



Federal Aid Project Number: STPU-2695(001)	NEPA Start Date: 9/13/21	Intent of Submittal: <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final <input type="checkbox"/> Re-Evaluate
Agency: City of Arlington	Project Title: 74th Ave Trail	
County: Snohomish		
Beginning terminus: <u>204th Street</u>	Township(s): 31	
Ending terminus: <u>197th Place</u>	Range(s): 05	
Miles: <u>0.37</u>	Section(s): 14	

Part 1 - Project Description (Attach Vicinity Map)

The project consists of approximately 1,954 linear feet of new ADA-compliant, shared-use trail that parallels 74th Avenue. The trail would extend from the sidewalk at the intersection of 204th Street NE south to the existing Arlington Valley Road Trail at the intersection of 197th Place NE. The new trail improves bicycle and pedestrian connectivity through the commercial and light industrial area, creating a connection to the regional trail network. The new trail replaces existing sidewalk and landscape street buffer areas along the same alignment.

The project proposes pedestrian and roadway lighting, construct a continuous landscaped buffer with trees, adjust existing wet and dry utilities, and rebuild existing driveways and intersection corners to accommodate travel by bicyclists and pedestrians. On the north side of 201st Street NE, the project adds a small plaza and seating area, enhanced by additional plantings. Fencing would be used along the west edge of the trail in locations adjacent to sloped surfaces. In the middle of the project limits, the trail crosses over Prairie Creek, where the City of Arlington recently replaced a culvert. The crossing is to be constructed by removing a travel lane on the existing roadway and placing the trail within the limits of the existing sidewalk and southbound vehicle lane. The crossing does not make any improvements within the ordinary high-water mark (OHWM) of Prairie Creek.

Part 2 – Categorical Exclusion & STIP

- Identify one CE from 23 CFR 771.117 (CE Guidebook - Appendix A) that fits the entire project
- 3. Construction of bike / pedestrian lane, path and facilities.
- Per 23 CFR Part 452(l) identify the subsequent project phase identified on the STIP? ROW Construction
- Attach a copy of the STIP page to the CE documentation form.

NEPA Approval Signatures

	<u>06-14-2022</u>	Local Programs Environmental Engineer	Date
Local Agency Approving Authority	Date	CE per PA	6/15/22
	Digitally signed by Mehrdad Moini, PE Date: 2022.06.15 13:51:49 -07'00'	Federal Highway Administration	Date
Regional Local Programs Engineer	Date		

Completed by (Print Official's Name): Robert Bean	Telephone (include area code): 360-403-3507	E-mail address: Rbean@arlingtonwa.gov
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Part 3 - Permits, Approvals & Right of Way (ROW)

Yes	No	Permit or Approval	Yes	No	Permit or Approval
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Corps of Engineers <input type="checkbox"/> Sec. 10 <input type="checkbox"/> Sec. 404 <input type="checkbox"/> Nationwide Type _____ <input type="checkbox"/> Individual Permit No. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Quality Certification – Section 401 Issued by _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Zone Management Certification	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tribal Permit(s) (if any) _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Critical Areas Ordinance (CAO) Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Permits (List) _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Forest Practices Act Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is permanent ROW acquisition needed? If yes, amount needed: <u>5,097 sqft.</u> (acres/sq. ft.).
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hydraulic Project Approval	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is any temporary ROW needed?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Local Building or Site Development Permits	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is relocation required?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Local Clearing and Grading Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Has ROW (property and/or property interests) been acquired for this project prior to the NEPA start date? If yes, documentation demonstrating compliance with 23 CFR 710.501 may be required.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	National Pollutant Discharge Elimination System (NPDES) Baseline General for Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is a detour required? If yes, please attach detour information.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shoreline Permit			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Waste Discharge Permit			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Rights Permit			

U.S. Coast Guard Permitting

- a. Does the project propose any new or modify **any** existing bridges or culverts crossing a waterway? Yes No
- b. If Yes, attach a copy of the jurisdictional determination email or letter from the U.S. Coast Guard.

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

Federal funds (STP) in the PE and CN phase of the project. The project is receiving FHWA funding via PSRC.

Part 4 - Environmental Considerations

Will the project involve work in or affect any of the following? Identify proposed mitigation.

Attach additional pages or supplemental information if necessary.

1. Air Quality - Identify any anticipated air quality issues.

Is the project exempt from Air Quality conformity requirements? Yes No

a. If Yes, identify exemption – please refer to Appendix G in the CE Guidebook for a list of exemptions.

b. Is the project included in the Metropolitan Transportation Plan? Yes No

If Yes, date Metropolitan Transportation Plan was adopted;

The City's Transportation Comp Plan was adopted on 8/2/2017. The 2020-2023 STIP Amendment 20-06 was approved by FHWA on 4/10/2020.

c. Is the project located in an Air Quality Non-Attainment Area or Maintenance Area for carbon monoxide, ozone or PM 10 or PM 2.5? Yes No

2. Critical and Sensitive Areas

a. Is this project within a sole source aquifer Yes No

If located within a sole source aquifer, is the project exempt from EPA approval?

If Yes, please list exemption: _____

If No, date of EPA approval: _____

b. Will this project impact Species/Habitat other than ESA listed species? Yes No Explain your answer.

c. Is this project within one mile of a Bald Eagle nesting territory, winter concentration area or communal roost?

Yes No If Yes, the local agency must go to the US Fish & Website (<http://www.fws.gov/pacific/eagle/>) and work through the *Do I Need a Permit?*

d. Are wetlands present within the project area? Yes No If Yes, estimate the impact in acres: 0.0
Please attach a copy of the proposed mitigation plan. No impacts to riverine wetlands associated with Prairie Creek.

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

Does the project fit into any of the exempt types of projects listed in Appendix J of the CE Guidebook?

Yes No If Yes, note exemptions below. **A-3, 4, 20, 21. Need inadvertent discovery plan and archaeology monitor per TD 6/7/22.**

If No: Date of DAHP concurrence: _____

Date of Tribal consultation(s) (if applicable): _____

Adverse effects on cultural/historic resources? Yes No

If Yes, date of approved Section 106 MOA: _____

4. Floodplains and Floodways

- a. Is the project located in a 100-year floodplain? Yes No
- b. If Yes, is the project located within a 100-year floodway? Yes No
- c. Will the project impact a 100-year floodplain? Yes No If Yes, describe impacts.

5. Hazardous and Problem Waste – Identify potential sources and type(s).

- a. Does the project require excavation below the existing ground surface? Yes No
- b. Will groundwater be encountered? Yes No
- c. Will any properties be acquired as part of this project? Yes No
- d. Is this site located in an undeveloped area (i.e. no buildings, parking, storage areas or agriculture)? Yes No
- e. Is the project located within a one-mile radius of a known Superfund Site? Yes No
- f. Is this project located within a ½-mile radius of a site or sites listed on any of the following Department of Ecology databases? Yes No If Yes, check the appropriate boxes below.

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

Underground Storage Tank (UST)

Underground Storage Tank, 20422 Olympic PL, Arlington WA 98223

<https://apps.ecology.wa.gov/facilitysite/Report/Report.aspx?FacilitySiteId=46053>

Underground Storage Tank, 7430 204th ST NE Arlington WA 98223

<https://apps.ecology.wa.gov/facilitysite/Report/Report.aspx?FacilitySiteId=3233784>

Leaking Underground Storage Tank (LUST)

Confirmed and Suspected Contaminated Sites List (CSCSL)

- g. Has site reconnaissance (windshield survey) been performed? Yes No (Please identify any properties not identified in the Ecology or ERS database search as an attachment -- name, address and property use).
- h. Based on the information above and project specific activities, is there a potential for the project to generate, acquire or encounter contaminated soils, groundwater or surface water? Yes No

Please explain:

All parcels along the pedestrian alignment are either currently being developed or are planning for development. Those currently being developed are dedicating around seven (7) feet to the city for the pedestrian trail. The project will acquire area needed to construct the pedestrian path from those parcels with a development date beyond this project construction date.

If you responded **Yes** to any of these questions above (5A – 5F or 5H), contact your Region LPE for assistance as a “Right-Sized” HazMat Analysis Report/Memorandum most likely will be required.

Part 4 - Environmental Considerations (continued)

6. Noise

- a. Does the project involve constructing a new roadway? Yes No
- b. Is there a change in the vertical or horizontal alignment of the existing roadway? Yes No
- c. Does the project increase the number of through traffic lanes on an existing roadway? Yes No
- d. Is there a change in the topography? Yes No
- e. Are there auxiliary lanes extending 1-½ miles or longer being constructed as part of this project?
 Yes No
- f. If you answered Yes to any of the preceding questions, identify and describe any potential noise receptors within the project area and subsequent impacts to those noise receptors. Please attach a copy of the noise analysis if required.

The existing grass landscaped area will be regraded for the 12' pedestrian path.

If impacts are identified, describe proposed mitigation measures.

7. 4(f)/6(f) Resources: parks, recreation areas, wildlife refuges, historic properties, wild & scenic rivers, scenic byways

- a. Please identify any 4(f) properties within the project limits and the areas of impacts.
N/A
- b. Please identify any properties within the project limits that used funds from the Land & Water Conservation Fund Act.
N/A
- c. Please list any Wild and Scenic Rivers and Scenic Byways within the project limits. **N/A**

8. Agricultural Lands –

- a. Are there agricultural lands within 300 feet of the project limits? Yes No If Yes, describe impacts:
- b. Are impacted lands considered to be unique and prime farmland? Yes No
If Yes, date of project review by Natural Resource Conservation Service (NRCS): _____

9. Rivers, Streams (continuous or intermittent) or Tidal Waters

- a. Identify all waterbodies within 300 feet of the project limits or that will otherwise be impacted.
Prairie Creek is within the project limits. The pedestrian path uses the existing structure over to cross over the creek.
- b. Identify stream crossing structures by type.
An existing box culvert would be utilized to cross Prairie Creek.

Part 4 - Environmental Considerations (continued)

10. Tribal Lands – Identify whether the project will occur within any Tribal lands, including reservation, trust and fee lands. Please do not list usual and accustomed area. **N/A**

11. Water Quality/Stormwater

- a. Will this project’s proposed stormwater treatment facility be consistent with the guidelines provided by either WSDOT’s HRM, DOE’s stormwater management manual for eastern/western Washington or a local agency equivalent manual? Yes No
 If No, explain proposed water quality/quantity treatment for the new and any existing pollution generating impervious surface associated with the proposed project.
- b. Amount of existing pollution generating impervious surface within the project limits: 80,000 SF
- c. Net new pollution generating impervious surface to be created as a result of this project: 0.0 SF
- d. Amount of proposed post-project untreated pollution generating impervious surface: 0.0 SF

12. Previous Environmental Commitments

Describe previous environmental commitments that may affect or be affected by the project – if any.
The area around the Prairie Creek and 74th is deemed Permanently Disturbed. The proposed trail does not adversely impact any previous environmental commitments.

13. Environmental Justice - Does the project meet any of the exemptions noted in Appendix L of the CE Documentation Guidebook?

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

YES – Exemption #4 Replacement of curb, gutter and sidewalk within the same location.

If No, attach Appendix M and supporting documentation as required per the decision matrix. This will include at least two demographic information sources and possibly a description of anticipated project impacts.

Appendix M Attached with demographic data from the US Census, US Demographics data. NO PROTECTED POPULATIONS WITHIN PROJECT LIMITS ARE IMPACTED.

Please refer to the CE Guidebook for more information.

Part 5 - Biological Assessments and EFH Evaluations

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

Affected ESA Listed Species	2. Will any construction work occur within 0.25 mile of any of the following?	3. Does the project involve blasting, pile driving, concrete sawing, rock-drilling or rock-scaling activity within one mile of any of the following?
Oregon Spotted Frog proposed critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Yellow-billed Cuckoo suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Spotted Owl management areas, designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Marbled Murrelet nest or occupied stand, designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Western Snowy Plover designated critical habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the project within 0.25 mile of marine waters? If Yes explain potential effects on Killer Whales and on Marbled Murrelet foraging areas.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Killer Whale designated critical habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Grizzly Bear suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Gray Wolf suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Canada Lynx habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Columbia White-tailed Deer suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Woodland Caribou habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Streaked Horned Lark designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Taylor's Checkerspot designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Mazama Pocket Gopher designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Eulachon designated critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Rockfish proposed critical habitat or suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
A mature coniferous or mixed forest stand?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4. Will the project involve any in-water work?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5. Will any construction work occur within 300 feet of any perennial or intermittent waterbody that either supports or drains to waterbody supporting listed fish?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6. Will any construction work occur within 300 feet of any wetland, pond or lake that is connected to any permanent or intermittent waterbody?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7. Does the action have the potential to directly or indirectly impact designated critical habitat for salmonids (including adjacent riparian zones)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8. Will the project discharge treated or untreated stormwater runoff or utilize water from a waterbody that supports or drains into a listed-fish supporting waterbody?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9. Will construction occur outside the existing pavement? If Yes go to 9a.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
9a. Will construction activities occurring outside the existing pavement involve clearing, Project includes grading, filling or modification of vegetation or tree-cutting?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
10. Are there any Federally listed Threatened or Endangered plant species located within the project limits? If Yes, please attach a list of these plant species within the action area.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11. Does a mature coniferous or mixed forest stand occur within 200' of the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

*Trail construction does not require any work within Prairie Creek. The work occurs adjacent and over the creek on an existing roadway. Construction also occur within an existing vegetative strip adjacent to the 74th roadway. Ten thundercloud trees (*Prunus cerasifera*) with tree trunks ranging from 10-12 inches will be removed and replaced. Approximately 9,600 SF lawn area will be removed. An additional 11-25 thundercloud saplings with approximately 7,000 SF low shrubs, planted in 2021, will be removed or altered. These saplings will be saved and replanted in the same area as part of this project.*

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

Maintenance Category (check all that apply)

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

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

The project does not effect this existing systems currently in place. The current city maintenance program will remain unchanged as a result in this project.

Effect Determinations for ESA and EFH

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

OK per HP	NMFS	USFWS	EFH Determination
<input checked="" type="checkbox"/> No Effect	<u>6/8/22</u>	<u>6/8/22</u>	<input type="checkbox"/> No Adverse Effect
<input type="checkbox"/> NLTAA - Date of Concurrence _____	_____	_____	<input type="checkbox"/> Adverse Effect – Date of NMFS concurrence _____
<input type="checkbox"/> LTAA – Date BO Issued _____	_____	_____	<input checked="" type="checkbox"/> Not Applicable
<input type="checkbox"/> RRMP 4(d) _____	_____	_____	

Part 6 - FHWA Comments