

Puget Sound Gateway Program – Phase 1 of the SR 167 Completion Project

23 CFR §771.129

Washington State Department of Transportation/Federal Highway Administration

REGION/MODE	SR	PROJECT PROGRAM#	FEDERAL AID #	PROJECT#
HQ/ Mega Projects	I-5/SR 167	M00600R	N/A	316708T, 316707T, 316706T

PROJECT TITLE, ENVIRONMENTAL DOCUMENT TYPE & DATE APPROVED:

- 1) SR 167 Puyallup to SR 509, Tier II Final Environmental Impact Statement and Section 4(f) Evaluation, November 2006. Approved by signatory agencies Federal Highway Administration, Washington State Department of Transportation, and cooperating agencies U.S. Army Corps of Engineers, and City of Fife on November 9, 2006.
- 2) Record of Decision for State Route 167 Extension Project Puyallup to SR 509, October 2007. Approved by signatory agency Federal Highway Administration on October 2, 2007.
- 3) SR 167 Puyallup to SR 509, SR 167 Puyallup River Bridge Replacement Final Supplemental Environmental Impact Statement and Record of Decision. Approved by signatory agencies Federal Highway Administration, Washington State Department of Transportation, and cooperating agencies U.S. Army Corps of Engineers, and City of Fife on November 16, 2013.

REASON FOR RE-EVALUATION:

The purpose of this re-evaluation is to determine whether the first phase of the State Route (SR) 167 Completion Project will have the potential to result in any new significant environmental impacts that were not previously evaluated in the 2006 Final EIS (FEIS) and 2007 Record of Decision (ROD). With the passing of the Connecting Washington Transportation Package in 2015 by the State Legislature, funding has become available for the first phase of the SR 167 Completion Project (Phase 1 Improvements) to proceed through environmental review, design, and into construction. The Phase 1 Improvements include approximately four miles of new limited-access highway with four-general purpose (GP) lanes on the new SR 167 extension (compared to six lanes as analyzed in the 2006 FEIS) from its current terminus in Puyallup at SR 161 to Interstate 5 (I-5), and assumes that all lanes will be tolled using two electronic toll points. The Phase 1 Improvements also include an approximately two-mile "SR 509 Spur" highway section from SR 509 near the Port of Tacoma to the I-5 and SR 167 interchange near 70th Avenue.

The Phase 1 Improvements assume that all lanes will be tolled using two electronic toll points. One toll point will be located on SR 167 between I-5 and the proposed Valley Avenue interchange, the other toll point will be located on the SR 509 Spur between I-5 and the proposed 54th Avenue interchange. Both toll points will be located such that any user of the new Phase 1 Improvements will be charged a toll. The effects related to tolling (which were not previously evaluated) are a key consideration in the re-evaluation, particularly as it relates to transportation and environmental justice effects. Before tolling can begin, a toll authorization bill must be passed by the Legislature. The rate-setting process will be overseen by the Washington State Transportation Committee (WSTC) in advance of completion of the Phase 1 Improvements.

The SR 167 Completion Project is based on nearly three decades of project planning and development. The use of a tiered environmental documentation process was determined to be appropriate at project inception in 1990. In 1993, the Washington State Department of Transportation (WSDOT) released the SR 167 Corridor Adoption Puyallup to SR 509 Tier I Draft Environmental Impact Statement (DEIS). The DEIS identified and analyzed significant impacts along several proposed corridors, and a preferred corridor. Subsequent to release of the DEIS, it was determined by FHWA that the project was required to have a Major Metropolitan Transportation Investment Study (MIS). A steering committee of interested agencies was established, and the committee, utilizing public involvement, evaluated a No Action Alternative, a Transportation Demand Management/Transportation System Management (TDM/TSM) Alternative, the Preferred Freeway Corridor Alternative (Corridor 2 from the DEIS), and a Strategic Arterial Alternative. After extensive evaluation of the cost-effectiveness of a wide array of alternatives, the MIS concluded that construction of a freeway to complete SR 167 would remove one of the major missing links in the freeway system in the region. Considering the findings of the MIS, and following distribution of the Tier I FEIS in April 1999 and consideration of further comments, the FHWA issued a ROD in June 1999 documenting the selection of Corridor 2 as the least environmentally damaging practicable alternative.

Within the selected SR 167 corridor, a No Build Alternative, and a Build Alternative mainline alignment identified in the Tier I FEIS along with various interchange options were evaluated in a project level Tier II Draft EIS, published in 2003. The Tier II FEIS and Section 4(f) Evaluation issued in November 2006, and ROD in October 2007 identified the Preferred Build Alternative. The 2006

Build Alternative included approximately six miles of divided highway, including four general purpose lanes (two lanes in each direction), one high occupancy vehicle (HOV) lane in each direction between SR 161 and I-5, four lanes (two lanes in each direction) from I-5 to 54th Avenue E, and a single lane in each direction from 54th Ave E to SR 509. It also included interchange connections at SR 161 (Meridian), Valley Avenue, a system level interchange at I-5 with direct connect HOV ramps, 54th Avenue E, and direct connection to SR 509. Since the 2007 ROD was issued, the project has moved forward with actions such as purchase of needed right-of-way (ROW), completion of the Puyallup River Bridge Replacement Project, and refinements in preliminary design.

In late 2007 the WA State Legislature provided funding for the SR 167 Puyallup River Bridge Replacement Project, a smaller but integral part of the larger SR 167 Extension Project. The steel truss Puyallup River Bridge (167/20E), also known as the “Meridian Street Bridge,” was originally constructed in 1925 and became eligible for listing on the National Register of Historic Places (NRHP) after the 2006 FEIS was completed. With the new funding, WSDOT completed the necessary environmental review and studies, and in July 2013 WSDOT and FHWA issued the joint “SR 167 Puyallup River Bridge Replacement Final Supplemental Environmental Impact Statement and Record of Decision.” The project construction was completed via design-build delivery in 2015. The Meridian Street Bridge is currently situated on the SR 167 alignment immediately west of Meridian Avenue. The SR 167 Project team is currently working with WSDOT HQ Cultural Resources Program on the marketing plan to surplus this bridge in compliance with the Section 106 Memorandum of Agreement (MOA).

In early 2008, the WSDOT’s SR 167 design office developed a proposed “refined alignment” for the project within the six-mile corridor. This was the result of an early practical solutions/practical design process undertaken to further reduce project environmental impacts, complexity, ROW acquisition costs, construction costs, and project risks beyond what had been documented in the 2006 FEIS. Although the refined alignment was endorsed by WSDOT Olympic Region Project Development in 2008, and discussed with the WA Division FHWA, it never went through NEPA review. At about this time the SR 167 Project was shelved due to lack of funding.

In 2012, a “Legislative Evaluation and Accountability Program” (LEAP) proviso from the WA State Legislature directed WSDOT to “complete the right of way plan and evaluation of NEPA for the project,” and provided 3 million dollars in funding. WSDOT began work on the NEPA Re-evaluation in mid-2015 and continued in 2016. The Re-evaluation was necessary given more than three years had elapsed without action on the project since completion of the 2006 FEIS, to address regulatory changes, the extensive development which had occurred within the corridor since the 2007 ROD, and the refined alignment mentioned above.

In July 2015 the “Connecting Washington” transportation act was passed providing partial funding for the Puget Sound Gateway Program, including the Phase 1 Improvements of the SR 167 Completion Project. In January 2016, a WSDOT Puget Sound Gateway Program executive decision was made to delay the NEPA Re-evaluation until completion of WSDOT’s Practical Solutions approach and further stakeholder involvement. WSDOT’s Practical Solutions design approach allowed for a fresh look at the previous project plans to ensure that the revised project’s design is focused on solutions that address the needs of the project. A large part of the Practical Solutions approach included re-engaging stakeholders to guide them through this new approach and allow them to weigh-in on the potential design changes while ensuring the essential needs of the project were still met.

DESCRIPTION OF CHANGED CONDITIONS: (See Attachment 1 for more detailed description).

The 2007 SR 167 Project ROD selected the Preferred “Build Alternative” which included a six-lane extension of SR 167 (four GP lanes and two HOV lanes) in each direction from its current terminus in Puyallup at SR 161 to I-5, a four-lane extension (two GP lanes) in each direction from I-5 to 54th Avenue East in Fife, and a single lane in each direction with direct connection to SR 509 near the Port of Tacoma. New interchanges were proposed at SR 161 (Meridian), Valley Avenue, a system level interchange at I-5 including direct connection HOV ramps, 54th Avenue East, and direct connection to SR 509.

The Phase 1 Improvements are essentially a subset of the improvements that were proposed in the 2006 FEIS (Exhibits 3.3-1 and 3.3-4 in the attached Re-evaluation). The Phase 1 Improvements would include four tolled GP lanes on the SR 167 extension (compared to six lanes as analyzed in the 2006 FEIS) from SR 161 in Puyallup to I-5, four tolled GP lanes on the SR 509 Spur from I-5 to 54th Avenue East, and a single lane (each direction) connection to SR 509. Interchange improvements would include a full single point urban interchange (SPUI) at SR 161, a ½ diamond interchange to the north at Valley Avenue, and a Diverging Diamond Interchange (DDI) at I-5, a ½ SPUI at 54th Avenue, and an at-grade direct connection at SR 509. The Phase 1 Improvements also assume that the SR 167 extension and the SR 509 Spur would be fully tolled. One toll point would be located on SR 167 between I-5 and the proposed Valley Avenue interchange, the other toll point would be located on the SR 509 Spur between I-5 and the proposed 54th Avenue interchange.

HAVE ANY NEW OR REVISED LAWS OR REGULATIONS BEEN ISSUED SINCE APPROVAL OF THE LAST ENVIRONMENTAL DOCUMENT THAT AFFECT THIS PROJECT?

YES (X) NO () (If yes explain, use additional sheets if necessary)

- Under authority of the Clean Air Act, the US EPA has identified several pollutants as pollutants of concern nationwide and has established the National Ambient Air Quality Standards (NAAQS). These “criteria pollutants” include carbon monoxide, particulate matter (PM2.5 and PM10), ozone, sulfur dioxide, nitrogen dioxide, and lead. At the time of the 2006 FEIS, the project area was designated as a “maintenance area” for ozone and carbon monoxide, and “in attainment” for all other criteria pollutants. In 2009 the US EPA classified the Tacoma-Pierce County area as a “nonattainment area” because fine particulate (PM2.5) pollution exceeded air quality standards from 2006 to 2008. In February 2015, EPA re-designated the area to “attainment” and approved revision to the State Implementation Plan (SIP) and associated maintenance plan. The project area is currently designated as a maintenance area for both PM2.5 and PM10, which required an interagency coordination process to determine whether the SR 167 project was a “project of air quality concern.” The interagency partners (EPA, FHWA, PSRC, PSCAA, FTA, and Ecology) consulted in December 2017, and concurred in March 2018 that the project is not one of air quality concern, therefore no hot-spot analysis was required. It is now common for all WSDOT projects in the Puget Sound region to rely on the PSRC regional model. A project-level regional analysis was conducted to estimate the SR 167 Completion Project’s impact on regional air quality levels in King and Pierce Counties. The US EPA also regulates mobile source air toxics (MSATs). A qualitative analysis was completed for the 2006 FEIS as no regional emissions were quantified at that time. Using FHWA’s *Updated Interim Guidance on Mobile Source Air Toxics Analysis in NEPA Documents* (FHWA 2016), the SR 167 Completion Project qualified as one having low potential MSAT effects. For these projects, a qualitative assessment of emissions projections is recommended, however, because a regional analysis for criteria pollutants was being conducted, WSDOT decided to complete a quantitative regional MSAT analysis as well.
- The evaluation of noise abatement for feasibility and reasonableness conducted for the 2006 FEIS has been updated using the current 2012 WSDOT Noise Policy criteria. The Phase 1 Improvements noise abatement analysis evaluates nine noise wall locations, including new walls. The findings from this analysis are shown in Exhibits 4.7-6 and 4.7-7 in the attached Re-evaluation and detailed in the Noise technical memorandum.
- The stormwater treatment facilities for the Phase 1 Improvements differ from those assumed in the 2006 FEIS because treatment facilities are designed using WSDOT’s current Highway Runoff Manual (HRM) which was updated in 2016.
- Since the 2006 FEIS, the Cities of Tacoma, Fife, Milton, Edgewood, and Puyallup have updated their Critical Area Ordinances. Wetland buffer requirements under the cities’ new ordinances (as applicable), and under the existing ordinance for Pierce County have been considered as part of the Re-evaluation.
- A new evaluation was conducted and Endangered Species Act (ESA) documentation prepared regarding potential impacts of the project on updated listed species under USFWS and NMFS jurisdiction that may occur in the action area. Changes since 2006 include listing of Chinook Salmon Critical Habitat and Bull Trout Critical Habitat as “Threatened” (versus Proposed), however the updated analysis concluded that the Phase 1 Improvements would not change the effect determinations for any of the listed species or critical habitat.

Species/Habitat	Federal Status (2006 FEIS)	Effect Determination	Federal Status (2018 Phase 1 Improvements)	Effect Determination
Bald Eagle	Threatened	NLTAA	Removed from ESA Listing	N/A
Marsh Sandwort	Endangered	NE	Endangered	NE
Golden Paintbrush	Threatened	NE	Threatened	NE
Water Howellia	Threatened	NE	Threatened	NE
Chinook salmon	Threatened	LTAA	Threatened	LTAA
Chinook salmon critical habitat	Proposed	LTAA	Threatened	LTAA
Bull Trout	Threatened	LTAA	Threatened	LTAA
Bull Trout critical habitat	Proposed	LTAA	Threatened	LTAA

NE = No Effect; LTAA = Likely to Adversely Affect; NLTAA = Not Likely to Adversely Affect; N/A = Not Applicable

- The local comprehensive plans and policies that were discussed in the 2006 FEIS have also been updated. Similar to findings in the 2006 FEIS, the current comprehensive plans for the cities of Tacoma, Fife, Milton, Edgewood, and Puyallup, as well as the Port of Tacoma recognize the project as a key element in the transportation system and contain a number of goals and policies of relevance to the Phase 1 Improvements. The plans advocate for completion of the SR 167 extension to increase accessibility to the regional transportation system. The SR 167 extension is also a key element of the City of Fife’s long-range transportation system, and the Port of Tacoma continues to endorse and identify the project as the highest priority regional project in the Tideflats Area Transportation Study (TATS, 2011) final report.
- The Puget Sound Regional Council’s (PSRC) VISION 2040 was adopted in 2008 and serves as PSRC’s integrated long-range growth management strategy. It builds on the VISION 2020 plan, and Destination 2030 Metropolitan Transportation Plan referred to in the 2006 FEIS. Transportation 2040 is the transportation element of VISION 2040, the growth management, environmental, economic, and transportation strategy for the Central Puget Sound region. Transportation 2040 states that completing “key roadway projects that would enhance freight mobility, such as ...SR 167 extension ...” would be important for the region. This acknowledgement is similar to, but more specific than, what was included in the Destination 2030 MTP that was described in the 2006 FEIS.
- Since 2006, the FHWA guidance for conducting environmental justice has been refined. Current guidance recommends that the use of thresholds to identify environmental justice communities be avoided. The guidance recommends that a demographic analysis be conducted of affected communities first and then consideration of project impacts be given to low-income, minority or limited English speaking populations. The potential for disproportionately high and adverse effects, not the population size, should be the basis for environmental justice.

WILL THE CHANGED CONDITIONS AFFECT THE FOLLOWING DIFFERENTLY THAN DESCRIBED IN THE ORIGINAL ENVIRONMENTAL DOCUMENT? (If yes, attach a detailed summary addressing the impacts and mitigation)

	YES	NO		YES	NO
1) THREATENED or ENDANGERED SPECIES	()	(X)	5) HAZARDOUS WASTE SITES	()	(X)
2) PRIME and UNIQUE FARMLAND	()	(X)	6) HISTORIC or ARCHAEOLOGICAL SITES	()	(X)
3) WETLANDS	()	(X)	7) 4 (f) LANDS	()	(X)
4) FLOODPLAINS	()	(X)	8) 6 (f) LANDS	()	(X)

Effects on all resources will be the same or less than disclosed (documented) in the 2006 FEIS. See Attachment 1.

WILL THESE CHANGES RESULT IN ANY CONTROVERSY? YES () NO (X) (If yes explain)

WILL THESE CHANGES CAUSE ADVERSE IMPACTS IN THE FOLLOWING AREAS: (If yes, address comments below.)

	YES	NO		YES	NO
1) AIR QUALITY	()	(X)	7) WATER QUALITY	()	(X)
2) NOISE	()	(X)	8) VISUAL QUALITY	()	(X)
3) LAND USE	()	(X)	9) NATURAL RESOURCES and ENERGY	()	(X)
4) TRAFFIC or TRANSPORTATION	()	(X)	10) PUBLIC SERVICES and UTILITIES	()	(X)
5) DISPLACEMENT (business or residence)	()	(X)	11) VEGETATION and WILDLIFE	()	(X)
			12) RECREATION	()	(X)
6) ECONOMIC GROWTH and DEVELOPMENT	()	(X)	13) SOCIAL IMPACTS	()	(X)

COMMENTS:

The refinements and updates addressed by the Re-evaluation do not substantially change the overall impacts that were discussed in the previously prepared project documents listed at the top of this form. None of the previously identified environmental commitments would change as a result of the design refinements identified.

CONCLUSIONS and/ or RECOMMENDATIONS:

Changes as noted above would not result in new significant adverse effects. Phase 1 of the SR 167 Completion Project remains compliant with current federal, state, local, and departmental regulations and directives with regard to National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) processes. This Re-evaluation document, along with the supporting information, demonstrates that there would be no new significant adverse effects resulting from these changes as compared to the Final EIS that was approved in November 2006 and the ROD that was approved in October 2007.

I concur with the conclusions and recommendations above

WSDOT Official



Megan White, P.E.
Environmental Services Office Director

12/20/2018

Date

FHWA Official



Dean Moberg, P.E.
Area Engineer

20 December, 2018

Date

Attachment 1