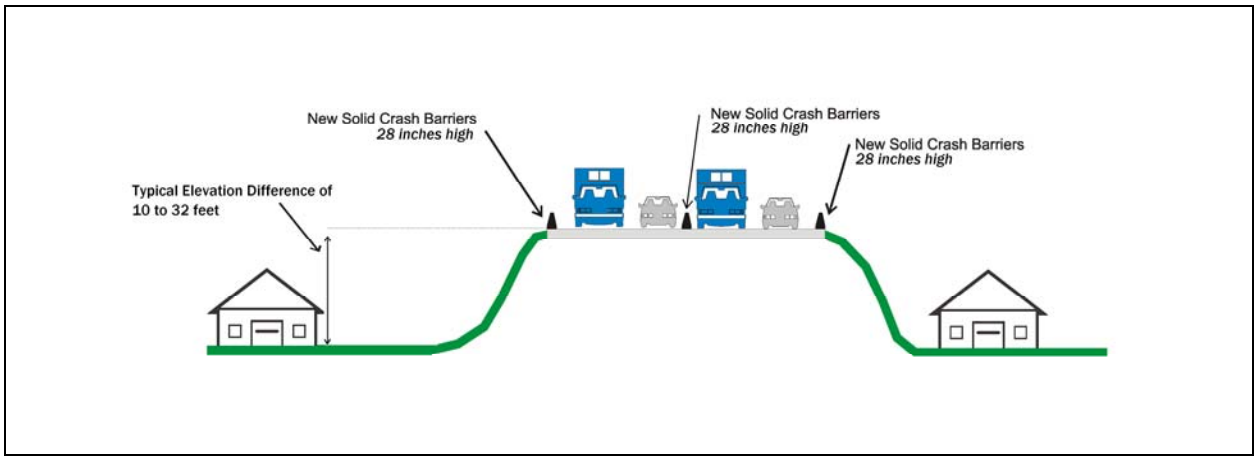
Generally, noise levels will be lower north of 164th Street SE because a large number of eastbound vehicles exit the highway at 164th Street SE, and new solid crash barriers (for example, jersey barriers) will be installed through this portion of the highway (Exhibits 3-5 and 3-6). However, the location of the at the 21-home development is physically in direct sight line of westbound moving vehicles on the highway, and a new, approximately 1000 feet noise barrier will lower predicted noise levels for the residences and users of the nearby trial to less than 66 dBA. There are 15 locations south of 164th Street SE where predicted noise levels will be equal to or above the WSDOT impact criterion with the proposed action (Exhibit 3-7). These locations include 24 residences, a church, and a school. Of the 15 locations, 3 locations with 5 residences already exceed the WSDOT traffic noise criterion.

Page 3-14, Exhibit 3-5, Location of Crash and Noise Barriers

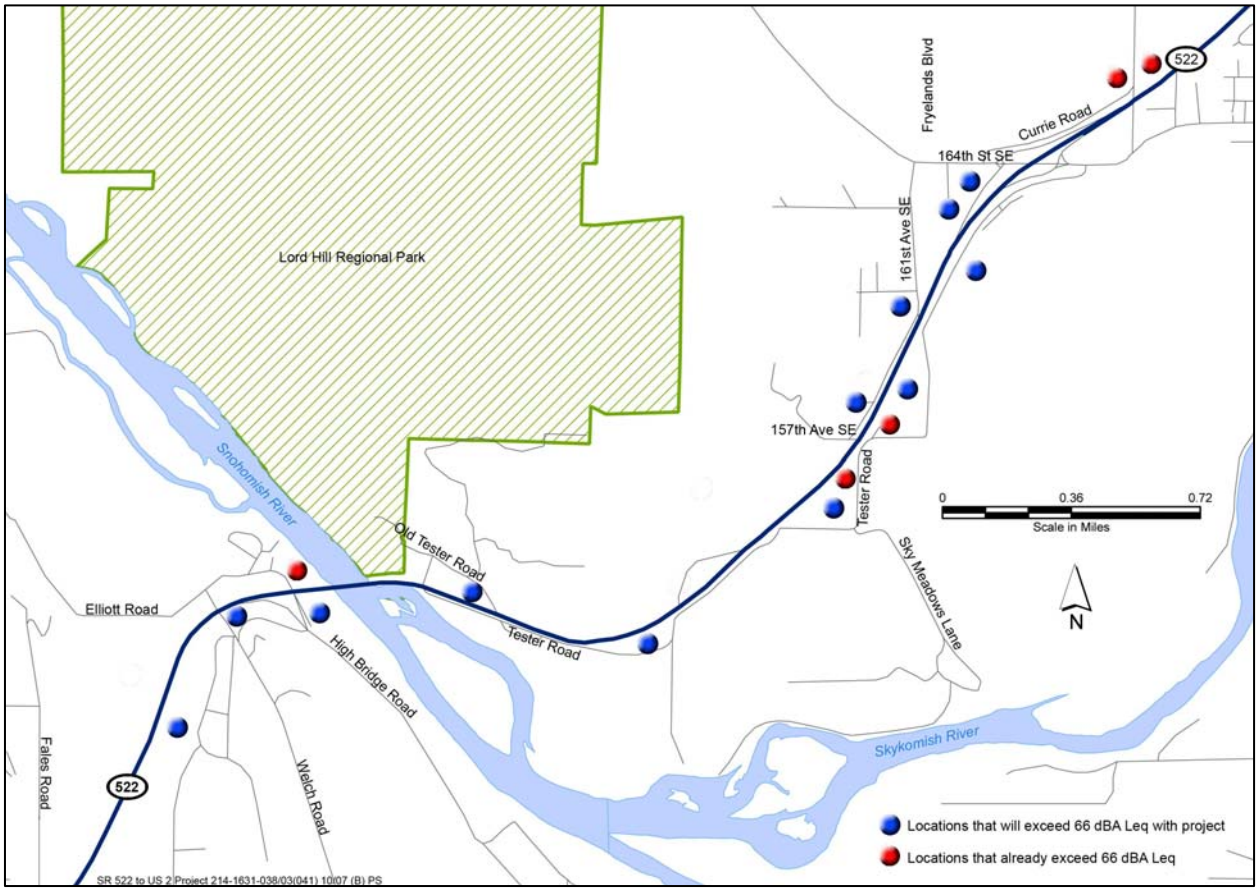


Page 3-15, Exhibit 3-6, Typical Cross Section of the Proposed Action North of 164th Street SE

Solid crash barrier height ranges from 28 inches to 42 inches high.



Page 3-15, Exhibit 3-7, Locations that Exceed WSDOT Noise Criteria with the Proposed Action



Page 3-16, Question 6, Project Effects (Replaces text.)
Traffic volumes on SR 522 are expected to increase with or without the project. The improvements to the 164th Street SE and US 2 interchanges may create localized areas where daily traffic will increase and other areas where traffic will decrease. With these slight changes to the daily traffic localized increases and decreases in mobile source air toxics (MSAT) emissions may occur. For either the Build or No Build Alternatives MSAT emission will be proportional to the vehicle miles traveled (VMT), assuming variables such as the mix of cars and trucks are the same for each alternative. The Build Alternative VMT estimate of 284,000 is 21 percent higher than the No Build Alternative because the additional lanes increases

the efficiency of the roadway and attracts rerouted trips from elsewhere in the regional transportation network. This increase in VMT would lead to higher MSAT emissions for the build alternative along the highway corridor, and a corresponding decrease in MSAT emissions along parallel routes such as sections of Tester Road, 157th Avenue SE, and Currie Road. Increased highway speeds will somewhat offset MSAT emissions increase by lower MSAT emission rates. According to EPA's MOBILE6 emissions model, emissions of all of the priority MSATs except for diesel particulate matter decrease as speed increases. Due to the inherent deficiencies of technical models, the extent to which these speed-related emissions decreases will offset VMT-related emissions increases cannot be reliably projected.

Because the estimated VMT under the build and no-build alternatives is less than 25 percent it is expected there would be no appreciable difference in overall MSAT emissions among the two alternatives. Also, regardless of the alternative chosen, emissions will likely be lower than present levels in the design year of 2035 as a result of EPA's national control programs that are projected to reduce MSAT emissions by 57 to 87 percent between 2000 and 2020. Local conditions may differ from these national projections in terms of the car and truck mix, and turnover, VMT growth rates, and local control measures. However, the magnitude of the EPA-projected reductions is so great (even after accounting for VMT growth) that MSAT emissions in the study area are likely to be lower in the future in nearly all cases.

The additional travel lanes contemplated as part of the project will have the effect of moving some traffic closer to nearby homes, neighborhood parks and businesses; however, interchange improvements will improve the user’s travel time and traffic throughout. Therefore, there may be localized areas where ambient concentrations of MSATs could be higher under the Build Alternative than the No Build Alternative, but not likely to exceed the current no-build queues and delay that users currently experience. In sum, when a highway is widened

and, as a result, moves closer to receptors, the localized level of MSAT emissions for the Build Alternative could be higher relative to the No-Build Alternative, but this could be offset due to increases in speeds and reductions in congestion (which are associated with lower MSAT emissions). In addition, MSATs will be lower in other locations when traffic shifts away from them. However, on a regional basis, EPA's vehicle and fuel regulations, coupled with car and truck turnover, will over time cause substantial reductions that, in almost all cases, will cause region-wide MSAT levels to be significantly lower than today. The project will not result in exceedances of the NAAQS.

Page 3-25, Question 14, Project Effects (Replaces the first sentence.)
The project will result in 24.7 acres of new impervious surface within the project area.

Page 3-28, Question 14, Summary of TDAs (Replaces the first sentence.)
In summary, approximately 1.7 acres of wetland area and 1.5 acres of wetland buffer area will be filled by the stormwater facilities.

Page 3-29, Question 14, Groundwater (Replaces the first sentence.)
Although the proposed action will increase impervious surface area by 24.7 acres, it will have minimal or no effect on groundwater quantity, quality, or recharge.

Page 3-31, Question 15, Project Effects (Replaces paragraph three, first sentence)
Culvert extensions and highway widening will affect approximately 1,704 linear feet of stream channel. However, approximately 1,732 linear feet of new stream channel would be created, resulting in a net increase of 28 linear feet. The impact to salmonid-bearing streams would result in a net increase of 63 linear feet.

Page 3-31, Question 15, Project Effects (Replaces paragraph four, first sentence.)
Approximately 1.7 acres of riparian buffers will be permanently affected.

Page 3-34, Question 16, Project Effects, Wetlands (Replaces the sentences two through three.)
Approximately 3.3 acres of wetland and 2.6 acres of buffer will be eliminated as a result of the project. Of the total area, about 1.7 acres of wetland and 1.5 acres of the buffer impact areas are associated with stormwater facilities (Exhibit 3-11). The remaining 1.6 acres of wetland and 1.1 acres of buffer areas to be filled or cleared are adjacent to the existing road.

Page 3-36, Question 16, Project Effects, Floodplains (Replaces first sentence of the second paragraph)
The proposed action will also place approximately 2,400 cubic yards of fill in the 100-year floodway fringe to construct portions of the road alignment in the vicinity of the bridge, and an additional 19,000 cubic yards to construct the stormwater treatment facility in TDA 1.

Page 3-39 to 3-40, Question 22, Noise (Replaces paragraph.)
Noise mitigation was examined for all areas that meet or exceed the WSDOT threshold criteria of being reasonable and feasible. An approximately 1000 feet noise barrier varying in height from 8 to 9 feet was found feasible and reasonable to screen westbound SR 522 traffic from residences located between 171st Avenue and Currie Road, and 171st and Keri Place SE. However the primarily low-density development in the area and medium to large lot sizes where most impacts were identified, noise mitigation was not found to be cost-effective. Additionally, topographical conditions in some areas of the project limits make noise mitigation difficult because residences in those locations that meet or exceed the criteria are located uphill from SR 522. Forty-two inches high solid crash barriers will be placed on both sides of the highway between 164th and US 2 to visually shield traffic from the adjacent residential areas located along westbound SR 522. (Michael Minor & Associates 2007 and WSDOT 2008).

Consultation with WSDOT Acoustics staff during design of the noise barriers will assure compliance with the WSDOT Noise Proviso (2008, Draft), which outlines approved aesthetic surface treatments. Such treatment can provide the perception of an improvement sound environment.

Page 3-40, Question 22, Views and Vegetation (Replaces the last two sentences.)

While a 28 inch crash barrier will be placed in the center median of the divided highway, roadside planting will help to screen the adjacent properties from light and glare of the roadway.

ATTACHMENT 2

Notice of Availability of FONSI and Notice of Adoption of EA and FONSI under SEPA

NOTICE OF AVAILABILITY
OF THE FINDING OF NO SIGNIFICANT IMPACT (FONSI) AND
NOTICE OF ADOPTION
OF THE ENVIRONMENTAL ASSESSMENT AND FONSI UNDER SEPA

The Federal Highway Administration (FHWA) signed on November 12, 2008 and issued on November 21, 2008 a determination of Finding of No Significant Impact (FONSI) for the SR, 522 Cathcart Road Vicinity to US 2 widening project. This finding is based upon the evaluation of the Environmental Assessment (EA) issued on April 23, 2008, and thoughtful consideration of public, agency, and tribal comments at the public hearing held May 8, 2008, and comments received during the comment period from April 23, 2008 through May 23, 2008.

This notice also advises the adoption by WSDOT of the NEPA EA and FONSI under the State Environmental Policy Act (SEPA Rules WAC 197-11-630).

The project will widen State Route 522 with two additional lanes from the Cathcart Road vicinity (Snohomish River Bridge) to US 2. The project includes construction of a new two-lane bridge for westbound traffic across the Snohomish River, a wildlife crossing near milepost 22, new intersection improvements at 164th Street SE (W. Main Street), and at 179th Avenue and 154th Street SE, and a new ramp connection and improvements to the US 2 interchange.

Copies of the FONSI and the SEPA adoption notice are available from the Project Engineer, David L. Edwards, WSDOT, PO Box 330310, MS 139, Seattle, WA 98133-9710. They can be read at public libraries in Monroe, Woodinville, and Everett, and the following locations:

WSDOT Special Project Delivery Office 9021 El Capitan Way Everett, WA	WSDOT, NW Region 15700 Dayton Ave N., MS 138 Shoreline, WA

At the project website www.wsdot.wa.gov/projects/sr522/widen/snoriver_us2 you can view a copy of the EA and FONSI, and stay informed about the progress of the project.

La información del proyecto en español está disponible por requrimento.

Individuals requiring reasonable accommodation may request written materials in alternative formats, sign language interpreters, or other reasonable accommodation by calling Alan Soicher at (360) 333-8946. Persons who are deaf or hard of hearing may call Washington State Telecommunications Relay Service (TTY) at 711 and ask to be connected with (360) 333-8946.

WSDOT ensures full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 and related statues by prohibiting discrimination based on race, color, national origin or sex, for questions please call the Title VI coordinator at (360) 705-7098.

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ATTACHMENT 3
FONSI Distribution List

To foster good lines of communication, enhance interagency coordination, acknowledge that this FONSI is a public document, and involve the public, agencies, and Tribes in implementing NEPA procedures, the FONSI is sent to the entities below.

Federal

U.S. Army Corps of Engineers

U.S. Department of Agriculture
- Natural Resources Conservation Service
  - Snohomish County Office
  - Washington State Office

U.S. Department of Commerce, National Marine Fisheries Service

U.S. Department of Homeland Security, Federal Emergency Management Administration

U.S. Department of Transportation
- Federal Highway Administration
  - Headquarters
  - Washington Division
- Federal Railroad Administration

U.S. Department of the Interior
- Bureau of Indian Affairs
- National Park Service – Columbia Systems Support Office

U.S. Fish and Wildlife Service

U.S. Environmental Protection Agency, Region 10

Tribes

Snoqualmie Tribe

Tulalip Tribes

Yakama Nation

Duwamish Tribe

State

Department of Agriculture

Department of Archaeology and Historic Preservation

Department of Ecology

Department of Fish and Wildlife

Department of Natural Resources

Department of Parks & Recreation Commission

Department of Social and Health Services

Department of Transportation -- ESO

Governor's Office of Indian Affairs

Office of the Attorney General

Puget Sound Partnership

Recreation and Conservation Office

Washington State Legislature
- District Representative/Senator for 1st, 39th, and 44th
- House Transportation Committee Chair
- Senate Transportation Committee Chair

Washington State Patrol

Utilities & Transportation Commission

Snohomish County

Agricultural Advisory Board

Executive's Office

County Council

Fire Marshal

Planning and Development Services

Public Works
- Transportation & Environmental Services
- Surface Water Management
- Engineering - Road Maintenance

Sheriff's Office

Parks and Recreation

Regional

Northwest Indian Fisheries Commission

Puget Sound Clean Air Agency

Puget Sound Regional Council

Snohomish County Economic Development Council

Monroe City

City Administrator

Community Development

Engineering Department

Public Service Organizations

Comcast

Community Transit

Cross Valley Water District

Metro Transit

Snohomish County PUD #1

Snohomish Health District

Puget Sound Energy

Verizon

U.S. Sprint

Waste Management Inc.

Schools

Monroe School District

Community Groups

Adopt-A-Stream

Cascade Bicycle Club

Monroe Chamber of Commerce

Pilchuck Audubon Society

Trout Unlimited of Washington

Libraries

City of Everett Library

City of Monroe Library

Sno-Isle Regional Library Service

University of Washington Suzzallo Library

Washington State Library

Washington State Department of Transportation Library

Western WA University, Mabel Zoe Wilson Library

Woodinville Library – King County System

Corporations

Amtrak

Burlington Northern Santa Fe Railroad

ATTACHMENT 4
Commitment List

This attachment identifies measures that will be implemented to mitigate for long-term effects or temporary construction effects. Bold page numbers in parenthesis **(X-Y)** indicate where the text is located, chapter and page, in the Environmental Assessment, *SR 522, Cathcart Road to US 2 Vicinity*.

Long-term Operational Mitigation

Displacements

WSDOT will provide relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Policies Act of 1970, as amended (42 USC 4601 et seq.) and implemented by FHWA under 49 CFR Part 24. It will also be in accordance with RCW 8.26 and WAC 468-100. **(3-40 and F-1)**

Views

WSDOT will, in establishing clearing limits, preserve existing vegetation that screens the highway from adjacent properties, where practical. **(3-40 and F-1)**

WSDOT will, in developing a roadside restoration plan that takes into account the functional needs of the roadway and maintenance requirements, consider visual screening needs as part of its plant selection. **(3-40 and F-1)**

Stormwater

WSDOT will design and build stormwater facilities in accordance with the Highway Runoff Manual, thereby helping to protect water quality. **(3-40 and F-1)**

WSDOT will treat stormwater runoff from the existing highway, thereby helping to reduce currently untreated pollutants from existing impervious surfaces. **(3-41 and F-1)**

Fish and Streams

WSDOT will, through final design, continue to incorporate design features such as retaining walls to minimize impacts to critical areas. **(3-41 and F-1)**

Where impacts to streams are unavoidable, WSDOT will mitigate impacts by replacing the functions of the affected areas (e.g., habitat enhancement) both in and out of the project right-of-way. **(3-41 and F-2)**

As part of the proposed project, WSDOT will upgrade two culverts on fish-bearing streams that cross SR 522 to emulate natural channel conditions and improve fish access to useable habitat. **(3-41 and F-2)**

To mitigate for the loss of trees larger than 6 inches diameter from riparian buffers areas, WSDOT will plant replacement seedlings at designated riparian mitigation site(s) at a ratio greater than or equal to 1:1. **(3-42 and F-2)**

Wildlife and Wetlands

Where impacts to wetlands are unavoidable, WSDOT will replace habitat, potentially onsite, within the sub-basin of the project impacts, and/or offsite but within the watershed. **(3-41 and F-2)**

As part of the proposed project, WSDOT will construct a wildlife crossing in conjunction with one of the culvert upgrades described above. **(3-41 and F-2)**

Vegetation

WSDOT will revegetate areas affected by construction, the roadside and medians with native tree and shrub species, including ethnobotanical species as appropriate. Ethnobotanical species would create a seed source for vicinity areas outside the right-of-way. **(4-27 and F-2)**

Floodplains

Fill will be placed in the 100-year floodway fringe for the construction of the road and stormwater treatment facilities. Compensatory storage will be provided within the same in

accordance with Snohomish County Code and the permits obtained for this project. **(3-42 and F-2)**

Noise

As part of the proposed project, WSDOT will construct an approximately 1000 feet noise barrier varying in height from 8 to 9 feet to screen westbound SR 522 traffic from residences located between 171st Avenue and Currie Road, and 171st and Keri Place SE. Solid crash barriers at 42 inches high will be constructed on both sides of the highway, between 164th and US 2. This crash barrier would serve to further disperse noise above the adjacent residential areas. **(3-40, EA Errata, and F-2 to 3)**

Mitigation during Construction

Traffic

WSDOT will communicate with the local community and motorists using SR 522 to inform them of the construction activities. The communications would mitigate potential traffic impacts by giving advance notice of any lane or shoulder reductions or roadway closures. **(4-25 and F-3)**

WSDOT and its contractor will work together on the construction timing and sequencing to maximize access through and around the project area during construction. The contractor will also develop a traffic control plan that conforms to established standards in the Manual of Uniform Traffic Control Devices, Part VI, as well as any hour and/or date restrictions stipulated by WSDOT. **(4-26 and F-3)**

WSDOT will develop pedestrian detours around work areas along 164th Street SE and US 2. **(4-26 to 27 and F-3)**

Vegetation

WSDOT will notify the Tulalip Tribe of the pre-construction schedule and opportunity to harvest native plant materials once the General Permit for the Removal of Materials from State Lands per E.O. D 26-65 is obtained. **(4-27 and F-3)**

Seasonal Limitations

WSDOT will seasonally limit pile driving, blasting, and in-water work, in accordance with permitting terms and

conditions. As identified in this environmental assessment, these limitations will include:

- Installing the temporary work trestle and constructing the center pier in the main channel of the Snohomish River between July 1 and August 31. **(4-23 and F-3)**
- Removing the temporary work trestle by September 30. **(4-23 and F-3)**
- Blasting the rock outcrop in September and October. **(4-23 and F-3)**
- Prohibiting pile driving within 1 mile of an active bald eagle nest between October 31 and March 31. **(4-28 and F-4)**

Best Management Practices

Construction BMPs will prevent sediment, debris, and contaminants from entering project area waters. WSDOT will require its contractor to implement and monitor such BMPs to protect project area waters. The selection of BMPs will be based on permitting requirements. **(4-21 and F-4)**

Likewise, WSDOT will require the construction contractor to implement BMPs during the bridge construction to prevent contaminants or debris from entering the Snohomish River. The selection of BMPs will be based on permitting requirements and conservation measures identified by resource agencies. **(4-22 and F-4)**

Earthwork Balancing

To minimize the amount of fill material imported, WSDOT will direct its contractor, to the extent practical, to truck and use excavated materials from the west end of the project for fill material on the eastern portion. **(F-4)**

Noise

WSDOT will require that all engine-powered equipment have mufflers installed according to the manufacturer's specifications, and all equipment comply with pertinent noise standards of the U.S. Environmental Protection Agency. **(4-23 and F-4)**

If specific noise complaints are received during construction, WSDOT will require its contractor to implement additional noise mitigation measures. **(4-23 and F-4)**

If necessary for nighttime construction, WSDOT will obtain a noise variance from the local jurisdiction. **(4-23 and F-4)**

Air Quality

WSDOT will require its contractor to take reasonable precautions to prevent fugitive dust from becoming airborne and to maintain and operate the construction equipment to minimize emissions. **(F-4)**

Cultural Resources

WSDOT will have a professional archaeologist monitor ground-disturbing activities in native soils in areas with a moderate to high probability for archaeological resources. **(4-24 and F-5)**

WSDOT will develop an unanticipated discovery plan (UDP) to identify procedures in the unlikely event that historic period archaeological deposits or human remains are inadvertently discovered during construction excavation in any portion of the proposed project. The plan will be incorporated in contract construction documents. **(4-24 and F-5)**

Utilities

If relocations are necessary, WSDOT will coordinate with the providers to relocate the utility in accordance with state law. **(4-25 and F-5)**

The contractor will verify utility locations as required by law prior to any excavation work. **(4-24 and F-5)**

Public Services

WSDOT will coordinate in advance with emergency services, law enforcement, public service providers, and schools regarding planned detours and delays. **(4-26 and F-5)**

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ATTACHMENT 5

Hearing Transcript, Comments and Responses

Hearing Transcript

A copy of the March 8, 2008 EA Hearing transcript is provided in this attachment. The oral and written comments received from the public, as the responses given, are also provided. Neither comments nor responses substantially altered the analysis or the conclusion of No Significant Impact.

Following the EA hearing transcript are the public comments and responses in a matrix format according to the numbered list below.

Public Comments and Responses Index

1. Cheryl Rybarczyk -- comment #14
2. Chuck Monninger -- comment #2
3. David Hopkins -- comment #5
4. Garret Pagon -- comment #1
5. Grace & Gerhard Gertschitz -- comment #6
6. Gregory D. Stephens -- comment #11
7. Harley Heinrich -- comment #10
8. JoAnn Mesa -- comment #12
9. Joseph D'Angelo -- comment #9
10. Mark Apland -- comment #4
11. Nicolas W. Dankers -- comment #3
12. Snohomish County Public Utility District – comment #15
13. Steve Jenson -- comment #8
14. Thomas F. Stine -- comment #7
15. US EPA, Region 10, C. Reichgott, Manager NEPA Review Unit -- comment #13
16. USFWS, Ken S. Berg – comment #16

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1
2 SR 522 SNOHOMISH RIVER BRIDGE
3 (CATHCART ROAD) VICINITY TO US 2
4
5
6
7
8 ENVIRONMENTAL HEARING
9
10
11 May 8, 2008
12
13
14 5:00 p.m. to 7:00 p.m.
15
16 Monroe High School
17001 Tester Boulevard
Monroe, Washington
17
18
19 **ORIGINAL**
20
21 KATHERINE CULLMAN, CCR 3001
22
23
24
25

INDEX OF SPEAKERS

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GERHARD W. GERTSCHITZ	13
STEVE JENSEN	15
JOSEPH D'ANGELO	17

* * * * * * * * * *

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14 Court Reporter

15 Court Reporter:
KATHERINE CULLMAN
16 VAN PELT, CORBETT & BELLOWS
100 South King Street, Suite 360
17 Seattle, Washington 98104
(206) 682-9339
18

19 * * * * * * * * * *

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1 MR. EDWARDS: Good evening, everyone. I'm
2 going to do a short presentation on the project. It will take
3 about ten minutes. If you care to take a seat, there's a few
4 chairs up here. Please watch out for the cords that are around
5 this table if you sit close to the table. The screen is a little
6 bit small, so you may need to sit up close. A lot of the slides
7 that I have in this presentation are similar around the room.
8 My name is Dave Edwards, and on behalf of the Federal
9 Highway Administration and the Washington State Department of
10 Transportation, I'd like to welcome you here tonight to the
11 environmental assessment public hearing for the SR 522, Snohomish
12 River Bridge in the Cathcart Road vicinity to the US 2 widening
13 project.
14 This environmental hearing is held in compliance with the
15 WSDOT and Federal Highways regulations related to the National
16 Environmental Protection Act, known as NEPA, of 1966, to provide
17 public interaction for public transportation projects.
18 We have a court reporter here tonight over here to my
19 left that is here and available to take any questions or comments
20 that you may have on the project. Or you may fill out the form
21 that is provided in the handout available at the sign-in table.
22 Comments on this project will need to be submitted by
23 May 23rd, 2008. These questions or comments will become a part
24 of the hearing record and will be considered in our final decision
25 on the project.

1 The following statement is being read for the court
2 reporter to record into the transcript of tonight's meeting:
3 This environmental hearing is being held to comply with
4 the Washington State Department of Transportation guidelines. They
5 meet the provisions of the Federal Aid Highway Act, Title 23,
6 Section 128 of the United States Code; and Title 23, Part 771; and
7 Title 40, parts 1500 through 1508, of the Code of Federal
8 Regulations.
9 The hearing also complies with the state Environmental
10 Policy Act of 1971, Chapter 197 dash 11 and Chapter 468 dash 12 of
11 the Washington Administrative Code and Chapter 43.21c and Chapter
12 47.04 of the Revised Code of Washington.
13 So why do we review environmental effects? The national
14 and state environmental policy acts require an evaluation of the
15 major elements of the environmental elements, including
16 transportation, people, ecosystems, and cultural resources.
17 The environmental assessment document is available here
18 tonight and at the local libraries or you may view it online. The
19 link to the document is available in the project handouts.
20 The results of this evaluation are summarized in
21 tonight's meeting handout and on the presentation boards that we
22 have around the room.
23 Several WSDOT staff are available here to help answer any
24 questions that you may have.
25 In summary, WSDOT considered two alternatives in the

1 environmental assessment: The proposed action and the no action
2 alternative.
3 The focus of the evaluations were based upon feedback
4 from agencies, tribes, and the public, as well as on the presence
5 of regulated resources such as endangered species, wetlands, and
6 floodplains.
7 The purpose of tonight's meeting is to receive your
8 comments and feedback on the evaluations and findings presented in
9 the EA document.
10 So how will WSDOT improve SR 522? This 522 project is a
11 transportation project to improve safety and reliability primarily
12 through roadway widening, which will reduce congestion from the
13 Snohomish River Bridge to US 2.
14 The main features of this project are to widen a 4.3 mile
15 corridor from one lane in each direction to two lanes in each
16 direction. We will provide a median to separate the eastbound and
17 westbound traffic; build a new westbound bridge across the
18 Snohomish River; and improve the 522 US 2 and 164th Street
19 intersections in Monroe.
20 In Monroe these improvements include a new flyover ramp
21 that will be constructed from eastbound SR 522 to eastbound US 2.
22 And a new roundabout will be constructed for the westbound off and
23 on ramps to and from SR 522 at 164th Street.
24 Design visualizations of these improvements are shown in
25 your handout and on the display boards around the room.

1 WSDOT identified improvements to SR 522 from SR 9 in
2 Woodinville to US 2 in Monroe within five stages of work in a 1994
3 environmental impact statement. They were primarily developed
4 according to available funding and our ability to finance the
5 proposals with future transportation budgets. The funding for this
6 project is from the 2003 nickel gas tax.
7 This project, widening 522 from the Snohomish River
8 Bridge to US 2, is identified as stage five in the projects shown
9 on this slide. And I realize it's a little bit small, but the
10 slide is available in your handouts and around the room.
11 Stage one was completed in 2001. This project widened
12 522 to four lanes, beginning at the SR 9 interchange north of
13 Woodinville up to the SR 524 Paradise Lake Road intersection in
14 Maltby.
15 Stage two will continue the widening of 522 up to the
16 Snohomish River Bridge.
17 And stage three will construct a new interchange at the
18 524 Paradise Lake Road intersection.
19 Stage four is the first half of that, that constructed at
20 the Fales Echo Lake Road intersection. That was completed in 2006.
21 The funding to complete the remaining stages, two and
22 three, and the Fales Echo Lake Road interchange is currently not
23 available at this time.
24 The widening of 522 from the Snohomish River Bridge to US
25 2 is being completed ahead of these other remaining projects to

1 improve safety across the Snohomish River Bridge and to improve the
2 congestion and safety at the US 2 intersection.
3 When the -- the 2007 legislative budget for the proposed
4 project was approximately $169.1 million dollars. And this slide
5 is also available at the table.
6 Construction will take approximately three years and is
7 scheduled to begin in the summer of 2010 and be completed by the
8 fall of 2013.
9 The other transportation projects in the area are several
10 by the city of Monroe, and WSDOT has the remaining projects on 522
11 to complete and the projects on the US 2 traffic safety corridor.
12 Information on these projects is available over here at
13 the table to my left with the person from the city of Monroe, and
14 we have information available on the other projects there on the
15 522 corridor.
16 So what's next in our project process? We're here
17 tonight to make this environmental assessment available to you and
18 share those results.
19 After hearing your comments and any others that we
20 receive in the next few weeks, WSDOT and Federal Highways will
21 review the comments and prepare a decision on the project features.
22 The results of this work will be recorded by FHWA in a document
23 known as the FONSI, which is a finding of no significant impact.
24 The final design of the construction plans and
25 specifications will occur between now and the advertisement date of

1 December 2009. Construction work will begin in the spring of 2010
2 of this project, and construction is expected to be completed by
3 fall of 2013.
4 So any comments you would like to give us on the project
5 will become part of the hearing record. We need to receive your
6 comments by May 23rd. If you have a written statement that you
7 would like entered into the hearing record, you will need to submit
8 it to the court reporter, who is, again, available over here to the
9 left.
10 If you need any more information on this project or still
11 have questions, please feel free to contact me. My contact
12 information and the project Web site address are in the handout at
13 the sign-in table.
14 So to answer any questions you may have, we have several
15 staff stationed around the room near the project displays. And we
16 would like to take your questions on a one-on-one basis to be able
17 to talk to you and give you the best information we can. So again,
18 thank you for coming to tonight's meeting.
19 That concludes my presentation for tonight.
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THOMAS F. STINE

Thomas F. Stine, S-T-I-N-E. Address, 9415 222nd Street Southeast, Woodinville, Washington 98077.

My comment is, my logic tells me that this project should be funded for this stage two through four -- no, stage three through four portion of this project before it's funded for stage five.

You're leaving the middle section going 'til the end, and that's kind of ridiculous. We should be doing something, you know, as we continue from Paradise Lake Road down to the bridge, it would be cheaper, less expensive and less time-consuming to do that section because a lot of the work has already been done.

This project is going to cost way more than the estimated $169 million that they've got programmed for it, because there's going to be a lot more work involved in building the bridge and in putting the road base in for the section between 164th and Highway 2.

And also, there's going to be an awful lot of drilling and blasting on this section around the corner from the bridge to 164th. There's no road base there at the present time for the other two lanes.

There is, however, road base on the majority of the section between the bridge and Paradise Lake Road. And they should have built -- they should have built a four-lane bridge when they built

1 the one over Fales Road. They were short-sighted in not allocating
2 the money to build a second bridge there or a four-lane bridge when
3 they built the original bridge.
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1 GERHARD W. GERTSCHITZ

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3 My name is Gerhard W. Gertschitz, and it's
4 G-E-R-T-S-C-H-I-T-Z. We live at 17260 Keri Place, Southeast.
5 That is a 21 home development that has not been recorded in any of
6 your maps or any of your sites, and I brought it to the attention
7 in the last meeting, and you still have the old photographs as well
8 as now the noise level study supposedly done does not show there
9 was a noise level study done of that particular area.
10 From my house to the present existing roadway is
11 approximately 75 feet. You're going to come closer now by another
12 40 or 50 or 60 feet. That means you will be close to the homes
13 that are there in that 21 homeowners' association within 35 to
14 40 feet. And I'm told that the noise level study didn't show there
15 was enough noise on it when I talked to the lady that was in charge
16 of it. However, she did agree that apparently, according to the
17 documents she has, that particular area was given an estimate of
18 the other areas that are left and south and north of us, so she is
19 going to, as she had promised she would, do another noise level
20 study of that particular area.
21 Federal law mandates and says that the homeowners are
22 entitled, when there's a federal highway project going in, that
23 noise level prediction must be given to the citizens of the
24 community. I invoke that right as a citizen, that a study should
25 be done.

I understand that these are independent consultants that make the studies. But usually consultants are paid by the project engineers and by the funding that it is, and sometimes are biased by to -- the people that pay them as opposed to the public that they're supposed to be protecting. I'm not saying that this is the case at this time. However, I'd like to get a copy of the noise level study that was done initially and also a copy of the new noise level study that was promised of the community that we live in, those 21 homes that were built within the last three years.

I'm very concerned with this because when the road is being placed within 30 or 40 feet from our houses, I'm sure, being as the Highway 522 with the traffic amount that goes through, that unless somebody is deaf they will hear the noise.

1 **S T E V E J E N S E N**

2

3 I'm Steve Jensen, J-E-N-S-E-N, at 17041 155th Street
4 Southeast, Monroe, Washington 98272.
5 Just to note that when I look at one of the diagrams and
6 the pictures they show where they're building the roundabout at,
7 what is that -- 164th Street Southeast? It shows a sidewalk
8 being built in on the -- I don't know what side that is now -- I
9 think that's on the north side, coming from the sidewalk it comes
10 very close to Keri [phonetic] Street. And I would like to see that
11 they include a path, a discrete path, between those two sidewalks.
12 Someone was saying that this green area was a sensitive
13 area and people are going to traipse through it which would be
14 environmentally unfriendly, so having a discrete path would be a
15 benefit to the environment, even if it is sensitive ground in that
16 area.
17 And my other comment, if I can make a second comment, is
18 just when they make the new ramp coming from -- at the end of 522
19 where it meets Highway 2, there's a new flyover ramp coming in, and
20 I just want to be sure that traffic coming down that ramp is not
21 allowed to move over to the left lanes and turn left on Kelsey
22 Street, because there's just not enough space and there will be all
23 kinds of accidents.
24 I just want to make sure the traffic has to take the
25 traditional route around where they'll come in on the left side of

the road instead of on the right side of the road.

So that's my comments.

JOSEPH D'ANGELO

Joseph D'Angelo, D-A-N-G-E-L-O, at 15709 Tester Road.

My concerns are about the 24-foot culvert that enters my property into a pond. And it's not the 24-foot culvert, it's the 3-foot culvert on -- as the water exits my pond, which is underneath Tester Road that was built during the first construction phase of the 522.

That culvert needs to be enlarged to allow for fish passage. Since we're increasing the creek flow up above river, it makes no sense to not do it on the other side.

CERTIFICATE

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

I, Katherine Cullman, a Notary Public in and for the State of Washington, do hereby certify:

That the foregoing public hearing comments were taken before me at the time and place therein set forth;

That the statements made by all the speakers were taken down by voice recognition;

That the foregoing transcript is a true record of the statements given by the speakers at the time of the public hearing, to the best of my ability.

I further certify that I am in no way related to any party to this matter, nor do I have any interest in the matter.

Witness my hand and seal this 17th day of May, 2008.

Katherine Cullman, Notary Public in and for the State of Washington, residing at Kent. Commission expires April 26, 2012.

WSDOT Responses to Agency and Public Comments

SR 522 - Cathcart Road Vicinity to US 2 Environmental Assessment

Comment	WSDOT Response
1. Garret Pagon	
You need to add one westbound lane from Echo Lk. To Paradise Lk. In order to relieve the congestion on 522 going westbound on 522 in the morning.	The limits of the project currently completing environmental review, does not include the section of SR 522 from Echo Lake Road to Paradise Lake Road. The western limit of this project occurs 1.5 miles east of the Echo Lake Road location referenced in your comment. We understand your concern to relieve traffic congestion. However, the project to widen SR 522 between the Echo Lake Road and Paradise Lake Road is currently not funded and is dependent on legislative approval for funding. WSDOT can recommend where we think projects should be built, however, the legislature has the ultimate say to where we spend the money. Unfortunately, there are very limited resources available for projects statewide right now and the list of needed projects not funded is long. I encourage you to speak with your local legislators and encourage them to fund projects along SR 522. Your interests, whether through community groups or individually, make a real difference as we continue to make improvements to this highway corridor.
2. Chuck Monninger	
The duration of construction appears to be too long. The longer the roadway is under construction, the longer there will be 1) existing safety hazards' 2) new construction related hazards, 3) construction related environmental hazards, 4) construction cost escalations. Even if the funding is restricted during this period, can't the construction period be shortened? Such as—offer incentives for early completion; incorporate time+cost components into the award/selection process; make the contractor consider the financing impact if construction is completed prior to funding availability.	The preliminary construction schedule for the SR 522, Cathcart Rd. (Snohomish River Bridge) to US 2 project coordinates many complex construction elements including 5 bridges, 20 retaining walls, 7 storm water ponds, and many other elements that include environmental protection requirements. The schedule must consider work that occurs sequentially as well as work that can occur simultaneously. Safety of the traveling public as well as for the construction personnel is a main factor of the work plan. WSDOT develops the construction schedule to consider all of these elements, and notably to consider the magnitude and complexity of building the 1755-foot long bridge over the Snohomish River. The new Snohomish River bridge construction will place a new bridge pier in the river. Construction permit conditions will only allow a 2-month window of time from mid July to mid September to complete the construction of the bridge pier in the river. This short work window will make it difficult to complete the bridge in-water construction work in a single season. As the design progresses, we will continue to fine-tune the schedule in an effort to streamline the work.
3. Nicolas W. Dankers	
As a certified arborist, my primary concern with this 522 project is the tree health and density along the construction corridor. I live on tester Rd. and noise from	The project will affect some trees and shrubs adjacent to SR 522 in order to widen the highway. Disturbance of vegetation is confined to locations needed for construction

WSDOT Responses to Agency and Public Comments

SR 522 - Cathcart Road Vicinity to US 2 Environmental Assessment

Comment	WSDOT Response
the highway is significant. Preserving and replanting native trees and shrubs between the road and nearby residents will reduce the air and noise pollution we experience. I'm not sure how a larger highway will affect my property value, so please consider the quantity and quality of species buffering the road to maintain local quality of life. Finally, we are restoring the stream below the Tester Rd. retention pond, and I am concerned with water flows during storm events.	of the project. We will assess if there are opportunities to avoid impacting trees as is feasible within this project. According to federal and state regulations, WSDOT will return with a separate project to plant roadside vegetation after this widening project is completed. The project will include a thorough evaluation of the storm water flows during construction and for the final highway widening. We have a design specialist that will develop plans for treating and controlling these storm water flows. In addition, during construction, personnel will be assigned specifically to ensure stormwater is controlled and treated, and to monitor the effectiveness of stormwater treatment. WSDOT will follow federal and state regulations for storm water flow treatment to prevent environmental impacts.
4. Mark Apland	
1) A pedestrian passage needs to be made from the new roundabout to Currie Rd. Currently, students are going through the car dealership to make a shortcut to the Fryelands. 2) Bridge—Pedestrian—Bicycle access. As fuel costs continue to increase, pedestrian access will become <u>much</u> more important in the future. It would help to have ped/bike access from Elliot to Tester Road across the bridge. Expecting non-car traffic to route around the 6+ miles over High Bridge Rd. is not realistic. My concern is that when the 522 –Paradise Lake overpass is finished, 522 will be changed to "limited access" and pedestrians and bikes will be <u>banned</u>!	WSDOT will consider the feasibility of the suggested pedestrian passage from the proposed roundabout at Main Street to Currie road. We agree that there are potential benefits to pedestrians, and we will further explore how to best advantage them. While SR522 is currently a limited access highway, it is still available for use by pedestrians and bicyclists. This project will continue to allow pedestrian and bicycle use of the highway. WSDOT recognizes the importance of different modes of travel for highway users. For example, a user that is traveling for leisure may choose an alternate route compared to a commuter that may be concerned about their travel time. We do not foresee a change to the limited access status of the SR 522 highway at this time.
5. David Hopkins	
Attn: Maria Laura Musso-Escude Good Day, My question addresses the added noise (acoustic signature) of the construction and more specifically the increased noise coupled with the Burlington Northern Railroad/train would WSDOT consider leading an attempt to work with BNSF in introducing quiet zones? Where the train crossings have localized alarms/warnings; as opposed to the actual air whistle/horn being utilized, we may be able to further mitigate the noise of added traffic and transient construction.	WSDOT has completed a traffic noise analysis where it is address traffic noise impacts and temporary construction noise due to the increases of capacity and roadway realignment. Unwanted sounds from railroad operations were not included of the analysis per our WSDOT Traffic noise policy. Quiet Zone Creation has been accomplished where communities wish to mitigate noise from Railroad crossings especially horn noise at the crossings. The Federal Register regulation for the establishment of Rail Road Quiet Zones is 49 CFR 222 and 229, and currently Washington State has four locations designated as Quiet Zones. The railroad crossing location within the SR522 widening project it is not one of these and the WSDOT has not perused working with BSNF to initiate the creation of this crossing as a new quite zone.

WSDOT Responses to Agency and Public Comments

SR 522 - Cathcart Road Vicinity to US 2 Environmental Assessment

Comment	WSDOT Response
	WSDOT is not responsible for leading the effort of establishing a quiet zone. That falls on the City or County where the crossing resides. The steps involved in establishing a quiet zone are 1. Go to the Federal Rail Administration (FRA) website (http://www.fra.dot.gov/us/content/1318) and click on the Quiet Zone Calculator. Do the calculations for the specific rail crossing with the number of trains and vehicles per day. If this number is below the national average then you would qualify for establishment of a quiet zone. 2. The community comes to the local City or County who has jurisdiction over that crossing to apply for a Quiet Zone. 3. The City or County must file a letter of intent with the railroads, public highway authority, law enforcement agencies and any land owners in the area before the application can be considered. 4. The community along with the City or County files the application 5. The railroad considers the request based on the calculations in step 1 above and the cost and accepts or denies the request. For further questions please contact: Darryl Morrow, Darryl.Morrow@dot.gov. 360-253-7508
6. **Grace & Gerhard Gertschitz**	
Request for noise level data from our homes (21) to new road construction. (*See the Hearing Transcript for the complete text*.)	WSDOT undertook additional traffic noise modeling per your request at the 21 residences located in the vicinity of 17200 Keri place SE. Based on the results of the noise modeling analysis, WSDOT has concluded that a variable height noise wall between 8 to 9 feet tall is warranted in this area. This wall will be included in the upcoming construction project to widen SR 522.
7. **Thomas F. Stine**	
My comment is, my logic tells me that this project should be funded for this stage two through four -- no, stage three through four portion of this project before it's funded for stage five. You're leaving the middle section going 'til the end, and that's kind of ridiculous. We should be doing something, you know, as we continue from Paradise Lake Road down to the bridge, it would be cheaper, less expensive and less time-consuming to do that section because a lot of the work has already been done. This project is going to cost way more than the estimated $169 million that they've got programmed for it, because there's going to be a lot more work involved in building the bridge and in putting the road base in for the section between 164th and Highway	WSDOT originally divided the SR 522 corridor improvements into five stages. Each stage is an autonomous transportation solution, able to operate independently once constructed without displacing a problem somewhere else. With completion of each stage, SR 522 is incrementally widened from Woodinville to Monroe making it a four lane, divided highway. If one stage is constructed before another, traffic operations should continue without congestion or construction issue at another location. Widening SR 522 from Snohomish River to US 2 was included as the fifth stage of our corridor plan. WSDOT completed the first stage, widening SR 522 between SR 9 and Paradise Lake Road in 2001. We also built a new

WSDOT Responses to Agency and Public Comments

SR 522 - Cathcart Road Vicinity to US 2 Environmental Assessment

Comment	WSDOT Response
2. And also, there's going to be an awful lot of drilling and blasting on this section around the corner from the bridge to 164th. There's no road base there at the present time for the other two lanes. There is, however, road base on the majority of the section between the bridge and Paradise Lake Road. And they should have built -- they should have built a four-lane bridge when they built the one over Fales Road. They were shortsighted in not allocating the money to build a second bridge there or a four-lane bridge when they built the original bridge.	Fales/Echo Lake Road interchange in 2006. The Fales/Echo Lake Road interchange was not built to the ultimate width due to the limited funding that was available for the project. Additional funds are required to complete the Fales/Echo Lake Road Interchange and the other remaining stages of the SR 522 project. In 2003, the Washington State Legislature expected to fund widening SR 522 between Paradise Lake Road and the Snohomish River, including the Paradise Lake Road Interchange with the Regional Transportation Improvement District (RTID) funding package. In November 2007, voters rejected Proposition 1: the RTID funding package. Also in 2003, the Legislature created the Nickel Funding Package for the next logical step, which was to widen SR 522 from the Snohomish River to US 2 in Monroe. While it is not clear at present when the remaining stages of the SR 522 improvements will be funded, there is funding to improve the safety and capacity in the northern portion of SR 522 from the Snohomish River to Monroe.
8. Steve Jensen	
Just to note that when I look at one of the diagrams and the pictures they show where they're building the roundabout at, what is that -- 164th Street Southeast? It shows a sidewalk being built in on the -- I don't know what side that is now -- I think that's on the north side, coming from the sidewalk it comes very close to Keri [phonetic] Street. And I would like to see that they include a path, a discrete path, between those two sidewalks. Someone was saying that this green area was a sensitive area and people are going to traipse through it which would be environmentally unfriendly, so having a discrete path would be a benefit to the environment, even if it is sensitive ground in that area. And my other comment, if I can make a second comment, is just when they make the new ramp coming from -- at the end of 522 where it meets Highway 2, there's a new flyover ramp coming in, and I just want to be sure that traffic coming down that ramp is not allowed to move over to the left lanes and turn left on Kelsey Street, because there's just not enough space and there will be all kinds of accidents. I just want to make sure the traffic has to take the traditional route around where they'll come in on the left side of the road instead of on the right side of the road. So that's my comments.	Thank you for your comment regarding the need for a pedestrian connection from the new roundabout sidewalk on Main Street to Currie Road and your comment about the need to prevent left turns at Kelsey Street for vehicles heading east on US 2 from the new SR 522 flyover ramp. WSDOT will consider the feasibility of the suggested pedestrian passage from the proposed roundabout at Main Street to Currie Road. We agree that there are potential benefits and we will investigate this suggestion with the City of Monroe Engineering Department. Regarding your second comment, traffic from the new flyover ramp will be restricted from turning left at Kelsey Street by the use of a curb which will extend between the new lane and the through lanes to a point past Kelsey Street. Vehicles that need to turn left at Kelsey Street on US 2 will need to take the existing loop ramp as they do today.

WSDOT Responses to Agency and Public Comments

SR 522 - Cathcart Road Vicinity to US 2 Environmental Assessment

Comment	WSDOT Response
9. Joseph D'Angelo	
My concerns are about the 24-foot culvert that enters my property into a pond. And it's not the 24-foot culvert; it's the 3-foot culvert on -- as the water exits my pond, which is underneath Tester Road that was built during the first construction phase of the 522. That culvert needs to be enlarged to allow for fish passage. Since we're increasing the creek flow up above river, it makes no sense to not do it on the other side.	The culvert in question is crosses under Tester Road, which is outside of the State property and is within Snohomish County property. The proposed culverts to be replaced under SR 522 are sized to accommodate both fish and wildlife passage, and not because larger culverts are needed for stream flow. In addition, the amount of flow through the Tester Road culvert will reduce because stormwater from the SR 522 roadway in this area will be diverted westerly to a treatment site in a different drainage basin. Stormwater from the Tester Road culvert flows to another drainage basin. Snohomish County is responsibility for any issues related to the culvert under Tester Road.
10. Harley Heinrich	
I read in the Monroe Monitor that WSDOT is spending $169M to upgrade hwy 522. I commute this way frequently and believe that upgrades to 522 are needed. However, it seems wrong to me that we would only spend $10M to fix the more than $1B worth of issues with HWY2 that are causing dozens of deaths a year. Do our politicians and WSDOT not care about the HWY2 death trap? Or is this a political issue?	Thank you for your interest in WSDOT's SR 522 and US 2 projects. You may recall that Reader's Digest warned drivers in November 2000 that the 10 mile stretch of SR 522 between Woodinville and Monroe was among America's most dangerous highways and we have been working hard to improve safety and reduce congestion on this increasingly busy corridor. When we widen SR 522 between the Snohomish River and US 2 in 2010, we will build a median to separate opposing lanes of traffic, reducing the potential for head-on collisions. Much of our funding comes from gas taxes passed in 2003 and 2005, and that funding is directed by the state legislature. In 2003, the Washington State Legislature allocated money to widen SR 522 from Snohomish River to US 2 using the Nickel Funding Package. Other road work, such as improvements on US 2 were included the Regional Transportation Improvement District (RTID) funding package. In November 2007, voters rejected Proposition 1, the RTID funding package that included money for US 2 safety and congestion improvements. WSDOT can recommend where we think projects should be built, however, the legislature has the ultimate say to where we spend the money. Unfortunately, there are very limited resources available for projects statewide right now and there is a long list of needed projects that are not funded. Looking ahead, it is not clear when there will be additional funding for US 2 or the remaining SR 522 improvements. In the meantime, we completed the US 2 route development plan that will help legislators and local agencies make future funding decisions. This 18-month study enabled us to put together a list of 56 projects that could improve mobility and safety along US 2. While only one of these projects is currently funded, the plan provides a blueprint for

WSDOT Responses to Agency and Public Comments

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Comment	WSDOT Response
	legislators and local agencies as they make future funding decisions. You can learn more about the route development plan and see the list of identified projects on our Web site: www.wsdot.wa.gov/Projects/US2/RDP/ I encourage you to speak with your local legislators and encourage them to fund projects along US 2. Your efforts, whether through community groups or individually, make a real difference as we continue to make improvements to this highway corridor. You can also get more information about our efforts to improve safety on SR 522 at the project web page http://www.wsdot.wa.gov/Projects/SR522/Widen/ If you have any other questions, please contact me.
11. Gregory D. Stephens	
The new bridge represents finally a way to rectify decades of frustration for walkers, bicyclists, and equestrians. There is currently no way without a car to reach Lord's Hill Park from the west. No river crossing is available to these members of the growing communities in our future "City of Maltby" area to access the largest Snohomish County park; a gem of over 15 miles of wild forest, hiking, and horse trails. Over 10 miles separates the nearest walkable bridges at Snohomish Hwy 9 and Crescent Lake Rd. Safe and accessible, recreation and transportation opportunities area priority for growing youngsters and adults to share heart healthy and fitness building outdoor activities and travel. Discussions with local clubs, citizens groups, Snohomish County Parks Dept., local city/county/state/congressional elected officials have resulted in promised support for Federal Highway Administration grant application under SAFETEA-LU to secure design and construction funding for a lower deck on the new bridge for the mentioned non-motorized transportation user groups. I commit to securing a conceptual design drawing to aid in grant, design, and cost calculation. Discussions with your office and our congressional delegation-Rep. Larsen, Sen's Murray and Cantwell accommodated in this project, for expanding public demand in these user groups. Also, on the wildlife crossing box culvert, please increase the interior clearance to 12 feet ht. This is to accommodate use by elk, which are re-colonizing the forested area, and need a corridor crossing between Lord's Hill and hills across to the south side of Tualco valley. This becomes more and more a safety issue in collision avoidance as habitat is restricted.	SR 522 is a limited access highway in the Lord Hill Regional park vicinity, and this classification allows pedestrian and bicycle use. WSDOT must consider trail facilities as part of a transportation solution when they are part of a comprehensive trail plan adopted (or in the process of being adopted) by a federal, state, or local government having jurisdiction over the trail (RCW 47.30). Additionally, without justification, and without legislative approval, WSDOT cannot change the highway classification to accommodate equestrian use. Any plans developed using federal grants for non-motorized/equestrian trails must under go environmental review prescribed by the National (NEPA) and State Environmental Protection Acts (SEPA). When such plans involve the state highway system NEPA and SEPA, require coordination with the comprehensive plans of local governments with jurisdiction. Your trail proposal is more than a matter of funding, it is an issue of timing, and environmental effects. When stepping back to view the larger perspective, the environmental process would need to result in honest support of an expanded equestrian trail system. As mentioned, federal law requires WSDOT to consider with equal importance, the effects of a proposed transportation project upon recreation resources, wildlife habitat, and community needs. WSDOT consulted with others agencies related to the Endangered Species Act, the area Priority Habitat Species database, and local comprehensive plans. Wildlife records and field studies indicate the likelihood of elk presence at Lord Hill Park is rare. Elk habitat is diminishing at a rapid rate, and there is no expectation of "re-colonizing" in the park.

WSDOT Responses to Agency and Public Comments

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Comment	WSDOT Response
	A private citizen, who kept meticulous records of wildlife observations, was the primary source of information we used to locate the crossing structure. By default, wildlife passage is also provided under the elevated portion of the bridge and approaches spanning the Snohomish River riparian corridor on both sides of the river. The wildlife passage structure will be designed with the openness ratio appropriate for large ungulates and coercion fencing will funnel large mammals toward safe passage through the large structures. Other culverts will be designed in accordance with Washington State Department of Fish and Wildlife culvert design guidelines, which provide low flow banks that will attract smaller mammals allowing them safe passage under the highway. I encourage you to speak with your local legislators and encourage them to fund projects along SR 522. Your interests, whether through community groups or individually, make a real difference as we continue to make improvements to this highway corridor.
12. JoAnn Mesa	
After reviewing the Environmental Hearing Handout that I picked up at the May 8th hearing in Monroe, I feel compelled to make my concerns known. According to the handout, my written comments, if submitted by May 23, 2008, will be considered. My concerns are many with regards to the paragraphs written regarding stormwater, floodplains, and especially the paragraph on wetlands, streams, vegetation, and wildlife. The loss of these valuable lands, particularly the trees which benefit everyone, is very disconcerting. But I'll limit my comments to speak for those who can't speak for themselves: the animals. The handout shows a picture of a 'simulation of potential wildlife crossing." I underlined the word potential because I was led to believe from speaking with the state representatives at the meeting that this crossing is a definite project. Needless to say I'm concerned that it won't be completed at all. And I personally feel there should be more than one crossing. Two would be better and three would be best. Different species of animals don't congregate in the same place. How can they be expected to use just one crossing for all species?? Were any wildlife experts consulted at all? From what I've read one crossing form many species does not benefit very many. Please consider additional crossings if, in fact, the one does get put in. Thank you.	The project will affect some trees and shrubs adjacent to SR 522 in order to widen the road. Disturbance of vegetation is confined to locations needed for construction of the project. We will assess if there are opportunities to avoid impacting trees as is feasible within this project. According to federal and state regulations, WSDOT will return with a separate project to plant roadside vegetation after this widening project is completed. Regarding the wildlife crossing, a private citizen, who kept meticulous records of wildlife observations, was the primary source of information we used to locate the crossing structure. By default, wildlife passage is also provided under the elevated portion of the bridge and approaches spanning the Snohomish River riparian corridor on both sides of the river. The wildlife passage structure will be designed with appropriate dimensions for large mammals and fencing will help coerce animals toward safe passage through the structure. Other culverts in the project will be designed in accordance with Washington State Department of Fish and Wildlife culvert design guidelines, which provide low flow banks that will attract smaller mammals allowing them safe passage under the highway.
13. C. Reichgott, Manager NEPA Review Unit, US EPA, Region 10	

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Ecological connectivity We commend FHWA and WSDOT for including a wildlife crossing in the project corridor. The wildlife crossing and its associated fencing will improve safety by preventing vehicular-wildlife collisions, which have resulted in human fatalities and serious injuries. It will also help to conserve regional biodiversity by providing highway permeability, habitat and hydrological connectivity where SR 522 bisects the large habitat complex of forest lands, agricultural lands, and river floodplain. In addition to its provision for safety, the commitment to provide a wildlife crossing demonstrates sound environmental stewardship. **Air quality** We also commend FHWA and WSDOT for committing to implement construction mitigation measures to protect air quality (page 4-11). These measures include using lower emission fuels, and maintaining construction equipment. There are additional measures that are easy to implement, such as idling reductions, which could also mitigate noise impacts. Recommendation: Consider implementing idling reduction practices to mitigate air quality as well as noise impacts. **Environmental analysis and decision making process** The project area for this EA is one segment of the SR 522 project from Woodinville to Monroe that was addressed in a 1994 Final EIS. We understand that changes in environmental regulations, funding, and endangered species listings have made further NEPA analysis and review necessary. However, it is unclear why the environmental update has been prepared in segments as separate projects. The purpose and need for the 1994 proposed widening of SR 522 from Woodinville to Monroe is reflected in the purpose for this EA. To fully meet that purpose and need, it is necessary to address the full corridor between Woodinville and Monroe. The availability of funding often results in phased construction, but it may not be appropriate to segment the NEPA analysis for this reason. For example, if the full corridor NEPA analysis were updated, it would provide an opportunity to examine improvements in public transportation, multi-modal options, and other Transportation Demand Management strategies to reduce congestion and emissions of greenhouse gases.	Thank you for your review, comments, and compliments regarding the SR 522, Cathcart Rd. (Snohomish River Bridge) to US 2 on the environmental assessment. Since the input of partner agencies contributes to better transportation solutions, the Washington State Department of Transportation (WSDOT) particularly appreciates your effort to provide comment. Following are our responses to your comments by category. Air Quality Thank you for the suggestion on the use of idling reductions during construction. We will include this method of construction impact mitigation in the instructions to the contractor to implement as practical and feasible. Environmental Analysis and Decision Making Process WSDOT originally divided the SR 522 corridor improvements into five stages. Each stage is an autonomous transportation solution, able to operate independently once constructed without displacing a problem somewhere else. With completion of each stage, SR 522 is incrementally widened from Woodinville to Monroe making it a four lane, divided highway. If one stage is constructed before another, traffic operations should continue without congestion or construction issue at another location. Autonomy of traffic operations is one of the factors in determining independent utility and logical termini under NEPA. As funding for stages of the SR 522 project became available, the independent utility and logical termini for proposed work was revisited relative to ESA and changes in environmental regulations since the 1994 Final EIS and ROD completion. This was the case for updating environmental review of stages 2, 3, and 4 (Paradise Lake Road to Echo Lake Road interchanges and widening) in 2003 under a Documented CE. USFWS and NOAA NMFS were consulted as FHWA and WSDOT reviewed whether this action would preclude future alternatives to cross the Snohomish River. As a commitment of ESA consultation, WSDOT coordinated with USFWS, NOAA NMFS, EPA, and local jurisdictions with interest, to determine the best alternative for crossing the Snohomish River. Upfront coordination resolved the matter of potential habitat segmentation for the current SR 522 EA project, and it was not a factor during ESA consultation. The project description in the EA is the same description used in the BA. Wetlands ESA consultation identified with certainty the need for an

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Recommendation: Clarify the rationale in the BA for preparing environmental documentation for only one segment of the SR 522 corridor that was addressed by the 1994 Final EIS **Wetlands** The EA states (page 3-34) that approximately 5.7 acres of wetland and 9.9 acres of buffer will be eliminated as a result of the proposed project. About 3.8 acres of these wetlands and 2.8 acres of the buffers are associated with stormwater facilities. While the EA states that permits will be obtained and mitigation will be performed, it does not provide sufficient information to demonstrate compliance with the Clean Water Act, Section 404 requirements. Based on the wetland and buffer acreages that would be impacted and the impacts to streams, this project may require an individual 404 permit and 401 Water Quality Certification. From the information provided in the EA, we are unable to determine whether the use of wetlands for stormwater detention would be beneficial, or whether alternatives to avoid and minimize these impacts have been addressed, A compensatory mitigation plan should also be discussed. Recommendation: Have consultation with the Corps of Engineers and EPA to ensure that proposed actions will comply with legal requirements, including the Section 404(b)(l) guidelines, and to discuss conceptual mitigation plans. Include the missing information identified above in the EA. **Vegetation** The EA states (page 4-27) that temporary clearing or disturbance of vegetation will likely be limited to an area within 5 to 10 feet of the project footprint, the area of the access road to the Snohomish River, the work area depicted on Exhibit 4-1, and the areas needed for staging. We support these efforts to minimize ground disturbance and clearing of vegetation. However, the dense Himalaya blackberry growth at the eastern base of Bald Mountain and Lord Hill Regional Park may prevent wildlife access to the proposed wildlife crossing. It would be beneficial to remove it and replace it with native vegetation. It would also be helpful to know the location of the staging areas so that any anticipated impacts to natural resources or nearby human activities could be addressed. Recommendations: Remove the dense stand of Himalaya blackberries at the eastern base of Bald Mountain and replant the area with native vegetation to ensure wildlife can access the wildlife crossing. Identify the areas that	individual Section 404 permit and Section 401 individual certification. This environmental review was not subject to the merger process, and did not require a conceptual mitigation plan to be included in the EA. WSDOT has been coordinating with the Corps of Engineers and Ecology staff regarding compensatory mitigation for wetlands and stormwater detention. We have also met to discuss stormwater pond impacts and reduced drainage design with the goal of minimizing impacts to wetlands. WSDOT will submit Section 404(b)(1) analysis as part of the individual permit. As the lead for the individual 404 permit, the Corps will advertise opportunity for EPA and others to comment. Additionally, the Corps will need to obtain a 401 certification from WSDOE before they can issue their individual permit . WSDOE will follow regulations delegated to them from EPA for the 401 certification, and will allow opportunity for EPA to comment. If, during this process, any issues should arise, WSDOT can work directly with EPA towards resolution. Vegetation When the WSDOT roadside restoration project is implemented in areas disturbed for the SR 522 widening project, it will include removal of invasive species within the right of way. We will treat those areas at the eastern base of Bald Mountain and Lord Hill Regional Park, occurring within WSDOT right of way for invasive species and replant with appropriate native species. WSDOT selects construction staging areas in coordination with the contractor. When selected, the site is reviewed according to Section 106, for hazardous materials, and other applicable potential effects. When construction is complete, WSDOT will assure the construction staging areas are rehabilitated to near the original conditions or better.

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will be used for construction staging and the resources and human activities that may be affected.	
14. Cheryl Rybarczyk	
I apologize for not being able to attend the May 8 meeting or getting this comment to you prior to May 22. My comment does have an environmental connection – however, it is more selfish in nature. With any additional roadwork on SR 522, including the bridge, we would like to see a wider shoulder. We live on Lost Lake Rd. and have considered riding our bikes to work in Monroe – however, there isn't much of a shoulder going over the bridge. It is only 10 miles from our house to the High School and about 13 miles to the hospital area where I work. We are not avid bikers – it just seems like a great way to get exercise and would also be a great way to decrease the number of cars on the road. It seems like there are others beside myself who would consider this if there was more room on the road – through casual conversation. Our neighbor rides his bike to Woodinville on a regular basis – his most dangerous spot beside Echo Lake Road (minimal shoulder) is the overpass on to Highway 9 where he has to watch for cars exiting and then again merginig – you'd think people would be more willing to share the road and support those who make this choice. I have observed more people biking on SR 522 – probably a reflection of gas prices. We lived in Europe for 5 years (military) and there is a much better system for allowing biking between cities – their bike paths are actually separate from the highway but often run parallel. It seems to me if it can be done there, it can be done here. I realize that there is a cost with this extra material but in the long run it is more cost effective. It is also more cost effective to take this into consideration at the time of new construction. Please help me be able to bike to work safely! Thank you for all your work with our transportation issues.	Thank you for your comment. Unfortunately, the current project does not include any work on the existing Snohomish River bridge other than removing the buttons and striping the lanes to accommodate 2 lanes of traffic heading towards Monroe. Widening the shoulders on the existing bridge would involve extensive structural work on the bridge foundation and bridge superstructure, which would cost many millions of dollars that are not available in the budget for the project. If the bridge is ever widened or replaced in the future, it would include wider shoulders, which would accommodate bicycles. The new bridge for traffic heading towards Woodinville will have a 10-foot wide shoulder. Please contact me again if you have any additional comments.
15. Snohomish County Public Utility District	
Thank you for the opportunity to comment on the above referenced Environmental Assessment. Snohomish Public Utility District (District) has various overhead and underground facilities in the vicinity of this proposed project. Although specified impacts may not have been	No response to PUD because the letter is a advisory. WSDOT NWR Utilities office (Dean Holman) were contacted with the letter for early notice.

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identified at the early stage of your design process, the District understands that some impacts to our facilities are unavoidable. During construction at SR2 and SR522, District anticipates possible relocation and interruption of services to our customers in the greater area of Snohomish-Monroe area. Please contact our relocation engineer Erin Burke at 425-783-4745 to coordinate design and relocation issues.	
16. Ken S. Berg, USFWS	
This letter is in response to the Environmental Assessment (EA) prepared by the Washington State Department of Transportation (WSDOT) and Federal Highway Administration (FHWA) for the State Route 522, Cathcart Road Vicinity to U.S. Highway 2 Project in Snohomish County, Washington. A copy of the EA and supporting documentation, dated April 2008, was received in our office on April 22, 2008. This office appreciates the opportunity to review and offer comment for the EA and supporting documentation. The proposed action was the subject of a formal Endangered Species Act section 7 consultation conducted over the period January 2007 -February 2008 (FWS Ref. No. 13410-2007-F-0186). On February 25,2008, the U.S. Fish and Wildlife Service (Western Washington Fish and Wildlife Office - Lacey) signed a Biological Opinion concluding section 7 consultation with the FHWA. This office also previously commented on the proposed action as part of the State's Multi-Agency Permitting Team process (email correspondence dated November 15, 2006). We are encouraged that the WSDOT and FHWA have considered the issues of aquatic and terrestrial habitat connectivity when scoping and designing the proposed project. We wholeheartedly support your efforts to assess fish and wildlife needs as they relate to the proposed highway corridor improvements, and your efforts to identify and consider reasonable and practicable measures to restore and improve habitat connectivity. Our comments for the EA are similar to those offered previously during the Multi-Agency Permitting team process, and address specifically your plans for improving terrestrial habitat connectivity and safety (i.e., highway-wildlife interactions and traffic related wildlife mortality): The WSDOT and FHWA propose to construct a new combined fish passage and wildlife crossing structure under State Route 522 (MP Vic. 21.97). There are a number of important site and design criteria the proponents should consider and document relative to this	No response needed.

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proposal (e.g., target species, position in the landscape, adjoining habitat suitability and property ownership, "openness ratio", need for related barrier or fencing, need for traffic noise abatement or visual cover, etc.). A number of reputable sources provide guidance, tools, and case studies on-line (e.g., http:Nwww.wildlifecrossings.info/sa0l4.h, http:Nwww.icoet.netlindex.asp, http://ihe.ncsu.edu/CTE/gateway/home.asp, http://environment.hansportation.orglenvironmentaljssues/construct~maintgrac/compendiudmanual/3~4.aspx). If you have chosen this location above others along the project corridor, it would be helpful to know what other areas were considered and why this location was chosen instead. [Note: we understand from conversations with the WSDOT (M. MacDonald, pers. comm. 2008), that anecdotal wildlife data collected along the project corridor, landscape/topographical considerations, and the opportunity to address aquatic and terrestrial habitat needs at a single location, all figured into the selection process.] We would encourage that in the future, when documenting decisions about habitat connectivity enhancements, the proponent should provide more information regarding site selection and design criteria. Pages 2-24 and 2-25 of the EA identify the tentative and approximate location for more than 1.5 miles of barrier fencing planned in conjunction with the wildlife crossing structure. We advise you to consider carefully what target species the proposed combination of barrier fencing and wildlife undercrossing will (and will not) effectively serve. We suspect that while larger species, and species with large home ranges, may utilize the undercrossing as intended, smaller species will not. This office strongly encourages that the proponents select a barrier fence design that is "permeable" to small and medium-sized terrestrial wildlife, and which selectively discourages those larger species that are better capable of accessing the wildlife undercrossing. We expect that a selectively permeable barrier fence will best serve the public's safety needs and the needs of terrestrial wildlife along the project corridor.	