

Federal Aid Project Number: <b>CM-TAP-1775(001)</b>		NEPA Start Date: May 31,2018	Intent of Submittal: <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Final <input type="checkbox"/> Re-Evaluate
Agency: Seattle Department of Transportation (SDOT)		Project Title: <b>Northgate Bike and Pedestrian Improvements</b>	
County: King			
Beginning terminus: <u>NE Northgate Way</u>		Township(s): <u>26N</u>	
Ending terminus: <u>NE 92nd Street</u>		Range(s): <u>4E</u>	
Miles: <u>0.88</u>		Section(s): <u>31 and 32</u>	

**Part 1 - Project Description (Attach Vicinity Map)**

The proposed project will be located in the Northgate area of Seattle (Figures 1 and 2). The project area is generally bounded by College Way N on the west, 1st Avenue NE on the east, Northgate Way on the north and NE 92nd Street on the south. This area is bisected by Interstate 5 (I-5). The western portion of the project lies within undeveloped lands owned by the North Seattle College (NSC).

This project will provide non-motorized improvements linking the Northgate, North College Park and Licton Springs neighborhoods in the vicinity of Sound Transit's North Link Station and the North Seattle Community College. Improvements include a pedestrian/bicycle overpass that will span I-5 and connect the west and east neighborhoods and businesses that are divided by the freeway, separated bicycle facilities along 1st Avenue NE from NE Northgate Way south to NE 92nd Street and bicycle and pedestrian connections between the bridge and separated bicycle facilities.

The key elements of the project include the following:

- A 16-foot-wide, 1,900-foot-long pedestrian/bicycle facility, including a 360-foot crossing of I-5
- A ramp on the east side of I-5 connecting to grade at 1st Avenue NE
- A bridge connection to the Northgate Link Light Rail station over 1st Avenue NE
- Continuation of the bridge on an elevated structure on the NSC campus that transitions to ground via embankment supported by retaining walls on both sides
- A connection to the NSC and College Way N via a 16-foot wide multi-use path on the north side of the vacated N 100th Street
- A 10-foot wide protected bike lane along the west side of 1st Avenue NE from NE 92nd Street to NE 103rd Street and a shared use bicycle/pedestrian facility on the east side of 1st Avenue NE from NE 103rd Street to Northgate Way

The project will include stormwater infrastructure improvements and will require on-site staging areas.

**Part 2 – Categorical Exclusion & STIP**

- Identify one CE from 23 CFR 771.117 (CE Guidebook - Appendix A) that fits the entire project 23 CFR 771.117(3) Construction of bicycle and pedestrian lanes, paths, 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**

  
 \_\_\_\_\_  
 Local Agency Approving Authority

8/29/18  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Local Programs Environmental Engineer      Date

\_\_\_\_\_  
 Regional Local Programs Engineer      Date

\_\_\_\_\_  
 Federal Highway Administration      Date

Completed by (Print Official's Name): Sandy Gurkewitz	Telephone (include area code): (206) 684-8574	E-mail address: Sandra.gurkewitz@seattle.gov
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Part 3 - Permits, Approvals & Right of Way (ROW)							
Yes	No	Permit or Approval		Yes	No	Permit or Approval	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Corps of Engineers	<input type="checkbox"/> Sec. 10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Quality Certification – Section 401	
		<input checked="" type="checkbox"/> Nationwide Type	_____14_____			Issued by _____	
		<input type="checkbox"/> Individual Permit No.	_____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Tribal Permit(s) (if any) _____	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Coastal Zone Management Certification		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other Permits (List) <u>NMFS Section 7 Consultation, Section 106 Consultation, City of Seattle Master Use Permit, King County Construction Dewatering Discharge Permit</u>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Critical Areas Ordinance (CAO) Permit		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is permanent ROW acquisition needed? If yes, amount needed: <u>WSDOT ROW = 42,270 sq feet is needed for the Trail Lease. SDOT will acquire a permanent easement on North Seattle College Campus, of approximately 31,900 sq. ft. (acres/sq. ft.).</u>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Forest Practices Act Permit		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is any temporary ROW needed?	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Hydraulic Project Approval		<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is relocation required?	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local Building or Site Development Permits		<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 checked="" type="checkbox"/>	<input type="checkbox"/>	Local Clearing and Grading Permit		<input checked="" type="checkbox"/>	<input type="checkbox"/>	Is a detour required? If yes, please attach detour information.	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	National Pollutant Discharge Elimination System (NPDES) Baseline General for Construction					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shoreline Permit					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	State Waste Discharge Permit					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TESC Plans Completed					
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Rights Permit					
<b>U.S. Coast Guard Permitting</b>							
a. Does the project propose any new or modify <u>any</u> existing bridges or culverts crossing a waterway? Yes No <input checked="" type="checkbox"/>							
b. If Yes, attach a copy of the jurisdictional determination email or letter from the U.S. Coast Guard.							
<b>Other Federal Agencies</b> - Does the project involve any federal properties, approvals or funding from other/additional federal agencies? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please describe. <u>US Army Corps of Engineers Section 404 Permit</u>							



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.  
Air Quality - Bicycle and pedestrian facilities.

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

If Yes, date Metropolitan Transportation Plan was adopted Adopted in 2010, updated in 2014, amended in 2017

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

The project is located within the Seattle PM10 maintenance area (Ecology 2016a, 2016b)

<https://ecology.wa.gov/Regulations-Permits/Plans-policies/State-implementation-plans/Maintenance-SIPs>

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.

**Habitat Impacts**

The project site consists of natural area and open space on the NSC campus, on the west side of I-5. The natural area provides moderate quality habitat surrounded by urban development. It contains native and invasive trees and shrubs, as well as maintained lawns, six wetlands and one watercourse which is a Type F water of the state (Figure 3). Several dirt roads and trails traverse this area (Figure 2). Two wetlands within the natural area provide habitat for the Pacific Tree Frog (*Pseudacris regilla*).

Proposed construction activities west of I-5 will include permanent and temporary disturbance of several waterbodies, loss of trees and associated habitat for birds and other wildlife, and temporary construction noise or vibration that may affect both aquatic and terrestrial species.

Construction related impacts will be minimized through the use best management practices (BMPs) and timing restrictions. An Hydraulic Project Approval (HPA) permit obtained from the Washington Department of Fish and Wildlife (WDFW) and a Section 404 permit obtained from the U.S. Army Corps of Engineers (Corps) will specify times where construction can occur in the wetlands and watercourse. Timing restrictions on certain construction activities will also minimize impacts on Pacific Tree Frog (*Pseudacris regilla*) spawning and migration patterns at the site.

Habitat east of I-5 is limited as the majority of the site is a WSDOT park and ride lot. Vegetation in this area is unmaintained, except for some isolated grassy patches in the WSDOT right-of-way, which appear to be purposefully planted. Much of the area associated with the wetlands, ditch, and watercourses is overgrown with a variety of native, invasive, and ornamental species. Temporary and permanent impacts to habitat east of I-5 will include filling of portions of a watercourse and removal of riparian vegetation. This will impact the watercourse that currently provides a forage base for other aquatic organisms and water quality treatment. An HPA and a Corps permit will specify habitat mitigation. For more information, see the *Northgate Pedestrian and Bicycle Bridge Project Fish, Wildlife, and Vegetation Technical Memorandum and Wetland Discipline Report* (Clearway 2018).

### **Species Impacts**

The WDFW Priority Habitats and Species (PHS) online mapping does not show any terrestrial state priority species as potentially occurring within approximately 2 miles of the project site. State priority fish species are mapped as occurring downstream from the project site (PHS, 2018), although recent fish sampling results suggests that some of these species may have access to waters within the project area. The Washington State Department of Natural Resources (WDNR) Plant Natural Heritage Database indicates that no threatened or endangered plants are known to occur within the project vicinity (WDNR 2015).

West of I-5 there is a large open water wetland that attracts a variety of water-associated bird species, such as gulls, ducks, geese, and cormorants. These species likely use the wetland primarily for foraging, rather than nesting, due to the proximity of I-5. On both sides of the freeway, bird species typically adapted to urban environments such as American robins and European starlings, are present. Pacific Tree Frogs are found in and adjacent to wetlands 1 and 2 north of the alignment, and racoons, Norway Rats, Western grey squirrels and coyotes are known to use the site.

Water associated birds, might avoid the open water portions of the study areas (particularly portions of Wetland 6) during construction, due to noise and visual disturbance. While such disturbances will be short-term and temporary, they will occur periodically over the 18-20-month duration of construction. Timing restrictions for noise impacts to tree frogs will help reduce impacts to Pacific Tree Frog spawning and mating life stages when noise impacts are the greatest impact on tree frogs.

- 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?* section.
- d. Are wetlands present within the project area?  Yes  No If Yes, estimate the impact in acres:

There are numerous wetlands and several watercourses in the project area. In addition, wetlands there are wetland buffers, areas that surround a wetland and reduce adverse impacts to the wetland functions and values, in the project area. Wetland buffers are regulated by the City of Seattle. Water resources are shown in Figure 3.

The project will have permanent and temporary impacts to wetlands, watercourses and their buffers as shown in the tables below. West of I-5, impacts to wetlands, watercourses, and associated buffers or riparian management areas will be mitigated through a combination of invasive vegetation control, native vegetation plantings, and channel/habitat enhancement.

Impacts to the North Watercourse (east of I-5) will be mitigated through a combination of on-site and offsite riparian and stream restoration. Offsite mitigation will be at Victory Creek in northeast Seattle (Figure 4). For additional information and analysis of impacts to water resources in the project area see the *Northgate Pedestrian and Bicycle Bridge Wetland Discipline Report* (Clearway 2018) and the *Northgate Pedestrian and Bicycle Bridge Wetland and Watercourse Conceptual Mitigation Plan* (Clearway 2018).



**Summary of Wetland Impacts and Mitigation Required**

Wetland	Permanent Impacts		Mitigation Required for Permanent Impacts 2:1	Temporary Impacts		Mitigation Required for Temporary Impacts 2:1
	Wetland	Buffer		Wetland	Buffer	
Wetland 1	305	2,441	5,492	0	1,056	2,112
Wetland 4	72	50	244	443	0	886
Wetland 6	79	1,115	2,388	0	8,757	17,514
TOTAL	456	3,606	8,124	443	9,813	20,512

Note: Unit of measure is square feet.

**Summary of Watercourse Impacts and Mitigation Required**

Watercourse	Permanent Impacts		Mitigation Required for Permanent Impacts 1:1	Temporary Impacts		Mitigation Required for Temporary Impacts 1:1
	Watercourse	Buffer		Watercourse	Buffer	
North Watercourse	6,269	0	6,269	0	0	0
Watercourse 5	465	22,049	22,514	109	4,012	4,121
TOTAL	6,734	22,049	28,783	109	4,012	4,121

Note: Unit of measure is square feet.

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

Within the Area of Potential Effects (APE) the Kumasaka Farmhouse and Green Lake Gardens Company site on the North Seattle College Campus shown on Figure 5 may be eligible for listing on the National Register of Historic Places (NRHP) due to its association with Japanese immigration and assimilation on the West Coast in the early 20th century, Japanese community longevity before and after World War II, Japanese Internment during World War II, and the importance of the Kumasaka family as a center of the North Seattle Japanese community (ESA 2016 ).

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.

If No: Date of DAHP concurrence: June 21, 2016

Date of Tribal consultation(s) (if applicable): March 28, 2016

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

Groundwater conditions were recorded during geotechnical work in the area and were summarized in a Geotechnical Studies Report (Hart Crowser, 2014, 2018). Borings in the area east of I-5 encountered water levels at multiple depths, indicating that there is probably perched and confined groundwater throughout the subsurface. The water level depths (at the time of testing) varied from about 7 to 25 feet below ground surface. The bridge piers would be constructed by installing piles or drilled shafts up to 150 feet below the current ground surface to support bridge columns.

- 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)
- 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).

Clearway Environmental conducted a site reconnaissance of the project area in August, September and October of 2017. The east end of the alignment is mostly paved with areas of vegetation around the North Watercourse and South Watercourse. Within the road right-of-way and the parking lots were signs of petroleum spills, likely from heavy vehicle use. Immediately adjacent to the eastern end of the proposed bridge, Sound Transit (ST) is constructing a new Link Light Rail station. The use of hazardous materials in the construction activities was evident; however, all materials were properly contained and there were no signs of leaks or spills. There were no signs of hazardous materials being on site or on nearby properties, nor were there signs of previous contamination, on the west end of the project alignment. There were no strong, pungent, or noxious odors, aside from vehicle exhaust, observed in the project vicinity in either the West or east Area. For more information, see the *Northgate Pedestrian and Bicycle Bridge Project Hazardous Materials Technical Memorandum* (Clearway Environmental, 2018c).

- 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:

There were six sites identified in the Washington State Department of Ecology (Ecology) databases within one-half mile of the project site as shown in Figure 6. However, the review of environmental records and site-specific history shows that none of the six sites are sites of concern.

Based on the local topography, the inferred direction of shallow groundwater flow from geotechnical studies (Hart Crowser, 2014, 2018), the regulatory status of the listed sites, and information contained in the regulatory database, it is unlikely that any of the known sites would present a risk of encountering hazardous materials in the area of the Project during construction.

Short-term effects associated with hazardous materials caused by construction of the project include excavation of previously unknown contaminated materials and the potential for hazardous materials spills (such as spills of fuel from construction equipment).

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

A HazMat analysis was completed and approved by WSDOT on 5/21/18.



**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 project will generate temporary noise from the use of heavy construction equipment (excavators, bulldozers, generators, etc.) during construction of the earth embankment supporting the westerly portion of the trail and the hauling of soils and construction materials. This will occur up to 18 months.

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

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

The North Seattle College campus is located west of I-5 at the western terminus of the proposed project alignment. FHWA determined that five facilities met the definition of Section 4(f) resources. In addition, the off-site wetland mitigation area is adjacent to a City of Seattle park – Victory Creek Park. The following table lists these resources and summarizes potential impacts to them (See Figures 7 and 8).

Resource	Impact
Kumasaka Farm Site and Greenlake Gardens Historic Site	No impact. There will be no use of this Section 4(f) resource.
North Seattle College Open Space	The project will cross the Open Space/Greenbelt on an east-west orientation approximately east of vacated N 100th Street near the intersection of vacated Corliss Ave N (see Figure 3). This will temporarily displace about 0.2 acre of the Open Space/Greenbelt in the eastern portion of site during construction for use as a staging area
Campus Trail System	The completed bridge will cross over several areas of the Campus Trail System, the Khaki Loop and Cranberry Loop Trails. In addition, temporary construction staging will occur within portions of these trails. The North Berm Trail will be displaced by the west bridge landing. It will however, be replaced at a similar elevation and in a new parallel alignment, south of the existing trail.
Abandoned Ballfield/Grassy Field	The existing abandoned backstop will be removed. However, this feature is no longer in use as trees are growing through it. Some portion of this area may be used for construction access and staging.
Victory Creek Park	No impact. There will be no use of this Section 4(f) resource.



In accordance with 23 CFR Part 774, an impact to a park, recreation area, or wildlife and waterfowl refuge or historic site may be determined *de minimis* if the transportation use of the Section 4(f) resource, including consideration of impact avoidance, minimization, and mitigation or enhancement measures, does not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f). De minimis documentation was provided and on May 22, 2018, FHWA concurred that the proposed project, after taking onto account avoidance, minimization, mitigation, and enhancement measures, will not adversely affect the activities, features, or attributes that make the North Seattle College Trails System, Open Space and Abandoned Ball field/Grassy Field eligible for Section 4(f) protection and approved de minimis documentation. On July 30, 2018, FHWA concurred that the proposed project, after taking onto account avoidance, minimization, mitigation, and enhancement measures, will not adversely affect the activities, features, or attributes that make Victory Creek Park eligible for Section 4(f) protection and approved de minimis documentation.

- b. Please identify any properties within the project limits that used funds from the Land & Water Conservation Fund Act  
None
- c. Please list any Wild and Scenic Rivers and Scenic Byways within the project limits.  
None.

**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.  
West of I-5, the North Seattle Campus contains a Type F stream (Watercourse 5). East of I-5, the WSDOT park and ride contains a Type F stream (North Watercourse). These waterbodies are connected hydraulically via surface water, groundwater and pipes. Victory Creek (Type F stream) runs through the offsite mitigation area. For additional information see section 7 above, Figures 3 and 4, and the *Northgate Pedestrian and Bicycle Bridge Project Fish, Wildlife, and Vegetation and Wetland Technical Memoranda (Clearway Environmental 2018)*.
- b. Identify stream crossing structures by type.  
See description above.

**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.  
No part of the project will occur within Tribal Lands.

**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 impervious surface associated with the proposed project.

b. Amount of existing impervious surface within the project limits: The existing impervious surface within the project limits is approximately 0.839 acres.

c. Net new impervious surface to be created as a result of this project:

The project will add approximately 0.752 acres of new and replaced non-pollution generating hard impervious surface (NPGHS).

**12. Previous Environmental Commitments**

Describe previous environmental commitments that may affect or be affected by the project – if any.

**NA**

**13. Environmental Justice** - Does the project meet any of the exemptions noted in Appendix L of the CE Documentation Guidebook?  Yes  No

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

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

Yes  No If No, attach appropriate data to support findings. If Yes, describe impacts and attach appropriate supporting documentation. Findings should be confirmed using at least two information sources. Please refer to the CE Guidebook for more information.

The *Northgate Pedestrian and Bicycle Bridge Project - Environmental Justice Technical Memorandum* was approved by WSDOT on 5/21/18.

**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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
5. Will any construction work occur within 300 feet of any perennial or intermittent waterbody that either supports or drains to waterbody supporting listed fish?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
6. Will any construction work occur within 300 feet of any wetland, pond or lake that is connected to any permanent or intermittent waterbody?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Does the action have the potential to directly or indirectly impact designated critical habitat for salmonids (including adjacent riparian zones)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
8. Will the project discharge treated or untreated stormwater runoff or utilize water from a waterbody that supports or drains into a listed-fish supporting waterbody?	<input 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	
9a. Will construction activities occurring outside the existing pavement involve clearing, grading, filling or modification of vegetation or tree-cutting?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
10. Are there any Federally listed Threatened or Endangered plant species located within the project limits? If Yes, please attach a list of these plant species within the action area.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11. Does a mature coniferous or mixed forest stand occur within 200' of the project site?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<p><b>Analysis for No Effects Determination</b> – If there are any Yes answers to questions in Part 5, additional analysis is required. Attach additional sheets if needed.</p> <p>The Action Area for the Northgate Bridge Project includes the project footprint and the terrestrial and aquatic habitat where potential direct or indirect impacts could occur. The action area also includes a non-contiguous offsite mitigation area. The terrestrial portions of the Action Area are defined by the extent and range that construction noise exceeds background levels while the aquatic portion is based on potential changes in water quality conditions.</p> <p>Based on standard noise attenuation rates and the project's proximity to I-5, the noise generated from project construction activities on the east side of I-5 will be indistinguishable from traffic noise associated about 100 feet from the source of construction noise. The terrestrial action area is 100 feet from construction equipment. The west side of I-5, is generally quieter than the east side of I-5. Construction activity could generate noise above ambient levels which could be heard for up to 3200 feet from the project area (Figure 9).</p>		



The aquatic portion of the Action Area was determined by using the Ecology mixing zone distances as established in the Water Quality Standards for Surface Waters of the State of Washington; Chapter 173-201A Washington Administrative Code (WAC), which indicates that for stream courses with flows less than 10 cubic feet per second, the point of compliance shall be 100 feet downstream of the activity causing the turbidity disturbance (Ecology, 2018). This represents the estimated maximum distance that sedimentation from the project could affect project area streams, given the timing of in-water work and the application of appropriate BMPs.

Current listings from National Marine Fisheries Service (NMFS) indicate the potential presence of the Puget Sound Evolutionarily Significant Unit (ESU) of Chinook salmon (*Oncorhynchus tshawytscha*) and the Puget Sound Distinct Population Segment (DPS) of steelhead (*O. mykiss*) within the geographic area of the project (WDFW 2018a). Additionally, the U.S. Fish and Wildlife Service (USFWS) lists the Coastal/Puget Sound DPS of bull trout (*Salvelinus confluentus*) as potentially occurring within the project vicinity. The USFWS also lists three avian species as Threatened under the Endangered Species Act (ESA), which may occur within the geographic area of the project (USFWS 2017). These are the Threatened marbled murrelet (*Brachyramphus marmoratus*), streaked horned lark (*Eremophila alpestris strigata*), and yellow-billed cuckoo (*Coccyzus americanus*). The following summarizes the no effects analysis and determinations for these species completed in the *Northgate Pedestrian and Bicycle Bridge ESA No Effect Assessment* (48 North Solutions, 2018).

#### **ESA-listed Salmonid Species**

No ESA listed fish species or critical habitat occur within the Action Area. The closest documented occurrence of ESA-listed winter steelhead and Chinook is approximately 1.5 miles downstream of a fish passage barrier culvert located on the South Branch of Thornton Creek from the eastern edge of the project footprint (WDFW, 2018a) and just under 1 mile downstream from the offsite mitigation area. Mainstem Thornton Creek, which is located downstream and outside of the project area to the east, is a salmonid-bearing stream and provides habitat for two listed salmonid species. Their presence is restricted in Thornton Creek due to impaired summer water quality conditions (i.e., high temperature, low flow and low dissolved oxygen concentration), and the presence of a natural fish passage barrier at Lake City Way in the form of an impassible culvert. This is also the location of the nearest designated critical habitat, for Chinook salmon. The closest documented occurrence of bull trout is more than 3 miles away from eastern edge of the project area in Lake Washington (WDFW 2015a and 2015b). There is no designated critical habitat in Thornton Creek for bull trout or steelhead.

Turbidity and sedimentation from project runoff will not enter fish-bearing surface waters, based on the implementation of a project TESC plan and appropriate BMPs. Sedimentation from placement of fill within Wetland 5 and North Watercourse will not impact water quality more than 100 feet downstream of project activities, with implementation of construction BMPs. There are no listed fish species in the action area, the project will add minimal pollution generating hard surfaces (PGHS), and all wetland and wetland buffer impacts will be mitigated in the Thornton Creek Watershed. Therefore, it is concluded that the project will have No Effect on Puget Sound Chinook salmon, Puget Sound steelhead, or Bull Trout.

#### **Essential Fish Habitat**

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) requires federal agencies to consult with the National Marine Fisheries Service on activities that may adversely affect Essential Fish Habitat (EFH). The Pacific Fisheries Management Council (PFMC) has designated EFH for the Pacific salmon fishery, federally managed groundfish, and coastal pelagic fisheries. No designated EFH for any of these groups occurs within the Action Area or vicinity of the proposed project.

#### **Terrestrial Species**

Based on maps, site visits and literature reviews, there is no habitat, or no known presence, of listed terrestrial or avian species. The project area does not offer suitable habitat for streaked horned lark, marbled murrelet, and yellow-billed cuckoo. The project area is currently utilized for transportation and urban purposes and lacks habitat complexity such as old growth forests, prairie habitat, or large woodlands. Therefore, it is concluded that the project will have No Effect on streaked horned lark, marbled murrelet, or yellow-billed cuckoo.

Based on the above analysis, the proposed project will have No Effect on any ESA listed species discussed above. As there is no critical habitat within the project area, the proposed project will have No Effect on designated critical habitat for these species.



For more information, see the *Northgate Pedestrian and Bicycle Bridge Project ESA No Effect Assessment Template* (48 North Solutions, 2018).

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

**Maintenance Category** (check all that apply)

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

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

None of the above maintenance measures apply to the proposed pedestrian/bicycle bridge.

**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.

- |                                                     | NMFS  | USFWS | EFH Determination                                                           |
|-----------------------------------------------------|-------|-------|-----------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> No Effect       | _____ | _____ | <input checked="" type="checkbox"/> No Adverse Effect                       |
| <input type="checkbox"/> NLTA - Date of Concurrence | _____ | _____ | <input type="checkbox"/> Adverse Effect – Date of NMFS<br>concurrence _____ |
| <input type="checkbox"/> LTAA – Date BO Issued      | _____ | _____ | <input type="checkbox"/> Not Applicable                                     |
| <input type="checkbox"/> RRMP 4(d)                  | _____ | _____ |                                                                             |

**Part 6 - FHWA Comments**





Washington State S. T. I. P.

2018 to 2021

(Project Funds to Nearest Dollar)

August 17, 2018

MPO/RTPO: PSRC

Y Inside

N Outside

County: King

Agency: Seattle

Func CIs Number	PIN	STIP ID	Imp Type	Total Project Length	Environmental Type	RW Required	Begin Termini	End Termini	Total Est. Cost of Project	STIP Amend. No.
00	1775(001)	SEA-176	28	0.000	CE	No	N/A	N/A	41,937,160	

Northgate Bike and Pedestrian Improvements

This project will provide non-motorized improvements in the Northgate, North College Park and Licton Springs neighborhoods in the vicinity of Sound Transit's North Link Station and the North Seattle Community College. Improvements include a pedestrian/bicycle overpass that will span I-5 and connect the west and east neighborhoods and businesses that are divided by the freeway, as well as separated bicycle facilities along 1st Avenue NE from NE Northgate Way south to NE 92nd Street. This will include bicycle and pedestrian connections between the bridge and separated bicycle facilities with nearby integrated transit centers.

Funding

Phase	Start Date	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total
CN	2018		0	CWA	10,000,000	24,388,815	34,388,815
<b>Project Totals</b>			<b>0</b>		<b>10,000,000</b>	<b>24,388,815</b>	<b>34,388,815</b>

Expenditure Schedule

Phase	1st	2nd	3rd	4th	5th & 6th
ALL	34,388,815	0	0	0	0
<b>Totals</b>	<b>34,388,815</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Figures

Figure 1. Vicinity Map

Figure 2. Project Location

Figure 3 Watercourses and Wetlands (Part 4, Item 2. Critical and Sensitive Areas)

Figure 4 Watercourses Victory Creek (Part 4, Item 2. Critical and Sensitive Areas)

Figure 5 Kumasaka Farmhouse and Green Lake Gardens Company Site (Part 4, Item 3. Cultural Resources)

Figure 6 Hazardous Materials (Part 4, Item 5. Hazardous and Problem Waste)

Figure 7 Section 4(f) Resources North Seattle Campus (Part 4, Item 7. 4(f)/6(f) Resources)

Figure 8 Section 4(f) Resources Victory Creek park (Part 4, Item 7. 4(f)/6(f) Resources)

Figure 9 Project Action Area (Part 5 Biological Assessments and EFH Evaluations)

## References

Ecology (Department of Ecology). 2016a. King County Carbon Monoxide Maintenance Area Map. Downloaded November 15, 2016.

Ecology (Department of Ecology). 2016b. The Kent, Seattle, and Tacoma, WA Second 10-year Limited Maintenance Plan for PM10. November 4, 2013. Available on the Internet at: <https://ecology.wa.gov/DOE/files/7e/7ecd9641-bf37-4f58-803d-ca3fe6916c78.pdf>

Clearway Environmental. 2018. Northgate Pedestrian/Bicycle Bridge Project Fish, Wildlife, and Vegetation Technical Memorandum Report March 2018

Clearway Environmental. 2018. Northgate Pedestrian/Bicycle Bridge Project Hazardous Materials Technical Memorandum March 2018

Clearway Environmental. 2018. Northgate Pedestrian/Bicycle Bridge Project Wetland Discipline Report March 2018

Clearway Environmental. 2018. Northgate Pedestrian/Bicycle Bridge Project Conceptual Wetland and Watercourse Mitigation Plan August 2018

ESA (Environmental Science Associates). 2016. Northgate Bike and Pedestrian Improvements, King County, Washington: Cultural Resources Assessment. March 2016.

Hart Crowser. 2014. DRAFT Preliminary Geotechnical Study Phase 1: Alternatives Evaluation Northgate Bridge – Pedestrian and Bicycle Facility. February 6, 2014.

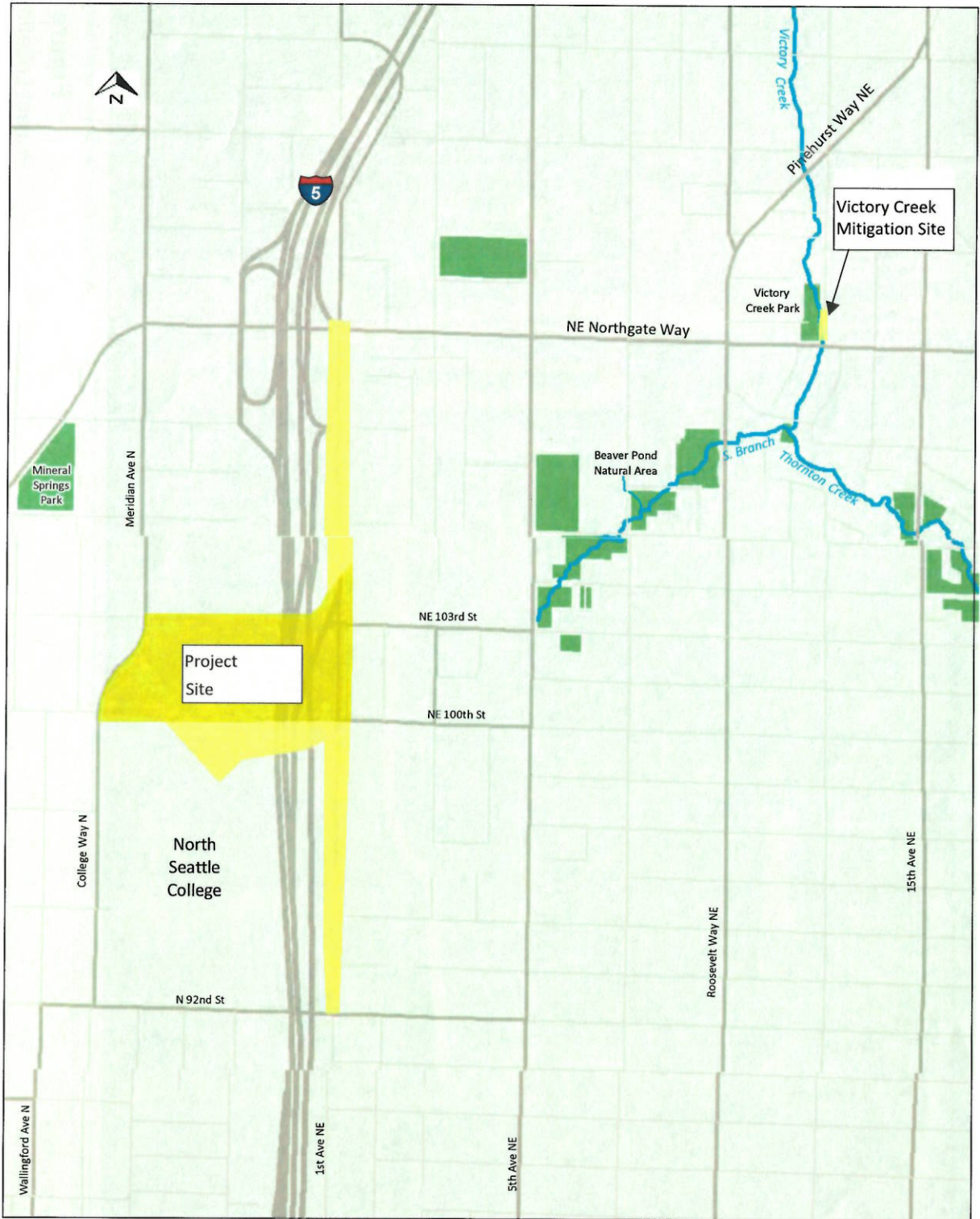
Hart Crowser. 2018. Draft Geotechnical Report Northgate Bridge Pedestrian & Bicycle Facility Seattle, Washington. HWA Project No. 2016-115-21. March 5, 2018

Leon Environmental. 2018. Section 4(f) Analysis Temporary Occupancy and *de minimis* Forms. May, 2018



48 North Solutions. 2018. Northgate Pedestrian and Bicycle Bridge Project ESA No Effect Assessment Template, August 2018

WDFW (Washington State Department of Fish and Wildlife) 2018. Living with Wildlife: Frogs, Available on the Internet at <https://wdfw.wa.gov/living/frogs.pdf>



SOURCE: City of Seattle 2017

Northgate Pedestrian/Bicycle Bridge Project





**Figure 1**  
Project Vicinity





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

SOURCE: City of Seattle 2017; Sound Transit 2017; Esri 2016

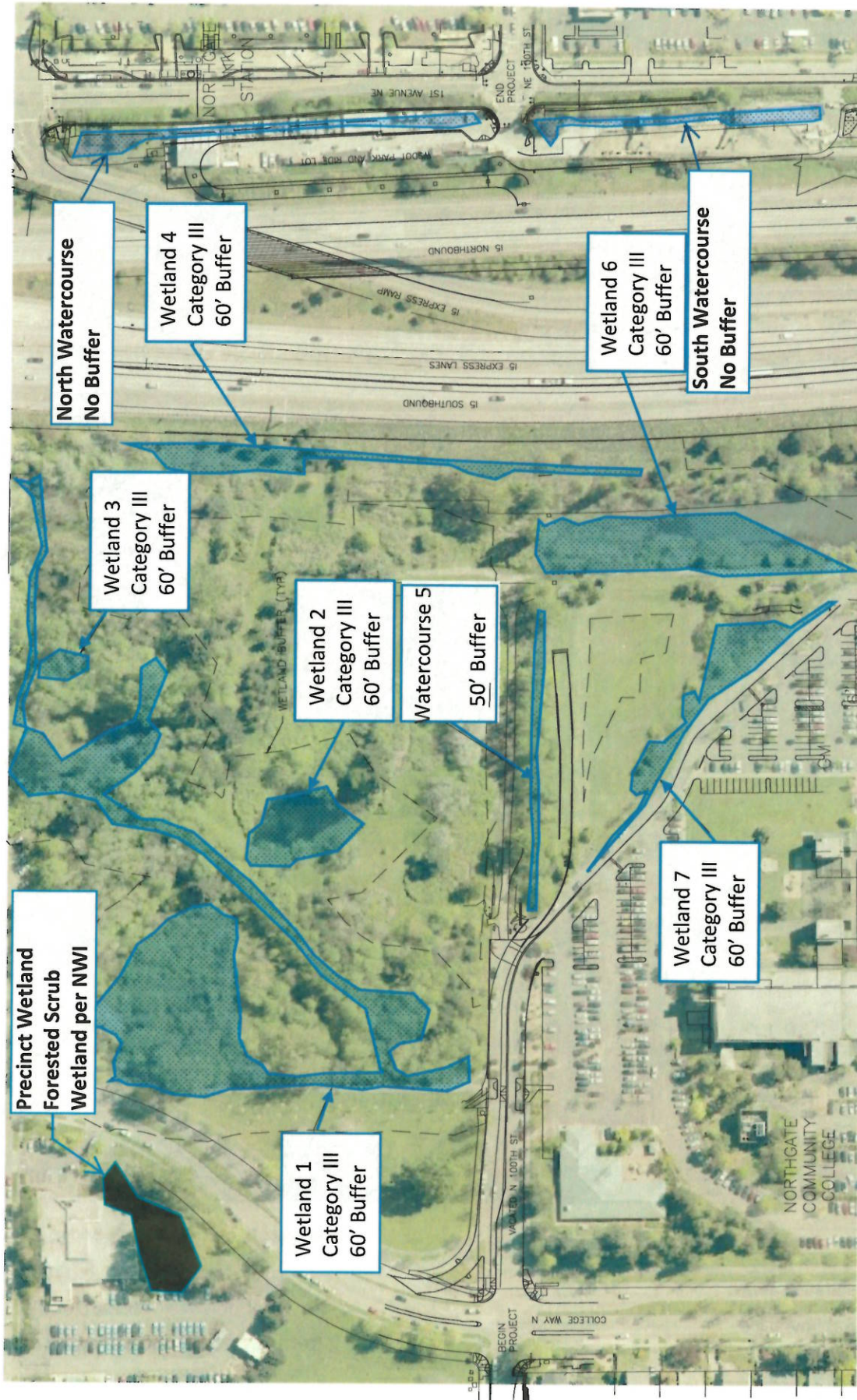
-  Bridge Structure
-  Earthfill Section
-  16' Wide Multi-Use Path
-  1st Avenue NE Protected Bike Lane (PBL)/Multi-Use Path

Northgate Pedestrian/Bicycle Bridge Project

**Figure 2**

Project Location





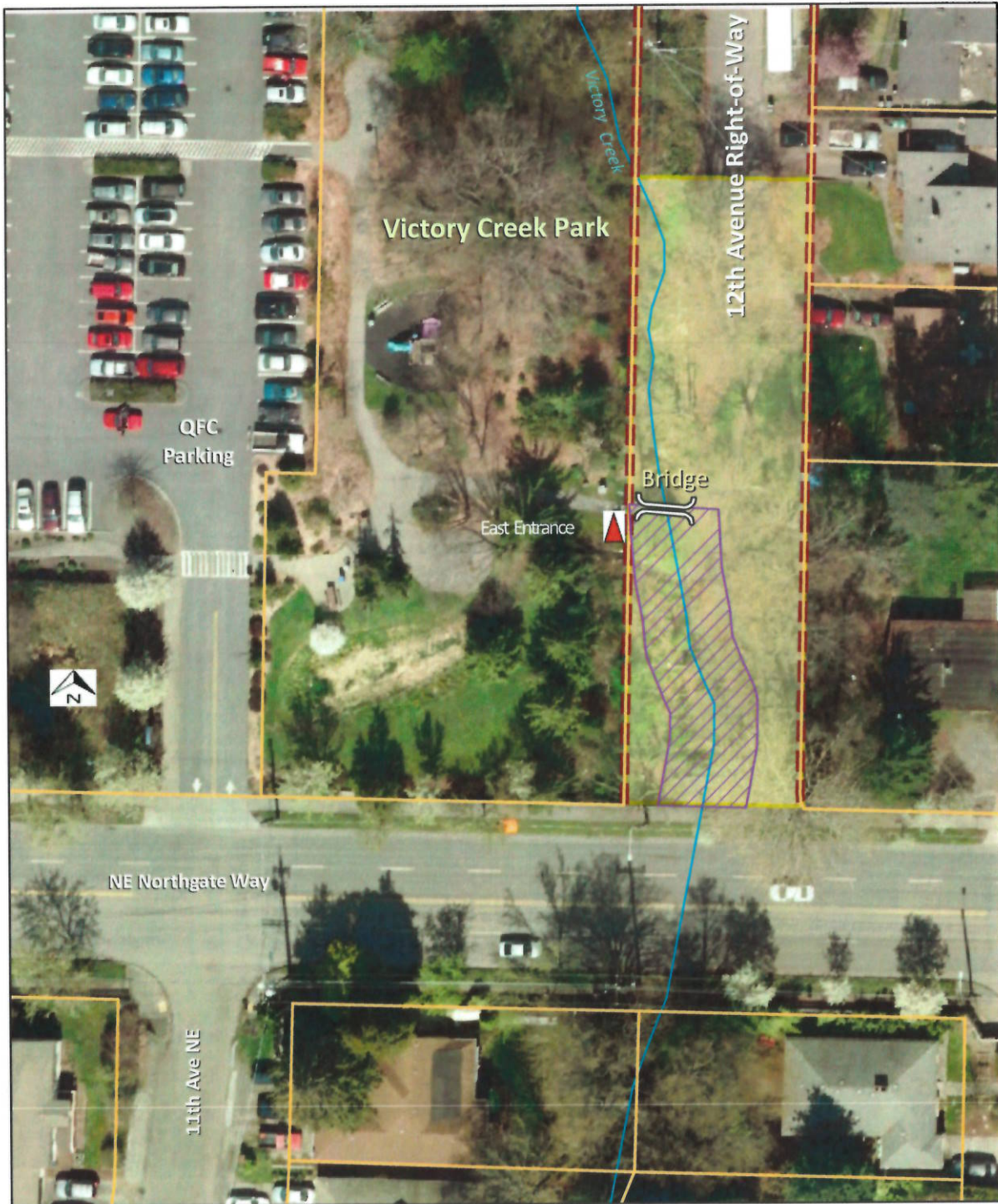
Northgate Pedestrian/Bicycle Bridge Project

**Figure 3**

NEPA DCE Part 4

Item 2. Critical and Sensitive Areas





SOURCE: City of Seattle 2017; USGS 2012

- Restoration Area
- Parcel Boundary
- Right-of-Way
- Path
- Stream

Northgate Pedestrian/Bicycle Bridge Project

**Figure 4**

NEPA DCE Part 4

Item 2. Critical and Sensitive Areas









Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Northgate Pedestrian/Bicycle Bridge Project

**Figure 5**

NEPA DCE Part 4  
Item 3. Cultural Resources

SOURCE: City of Seattle 2017; Sound Transit 2017; Esri 2016

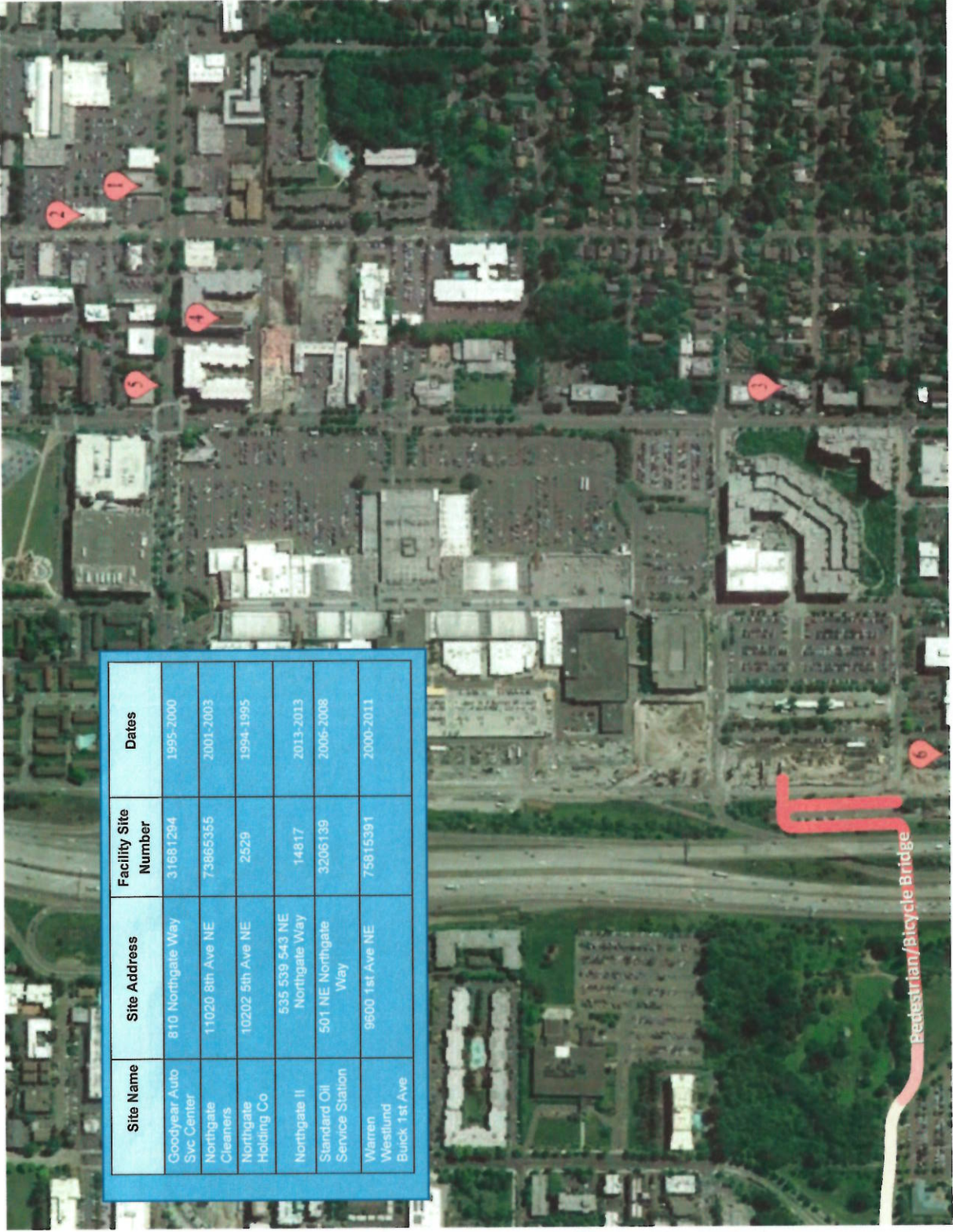
-  Bridge Structure
-  Earthfill Section
-  16' Wide Multi-Use Path
-  1st Avenue NE Multi-Use Path

Kumasaka Farm Site



*Handwritten signature*





Northgate Pedestrian/Bicycle Bridge Project

**Figure 6**

NEPA DCE Part 4

Item 5. Hazardous and Problem Waste

Source: City of Seattle 2017; Sound Transit 2017; Esri 2016





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

SOURCE: City of Seattle 2017; Sound Transit 2017; Esri 2016

Northgate Pedestrian/Bicycle Bridge Project  
**Figure 7**  
 NEPA DCE Part 4  
 Item 7. Section 4(f) Resources

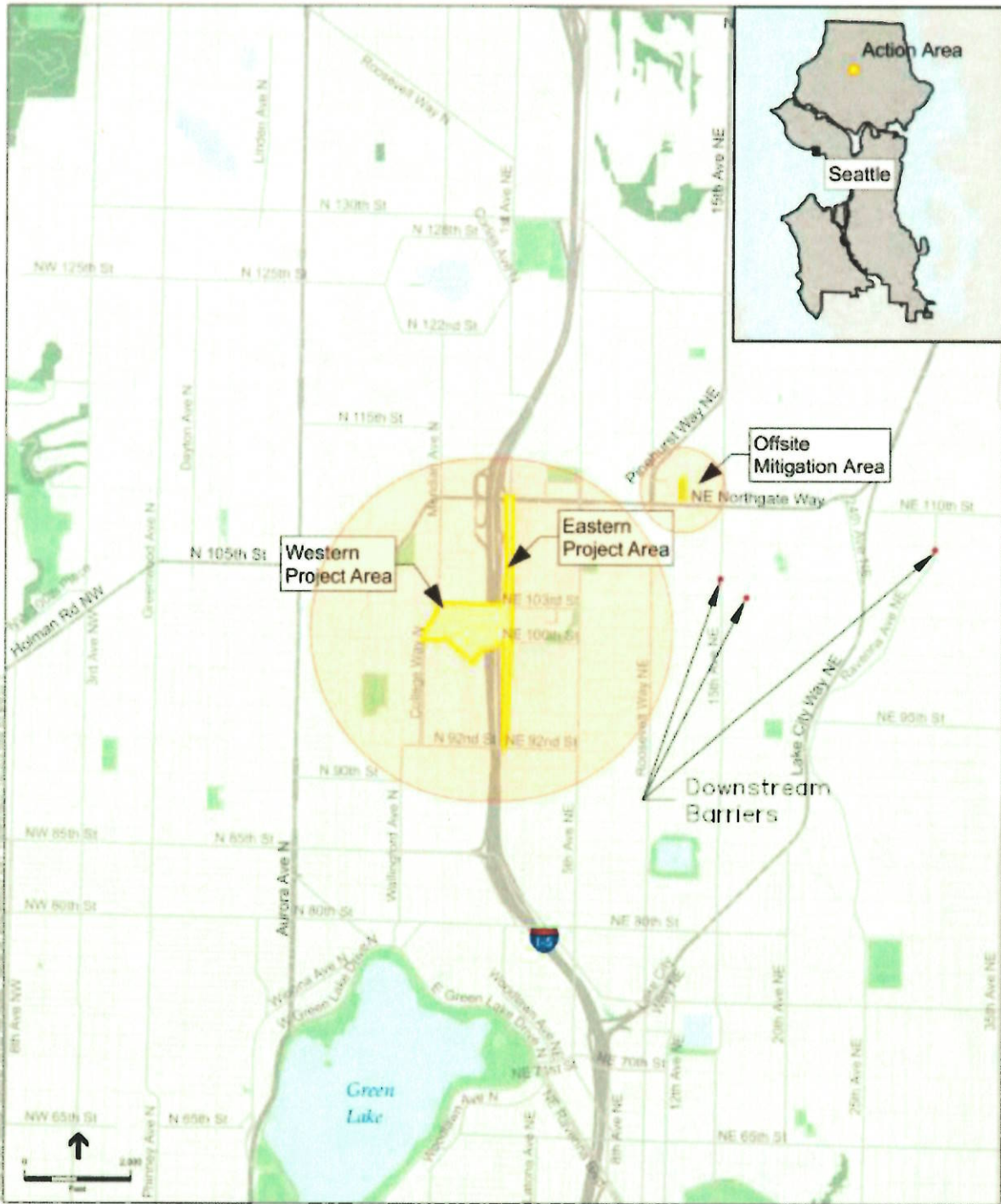


Source: City of Seattle 2017; GIS 2012

Northgate Pedestrian/Bicycle Bridge Project

**Figure 8**  
NEPA DCE Part 4  
Item 7 Section 4(f) Resources





Source: Clearway, 2018

Northgate Pedestrian and Bicycle Bridge Project

**Figure 9**  
Project Action Area