

Federal Aid Project Number: N/A	NEPA Start Date: 6/28/2022	Intent of Submittal: ☐ Preliminary ☒ Final ☐ Re-Evaluate
Agency: WSDOT/City of Federal Way	Project Title: Federal Way City Center Access Project	
County: King County		
Beginning terminus: <u>Milepost 142.8</u> Ending terminus: <u>Milepost 144.7</u> Miles: <u>7.3</u>	Township(s): <u>21N</u> Range(s): <u>04E</u> Section(s): <u>09, 10, 15, 16</u>	

Part 1 - Project Description (Attach Vicinity Map)

The City of Federal Way, City Center Access Project (Project) consists of the following key elements:

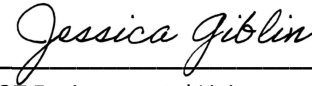
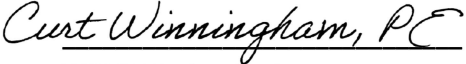
- Building an I-5 overcrossing at S 324th Street from 23rd Avenue S to Weyerhaeuser Way S for people to walk, bike, or drive.
- Making road improvements on S 324th Street from Pacific Highway S (SR 99) to 23rd Avenue S.
- Modifying the S 320th Street interchange.
- Adding access to I-5 at S 324th Street with roundabouts at freeway on- and off-ramps.
- Building two new roundabouts on S 324th Street at 23rd Avenue S and Weyerhaeuser Way S.
- Providing high-occupancy vehicle (HOV) lanes on S 320th Street from SR 99 to Military Road S.
- Adding shared-used paths and regional trail connections, including a potential connection to the BPA Trail.

Stream crossing upgrades to improve fish passage, including corrections to four culverts. The Project is located in the City of Federal Way, Washington, with portions of the Project limits east of I-5 and north of S 320th Street extending into unincorporated King County. The City Center area within the city is served by an interchange at I-5 and S 320th Street. The City Center area is bounded by S 312th Street on the north, S 324th Street on the south, I-5 on the east, and 11th Place S and 14th Avenue S on the west. Figure 1 shows the Project vicinity. See **Attachment A** for a full Project description.

Part 2 – Categorical Exclusion & STIP

- Identify one CE from 23 CFR 771.117 (CE Guidebook - Appendix A) that fits the entire project 23 Code of Federal Regulations (CFR) 771.117 (D)
- 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. See **Attachment B**.

NEPA Approval Signatures

 Digitally signed by EJ Walsh DN: cn=EJ Walsh, o=City of Federal Way, ou=Public Works Director, c=US Date: 2025.09.18 17:02:25-0700 City of Federal Way Approving Authority	9/18/2025 Date	 WSDOT Environmental Liaison	09/17/2025 Date
 WSDOT Project Engineer	9/17/25 Date	 Federal Highway Administration	Digitally signed by WILLIAM S. WITUCKI Date: 2025.09.19 09:46:16 -07'00' Date

Completed by (Print Official's Name): Desiree Winkler	Telephone (include area code): (253) 835-2700	E-mail address: desiree.winkler@federalwaywa.gov
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Part 3 - Permits, Approvals & Right of Way (ROW)

Yes	No	Permit or Approval	Yes	No	Permit or Approval
☒	☐	Corps of Engineers ☐ Sec. 10 ☒ Sec. 404	☒	☐	Water Quality Certification – Section 401
		☒ Nationwide Type <u>14</u>			Issued by <u>Washington State Department of Ecology</u>
		☐ Individual Permit No. _____	☐	☒	Tribal Permit(s) (if any) _____
☒	☐	Coastal Zone Management Certification	☐	☒	Other Permits (List) _____
☒	☐	Critical Areas Ordinance (CAO) Permit	☒	☐	Is permanent ROW acquisition needed? If yes,
☒	☐	Forest Practices Act Permit			amount needed: <u>6 acres</u> (acres/sq. ft.).
☒	☐	Hydraulic Project Approval	☒	☐	Is any temporary ROW needed?
☒	☐	Local Building or Site Development Permits	☒	☐	Is relocation required?
☒	☐	Local Clearing and Grading Permit	☐	☒	Has ROW (property and/or property interests)
☒	☐	National Pollutant Discharge Elimination System			been acquired <u>for this project</u> prior to the NEPA start date?
		(NPDES) Baseline General for Construction			If yes, documentation demonstrating compliance with 23
☐	☒	Shoreline Permit	☒	☐	CFR 710.501 may be required.
☐	☒	State Waste Discharge Permit			Is a detour required? If yes, please attach detour
☐	☒	Water Rights Permit			information. (See Attachment A , Purpose and Need
					and Project Description, Construction Methods
					section)

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. **Attachment C** includes concurrence from the U.S. Coast Guard (USCG) confirming that the Project is not in a navigable water of the United States and therefore would not be subject to a bridge permit from USCG.

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

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. Exempt per 40 CFR 93.127 Projects with neutral or de minimis emissions impacts. The Project will reduce congestion, add an HOV lane on S 320th Street, and improve nonmotorized connections. Additionally, the 2045 overall PM Peak level of service would improve with this Project compared to the existing (no-build) transportation network. Best management practices will be applied during construction to reduce fugitive dust emissions. It was confirmed by the Washington State Department of Transportation (WSDOT) that a special study related to air quality conformity is not required.
- b. 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: _____

Part 4 - Environmental Considerations

- b. Will this project impact Species/Habitat other than ESA listed species? ☒ Yes ☐ No Explain your answer.
The Project will permanently and temporarily impact wetlands and temporarily impact East Fork Hylebos Creek. The Project would not impact species or habitats of local importance identified by the City of Federal Way or King County, or priority habitats and species identified by Washington Department of Fish and Wildlife (WDFW). See the Ecosystems Discipline Report in Attachment D for details.
- 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 (<https://www.fws.gov/story/do-i-need-eagle-take-permit>) and review the information under *When is a permit recommended?*. **Please explain why a permit is or is not needed:**
Please attach a copy of the permit if needed.
- d. Are wetlands present within the project area? ☒ Yes ☐ No If Yes, estimate the impact in acres: 0.35 acres of permanent impacts and 1.08 acres temporary impacts.
Please attach a copy of the proposed mitigation plan. Please see Chapter 5 of the attached Ecosystems Discipline Report (Attachment D).

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.

If No: Date of DAHP concurrence: January 12, 2023 (Attachment E)

Date of Tribal consultation(s) (if applicable): January 25, 2023 (Attachment E)

Adverse effects on cultural/historic resources? ☐ Yes ☒ No

If Yes, date of approved Section 106 MOA: _____

Attachment E includes the complete Cultural Resources Technical Report.

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)

☒ 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).

Part 4 - Environmental Considerations

- 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: Hazardous materials could be encountered during construction due to two medium-risk sites in the study area. Best management practices would be followed to reduce the risk. The Hazardous Materials Discipline Report in Attachment F provides additional details.

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.

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.

There will be long-term noise impacts to 58 residences, a fire station, and a park. Most noise impacts are associated with increased traffic on I-5 and HOV ramps, and the majority of noise impact could be mitigated with recommended abatement measures. Noise impacts associated with specific segments of the Project are summarized below.

Noise Impacts		
Segment	Number of Impacted Receivers	Number of Impacted Residences
Northwest	1	3
East	6	9
Southwest	16	46

Northwest: Noise impacts to three residences on 28th Avenue S, north of the S 317th Street and I-5 traffic circle. The Project proposes to construct a noise wall to mitigate these impacts.

East: Noise impacts to South King Fire & Rescue Station #64 on S 320th Street and nine residences on S 321st Street from increased traffic along S 320th Street and Military Road S. Mitigation for impacts to South King Fire & Rescue Station #64 would not be necessary because interior noise levels are not expected to exceed Federal Highway Administration thresholds. The Project proposes to construct a noise wall along the south side of S 320th Street to mitigate impacts to the nine residences on S 321st Street.

Southwest: Noise impacts to 46 residences beginning just north of S 333rd Street to S 336th Street. Impacts would be mitigated by replacing a noise wall if the existing noise wall cannot be salvaged. The new noise wall would slightly overlap the southern portion of the noise wall constructed by Sound Transit for the Operations and Maintenance Facility (OMF) South project.¹ In addition, due to different construction schedules, this Project proposes to increase

¹ Federal Transit Administration and Sound Transit. 2024. Operations and Maintenance Facility South Final Environmental Impact Statement. June 2024. Available at: <https://www.soundtransit.org/system-expansion/operations-maintenance-facility-south/documents>.

Part 4 - Environmental Considerations

the height of the last 140 feet of the southern extent of the OMF South noise wall by 2 feet after the OMF South project is complete.

Due to the replacement noise wall that will be constructed by Sound Transit for the OMF South project, there are no noise impacts predicted in Belmor Park Golf & Country Club (Belmor Park).

Construction: During construction, the Project would generate noise from typical construction activities.

Construction noise is temporary in nature, and the Project would use mitigation measures to meet the noise limitations described in Section 7.10.050 of the City of Federal Way Municipal Code (FWMC) and Section 12.86.520 of King County Code (KCC). According to FWMC 7.10.020, construction sites and activities are exempt from noise limitations between 7 a.m. and 10 p.m. on weekdays and 9 a.m. and 8 p.m. on weekends. According to KCC, there are exemptions for sounds originating from heavy construction equipment between 7 a.m. and 7 p.m. on weekdays and 9 a.m. and 7 p.m. on weekends; sounds originating from impact types of construction equipment between 8 a.m. and 5 p.m. on weekdays and 9 a.m. and 5 p.m. on weekends; and all other sounds originating from construction sites and activities between 7 a.m. and 10 p.m. on weekdays and 9 a.m. and 8 p.m. on weekends. The Project would have to meet certain maximum allowable noise levels and obtain a noise variance from the City of Federal Way for construction work outside of these hours.

The Noise Impact Analysis in **Attachment G** provides additional details.

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 City of Federal Way plans to construct a roundabout near the entrance of North Lake Access Road, which is owned and maintained by WDFW. To minimize property impacts, the Project will maintain the existing lake access road alignment. Minor driveway improvements are anticipated for the connection to Weyerhaeuser Way S. Driver access to the North Lake Access Road would be modified to "right-in only." **Attachment H** includes the temporary occupancy form and agreement from WDFW that the proposed temporary occupancy does not constitute a Section 4(f) use because all the conditions are satisfied for it to be considered a temporary occupancy.

- b. Please identify any properties within the project limits that used funds from the Land and Water Conservation Fund Act.

No properties within the Project limits used funds from the Land and Water Conservation Fund Act.

- c. Please list any Wild and Scenic Rivers and Scenic Byways within the project limits. No Wild and Scenic Rivers or Scenic Byways are within the Project limits.

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.

One stream is in the Project limits: the East Fork Hylebos Creek Tributary 0016A.

Stormwater runoff from impervious surfaces created or replaced by the Project has the potential to affect water quality in the following streams:

- East Fork Hylebos Creek Tributary 0016A.
- East Fork Hylebos Creek Tributary 0016B.
- West Fork Hylebos Creek Tributary 0014C.
- Mill Creek (a tributary to the Green River).

Part 4 - Environmental Considerations

- b. Identify stream crossing structures by type.

The Project will involve four crossings of East Fork Hylebos Creek Tributary 0016A:

- I-5 northbound on-ramp, milepost 143.90 (WDFW Site ID number 995300): 221-foot-long aluminum pipe with concrete encasement and a corrugate polyethylene pipe with a 30-inch-diameter inlet and 36-inch-diameter outlet.
- I-5 northbound off-ramp, milepost 143.75 (WDFW Site ID number 995299): 640-foot-long, 30-inch-diameter concrete pipe.
- I-5, milepost 143.60 (WDFW Site ID number 992364) with multiple sections:
 - 437-foot-long, 36-inch-diameter concrete pipe.
 - 538-foot-long, 42-inch-diameter pipe, material unknown. Two sections have a 72-inch-diameter maintenance structure separating the segments.
 - 254-foot-long, 42-inch-diameter concrete pipe, connects to a 72-inch-diameter maintenance structure.
- Winged Foot Way in Belmor Park (WDFW Site ID number 420614): 262-foot-long, 42-inch-diameter concrete pipe.

Three of these culverts (995300, 995299, and 992364) are on the list of culverts that must be replaced under a 2013 federal court injunction requiring the removal of state-owned culverts in western Washington that block habitat for salmon and steelhead. The Project design includes the replacement of these three culverts, plus the privately owned culvert at Winged Foot Way (420614) that is directly connected to culvert 992364.

The Ecosystems Discipline Report (**Attachment D**) and Biological Assessment (**Attachment K**) provide additional information on the stream characteristics and proposed improvements that will involve East Fork Hylebos Creek Tributary 0016A.

- 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. The Project will not occur on Tribal lands, including reservation, trust and fee 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

Explain proposed water quality/quantity treatment for the new and any existing pollution generating impervious surface associated with the proposed project. The Stormwater Report and Stormwater Addendum in **Attachment I** provide information on the proposed water quality/quantity treatment for new and existing pollution generating impervious surfaces associated with the proposed project.

- b. Amount of existing pollution generating impervious surface within the project limits: 27.71 acres
c. Net new pollution generating impervious surface to be created as a result of this project: 15.67 acres
d. Amount of proposed post-project untreated pollution generating impervious surface: 0

12. Previous Environmental Commitments

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

Previous environmental commitments that may affect or be affected by the Project include 1) relocations associated with Belmor Park, 2) commitments related to a federal permanent injunction and the WSDOT Fish Passage Performance Report, and 3) the construction of a noise wall by Sound Transit to mitigate for noise impacts to Belmor Park.

Relocations. The Sound Transit OMF South project will be displacing between 71 and 77 residences. The 2024 OMF South NEPA/State Environmental Policy Act Final Environmental Impact Statement (EIS) and the records of decision

Part 4 - Environmental Considerations

from FHWA and the Federal Transit Administration (FTA) recognize that these relocations may be challenging.² Sound Transit evaluated the relocation potential for residents of Belmor Park in the OMF South Final EIS and concluded that mobile home residents would likely experience difficulty relocating within the same neighborhood or to nearby areas because there is a lack of mobile homes. Because Sound Transit's relocations will occur before the Federal Way City Center Access Project is constructed, it is expected that the relocations of three residences proposed for this Project may be even more challenging since their relocations may exhaust the availability of comparable housing. However, as required by law, Federal Way is committed to ensure that the three relocations are compensated according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and the State of Washington relocation and property acquisition laws and regulations, including Revised Code of Washington 8.26 (Relocation Assistance – Real Property Acquisition Policy) and Washington Administrative Code 468-100 (Uniform Relocation Assistance and Real Property Acquisition).

Fish Passage. Correction of fish passage barriers, as proposed within this Project, is determined to be necessary according to a standing federal permanent injunction requiring the State of Washington to accelerate fish barrier corrections for salmon and steelhead streams in the Puget Sound area and the WSDOT Fish Passage Performance Report. In response to this injunction, the Project will upgrade stream crossings to improve fish passage, including corrections to four culverts identified by WDFW and WSDOT as barriers to fish passage.

Noise. Due to a replacement noise wall to be constructed by Sound Transit as part of the OMF South project, there are no noise impacts predicted in the Belmor Park under this Project.

Environmental Justice - Does the project meet any of the exemptions noted in Appendix L of the CE Documentation Guidebook? Section 13 of this CE Form no longer applies, consistent with Executive Orders (EOs) 14154 and 14173 issued on January 21, 2025. EO 14154 revokes EOs 11991 and 14096, and EO 14173 revokes EO 12898.

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

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.

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. (See Attachment J)

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?

² References:

Federal Transit Administration and Sound Transit. 2024. Operations and Maintenance Facility South Final Environmental Impact Statement. June 2024.

Federal Highway Administration. 2024. Operations and Maintenance Facility South Federal Highway Administration Record of Decision. August 2024.

Federal Transit Administration. 2024. Operations and Maintenance Facility South Federal Transit Administration Record of Decision. August 2024.

Available at: <https://www.soundtransit.org/system-expansion/operations-maintenance-facility-south/documents>.

Part 5 - Biological Assessments and EFH Evaluations

Oregon Spotted Frog proposed critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Yellow-billed Cuckoo suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Spotted Owl management areas, designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Marbled Murrelet nest or occupied stand, designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Western Snowy Plover designated critical habitat?	☐ Yes ☒ No	☐ Yes ☒ 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.	☐ Yes ☒ No	☐ Yes ☒ No
Killer Whale designated critical habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Grizzly Bear suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Gray Wolf suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Canada Lynx habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Columbia White-tailed Deer suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Woodland Caribou habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Streaked Horned Lark designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Taylor's Checkerspot designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Mazama Pocket Gopher designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Eulachon designated critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
Rockfish proposed critical habitat or suitable habitat?	☐ Yes ☒ No	☐ Yes ☒ No
A mature coniferous or mixed forest stand?	☐ Yes ☒ No	☐ Yes ☒ 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 waterbody supporting listed fish?	☒ 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?	☒ Yes ☐ No
9. Will construction 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 modification of vegetation or tree-cutting?	☒ Yes ☐ 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.	☐ Yes ☒ No
11. Does a mature coniferous or mixed forest stand occur within 200' of the project site?	☒ Yes ☐ No

Part 5 - Biological Assessments and EFH Evaluations

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.

The Biological Assessment (**Attachment K**) provides additional analysis.

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)

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

Describe how the project fits in the RRMP 4(d) Program: Not applicable to 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.

- | | NMFS | USFWS | EFH Determination |
|--|---------------------------------------|--|---|
| ☐ No Effect | | | ☐ No Adverse Effect |
| ☒ NLTA – Date of Concurrence | _____ | <u>12/18/2023 (Attach. K-2)</u> | ☒ Adverse Effect – Date of NMFS |
| ☒ LTAA – Date BO Issued | <u>6/25/2025 (Attach. K-3)</u> | | concurrence: <u>6/25/2025 (Attach. K-3)</u> |
| ☐ RRMP 4(d) | _____ [N/A] | | ☐ Not Applicable |

Part 6 - FHWA Comments