

FEDERAL AGENCIES

APPENDIX E-1



U.S. Department
of Transportation

**Federal Highway
Administration**

Washington Division

Suite 501 Evergreen Plaza
711 South Capitol Way
Olympia, Washington 98501-1284
(360) 753-9480
(360) 753-9889(FAX)
<http://www.fhwa.dot.gov/wadiv>

March 26, 2015

HFO-WA.4/WA2605

United States Army Corps of Engineers
Attn: Sandra Manning
P.O. Box 3755
Seattle, WA 98124

**I-5 / JBLM Vicinity – Congestion Relief
Study
Request for Confirmation of Cooperating
Agency Status and Notice of Scoping**

Dear Ms. Manning:

The Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) are moving forward with an Environmental Assessment (EA) for the proposed Interstate 5 (I-5) Joint Base Lewis-McChord (JBLM) Vicinity – Congestion Relief Study project in Pierce County, Washington. We are inviting your early involvement so that we fully address the potential impacts of this project and ensure that we address any concerns your agency may have. Should the National Environmental Policy Act (NEPA) document later be elevated to an Environmental Impact Statement (EIS), in accordance with 40 CFR §1501.6 of the Council on the Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the NEPA, we are requesting the United States Army Corps of Engineers (USACE) to be a cooperating agency. This request is based on your agency's authority to make land use decisions with regard to the proposed project. Designation as a cooperating agency does not imply that your agency supports the proposed project.

A lot has already been accomplished at the planning level. We encourage you to attend the agency scoping meeting on April 23, 2015 from 1:00 to 5:00 pm at DuPont City Hall. We plan to brief you on what we have learned from working with local stakeholders and the public to determine the needs and potential solutions to the issues in the project area. We will also be seeking additional input before a decision is made on a preferred alternative through the NEPA and SEPA process. We invite your participation in other aspects of this study as outlined below.

Background

In 2013, a joint I-5 corridor planning study was initiated involving WSDOT, JBLM, FHWA, and local jurisdictions. A map of the project location is enclosed. The study evaluates the best way to improve transportation through the JBLM vicinity. The work started with a corridor feasibility study

and was followed by a comprehensive multi-modal corridor alternative analysis. Public involvement has been an important element of the study. Between July and November 2014, alternatives advanced from the initial feasibility study were evaluated along with those developed during the multi-modal alternatives analysis. The results of these early studies are being evaluated so that a preferred alternative can be advanced into the NEPA process.

Project Description

WSDOT and FHWA are proposing improvements along the I-5 corridor between the interchanges with Gravelly Lake Drive and Mounts Road to relieve chronic traffic congestion and improve person and freight mobility. The improvements are proposed to be implemented in two phases, the first phase to be built upon availability of funding. The second phase would be implemented in the future when warranted by traffic demand and resulting congestion.

The first phase of improvements would include the following:

- Rebuild the interchange at Thorne Lane (exit 123)
- Rebuild the interchange at Berkeley Street (exit 122)
- Rebuild the interchange at Steilacoom DuPont Road (exit 119)
- Widen I-5 between Thorne Lane and Steilacoom DuPont Road to add one HOV lane both northbound and southbound
- Build a bicycle/pedestrian facility along the I-5 corridor in the JBLM area
- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:

- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each direction). These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.
- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes

Purpose and Need of the Action

Purpose: The project will reduce chronic traffic congestion and improve person and freight mobility along I-5 in the vicinity of JBLM while providing access to the communities and military installations neighboring the freeway.

Need: Between 1986 and 2011, traffic volumes increased by 73 percent through the project corridor, to the point where congested (stop and go) traffic has become commonplace during weekday morning and evening peak periods, as well as Sunday afternoons during summer months.

Contributors to the traffic demand are both regional and local. Most of the traffic growth in the corridor occurred before 2003. JBLM, a secure military facility, is the largest single site employer in the state of Washington.

Between 2007 and 2011 there were 2,341 recorded collisions on I-5 in the project area, of which 62 percent involved rear end crashes and 14 percent involved sideswipe collisions. This equates to about 470 collisions per year or more than one per day along the 10.6 mile highway corridor. Both collision types are indicative of high levels of congestion with frequent lane changes. Most of these

collisions involved only property damage, but there were 32 collisions involving serious injury and six fatalities. The proposed action to improve I-5 is expected to reduce these types of collisions.

Role of Cooperating Agencies

Your agency's involvement as a cooperating agency should entail those areas under its jurisdiction. Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Participate in NEPA scoping and environmental review beginning with the agency scoping meeting to be held on April 23, 2015 from 1:00-5:00 pm at DuPont City Hall.
- Provide comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assist in the development of the project coordination plan, including a project schedule should the NEPA document be elevated to the EIS level.
- Provide (on request of the lead agency) information and assist with the preparation of environmental analysis including portions of the NEPA documents relevant to your agency's jurisdiction or area of special expertise.
- Provide staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identify, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.
- Conduct an independent review of the NEPA documents prepared for this project.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the EA will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further we intend to utilize the EA and our subsequent FONSI (if appropriate) as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EA approval process.

Should USACE choose to decline cooperating agency status in part or in whole, USACE is obligated to respond to this request in writing and provide a copy of your response to the Council on Environmental Quality (40 C.F.R. §15.1.6(c)).

As a cooperating agency, USACE would also, by definition, be considered a participating agency pursuant to 23 USC §139 (d). Participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. As a participating agency, USACE responsibilities would include (as they relate to your area of expertise):

- Provide meaningful and early input on the purpose and need, range of alternatives to be considered, and the methodologies and level of detail required in alternative analysis.
- Participate in coordination meetings and joint field reviews as appropriate.
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Should USACE choose to decline cooperating agency status, your agency will automatically be considered participating. If USACE should choose to decline both cooperating and participating status USACE must submit a written response stating that USACE:

1. Has no jurisdiction or authority with respect to the project,
2. has no expertise or information relevant to the project, and
3. does not intend to submit comments on the project.

We look forward to your response to our request for your agency to be a cooperating and/or participating agency, and to working with you on this transportation project. The favor of a reply is requested by 21 days from the date of this letter.

If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me at (360) 534-9344 or Dean.Moberg@dot.gov or Jeff Sawyer, WSDOT, Olympic Region Environmental Manager at 360-570-6701 or SawyerJ@wsdot.wa.gov.

Thank you for your participation and interest in this project.

Sincerely,

DANIEL M. MATHIS, P.E.
Division Administrator



By: Dean Moberg
Area Engineer

Enclosures: Project Location Map
Notice of Scoping

cc w/enc: Project File



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March 26, 2015

HFO-WA.4/WA2605

US Environmental Protection Agency
Attn: Elaine Somers
11200 6th Avenue
Suite 900
Seattle, WA 98101

**I-5 / JBLM Vicinity – Congestion Relief
Study
Request for Confirmation of Cooperating
Agency Status and Notice of Scoping**

Dear Ms. Somers:

The Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) are moving forward with an Environmental Assessment (EA) for the proposed Interstate 5 (I-5) Joint Base Lewis-McChord (JBLM) Vicinity – Congestion Relief Study project in Pierce County, Washington. We are inviting your early involvement so that we fully address the potential impacts of this project and ensure that we address any concerns your agency may have. Should the National Environmental Policy Act (NEPA) document later be elevated to an Environmental Impact Statement (EIS), in accordance with 40 CFR §1501.6 of the Council on the Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the NEPA, we are requesting the United States Environmental Protection Agency (USEPA) to be a cooperating agency. This request is based on your agency's authority to provide certification of the Sole Source Aquifer Protection Program under Section 1424(e) of the Safe Drinking Water Act, review and comment on the environmental impact of any matter for compliance with requirements under Section 309 of the Clean Air Act and, if applicable, provide Water Quality Certification under the Clean Water Act (CWA) Section 401 and the Construction Stormwater General Permit under the CWA Section 402. Designation as a cooperating agency does not imply that your agency supports the proposed project.

A lot has already been accomplished at the planning level. We encourage you to attend the agency scoping meeting on April 23, 2015 from 1:00 to 5:00 pm at DuPont City Hall. We plan to brief you on what we have learned from working with local stakeholders and the public to determine the needs and potential solutions to the issues in the project area. We will also be seeking additional input before a decision is made on a preferred alternative through the NEPA and SEPA process. We invite your participation in other aspects of this study as outlined below.

Background

In 2013, a joint I-5 corridor planning study was initiated involving WSDOT, JBLM, FHWA, and local jurisdictions. A map of the project location is enclosed. The study evaluates the best way to improve transportation through the JBLM vicinity. The work started with a corridor feasibility study and was followed by a comprehensive multi-modal corridor alternative analysis. Public involvement has been an important element of the study. Between July and November 2014, alternatives advanced from the initial feasibility study were evaluated along with those developed during the multi-modal alternatives analysis. The results of these early studies are being evaluated so that a preferred alternative can be advanced into the NEPA process.

Project Description

WSDOT and FHWA are proposing improvements along the I-5 corridor between the interchanges with Gravelly Lake Drive and Mounts Road to relieve chronic traffic congestion and improve person and freight mobility. The improvements are proposed to be implemented in two phases, the first phase to be built upon availability of funding. The second phase would be implemented in the future when warranted by traffic demand and resulting congestion.

The first phase of improvements would include the following:

- Rebuild the interchange at Thorne Lane (exit 123)
- Rebuild the interchange at Berkeley Street (exit 122)
- Rebuild the interchange at Steilacoom DuPont Road (exit 119)
- Widen I-5 between Thorne Lane and Steilacoom DuPont Road to add one HOV lane both northbound and southbound
- Build a bicycle/pedestrian facility along the I-5 corridor in the JBLM area
- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:

- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each direction). These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.
- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes

Purpose and Need of the Action

Purpose: The project will reduce chronic traffic congestion and improve person and freight mobility along I-5 in the vicinity of JBLM while providing access to the communities and military installations neighboring the freeway.

Need: Between 1986 and 2011, traffic volumes increased by 73 percent through the project corridor, to the point where congested (stop and go) traffic has become commonplace during weekday morning and evening peak periods, as well as Sunday afternoons during summer months. Contributors to the traffic demand are both regional and local. Most of the traffic growth in the corridor occurred before 2003. JBLM, a secure military facility, is the largest single site employer in the state of Washington.

Between 2007 and 2011 there were 2,341 recorded collisions on I-5 in the project area, of which 62 percent involved rear end crashes and 14 percent involved sideswipe collisions. This equates to about 470 collisions per year or more than one per day along the 10.6 mile highway corridor. Both collision types are indicative of high levels of congestion with frequent lane changes. Most of these collisions involved only property damage, but there were 32 collisions involving serious injury and six fatalities. The proposed action to improve I-5 is expected to reduce these types of collisions.

Role of Cooperating Agencies

Your agency's involvement as a cooperating agency should entail those areas under its jurisdiction. Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Participate in NEPA scoping and environmental review beginning with the agency scoping meeting to be held on April 23, 2015 from 1:00-5:00 pm at DuPont City Hall.
- Provide comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assist in the development of the project coordination plan, including a project schedule should the NEPA document be elevated to the EIS level.
- Provide (on request of the lead agency) information and assist with the preparation of environmental analysis including portions of the NEPA documents relevant to your agency's jurisdiction or area of special expertise.
- Provide staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identify, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.
- Conduct an independent review of the NEPA documents prepared for this project.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the EA will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further we intend to utilize the EA and our subsequent FONSI (if appropriate) as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EA approval process.

Should the USEPA choose to decline cooperating agency status in part or in whole, the USEPA is obligated to respond to this request in writing and provide a copy of your response to the Council on Environmental Quality (40 C.F.R. §15.1.6(c)).

As a cooperating agency, the USEPA would also, by definition, be considered a participating agency pursuant to 23 USC §139 (d). Participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. As a participating agency, the USACE responsibilities would include (as they relate to your area of expertise):

- Provide meaningful and early input on the purpose and need, range of alternatives to be considered, and the methodologies and level of detail required in alternative analysis.

- Participate in coordination meetings and joint field reviews as appropriate.
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Should the USEPA choose to decline cooperating agency status, your agency will automatically be considered participating. If the USEPA should choose to decline both cooperating and participating status the USEPA must submit a written response stating that the USEPA:

1. Has no jurisdiction or authority with respect to the project,
2. has no expertise or information relevant to the project, and
3. does not intend to submit comments on the project.

We look forward to your response to our request for your agency to be a cooperating and/or participating agency, and to working with you on this transportation project. The favor of a reply is requested by 21 days from the date of this letter.

If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me at (360) 534-9344 or Dean.Moberg@dot.gov or Jeff Sawyer, WSDOT, Olympic Region Environmental Manager at 360-570-6701 or SawyerJ@wsdot.wa.gov.

Thank you for your participation and interest in this project.

Sincerely,

DANIEL M. MATHIS, P.E.
Division Administrator



By: Dean Moberg
Area Engineer

Enclosures: Project Location Map
Notice of Scoping

cc w/enc: Debra Cade
Project File



U.S. Department
of Transportation

**Federal Highway
Administration**

Washington Division

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March 26, 2015

HFO-WA.4/WA2605

US Fish & Wildlife Service
Emily Teachout
510 Desmond Dr. SE
Suite 102
Lacey, WA 98503

**I-5 / JBLM Vicinity – Congestion Relief
Study
Request for Confirmation of Cooperating
Agency Status and Notice of Scoping**

Dear Ms. Teachout:

The Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) are moving forward with an Environmental Assessment (EA) for the proposed Interstate 5 (I-5) Joint Base Lewis-McChord (JBLM) Vicinity – Congestion Relief Study project in Pierce County, Washington. We are inviting your early involvement so that we fully address the potential impacts of this project and ensure that we address any concerns your agency may have. Should the National Environmental Policy Act (NEPA) document later be elevated to an Environmental Impact Statement (EIS), in accordance with 40 CFR §1501.6 of the Council on the Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the NEPA, we are requesting the United States Fish & Wildlife Service (USFWS) to be a cooperating agency. This request is based on your agency's authority to make land use decisions with regard to the proposed project. Designation as a cooperating agency does not imply that your agency supports the proposed project.

A lot has already been accomplished at the planning level. We encourage you to attend the agency scoping meeting on April 23, 2015 from 1:00 to 5:00 pm at DuPont City Hall. We plan to brief you on what we have learned from working with local stakeholders and the public to determine the needs and potential solutions to the issues in the project area. We will also be seeking additional input before a decision is made on a preferred alternative through the NEPA and SEPA process. We invite your participation in other aspects of this study as outlined below.

Background

In 2013, a joint I-5 corridor planning study was initiated involving WSDOT, JBLM, FHWA, and local jurisdictions. A map of the project location is enclosed. The study evaluates the best way to

improve transportation through the JBLM vicinity. The work started with a corridor feasibility study and was followed by a comprehensive multi-modal corridor alternative analysis. Public involvement has been an important element of the study. Between July and November 2014, alternatives advanced from the initial feasibility study were evaluated along with those developed during the multi-modal alternatives analysis. The results of these early studies are being evaluated so that a preferred alternative can be advanced into the NEPA process.

Project Description

WSDOT and FHWA are proposing improvements along the I-5 corridor between the interchanges with Gravelly Lake Drive and Mounts Road to relieve chronic traffic congestion and improve person and freight mobility. The improvements are proposed to be implemented in two phases, the first phase to be built upon availability of funding. The second phase would be implemented in the future when warranted by traffic demand and resulting congestion.

The first phase of improvements would include the following:

- Rebuild the interchange at Thorne Lane (exit 123)
- Rebuild the interchange at Berkeley Street (exit 122)
- Rebuild the interchange at Steilacoom DuPont Road (exit 119)
- Widen I-5 between Thorne Lane and Steilacoom DuPont Road to add one HOV lane both northbound and southbound
- Build a bicycle/pedestrian facility along the I-5 corridor in the JBLM area
- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:

- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each direction). These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.
- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes

Purpose and Need of the Action

Purpose: The project will reduce chronic traffic congestion and improve person and freight mobility along I-5 in the vicinity of JBLM while providing access to the communities and military installations neighboring the freeway.

Need: Between 1986 and 2011, traffic volumes increased by 73 percent through the project corridor, to the point where congested (stop and go) traffic has become commonplace during weekday morning and evening peak periods, as well as Sunday afternoons during summer months. Contributors to the traffic demand are both regional and local. Most of the traffic growth in the corridor occurred before 2003. JBLM, a secure military facility, is the largest single site employer in the state of Washington.

Between 2007 and 2011 there were 2,341 recorded collisions on I-5 in the project area, of which 62 percent involved rear end crashes and 14 percent involved sideswipe collisions. This equates to about 470 collisions per year or more than one per day along the 10.6 mile highway corridor. Both

collision types are indicative of high levels of congestion with frequent lane changes. Most of these collisions involved only property damage, but there were 32 collisions involving serious injury and six fatalities. The proposed action to improve I-5 is expected to reduce these types of collisions.

Role of Cooperating Agencies

Your agency's involvement as a cooperating agency should entail those areas under its jurisdiction. Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Participate in NEPA scoping and environmental review beginning with the agency scoping meeting to be held on April 23, 2015 from 1:00-5:00 pm at DuPont City Hall.
- Provide comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assist in the development of the project coordination plan, including a project schedule should the NEPA document be elevated to the EIS level.
- Provide (on request of the lead agency) information and assist with the preparation of environmental analysis including portions of the NEPA documents relevant to your agency's jurisdiction or area of special expertise.
- Provide staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identify, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.
- Conduct an independent review of the NEPA documents prepared for this project.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the EA will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further we intend to utilize the EA and our subsequent FONSI (if appropriate) as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EA approval process.

Should USFWS choose to decline cooperating agency status in part or in whole, USFWS is obligated to respond to this request in writing and provide a copy of your response to the Council on Environmental Quality (40 C.F.R. §15.1.6(c)).

As a cooperating agency, USFWS would also, by definition, be considered a participating agency pursuant to 23 USC §139 (d). Participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. As a participating agency, USFWS responsibilities would include (as they relate to your area of expertise):

- Provide meaningful and early input on the purpose and need, range of alternatives to be considered, and the methodologies and level of detail required in alternative analysis.
- Participate in coordination meetings and joint field reviews as appropriate.
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Should USFWS choose to decline cooperating agency status, your agency will automatically be considered participating. If USFWS should choose to decline both cooperating and participating status USFWS must submit a written response stating that USFWS:

1. Has no jurisdiction or authority with respect to the project,
2. has no expertise or information relevant to the project, and
3. does not intend to submit comments on the project.

We look forward to your response to our request for your agency to be a cooperating and/or participating agency, and to working with you on this transportation project. The favor of a reply is requested by 21 days from the date of this letter.

If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me at (360) 534-9344 or Dean.Moberg@dot.gov or Jeff Sawyer, WSDOT, Olympic Region Environmental Manager at 360-570-6701 or SawyerJ@wsdot.wa.gov.

Thank you for your participation and interest in this project.

Sincerely,

DANIEL M. MATHIS, P.E.
Division Administrator



By: Dean Moberg
Area Engineer

Enclosures: Project Location Map
Notice of Scoping

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March 26, 2015

HFO-WA.4/WA2605

Joint Base Lewis-McChord
Chris Runner
Directorate of Public Works
Environmental Division, NEPA Program Manager
2012 Liggett, Box 339500 MS 17
Joint Base Lewis-McChord, WA 98433-9500

**I-5 / JBLM Vicinity – Congestion Relief
Study
Request for Confirmation of Cooperating
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Dear Mr. Runner:

The Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) are moving forward with an Environmental Assessment (EA) for the proposed Interstate 5 (I-5) Joint Base Lewis-McChord (JBLM) Vicinity – Congestion Relief Study project in Pierce County, Washington. We are inviting your early involvement so that we fully address the potential impacts of this project and ensure that we address any concerns your agency may have. Should the National Environmental Policy Act (NEPA) document later be elevated to an Environmental Impact Statement (EIS), in accordance with 40 CFR §1501.6 of the Council on the Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the NEPA, we are requesting JBLM to be a cooperating agency. This request is based on your agency's authority to make land use decisions with regard to the proposed project. Designation as a cooperating agency does not imply that your agency supports the proposed project.

A lot has already been accomplished at the planning level. We encourage you to attend the agency scoping meeting on April 23, 2015 from 1:00 to 5:00 pm at DuPont City Hall. We plan to brief you on what we have learned from working with local stakeholders and the public to determine the needs and potential solutions to the issues in the project area. We will also be seeking additional input before a decision is made on a preferred alternative through the NEPA and SEPA process. We invite your participation in other aspects of this study as outlined below.

Background

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improve transportation through the JBLM vicinity. The work started with a corridor feasibility study and was followed by a comprehensive multi-modal corridor alternative analysis. Public involvement has been an important element of the study. Between July and November 2014, alternatives advanced from the initial feasibility study were evaluated along with those developed during the multi-modal alternatives analysis. The results of these early studies are being evaluated so that a preferred alternative can be advanced into the NEPA process.

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Purpose and Need of the Action

Purpose: The project will reduce chronic traffic congestion and improve person and freight mobility along I-5 in the vicinity of JBLM while providing access to the communities and military installations neighboring the freeway.

Need: Between 1986 and 2011, traffic volumes increased by 73 percent through the project corridor, to the point where congested (stop and go) traffic has become commonplace during weekday morning and evening peak periods, as well as Sunday afternoons during summer months. Contributors to the traffic demand are both regional and local. Most of the traffic growth in the corridor occurred before 2003. JBLM, a secure military facility, is the largest single site employer in the state of Washington.

Between 2007 and 2011 there were 2,341 recorded collisions on I-5 in the project area, of which 62 percent involved rear end crashes and 14 percent involved sideswipe collisions. This equates to about 470 collisions per year or more than one per day along the 10.6 mile highway corridor. Both

collision types are indicative of high levels of congestion with frequent lane changes. Most of these collisions involved only property damage, but there were 32 collisions involving serious injury and six fatalities. The proposed action to improve I-5 is expected to reduce these types of collisions.

Role of Cooperating Agencies

Your agency's involvement as a cooperating agency should entail those areas under its jurisdiction. Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Participate in NEPA scoping and environmental review beginning with the agency scoping meeting to be held on April 23, 2015 from 1:00-5:00 pm at DuPont City Hall.
- Provide comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assist in the development of the project coordination plan, including a project schedule should the NEPA document be elevated to the EIS level.
- Provide (on request of the lead agency) information and assist with the preparation of environmental analysis including portions of the NEPA documents relevant to your agency's jurisdiction or area of special expertise.
- Provide staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identify, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.
- Conduct an independent review of the NEPA documents prepared for this project.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the EA will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further we intend to utilize the EA and our subsequent FONSI (if appropriate) as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EA approval process.

Should JBLM choose to decline cooperating agency status in part or in whole, JBLM is obligated to respond to this request in writing and provide a copy of your response to the Council on Environmental Quality (40 C.F.R. §15.1.6(c)).

As a cooperating agency, JBLM would also, by definition, be considered a participating agency pursuant to 23 USC §139 (d). Participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. As a participating agency, JBLM responsibilities would include (as they relate to your area of expertise):

- Provide meaningful and early input on the purpose and need, range of alternatives to be considered, and the methodologies and level of detail required in alternative analysis.
- Participate in coordination meetings and joint field reviews as appropriate.
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Should JBLM choose to decline cooperating agency status, your agency will automatically be considered participating. If JBLM should choose to decline both cooperating and participating status JBLM must submit a written response stating that JBLM:

1. Has no jurisdiction or authority with respect to the project,
2. has no expertise or information relevant to the project, and
3. does not intend to submit comments on the project.

We look forward to your response to our request for your agency to be a cooperating and/or participating agency, and to working with you on this transportation project. The favor of a reply is requested by 21 days from the date of this letter.

If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me at (360) 534-9344 or Dean.Moberg@dot.gov or Jeff Sawyer, WSDOT, Olympic Region Environmental Manager at 360-570-6701 or SawyerJ@wsdot.wa.gov.

Thank you for your participation and interest in this project.

Sincerely,

DANIEL M. MATHIS, P.E.
Division Administrator



By: Dean Moberg
Area Engineer

Enclosures: Project Location Map
Notice of Scoping

cc w/enc: Steve Perrenot
Project File



U.S. Department
of Transportation

**Federal Highway
Administration**

Washington Division

Suite 501 Evergreen Plaza
711 South Capitol Way
Olympia, Washington 98501-1284
(360) 753-9480
(360) 753-9889(FAX)
<http://www.fhwa.dot.gov/wadiv>

March 26, 2015

HFO-WA.4/WA2605

NOAA / NMFS
7600 Sandy Point Way NE
Building 1
Seattle, WA 98115

**I-5 / JBLM Vicinity – Congestion Relief
Study
Request for Confirmation of Cooperating
Agency Status and Notice of Scoping**

Dear Ms. Hawe:

The Federal Highway Administration (FHWA) and the Washington State Department of Transportation (WSDOT) are moving forward with an Environmental Assessment (EA) for the proposed Interstate 5 (I-5) Joint Base Lewis-McChord (JBLM) Vicinity – Congestion Relief Study project in Pierce County, Washington. We are inviting your early involvement so that we fully address the potential impacts of this project and ensure that we address any concerns your agency may have. Should the National Environmental Policy Act (NEPA) document later be elevated to an Environmental Impact Statement (EIS), in accordance with 40 CFR §1501.6 of the Council on the Environmental Quality's (CEQ) Regulations for Implementing the Procedural Provision of the NEPA, we are requesting NOAA-National Marine Fisheries Service (NMFS) to be a cooperating agency. This request is based on your agency's authority to make land use decisions with regard to the proposed project. Designation as a cooperating agency does not imply that your agency supports the proposed project.

A lot has already been accomplished at the planning level. We encourage you to attend the agency scoping meeting on April 23, 2015 from 1:00 to 5:00 pm at DuPont City Hall. We plan to brief you on what we have learned from working with local stakeholders and the public to determine the needs and potential solutions to the issues in the project area. We will also be seeking additional input before a decision is made on a preferred alternative through the NEPA and SEPA process. We invite your participation in other aspects of this study as outlined below.

Background

In 2013, a joint I-5 corridor planning study was initiated involving WSDOT, JBLM, FHWA, and local jurisdictions. A map of the project location is enclosed. The study evaluates the best way to improve transportation through the JBLM vicinity. The work started with a corridor feasibility study

and was followed by a comprehensive multi-modal corridor alternative analysis. Public involvement has been an important element of the study. Between July and November 2014, alternatives advanced from the initial feasibility study were evaluated along with those developed during the multi-modal alternatives analysis. The results of these early studies are being evaluated so that a preferred alternative can be advanced into the NEPA process.

Project Description

WSDOT and FHWA are proposing improvements along the I-5 corridor between the interchanges with Gravelly Lake Drive and Mounts Road to relieve chronic traffic congestion and improve person and freight mobility. The improvements are proposed to be implemented in two phases, the first phase to be built upon availability of funding. The second phase would be implemented in the future when warranted by traffic demand and resulting congestion.

The first phase of improvements would include the following:

- Rebuild the interchange at Thorne Lane (exit 123)
- Rebuild the interchange at Berkeley Street (exit 122)
- Rebuild the interchange at Steilacoom DuPont Road (exit 119)
- Widen I-5 between Thorne Lane and Steilacoom DuPont Road to add one HOV lane both northbound and southbound
- Build a bicycle/pedestrian facility along the I-5 corridor in the JBLM area
- Build a local road connection between Gravelly Lake Drive and Thorne Lane

The future phase of improvements would include the following:

- Widen I-5 between Gravelly Lake Drive and Center Drive to add one managed lane both northbound and southbound (total of five through lanes each direction). These lanes would be in an express lane configuration together with the HOV lanes built in the first phase.
- Revisions to the 41st Division/Main Gate interchange as needed to allow for the I-5 mainline lanes
- Possible revisions to the interchanges with Gravelly Lake Drive and Center Drive to allow for the I-5 mainline lanes

Purpose and Need of the Action

Purpose: The project will reduce chronic traffic congestion and improve person and freight mobility along I-5 in the vicinity of JBLM while providing access to the communities and military installations neighboring the freeway.

Need: Between 1986 and 2011, traffic volumes increased by 73 percent through the project corridor, to the point where congested (stop and go) traffic has become commonplace during weekday morning and evening peak periods, as well as Sunday afternoons during summer months.

Contributors to the traffic demand are both regional and local. Most of the traffic growth in the corridor occurred before 2003. JBLM, a secure military facility, is the largest single site employer in the state of Washington.

Between 2007 and 2011 there were 2,341 recorded collisions on I-5 in the project area, of which 62 percent involved rear end crashes and 14 percent involved sideswipe collisions. This equates to about 470 collisions per year or more than one per day along the 10.6 mile highway corridor. Both collision types are indicative of high levels of congestion with frequent lane changes. Most of these

collisions involved only property damage, but there were 32 collisions involving serious injury and six fatalities. The proposed action to improve I-5 is expected to reduce these types of collisions.

Role of Cooperating Agencies

Your agency's involvement as a cooperating agency should entail those areas under its jurisdiction. Should your agency choose to assume cooperating status, your agency's specific responsibilities as a cooperating agency will include:

- Participate in NEPA scoping and environmental review beginning with the agency scoping meeting to be held on April 23, 2015 from 1:00-5:00 pm at DuPont City Hall.
- Provide comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assist in the development of the project coordination plan, including a project schedule should the NEPA document be elevated to the EIS level.
- Provide (on request of the lead agency) information and assist with the preparation of environmental analysis including portions of the NEPA documents relevant to your agency's jurisdiction or area of special expertise.
- Provide staff support at the lead agency's request to enhance the latter's interdisciplinary capability.
- Identify, as early as practicable, any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the transportation project.
- Conduct an independent review of the NEPA documents prepared for this project.

As a cooperating agency, you have the right to expect that the NEPA document will enable you to discharge your jurisdictional responsibilities. Likewise you have the obligation to tell us if, at any point in the process, your agency's requirements are not being met. We expect that, at the end of the NEPA process, the EA will satisfy your NEPA requirements including those related to project alternatives, environmental consequences and mitigation. Further we intend to utilize the EA and our subsequent FONSI (if appropriate) as our decision-making documents and as the basis for the permit application. We expect the permit application to proceed concurrently with the EA approval process.

Should NMFS choose to decline cooperating agency status in part or in whole, NMFS is obligated to respond to this request in writing and provide a copy of your response to the Council on Environmental Quality (40 C.F.R. §15.1.6(c)).

As a cooperating agency, NMFS would also, by definition, be considered a participating agency pursuant to 23 USC §139 (d). Participating agencies are responsible to identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. As a participating agency, NMFS responsibilities would include (as they relate to your area of expertise):

- Provide meaningful and early input on the purpose and need, range of alternatives to be considered, and the methodologies and level of detail required in alternative analysis.
- Participate in coordination meetings and joint field reviews as appropriate.
- Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your agency on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation.

Should NMFS choose to decline cooperating agency status, your agency will automatically be considered participating. If NMFS should choose to decline both cooperating and participating status NMFS must submit a written response stating that NMFS:

1. Has no jurisdiction or authority with respect to the project,
2. has no expertise or information relevant to the project, and
3. does not intend to submit comments on the project.

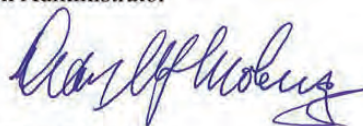
We look forward to your response to our request for your agency to be a cooperating and/or participating agency, and to working with you on this transportation project. The favor of a reply is requested by 21 days from the date of this letter.

If you have questions or would like to discuss in more detail the project or our agencies' respective roles and responsibilities during the preparation of this EA, please contact me at (360) 534-9344 or Dean.Moberg@dot.gov or Jeff Sawyer, WSDOT, Olympic Region Environmental Manager at 360-570-6701 or SawyerJ@wsdot.wa.gov.

Thank you for your participation and interest in this project.

Sincerely,

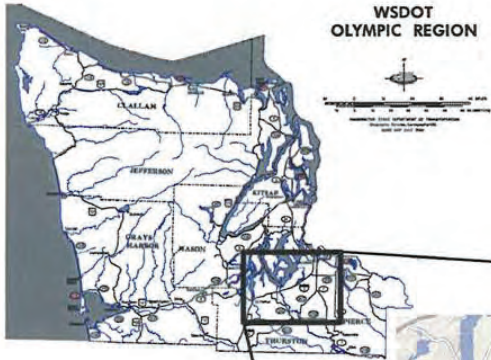
DANIEL M. MATHIS, P.E.
Division Administrator



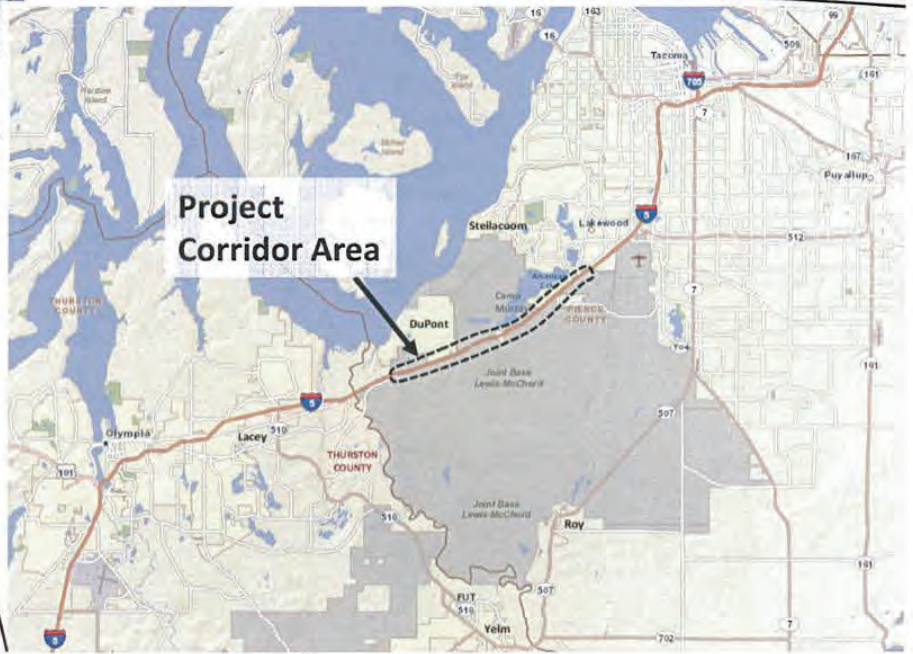
By: Dean Moberg
Area Engineer

Enclosures: Project Location Map
Notice of Scoping

cc w/enc: Project File



I-5, JBLM Vicinity - Congestion Relief



[4910-22]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL ASSESSMENT: PIERCE COUNTY, WASHINGTON

AGENCY: Federal Highway Administration (FHWA), DOT

ACTION: Notice of Scoping

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental assessment will be prepared for a proposed highway project in Pierce County, Washington.

FOR FURTHER INFORMATION CONTACT: Dean Moberg, Area Engineer, Federal Highways Administration, 711 South Capitol Way, Suite 501, Olympia, Washington 98501, Telephone: (360) 534-9344

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the Washington State Department of Transportation (WSDOT) will prepare and Environmental Assessment (EA) on a proposal to provide improvements along the I-5 corridor between the interchanges with Gravelly Lake Drive and Mounts Road to relieve chronic congestion and improve person and freight mobility. Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand.

Alternatives under consideration include: (1) taking no action; (2) a two-phased proposed action, first phase to be built upon availability of funding. The second phase would be implemented in the future when warranted by traffic demand and resulting congestion. The first phase would add one HOV lane both northbound and southbound, rebuild three interchanges (Thorne Ln; Berkely St.; and Steilacoom DuPont Rd.), and include other improvements. The future phase would add an additional managed lane both northbound and southbound and include revisions to other interchanges in the corridor.

FHWA and WSDOT are holding a public scoping meeting on May 5, 2015 from 3-7pm at the McGavick Conference Center in Lakewood to solicit public comments regarding issues to be addressed in the EA. The meeting will use an informal, open-house format. Exhibits, maps, and other pertinent information about this project will be displayed. Staff will be present to answer questions as appropriate and as time permits.

If significant environmental impacts are discovered during the environmental analysis, an environmental impact statement (EIS) may be prepared for the project. If this happens no additional scoping meetings will be held; however, the Notice of Intent, published in the Federal and SEPA registers, would announce a deadline for submitting written comments on the scope of the alternatives to be considered.

AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION: Accommodation requests for people with disabilities can be made by contacting the WSDOT Diversity/ADA Affairs team at wsdotada@wsdot.wa.gov or by calling toll-free, 855-362-4ADA (4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

TITLE VI: It is FHWA and WSDOT policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinator Jonte' Robinson at (360) 705-7082.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

June 22, 2015

Mr. Daniel M. Mathis, Division Administrator
Federal Highway Administration, Washington Division
711 South Capitol Way, Suite 501
Olympia, Washington 98501

Mr. Bill Elliott, Plans Engineer
Washington State Department of Transportation
5720 Capitol Blvd. SE, Bldg. 7
Tumwater, Washington 98501

Dear Mr. Mathis and Mr. Elliott:

The U.S. Environmental Protection Agency has reviewed the Notice of Scoping -- Environmental Assessment/Environmental Impact Statement for the I-5 Joint Base Lewis-McChord Congestion Relief Project (EPA Project Number 15-0036-FHW). We are submitting scoping comments in accordance with our responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act.

Thank you for meeting with us at our office on June 4th to provide project information and open a discussion. The meeting was helpful in adding information to that we had collected at the April 23rd scoping meeting in DuPont. We understand that planning and public involvement for this project have been underway since 2013.¹ However, since neither the EPA nor other resource agencies were engaged in the planning process, we are catching up on information and issues which were part of the earlier planning process. We respectfully request the opportunity to be included in the NEPA process for this project as it moves forward; we will participate to the extent our resources allow.

We offer the following scoping comments to identify topics and issues that we believe should receive thorough analysis and disclosure in the NEPA document.

Determining significance under NEPA

We understand that FHWA will conduct an extensive and thorough NEPA analysis and that an EIS will be prepared if significant impacts are identified.² When considering significance of impacts, we refer back to the CEQ definition of significance using context and intensity.³

¹ WSDOT I-5 JBLM Vicinity – Congestion Relief Planning/Environmental Activity Summary, p. 9.

² June 4, 2015 meeting with FHWA, WSDOT, EPA, USFWS.

³ 40 CFR 1508.27

Features that we believe are relevant in defining the context for the I-5 JBLM project are related to the importance of I-5 as a transportation corridor and the natural resources of the project setting on JBLM, including:

- rare habitats,
- threatened and endangered species,
- cultural/historical resources, particularly those important to tribes,
- developmental pressures on JBLM lands,
- the need to maintain a secure military facility,
- the presence and need to protect two sole source aquifers underlying the project area,
- existing contamination and remediation of ground water at three project area Superfund sites,
- presence of predominantly low income, minority, disadvantaged and vulnerable communities within and surrounding the project area, and
- valuable aquatic resources and hydrologic function in the project area.

With respect to intensity, consider:

- the potential for disproportionate and cumulative impacts to disadvantaged communities,
- the unique characteristics of the project area as described above,
- impacts to sensitive natural and cultural resources,
- the potential of this project to have a precedent-setting effect, increasing the likelihood of future actions that individually or cumulatively could have significant adverse effects, and
- the degree to which the proposed action could adversely affect historical resources, such as historical old growth oak trees, historical buildings and structures.

Scope of the analysis

The planning study includes two phases of proposed construction: Phase 1 (adding two HOV lanes, 3 expanded interchanges, the Gravelly-Thorne connector and other improvements) and Phase 2 (further widening including two express lanes and revisions to other interchanges in the corridor). While Phase 2 is not anticipated to be implemented within the next decade or two, decisions about management of the wider corridor are expected to take place in the near term. Therefore, we believe it is important to include analysis of environmental effects of Phase 2 in this NEPA document, recognizing that such analysis will not be as detailed as the analysis of effects for Phase 1.

Ground water, sole source aquifers

WSDOT's environmental scan indicates that two sole source aquifers underlie the project area: Chamber-Clover Creek Aquifer Recharge Area and the Central Pierce County Sole Source aquifer. For designated sole source aquifers, the Safe Drinking Water Act states that "...no commitment for federal financial assistance (through a grant, contract, loan guarantee, or otherwise) may be entered into for any project which the [EPA] Administrator determines may contaminate such aquifer through a recharge zone, so as to create a significant hazard to public health, but a commitment for federal assistance may, if authorized under another provision of law, be entered into the plan or design the project to assure that it will not so contaminate the aquifer."

To address this issue, we recommend that the NEPA document include a section devoted specifically to groundwater. The groundwater analysis should provide details regarding the physical environment of

the aquifer, any existing contamination, and the contamination risks.⁴ This information is needed, together with mitigating measures to protect the sole source aquifers, to inform an evaluation of the potential impacts of the project on the groundwater resource. The groundwater section should include:

Affected Environment:

- Identify all federal or state regulated source water protection areas within or downstream of the project area.
- Describe the groundwater resources underlying the project area. Show the locations/extent of the designated sole source aquifers and groundwater recharge areas. Include a figure that shows water level elevation contours of the area, cross section depicting aquifer stratigraphy and water level depth, maps of any contaminant plumes known to exist in the area, and maps showing ground water flow directions. The project area should then be overlain on the figures and maps.
- Include maps of locations of all existing hazardous materials sites.
- Include maps showing existing ground water contamination, including all Superfund sites in the project area.
- Include maps showing existing soil contamination;
- Include a map of existing wells, both private and public drinking water wells, Superfund groundwater monitoring wells, and groundwater treatment systems.

Environmental Consequences:

- Evaluate the direct, indirect, and cumulative groundwater impacts associated with the proposed alternatives and alignment options, and the environmental and human health effects of each. Identify all activities that could potentially affect source water areas, including impacts from project construction, operations, and maintenance, and all potential contaminants that may result from the proposed project.
- Indicate whether there is potential for an existing plume of contamination to be transported to a deeper part of the aquifer system during project construction or otherwise exacerbate the groundwater contamination issues in the project area.
- Describe the anticipated impacts on the public and private drinking water wells and on the wellhead protection areas.
- Describe potential impacts to Superfund groundwater monitoring wells and treatment systems.
- Identify all measures that would be taken to protect groundwater supplies and mitigate potential impacts.

Hazardous materials, Superfund sites

WSDOT environmental scan reports identify three Superfund sites within the project area: Lakewood/Ponders Corner, the Fort Lewis Logistics Center, and the American Lake Garden Tract. Landfill No. 5 is an additional Superfund site on JBLM. There are also numerous hazardous waste sites that JBLM is remediating under a three-party agreement with the Army, Ecology, and EPA that may be within the area impacted by the project. The NEPA document should briefly describe the nature and

⁴ Due to highly permeable glacial gravel outwash soils in the project area, flooding from groundwater occurs in various areas/locations during times of high precipitation. Groundwater rises to the surface, floods the area, and eventually recedes back into the aquifer. This phenomenon should be factored into the assessment of potential contamination risks along with other existing and potential sources and pathways.

extent of contamination, the nature and locations of the site remedies, including the many monitoring wells and treatment systems, and discuss how the proposed projects would affect or be affected by them (see groundwater comments above). Christopher Cora, the EPA Remedial Project Manager for JBLM Superfund sites, can be reached at (206)553-1478 or cora.christopher@epa.gov. Tracy Chellis, the RPM for Lakewood/Ponders Corner, can be reached at (206)553-6326 or chellis.tracy@epa.gov. For Model Toxics Control Act sites, contact Kerry Graber at Washington Department of Ecology at kgra461@ecy.wa.gov and Michael Kuntz at mkun461@ecy.wa.gov. The JBLM contact for contaminated sites is William Myers at (253)477-3742 or William.w.myers.civ@mail.mil.

Other hazardous materials sites identified in the WSDOT environmental scan include landfills/historic dumping areas, a substation, a gas station, and a railroad corridor. The existing and potential contamination from these sites should be factored into the description of the affected environment. Indicate whether transport of crude oil, natural gas, or other hazardous substances would occur along the rail line in the project area and, if so, the potential additional effects to resources and communities. We recommend that these and any other hazardous materials or contaminated sites be cleaned up and re-used, rather than avoided, if they would potentially be within the footprint of proposed projects.

Aquatic resources

The NEPA document should address impacts to aquatic resources, including water quality and quantity for surface water and groundwater, hydrology, wetlands, floodplains, riparian areas, public drinking water supplies and source areas (see groundwater comments above), and aquatic habitats and species.

Project construction, operation, and maintenance can impact waterways, wetlands and riparian areas from riparian/floodplain encroachment, runoff, disruption of drainage patterns/hydrology, stockpiling of materials in staging areas, maintenance of construction and maintenance equipment, and road construction and maintenance. Project proponents should plan, design, construct and maintain the project to avoid or minimize long-term water quality and aquatic resource impacts. For impacts that cannot be avoided through siting and design, the NEPA document should include protection measures and describe the types, location, and estimated effectiveness of best management practices applied to minimize and mitigate impacts to aquatic resources.

The NEPA document should describe aquatic habitats in the affected environment (e.g., habitat type, plant and animal species, functional values, and integrity) and the environmental consequences of the proposed alternatives on these resources. Impacts to aquatic resources should be evaluated in terms of the areal (acreage) or linear extent to be impacted and by the functions they perform.

The proposed activities may require a Clean Water Act Section 404 permit from the Army Corps of Engineers. For wetlands and other special aquatic sites, the Section 404(b)(1) guidelines establish a presumption that upland alternatives are available for non-water dependent activities. The 404(b)(1) guidelines require that impacts to aquatic resources be (1) avoided, (2) minimized, and (3) mitigated, in this sequence. The NEPA document should discuss in detail how planning efforts (and alternative selection) conform to Section 404(b)(1) guidelines sequencing and criteria. The project proponent must show that they have avoided impacts to wetlands and other special aquatic sites to the maximum extent practicable. The NEPA document should discuss alternatives that would avoid wetlands and aquatic resource impacts from fill placement, water impoundment, construction, and other activities before proceeding to minimization/mitigation measures.

WSDOT's environmental scan indicates that the location of greatest potential wetland impacts is likely the Thorne Lane wetlands where the highest value wetlands in the project area are found. Wetland fills and floodplain impacts would occur at Thorne Lane Interchange. Wetlands are associated with Murray Creek near the Berkley Street interchange and floodplains are along Murray Creek. It is important that surveys of all aquatic and terrestrial habitats be thorough (e.g., with complete species lists) and timed appropriately for when species of special interest would be most prominent. For example, water howellia, a federally listed threatened species, is present in several wetlands on JBLM, but can be difficult to find.

Mitigation. Due to their present relative scarcity in the project area, high value wetlands such as those identified at Thorne Lane may be providing a disproportionately high level of function and value for a large area and number of species. The NEPA document should discuss the wetland types and functions and how they may be providing local area-wide ecosystem services, including those that support native plants and animals. All available means to avoid and minimize impacts must be explored.

The NEPA document should also provide substantive discussion of conceptual mitigation plans for unavoidable impacts. Whether mitigation would potentially involve use of the Pierce County in-lieu-fee program or another approach, it is important to take a close look at the aquatic landscape and individual sites to ensure that aquatic habitats and functions that are locally important to meeting species needs would not be depleted. Discuss the location, wetland type(s) and functions that would be provided, and address whether and how the mitigation would adequately support area-wide hydrology, habitats, and species. The permeable soils, vulnerable sole source aquifers, and species that are intimately tied to hydrology, such as water howellia, need to be considered.

River, stream, riparian, and floodplain encroachment. Project planning and design should avoid/minimize encroachment upon, or disturbance to, natural stream hydrology, stream migration zones, stream banks and channels, riparian areas, wetlands, and floodplains. It is important to maintain and preserve natural stream characteristics and hydrology, and restore and preserve the natural and beneficial effects of riparian areas and floodplains.

Stream channel modifications should be avoided. If channel impacts are unavoidable, channel changes should be planned and designed to simulate natural stream channel (and migration zone) dimensions and length and incorporate natural aquatic habitat features as much as possible. Aquatic biologists and staff with training and knowledge of fluvial geomorphology should be consulted during design of stream channel modifications, and appropriate permits and authorizations must be obtained (404 permits, 401 certification, short-term turbidity exemptions, etc.).

Water quality, 303(d) listed waters and Total Maximum Daily Loads. Water quality may be adversely affected if construction, including roads, and long term operation and maintenance alter hydrology and/or disturb soils, particularly highly erodible soils and steep slopes, in the project area. This could range from effects to springs, streams, wetlands, or other water bodies, to alterations in surface water runoff, infiltration, aquifer recharge, stream base flows, delivery of water, wood, sediment or other pollutants to water bodies.

The NEPA document should identify all water bodies likely to be impacted by the project, the nature of the potential impacts, and the specific pollutants likely to impact those waters. Include appropriate best management practices that would be used to minimize impacts. For construction activities that would disturb more than one acre (40 CFR 122.26 (b)), a National Pollutant Discharge Elimination System permit is required. Provisions for anti-degradation of water quality also apply to water bodies where water quality standards are presently being met.

If there are 303(d) listed water bodies in the project area, the NEPA document should disclose information regarding TMDLs, the water bodies to which they apply, and pollutants of concern. The proposed project should not further degrade 303(d) listed waters and should be consistent with TMDLs to restore designated use support for impaired waters. If additional pollutant loading is predicted to occur to 303(d) listed streams as a result of the proposed project, the project should include measures to control existing sources of pollution to offset pollutant additions, such as from road construction, so that no deterioration of water quality occurs.

Air quality, mobile source air toxics

The environmental scan indicates the project study area is within a CO maintenance area and within a particulate matter (PM 2.5) nonattainment area. Emissions from project construction, maintenance, and multi-modal operations, which include motorized passenger traffic; trucks; buses; freight, passenger, and commuter rail are of concern with respect to criteria air pollutants and air toxics, including diesel exhaust and particulates. The direct, indirect, and cumulative impacts of project-related air emissions should be analyzed, disclosed, and mitigated. Near-roadway effects and emissions hotspots for criteria and toxic air pollutants should also be analyzed and sensitive receptor locations and populations identified. Examples of sensitive receptor locations include schools, hospitals and other medical care facilities, outdoor playfields and parks, day care, senior center, and other social and health services facilities.

The increased number and spatial density of transportation modes may result in emissions hotspots that need to be identified and mitigated. The EPA's Transportation Conformity Guidance for Quantitative Hot-spot Analyses in PM 2.5 and PM 10 Nonattainment and Maintenance Areas at <http://www.epa.gov/otaq/stateresources/transconf/policy/420b13053-sec.pdf> could be used to conduct analysis of diesel particulate matter and air toxics from the proposal.

To mitigate emissions from project construction we recommend strengthening efforts to address air toxics and diesel emissions by:

- Visiting the Clean Construction USA website at <http://www.epa.gov/cleandiesel/sector-programs/construct-overview.htm> for many examples of construction mitigation measures, case studies, and examples of institutional arrangements for implementing this mitigation;
- Committing to a suite of air quality construction mitigation measures to avoid and minimize construction-related emissions to the extent possible; and
- Including a commitment in the NEPA document to require, or provide contractor incentives, to obtain air quality construction mitigation measures to minimize construction-related emissions of air toxics and diesel particulates.

Habitat and sensitive species

JBLM lands represent the largest and best remaining patch of rare prairie/oak savannah/pothole wetland complex in the region. They support high biodiversity and provide refugia for a long list of plant and animal species considered to be rare, sensitive, and/or in decline. Many are listed or are candidates for state and federal listing as threatened or endangered. All project phases (construction, operation, and maintenance) should be described with respect to their potential impacts to these high value habitats and species. The NEPA document should describe the current quality and capacity of various habitats, and potential effects of the project on rare plants and resident and migratory wildlife. The NEPA document should analyze and disclose the extent to which the alternatives may cause habitat loss and fragmentation, bisect movement routes and migratory bird flyways, or disrupt foraging areas.

If the proposed project activities could affect species listed under the Endangered Species Act, the NEPA document should include the Biological Assessment and the associated USFWS or NOAA Fisheries Biological Opinion or formal concurrence, and discuss how FHWA and WSDOT would contribute to the recovery of listed species.

In addition to federally listed species, there may also be state listed species, candidate state or federal species, and other sensitive or declining plant and animal species and their habitats in the project area. The NEPA document should disclose these sensitive species and habitats, and the document should include all appropriate measures to avoid and minimize disturbance or harm. Such information can be found in Federal, State, and/or Tribal guidance for protecting these species. The NEPA document should also demonstrate compliance with the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

The U.S. Fish and Wildlife Service, the Washington Department of Fish and Wildlife, and the Washington Department of Natural Resources Natural Heritage Program should be consulted to obtain the most recent listings of animal and plant species of concern in the project area, and for professional management recommendations. Among the federal species listings that have occurred in recent years, relevant to the project area, are the streaked horned lark, Taylor's checkerspot butterfly, and Roy Prairie pocket gopher.

Invasive species

Ground disturbing activities create opportunity for establishment of non-native invasive species. In compliance with NEPA and with the Executive Order 13112, analysis and disclosure of these actions and their effects, as well as any mitigation to prevent or control such outbreaks should be included. We recommend that disturbed areas be re-vegetated using native species and that there be ongoing maintenance to prevent establishment of invasive species in areas disturbed by project activities.

If pesticides or herbicides would be used as part of proposed project activities, the NEPA document should address any potential toxic hazards related to the application of chemicals, and describe what actions would be taken to ensure that impacts from toxic substances released to the environment would be minimized. To protect native plants and their pollinators, and to protect vulnerable sole source aquifers, we recommend that use of toxic chemicals be avoided or minimized.

Environmental justice, vulnerable, disadvantaged populations and communities

In compliance with the NEPA, Executive Order 12898 on Environmental Justice, and Executive Order 13045 on Children's Health and Safety, the NEPA document should include a robust analysis of potential positive and/or negative effects the proposed action may have on vulnerable populations, including children, persons with low income, minorities, the elderly, and the disabled. A preliminary analysis of demographic data available on EJSCREEN⁵ indicates that project area communities, with the exception of Dupont, are within the 80th percentile or above for indicators of vulnerability and potential disproportionate impacts.⁶ Vulnerable populations, such as children, the elderly, low income, and minority populations all have a significant presence and there are numerous schools located near or adjacent to the project corridor. Dupont shows a significant presence of children under 5 and high percentiles for minorities and those who are linguistically isolated.

We understand that the planning study process involved numerous meetings among executive stakeholders and technical support groups, and that the process included public open houses. Now that the NEPA process is underway, we believe it is important to effectively engage the potentially affected public in dialogue about the proposed project and potential environmental, social, historical, cultural, and economic impacts. For example, proximity to I-5, heavily used area roads, and several Superfund sites could expose area residents to increased and disproportionate impacts from criteria and toxic air pollution, noise, traffic, water contamination, construction impacts, and concerns about safety. These stressors can be cumulative and have potential to cause or exacerbate existing health effects, such as asthma and stress-related disorders.

We recommend that the following information be provided in the NEPA document:⁷

- Describe the efforts that have been and will be taken to inform the communities about the impacts of the project to ensure meaningful public participation by the potentially affected communities and individuals. If you have not already done so, we suggest working with community leaders, such as church leaders, non-profit grass root organizations, or neighborhood groups to help define the community boundaries of concern, approaches to best reach the affected community, and how to work to define or illuminate their concerns. We suggest making the public outreach, communication, and participation plan available for review by the public early in the process.
- Identify low income and minority communities, as well as other disadvantaged/vulnerable populations, such as the elderly, children, and the disabled in the impact area(s) of the project. Include available information regarding human health conditions, such as incidence of asthma, cardio-pulmonary conditions or death rates, stress-related disorders, and other health impairments.

⁵ Learn about EJSCREEN, EPA's online screening and mapping tool released June 10, 2015 at <http://yosemite.epa.gov/opa/admpress.nsf/0/48CB3866AB8ED5E485257E60004C8B93>. Access the tool at <http://www2.epa.gov/ejscreen>. EPA Region 10 would be pleased to provide demonstrations of EJSCREEN for your agencies.

⁶ Historically, demographic data have indicated American Lake Gardens/Woodbrook community (east of I-5 and also the western terminus area of the Cross Base Highway) as the lowest income area in Pierce County.

⁷ FHWA has an Environmental Justice Strategy and has recently developed an Environmental Justice Reference Guide. http://www.fhwa.gov/environment/environmental_justice/.

- Disclose in the NEPA document what was heard from the community about the project during the public participation sessions by listing the impacts and concerns identified by the project proponent and the communities.
- Address whether these impacts are likely to occur and to whom. Evaluate impacts, including direct, indirect, and cumulative, for their potential to disproportionately impact low income and/or minority or other vulnerable communities. Address whether the project may exacerbate conditions that are currently affecting human health and well-being in the project area (such as air pollution, noise, financial stress, construction zone traffic, safety hazards, and health effects, potential contamination of drinking water and subsistence food supplies).
- Describe how public input will be incorporated into the decisions made about the project (such as the development of alternatives or choice of alternatives);
- Propose mitigation for the impacts that are likely to occur.

Tribal consultation

As you know, federal agencies are required to conduct government-to-government consultation with tribal governments. The Presidential Memorandum of November 5, 2009 on Tribal Consultation, and Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, are the most recent iterations of federal policy. Also, the EPA has developed *Policy on Environmental Justice for Working with Federally Recognized Tribes and Indigenous Peoples*,⁸ which conveys the Agency's thinking and internal policy on the subject.

In consultation with tribes, special attention should be paid to environmental impacts on resources held in trust or treaty resources. Trust resources include those resources held in trust by the U.S. government on a tribe's behalf (such as tribal lands, minerals, and timber). They also include resources in which a tribe has rights that the U.S. government is obligated to protect, such as the right to use religious places and the right to protect the remains of their ancestors.

Tribes may have interest in discussing potential impacts to:

- Reservation lands.
- Formally identified trust and treaty resources.
- Grave and burial sites.
- Off-reservation sacred sites.
- Traditional cultural properties or landscapes.
- Hunting, fishing, and gathering areas (including impacts to ecosystems that support animals and plants that are or once were part of the Tribes and tribal descendants' traditional resource areas).
- Access to traditional and current hunting, fishing and gathering areas and species.
- Changes in hydrology or ecological composition of springs, seeps, wetlands and streams, that could be considered sacred or have traditional resource use associations.
- Water quality in streams, springs, wetlands and aquifers.
- Travel routes that were historically used, and travel routes that may be currently used.
- Historic properties and other cultural resources.

The project area has Native American historical and traditional significance due to the important ethnobotanical, fur trade and hunting and fishing uses of the area by Native peoples. The prairie and oak

⁸ <http://www.epa.gov/environmentaljustice/indigenous/index.html>

woodlands resulted from the long term traditional ecological management of firing the lands. The NEPA document should address the cultural and historical significance of the project area and the impacts to tribal resources of concern in accordance with both NEPA and NHPA criteria. Thus far, the WSDOT environmental scan has indicated that historic memorial oak trees along I-5, historic buildings, and archaeological sites would be affected.

Noise

The NEPA document should include analysis of the direct, indirect, and cumulative levels of noise and resultant impacts to communities, particularly those in close proximity to traffic areas and project area construction, operation and maintenance. Identify impacts to sensitive receptors, residents, businesses, and community facility users (e.g., schools, churches, outdoor recreation areas), and discuss mitigation measures.

Climate change

The NEPA document should discuss the potential effect of the proposed action with respect to greenhouse gas emissions (GHGs) and climate change, and the potential effects of climate change on the proposed project. These results should be incorporated into project planning and design to mitigate GHG emissions, and to anticipate and adapt to climate-related changes and effects (such as drought, changes in hydrology, water quality and water quantity for surface and groundwater, and associated effects on habitats and species).

Cumulative and indirect impacts

The project evaluation should consider the effects of the proposed project when added to other past, present and reasonably foreseeable future projects within and outside the project area, including Phase 2 of the I-5 JBLM Congestion Relief Project. Cumulative impacts can result from individually minor, but collectively significant actions taking place over time. For example, cumulative effects from multiple projects in the area may adversely affect sensitive species and habitat that are affected by this project.

The EPA has issued guidance on how we are to provide comments on the assessment of cumulative impacts in *Consideration of Cumulative Impacts in EPA Review of NEPA Documents*, which can be found on the EPA web site at: <http://www.epa.gov/oecaerth/resources/policies/nepa/cumulative.pdf>. This guidance includes five key areas of focus when assessing cumulative effects:

- Identify resources, if any, that are being cumulatively affected;
- Determine the appropriate geographic (within natural ecological boundaries) area and the time period over which the effects have occurred and will occur;
- Look at all past, present, and reasonably foreseeable future actions that have affected, are affecting, or will affect resources of concern;
- Describe a benchmark or baseline;
- Include scientifically defensible threshold levels.

Indirect effects are those which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include additional development or other effects related to changes in the pattern of land use, road systems and access, number and frequency of human visits/uses, and related effects on air and water and other natural systems, including ecosystems (40 CFR Part 1508.8). Such effects could result, for example, from pressures to later construct additional roads and highways. Completion of one project could facilitate the building of another, particularly if one project builds components needed by the later one. Such a scenario can also influence funding decisions, and processes that affect those decisions. We recommend that the NEPA document include analysis of reasonably foreseeable indirect and cumulative impacts.

We appreciate the opportunity to offer scoping comments. If you have questions, please contact me at (206) 553-1601 or at Reichgott.christine@epa.gov, or Elaine Somers at (206) 553-2966 or at somers.elaine@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, JOINT BASE LEWIS-MCCHORD
1010 LIGGETT AVENUE, BOX 339500, MAIL STOP 1AA
JOINT BASE LEWIS-MCCHORD, WA 98433-9500

JUN 10 2015

Public Works

Daniel M. Mathis, P.E.
Division Administrator
U.S. Department of Transportation
Federal Highway Administration, Washington Division
Suite 501 Evergreen Plaza
711 South Capitol Way
Olympia, Washington 98501-1284

Dear Mr. Mathis:

In response to your letter, dated March 26, 2015, Joint Base Lewis-McChord is pleased to participate as a cooperating agency for the preparation of the Environmental Assessment for Interstate 5 Joint Base Lewis-McChord Vicinity- Congestion Relief Study project in Pierce County, Washington. Being a cooperating agency for the Environmental Assessment will promote Joint Base Lewis-McChord's interest in the project, which include the selection of alternatives, cultural resources, lands, facilities and environmental issues. As a cooperating agency, Joint Base Lewis-McChord will, to the extent allowed by available resources and fiscal constraints:

- Provide information and technical expertise to you.
- As appropriate, approve portions of the proposed action. The Federal Highway Administration will be the sole signatory of the National Environmental Policy Act decision document. If Joint Base Lewis-McChord needs to fulfill National Environmental Policy Act compliance for its own discretionary actions, the responsible Joint Base Lewis-McChord official will sign the Joint Base Lewis-McChord National Environmental Policy Act decision document in accordance with applicable regulations and policy.
- Participate in National Environmental Policy Act scoping and environmental review.
- Provide comments on the project's purpose and need, goals and objectives, methodologies, and range of alternatives.
- Assist in the development of the project coordination plan, including a project schedule in the event the National Environmental Policy Act document needs to be elevated to the Environmental Impact Statement level.

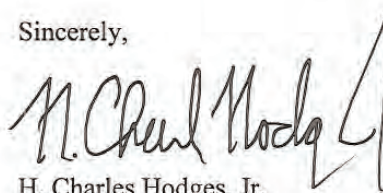
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- Provide (on request from you or your agent) information and assist with the preparation of environmental analysis including portions of the National Environmental Policy Act documents relevant to our jurisdiction or area of special expertise.
- Provide staff support, as available, at your request to enhance the latter's interdisciplinary capability.
- Identify, as early as practicable, any issues that could substantially delay or prevent you from receiving approvals needed for the project.

As a cooperating agency, Joint Base Lewis-McChord expects that the National Environmental Policy Act document will enable us to discharge our jurisdictional responsibilities. Accordingly, we will inform you if, at any point in the process, our requirements are not being met. It is our intent to ensure that, at the end of the National Environmental Policy Act process, the Environmental Assessment will satisfy our National Environmental Policy Act requirements including those related to project alternatives, environmental consequences and mitigation. Further, we understand that you intend to utilize the Environmental Assessment and your subsequent Finding of No Significant Impact (if appropriate) as your decision-making documents and as a basis for Joint Base Lewis-McChord's approval.

We look forward to continuing our cooperative working relationship with you, and your staff, to ensure National Environmental Policy Act compliance on this important public transportation project. If you have any questions concerning this matter, please contact the National Environmental Policy Act Program Manager, Mr. Christopher Runner at 253-966-1763 or email at christopher.j.runner.civ@mail.mil.

Sincerely,



H. Charles Hodges, Jr.
Colonel, US Army
Commanding

June 23, 2016

Mr. Eric Rickerson
U.S. Fish and Wildlife Service
Washington Fish and Wildlife Office
510 Desmond Dr. SE, Suite 102
Lacey, WA 98503-1263

RE: I-5 / Mounts Road to Thorne Lane - Corridor Improvements
Milepost 116.41 to 123.94
Pierce County, Washington
Informal Consultation
WSDOT Project No. XL4355 / XL5000
USFWS IPaC No. 01EWF00-2016-SLI-0418

Dear Mr. Rickerson:

The Washington State Department of Transportation (WSDOT) is proposing a mobility project on Interstate 5 (I-5) in Pierce county, Washington. The project is located in township 19 north, ranges 1 and 2 east; Water Resource Inventory Area (WRIA) 12 – Chambers-Clover; and 6th field Hydrologic Unit Codes (HUC) 171100190304 (Sequalitchew Creek-Frontal Cormorant Passage) and 171100150307 (Nisqually River-Frontal Puget Sound). This project occurs on federal lands, requires approval by a federal agency (Federal Highway Administration [FHWA]), and requires a federal permit from the U.S. Army Corps of Engineers (ACOE) which creates a federal nexus for WSDOT and therefore requires an Endangered Species evaluation.

This project was presented at a pre-biological assessment meeting with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) on August 20, 2015. In attendance via phone bridge were representatives from USFWS and NMFS.

WSDOT has determined that the JBLM Corridor project activities warrants an effect determination of “may affect, not likely to adversely affect” for water howellia and Roy prairie pocket gopher as documented in the enclosed Biological Assessment. Other species and critical habitats listed for this project were evaluated and it was determined this project will have “no effect” to these species and habitats due to lack of occurrence.

Mr. Eric Rickerson

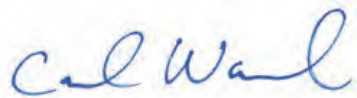
June 23, 2016

Page 2

It is our understanding that with federal concurrence this satisfies our responsibilities under Section 7(c) of the Endangered Species Act at this time. We will continue to remain aware of any change in status of these species and will be prepared to reevaluate potential project impacts if necessary.

If you have any questions or require additional clarification please contact me by phone at 360-570-6706 or e-mail at carl.ward@wsdot.wa.gov.

Sincerely,



Carl Ward
Biology Program Manager
WSDOT Olympic Region

CW:cw
Enclosure

e-cc: FHWA Washington Division
Leslie Durham, USFWS
Tara Stone, WSDOT ESO
Marion Carey, WSDOT ESO
Jeff Sawyer, WSDOT OR EHS
Paul Dreisbach, WSDOT OR EHS
Bill Elliott, WSDOT OR
Amy Summe, Shannon & Wilson, Inc.
Katie Walter, Shannon & Wilson, Inc.
Jean Carr, SCJ Alliance



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Washington Fish and Wildlife Office
510 Desmond Dr. SE, Suite 102
Lacey, Washington 98503

AUG 31 2016

In Reply Refer To:
01EWF00-2016-1-0993

Carl Ward
Biology Program Manager, Olympic Region
Washington State Department of Transportation
PO BOX 47440
Olympia, Washington 98504-7440

Dear Mr. Ward:

This letter is in response to your request for informal consultation on the Interstate 5/Mounts Road to Thorne Lane Corridor Improvements Project (Stage 1). The project is located along the Interstate 5 (I-5) corridor between Exit 116 and Exit 124 through the Joint Base Lewis-McChord (JBLM) vicinity in Pierce County, Washington. The Federal Highway Administration (FHWA) has provided funds to the Washington State Department of Transportation (WSDOT) to conduct the proposed congestion relief and safety improvements project.

On June 24, 2016, the U.S. Fish and Wildlife Service (Service) received your letter and Biological Assessment (BA) providing information in support of a "may affect, not likely to adversely affect" determination for the water howellia (*Howellia aquatilis*) and one of four listed subspecies of Mazama pocket gopher (*Thomomys mazama*; MPG), the Roy Prairie pocket gopher (*Thomomys mazama glacialis*). The FHWA and WSDOT have concluded that the project will have "no effect" on additional listed species and designated critical habitat known to occur in Pierce County. There is no requirement for the Service to concur with "no effect" determinations, as these determinations rest with the action agency. This informal consultation has been conducted in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*)(ESA).

The WSDOT is proposing improvements along the I-5 corridor through the JBLM vicinity, where construction will be divided into two stages. Stage 1, scheduled to begin in 2017, implements mainline and interchange improvements from Steilacoom-DuPont Road (Exit 119) to the northern project limit at Gravelly Lake Drive (Exit 124). Some modifications to road striping will occur down to the Center Drive (Exit 118) vicinity for continuity. Stage 2 is scheduled to begin in 2020 and will implement mainline and interchange improvements from Steilacoom-DuPont Road (Exit 119) to the southern project limit at Mounts Road (Exit 116). Stage 2 will undergo separate ESA consultation prior to construction.

Carl Ward

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Stage 1 includes:

- Rebuilding the interchanges at Thorne Lane (Exit 123) and at Berkeley Street (Exit 122).
- Adding one traffic lane northbound and southbound along I-5 between the Steilacoom-DuPont and Thorne Lane interchanges.
- Adding a northbound auxiliary lane between the Berkeley Street and Gravelly Lake Drive interchanges.
- Building a local road connection between Gravelly Lake Drive and Thorne Lane (Gravelly-Thorne Connector).
- Developing a shared bicycle and pedestrian facility.

During Stage 1, WSDOT proposes to widen I-5 by approximately 24 feet to add one traffic lane in each direction from Exit 119 to Exit 123. The existing I-5 overpasses at Thorne Lane and Berkeley Street are currently too narrow for the added lane; these interchanges and connecting road networks will be relocated and rebuilt to accommodate more lanes on I-5. A northbound auxiliary lane will be added for motor vehicle traffic between two interchanges, from the Berkeley Street on-ramp to the Gravelly Lake Drive off-ramp, and the existing southbound auxiliary lane between Thorne Lane and Berkeley Street will be maintained.

The Thorne Lane Interchange will be relocated to cross over I-5 approximately 350 feet south of the existing Thorne Lane Bridge, which will be removed. The new design as proposed is a “dogbone”¹ interchange, which includes two partial roundabouts at the north and south ramp intersections instead of signals to manage traffic by reducing driver delays and traffic collisions. The redesigned interchange will connect Thorne Lane to Murray Road over I-5 and will be elevated over the adjacent rail line and Union Avenue. A new roundabout loop will be added to maintain the Thorne Lane connection with Union Avenue.

The Berkeley Street Interchange will be relocated approximately 120 feet south of the existing Berkeley Street Bridge which connects Jackson Avenue over I-5 from east to west. The Berkeley Street Bridge/Jackson Avenue overpass is likewise to be removed and redesigned as a dogbone interchange described above. The redesigned interchange will span I-5 and extend Jackson Avenue west of I-5 to loop around an existing business and descend to grade at the existing intersection of Berkeley Street and Washington Avenue. The new interchange and the Jackson Avenue extension will be elevated over the adjacent rail line and Militia Drive.

The Gravelly-Thorne Connector is a proposed new city street parallel to, but separate from, I-5 that would connect Gravelly Lake Drive and Thorne Lane. This local road would include one vehicle lane going southbound from Gravelly Lake Drive to Thorne Lane. About 30 feet of additional right of way will be necessary for this connector, including the shared use path.

¹ A dogbone interchange is a variation of a common diamond interchange used to cross a minor road over the highway via a bridge. The interchange uses double 3-leg roundabouts that do not form a complete circle and connect to each other over the highway, thereby resembling a dogbone.

A 10-foot-wide shared use path is proposed that extends along the I-5 corridor from Steilacoom-DuPont Road to Berkeley Street, and then along the Gravelly-Thorne Connector; bicycles and pedestrians would use existing streets and pedestrian facilities in the intervening sections.

Stage 1 of the project proposes to increase pollution generating impervious surface (PGIS) by 32.2 acres. WSDOT proposes to provide both flow control and enhanced water quality treatment as part of the design. Additionally, available information indicates that most of the stormwater runoff either infiltrates or may eventually discharge into receiving waterbodies. However, stormwater discharges are not expected to enter receiving waters that contain listed fish species (Summe, 2015a). Because the project is located within the I-5 corridor, surrounding terrestrial habitats are regularly exposed to significant disturbance and provide limited suitability for listed species, in general.

The action area for the project is defined by the areas affected by elevated in-air construction related sound due to heavy equipment and use of an impact hammer. The project action area is delineated by the extent of noise which extends 2.38 miles (12,560 feet) from the impact hammer and 0.29 mile (1,545 feet) from general project activities. The broader action area encompasses the majority of the project area, north of Exit 120

Sufficient information has been provided to determine the effects of the proposed project to federally listed species and to conclude whether the project is likely to adversely affect those species. Designated critical habitat does not occur within the project action area and therefore will not be discussed further in this document. Our concurrence is based on information in your letter, information in the BA, successful implementation of the Best Management Practices and Minimization Measures and the following rationale:

Water Howellia

The project is located within the vicinity of one of three extant meta-populations of water howellia. A larger, meta-population of water howellia occurs on JBLM where regulatory mechanisms are currently in place to provide protection to water howellia habitat. Field assessments conducted during late July and August, 2015 determined that suitable habitat for water howellia exists in a few of the wetlands in and adjacent to the project that may experience disturbance; however, no water howellia was identified. Although the assessment was conducted outside of the flowering window and presence can be variable depending on hydrology, the affected wetlands are significantly disturbed and lack hydraulic surface connection to occupied wetlands for seed dispersal. Water howellia is more likely to be found in undisturbed wetlands with “flashy” hydrology (Summe, 2015b).

Based on the available information, water howellia presence in the affected wetlands is unlikely and direct effects are considered discountable. Additionally, in areas surrounding the extant, larger meta-populations, habitat loss is not considered a threat to the species due to the conservation strategies implemented in these locations (FWS 2013, p.17). As such, all indirect effects of the action to water howellia are considered insignificant.

Carl Ward

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Roy Prairie Pocket Gopher

The Roy Prairie pocket gopher is the one listed subspecies of MPG that occurs in Pierce County, Washington, and it has been found in the project vicinity on portions of JBLM. Distribution of the MPG is affected by the rock content of soils, drainage, forage availability, and climate. Suitable prairie and meadow habitats have a naturally patchy distribution. Across their preferred habitats, there is an even patchier distribution of soil rockiness, which may further restrict the areas that MPGs can utilize.

Much of the suitable habitat that historically occurred across the range of the MPG has been lost to development or converted to incompatible land uses. However, populations do persist today on partially-developed sites, including road rights-of-way, on municipal properties, tree farms, and in agricultural settings. Poor habitat connectivity across the landscape isolates many of these populations.

Habitat for MPG, especially suitable soils and vegetation, is vulnerable to damage. Even temporary disturbance resulting from equipment access, staging, excavation, earth moving, grading, and filling can damage surface and subsurface soil properties, profiles, and structure (e.g., soil compaction). On some sites, this damage may persist for years, or indefinitely. Damage to MPG burrows and tunnel systems, and damage or removal of vegetation (forage resources), imposes an energetic burden on individuals. When operated on occupied habitat, heavy equipment poses a risk of collapsing MPG burrows and tunnel systems, and may physically injure or kill individuals.

The project area includes approximately 5.5 linear miles of existing and proposed highway right-of-way at the edge of, and possibly farther north of, the current and historical Roy Prairie pocket gopher distribution. Mapped soils are suitable for MPG and are predominantly Spanaway series gravelly, sandy loams, which surround smaller, discontinuous acreages of Nisqually series loamy sand (or fine sand), and soils from the Spanaway-Nisqually complex. Portions of the project area were screened by Service biologists on July 23, and October 1, 2015 and both screenings failed to identify signs of MPG use or occupancy.

Based on the results of the screenings combined with the overall habitat conditions, it is unlikely that MPGs occur in the project vicinity or will be affected by the project. There is minimal risk of encountering MPGs or substantially damaging burrows or occupied nests. The Service considers the risk of injuring or killing individual MPGs to be discountable. Additionally, proposed impacts to unoccupied areas of suitable soils and roadside vegetation will not significantly reduce available MPG habitat or measurably disrupt normal MPG behaviors (i.e., the ability to successfully feed, move, and/or shelter). The Service considers the direct and indirect habitat effects to the Roy Prairie pocket gopher to be insignificant.

Conservation Recommendation

Section 7(a)(1) of the ESA directs federal agencies to utilize their authorities to further the purposes of the ESA by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are not required, but are discretionary

agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, develop information, and/or aid in recovery.

- 1) Conduct additional MPG screenings within the area of project disturbance during the 2016 or 2017 field season (June 1 to October 31). Prioritize areas not previously screened. If at any time the pocket gopher is identified in the project area, consultation with the Service would be re-initiated and a strategy developed to avoid and minimize impacts.

So that the Service may be informed of your decision, we request that WSDOT respond in writing to this recommendation. Your response should be directed to the Transportation Planning Branch at the Washington Fish and Wildlife Office in Lacey, Washington, or via email to the staff and supervisor identified below.

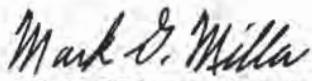
Concurrence

Based on the analysis in the BA and subsequent information provided and summarized above, we conclude that the subject action was not likely to adversely affect water howellia and the Roy Prairie subspecies of Mazama pocket gopher. WSDOT should request reinitiation of consultation with the Service on this action if:

- 1) new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation,
- 2) if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation, and/or
- 3) a new species is listed or critical habitat is designated that may be affected by this project.

The Service appreciates your efforts to protect listed species and the habitats on which they depend. If you have any questions about this letter or our joint responsibilities under the ESA, please contact DeeDee Jones at (360) 753-4471 (deean_jones@fws.gov) or Mark Miller at (360) 534-9347 (mark_miller@fws.gov).

Sincerely,

for 
Eric V. Rickerson, State Supervisor
Washington Fish and Wildlife Office

cc:

WSDOT, Tumwater, WA (J. Sawyer)
WSDOT, Tumwater, WA (P. Dreisbach)
FHWA, Olympia, WA (D. Moberg)
FHWA, Olympia, WA (C. Callahan)

Carl Ward

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Literature Cited

Summe, Amy. 2015a. Consulting Biologist for WSDOT, Shannon & Wilson, Inc. Seattle, Washington. Telephone conversation with Darric Lowery, Pierce County Area Habitat Biologist, Washington Department of Fish and Wildlife, Olympia Washington. Topic: Fish presence in the project area, August 31, 2015.

Summe, Amy. 2015b. Consulting Biologist for WSDOT, Shannon & Wilson, Inc. Seattle, Washington. Telephone conversation with Ted Thomas, Invertebrate and Plant Ecologist, U.S. Fish and Wildlife Service, Washington Fish and Wildlife Office, Lacey, Washington. Topic: Habitat preference for water howellia, August 31, 2015.

U.S. Fish and Wildlife Service (FWS). 2013. Water howellia (*Howellia aquatilis*) 5-Year Review: Summary and Evaluation. Montana Ecological Services Field Office. Helena, Montana. 39 pp.