

Part 1 Project Description			
Federal Aid Project Number CM-2017(110)	Route Near SR 509	Date 1-17-2012	Intent of Submittal <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final <input type="checkbox"/> Re-Evaluate
Agency King County Department of Transportation		Federal Program Title <input type="checkbox"/> 20.205 <input checked="" type="checkbox"/> Other	
Project Title Lake to Sound Trail - Segment B			
Beginning MP _____ Ending MP _____ Miles <u>1.45</u>	Townships <u>23 North</u> Ranges <u>04 East</u> Sections <u>20, 29, 32</u>		
County King County			
Project Description - Describe the proposed project, including the purpose and need for the project. This project develops preliminary engineering for the construction of a multipurpose, non motorized route for "Segment B" of the Lake to Sound Trail. Segment B travels along Des Moines Memorial Drive for S 156th Street (City of SeaTac) to S Normandy Road (City of Burien).			

Part 2 Environmental Classification	
<p style="text-align: center;">NEPA</p> <input type="checkbox"/> Class I - Environmental Impact Statement (EIS) <input checked="" type="checkbox"/> Class II - Categorical Excluded (CE) CE Type (from 23 CFR 771.117) <u>(c)(3)</u> <input checked="" type="checkbox"/> Projects Requiring Documentation (Documented CE) (LAG 24.22) <input type="checkbox"/> Programmatic CE MOU <input type="checkbox"/> Class III - Environmental Assessment (EA)	<p style="text-align: center;">SEPA</p> <input type="checkbox"/> Categoricaly exempt per WAC 197-11-800 <input checked="" type="checkbox"/> Determination of Non-Significance (DNS) <input type="checkbox"/> Environmental Impact Statement (EIS) <input type="checkbox"/> Adoption <input type="checkbox"/> Addendum <input type="checkbox"/> Supplemental (For informational purpose only)

NEPA Approval Signatures

 Local Agency Approving Authority	<u>1/30/12</u> Date
 Regional Local Programs Engineer	<u>3/1/12</u> Date
 Highways and Local Programs Environmental Engineer	<u>3/27/12</u> Date
 Federal Highway Administration	<u>3/27/12</u> Date

Completed By (Print Official's Name) Tina Morehead	Telephone (include area code) 206/296-3733	Fax (include area code) 206/296-0567
		E-mail tina.morehead@kingcounty.

Part 3 Permits and Approvals Required

Yes	No	Permit or Approval	Yes	No	Permit or Approval
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Corps of Engineers <input type="checkbox"/> Nationwide Type <input type="checkbox"/> Individual Permit No. _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Rights Permit
		<input type="checkbox"/> Sec. 10 <input type="checkbox"/> Sec. 404	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Quality Certification - Sec. 401 Issued by <u>Department of Ecology</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coast Guard Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tribal Permit(s), (If any) _____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Coastal Zone Management Certification			_____
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Critical Area Ordinance (CAO) Permit			_____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Forest Practice Act Permit	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Permits (List): <u>Right of Way Use Permits and Utility Variances</u> <u>Utility Variance - Cities of Seatac and Burien</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hydraulic Project Approval			_____
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Local Building or Site Development Permits	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROW acquisition required? If yes, amount needed <u>2000 sf</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local Clearing and Grading Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is relocation required?
<input checked="" type="checkbox"/>	<input type="checkbox"/>	National Pollutant Discharge Elimination System (NPDES) Baseline General for Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Has ROW already been acquired for this project?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shoreline Permit	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is a detour required? If yes, please attach detour information.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Waste Discharge Permit			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	TESC Plans Completed			

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 included in the Metropolitan Transportation Plan? Yes No
 If Yes, date Metropolitan Transportation Plan was adopted. 10/1/10
 Is the project located in an Air Quality Non-Attainment Area or Maintenance Area for carbon monoxide, ozone, or PM10? Yes No
 Is the project exempt from Air Quality conformity requirements? Yes No
 If yes, identify exemption, please refer to appendix H in the ECS Guidebook for the list of exemptions:
 Air Quality: Bicycle and pedestrian facilities (ECS Guidebook, July 21, 2010, page 83)

2. Critical/Sensitive Areas - Identify any known Critical or Sensitive Areas as designated by local Growth Management Act ordinances.

- a. Is this project within an aquifer recharge area Yes No
 a wellhead protection area Yes No
 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. Is this project located in a Geologically Hazardous Area? Yes No If yes, please describe

None

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

The project has the potential to impact species/habitat for other than ESA listed species. because four streams and seven wetlands occur within the project area. However, filling and grading would only occur in wetland buffers and stream buffers.

Is the project within Bald Eagle nesting territories, winter concentration areas or bald eagle communal roosts?

Yes No

Will blasting, pile driving, concrete saw cutting, rock drilling, or rock scaling activities occur within one mile of a Bald Eagle nesting area? Yes No

Part 4 Environmental Considerations - Continued

d. Are wetlands present within the project area? Yes No If Yes, estimated area of impact in acre(s): 0 Acres
Please attach a copy of the proposed mitigation plan.

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 C of the ECS Guidebook
 Yes No If Yes, note exemption below.

If No: Date of DAHP concurrence 5/17/11
Date of Tribal consultation(s) (if applicable) 2/17/11
Adverse affects on cultural/historic resources? Yes No
If Yes, date of approved Section 106 MOA _____

4. Floodplains and Floodways

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

5. Hazardous and Problem Waste - Identify potential sources and type.

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

Is this site located in an undeveloped area (i.e., no buildings, parking or storage areas, and agriculture (other than grazing), based on historical research? Yes No

Is this project located within a one-mile radius of a site of a Confirmed or Suspected Contaminated Sites List (CSCSL) maintained by Department of Ecology? Yes No

Is this project located within a 1/2-mile radius of a site or sites listed on any of the following Department of Ecology Databases? Yes No If yes, check the appropriate box(es) below.

- Voluntary Cleanup Program (VCP)
- Underground Storage Tank (UST)
- Leaking Underground Storage Tank (LUST)

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

If so identify any properties not identified in the database search that may affect the project (name, address and property use).

No properties were identified that may affect the project. Please see the attached technical memo.

Based on the information above and project specific activities, is there a potential for the project to generate contaminated soils and/or groundwater? Yes No

Please explain:

If you responded yes to any of the above questions contact your Region LPE for assistance before continuing with this form.

Part 4 Environmental Considerations - Continued

6. Noise

Does this project involve constructing a new roadway? Yes No

Is there a change in the vertical or horizontal alignment of the existing roadway? Yes No

Does this project increase the number of through traffic lanes on an existing roadway? Yes No

Is there change in the topography? Yes No

Are auxiliary lanes extending 1-1/2 miles or longer being constructed as part of this project? Yes No

If you answered yes to any of the preceding questions, identify and describe any potential noise receptors within the project area and subsequent impacts to those noise receptors. Please attach a copy of the noise analysis if required.

Not Applicable.

If impacts are identified, describe proposed mitigation measures.

Not Applicable.

7. Parks, Recreation Areas, Wildlife Refuges, Historic Properties, Wild and Scenic Rivers/Scenic Byways, or 4 (f)/6 (f).

a. Please Identify any 4(f) properties within the project limits and areas of impacts.

No Section 4(f) properties were identified. Please see the attached letter to Phil Segami, Assistant Local Programs Engineer, that discusses the potential of the Elm Trees along Des Moines Memorial Drive as a Section 4(f) resource and the resolution of that issue.

b. Please Identify any 6(f) properties within the project limits and areas of impact.

None.

c. Please list wild scenic rivers and scenic byways.

None.

8. Resource Lands - Identify any of the following resource lands within 300 feet of the project limits and those otherwise impacted by the project.

a. Agricultural Lands Yes No If yes, please describe all impacts.

Not Applicable.

If present, is resource considered to be prime and unique farmland? Yes No

If Yes, date of approval from Natural Resources Conservation Service (NRCS) _____

b. Forest/Timber Yes No If yes, please describe all impacts.

Not Applicable.

c. Mineral Yes No If yes, please describe all impacts.

Not Applicable.

Part 4 Environmental Considerations - Continued

9. Rivers, Streams (Continuous, Intermittent), or Tidal Waters

a. Identify all waterbodies within 300 feet of the project limits or that will otherwise be impacted.

Fisheries WA Stream No. 09-0371 Ecology 303d Report No. 7039
(if known) Reason for 303d listing Temperature, DO, Ammonia-N
Date of Report 1/1/98
Waterbody common name Walker, Miller Creeks, Stream 09- 0371 G, one unnamed tributary

b. Identify stream crossing structures by type.

1. Miller Creek (09-0371) - Crosses Des Moines Memorial Drive in a corrugated metal culvert.
2. Stream 09-0371G - Crosses Des Moines Memorial Drive in a corrugated metal culvert.
3. Walker Creek - Crosses Des Moines Memorial Drive in two locations both crossings are in concrete culverts.
4. Unnamed tributary to Walker Creek - Crosses Des Moines Memorial Drive in a concrete culvert

c. Water Resource Inventory Area (WRIA) No. & Name WRIA 9 Duwamish/Green

10. Tribal Lands - Identify whether the project will impact any Tribal lands, including reservation, trust and fee lands.

None.

11. Visual Quality

Will the project impact roadside classification or visual aspects such as aesthetics, light, glare or night sky.

Yes No If Yes, please identify the impacts.

None.

12. Water Quality/Storm Water

Has NPDES municipal general permit been issued for this WRIA? Yes No

Amount of existing impervious surface within project limits: 2.5 acres

Net new impervious surface to be created as a result of project: 0.2 acre

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

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

Development of the trail will result in a total of 2.5 acres of additional trail surface, of which only 0.2 acre would be impervious surface associated with the new concrete boardwalk across Walker Creek and its associated wetlands. The remaining 2.3 acres of trail surface will be composed of pervious pavement, which allows precipitation to infiltrate through the pavement and into the soils below.

Part 4 Environmental Considerations - Continued

13. Commitments

a. Environmental Commitments

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

None.

b. Long-Term Maintenance Commitments

- Identify the agency and/or department responsible for implementing maintenance commitments associated with this project.

The cities of SeaTac and Burien will be responsible for long-term maintenance of this trail.

14. Environmental Justice

Does the project meet any of the exemptions, as noted in Appendix F of the ECS Guidebook Yes No
 If Yes, Please note exemption and appropriate justification in the space below. Findings should be confirmed using at least **two** information sources. Refer to ESC Guidebook for more information.

Exemption 7: Installation of bicycle and pedestrian lanes, paths and facilities within the existing right-of-way limits.

If no, are minority and/or low income populations located within the limits of the project's potential impacts?

Yes No If no, attach appropriate data to support finding. If yes, describe impacts and attach appropriate supporting documentation.

Part 5 Biological Assessment and EFH Evaluations

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

Affected ESA Listed Species	2. Will any construction work occur within 0.5 miles of any of the following:	3. Does the project involve blasting, pile driving, concrete sawing, rock drilling, or rock scaling activities within 1 mile of any of the following?
Spotted Owl management areas (CSAs, MOCAs, designated critical habitat, and/or potentially suitable nesting/roosting/foraging 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 and/or potentially suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Western Snowy Plover designated critical habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the project within 0.5 miles of marine waters? If yes explain potential effects on Killer Whales and Steller's Sea Lion, 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 potentially suitable habitat?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Part 5 Biological Assessment and EFH Evaluations - Continued

Gray Wolf potentially 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 potentially 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
A mature coniferous or mixed fixed 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? Yes No
5. Will any construction work occur within 300 feet of any perennial or intermittent waterbody that **either supports or drains to a listed fish supporting waterbody**? Yes 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**? Yes No
7. Does the action have the potential to directly or indirectly impact designated critical habitat for salmonids (including adjacent riparian zones)? Yes 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, wetland, or waterbody? Yes No
9. Will construction work occur outside the existing pavement? If Yes, go to 9a. Yes No
- 9a. Will construction activities occurring outside the existing pavement involve clearing, grading, filling, or modifications of vegetation or tree cutting? Yes No
10. Are there any Federal listed, threatened or endangered plant species located within the project limits?
If yes, please attach a list of plant species within the action area. Yes No

Determination

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 ESA Section 7 compliance (i.e., adequate justification cannot be provided or a "may affect" determination is anticipated), a separate biological assessment document is required.

	NOAA Fisheries	USFWS	Essential Fish Habitat Determination:
<input checked="" type="checkbox"/> No Effect	_____	_____	<input type="checkbox"/> No Adverse Effect
<input type="checkbox"/> NLTA Date of Concurrence	_____	_____	<input type="checkbox"/> Adverse Effect. Date of NOAA Concurrence
<input type="checkbox"/> LTAA Date BO Issued	_____	_____	_____

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

Attached please find the No Effects letter dated May 20, 2011 for an analysis of effects.

Miller Creek (09-0371) , Stream 09-0371G, Walker Creek and an unnamed tributary provide habitat for bull trout, Chinook salmon, and steelhead trout. No special status plant species or natural heritage features are known to occur in the project area.

No in-water work is proposed. Minimal disturbance to the ground will occur and stormwater best management practices will be used to control turbidity from reaching streams. No effect to Chinook salmon, steelhead trout, and bull trout is anticipated. Additionally, no critical habitat or proposed habitat is present within the project area. Based on the proposed work and BMP's, a **No Effect** determination is concluded for Endangered Species Act listed aquatic species and their designated critical habitat.

Additionally, based on the project location, proposed work, and use of best management practices , we have determined that the project will have **No Adverse Effect to Essential Fish Habitat for Pacific Salmon.**

Part 6 FHWA Comments

Use Supplement Sheet if additional space is required to complete this section.