

## NAVIGATIONAL AND ENVIRONMENTAL EVALUATIONS

**SUBJ: REVISED PLANS FOR THE WEST APPROACH BRIDGE NORTH OF THE PROPOSED REPLACEMENT OF THE SR 520 BRIDGE, ACROSS LAKE WASHINGTON AT SEATTLE AND MEDINA, WASHINGTON**

### I. MODIFICATION

*NOTE: This evaluation supplements HQ evaluation P (1-12-13) and pertains specifically to the west approach bridge north modification.*

- A. Final Agency Action: ( ) District (X) Headquarters
- B. Applicant: The Washington State Department of Transportation (WSDOT) has requested approval of design refinements to the west approach bridge north (WABN) segment of the approved State Route 520 Bridge replacement project on 6 February 2014. **Enclosure 1.** WSDOT completed their permit application on 11 March 2014. **Enclosure 1a.**
- C. Bridge type: Combination fixed and floating (pontoon) highway bridge. **P (1-12-13) HQ EVAL.**
- D. Purpose of project: The purpose of the permit amendment is to refine the design of the WABN segment of the approved State Route 520 Bridge replacement project. Changes only apply to west approach span and specifically to the final design of the west approach bridge north (WABN) structure. The WABN alignment has been shifted approximately 30 feet northward through the Union Bay area, and the bridge abutment has been relocated approximately 50 feet west compared to the original design. **Enclosure 1.**

The purpose of the replacement bridge project is as follows:

The applicant proposes to replace the existing structurally deficient, functionally obsolete, structure with a new bridge across Lake Washington. The existing bridge consists of fixed span approaches, including fixed navigation spans near the shore on both sides of the bridge, and a long section of floating spans across the center of the lake. The existing floating section includes a moveable span. The proposed replacement bridge would have a similar configuration; however, the new floating section would not include a moveable span. To compensate, the fixed span clearances would be greater (particularly at the eastern approach) to accommodate larger vessels. This is the longest floating bridge in the world. As with the existing bridge, the proposed replacement floating section would be anchored to the lake bottom to hold the bridge in place.

The proposed bridge would span Lake Washington, come to grade at Foster Island, span an unnamed embayment of Union Bay, and continue to the west at Montlake, WA (Seattle). The unnamed waterway has been categorized as

Advance Approval by the USCG. It is also within a federal park area (Washington Park and University of Washington Arboretum) and motorized vessels are prohibited.

This is a design-build project. The proposed bridge would be constructed in stages to ensure traffic is maintained throughout. The application describes an interim connection bridge. The connection bridge would be constructed across the unnamed waterway and would remain a permanent portion of the new bridge. It is considered an interim bridge because it would be constructed prior to the completion of the highway interchange to the west. Temporary work platforms would be utilized throughout the construction process; however, the freedom of navigation would be maintained throughout. The navigational spans at the eastern and western approaches would be blocked at times; however, the existing moveable span would be maintained while the eastern approach spans are closed to navigation. **P (1-12-13) HQ EVAL.**

- E. Extent of USCG responsibility: N/A.
- F. Other Federal actions: None.
- G. Cost of project: The WABN phase of construction is the last currently funded portion of the project and has reached final design. **Enclosure 1.** The estimated cost for the entire project is \$1.5 billion. **P (1-12-13) HQ EVAL.**
- H. Project Timeline: WSDOT plans to advertise the contract by 1 April 2014 with construction scheduled to begin in July of 2014. **Enclosure 1.**
- I. CG-BRG-2 Comments:
  - 1. The WABN substructure will consist of 42 overall pier bents, including the abutment at Montlake, 39 in-water pier bents (13 in Union Bay and 26 in Lake Washington), and two additional pier bents on Foster Island. Most span lengths will be 150 feet, although the spans between pier bents 17 and 18 (just east of Foster Island) will be 135 feet in length, and span 41 (the easternmost span before the transition span) will be 160 feet in length. The primary change to the design with respect to span lengths is that spans that were previously variable lengths east of Foster Island are now standardized at 150 feet each. The sizes, spacing, and configuration of the shafts/columns have also been changed to minimize impacts. As a result, the number of shafts/columns needed to support the bridge structure has been reduced by at least one shaft/column at each pier bent for a total reduction of 42 columns. **Enclosure 21.**
  - 2. WSDOT will submit a complete revised set of drawings upon the final design of the west approach bridge south phase of construction in accordance with B..P. 1-12-13 condition #4. **Enclosure 1.**

## II. NAVIGATIONAL EVALUATION

A. PROPOSED BRIDGE

1. Plan sheets and date: Sheets 1 through 3 (of 10) dated January 2014.  
**Enclosure 3.** Sheets 4 through 10 (of 10) dated February 2012. **P(1-12-13).**
2. Type of bridge: Combination fixed and floating (pontoon) highway bridge.
3. Bridge Length: The new bridge length will be 14,770 feet from abutment to abutment. **Enclosure 3, sheet 1.**  
  
The length of the floating section will remain at 7,640 feet.
4. Bridge width: The width of the combined bridge decks have been reduced from 151.47 feet to 139.45 feet for span 41 and from 135.70 to 133.72 feet for span 42. **Enclosure 3, sheet 3.**
5. Vertical clearance: Will remain the same as the approved vertical clearance in P (1-12-13); 47.50 feet and 44.27 feet for spans 41 and 42 respectively. **Enclosure 3, sheet 3.**
6. Horizontal clearance: Horizontal clearance of span 41 has increased from 142 to 144 feet compared with the original design. The horizontal clearance at span 42 has not changed and remains at 142 feet. **Enclosure 3, sheet 3.**
7. Flood heights: None. **P (1-12-13) HQ EVAL.**
8. Temporary structure: None.
9. CG-BRG-2 Comments:

B. EXISTING BRIDGES: SR 520 (Evergreen Point Floating Bridge)

1. Previous permit: The USACE approved the existing structure by a permit dated 28 April 1955. The USACE approved revised plans by a permit amendment dated 27 March 1961. The USCG approved modification to the bridge by amendment dated 21 September 1971. **P (1-12-13) HQ EVAL.**
2. Describe bridge type by number of lanes and if fixed or movable.  
Combination fixed and floating (pontoon) highway bridge. **P (1-12-13) HQ EVAL.**
3. Drawbridge Operating Schedule: 33 CFR 117.1049  
 Change     Revoke     No Change     None  
**P (1-12-13) HQ EVAL.**
4. Vertical clearance:  
East approach: 57.0 feet above Normal High Water.

West approach: 44.0 feet above Normal High Water (two navigational channels).

Moveable Span: Unlimited in the open position (0.0 feet in the closed position).

**P (1-12-13) HQ EVAL.**

5. Horizontal clearance:

East approach: 207.0 feet between fenders.

West approach: 206.0 feet between fenders (two navigational channels).

Moveable span: 200.0 feet between fenders.

**P (1-12-13) HQ EVAL.**

6. Bridge length: N/A.

7. Bridge width: N/A.

8. Removal: All parts not utilized in the new structure shall be removed down to or below the natural bottom of the waterway or groundline. **P (1-12-13) HQ EVAL.**

9. CG-BRG-2 Comments:

C. CLEARANCES

1. Guide clearances: None.

2. Governing structures:

a. Horizontal: The I-90 Bridge (approximately 5 miles south of the existing bridge) has a horizontal clearance of 200 feet on the east side of Mercer Island.

b. Vertical: The I-90 Bridge has a vertical clearance of 71 feet. The proposed replacement bridge would have a vertical clearance of 70 feet minimum and would become the new governing structure for vertical clearances on the waterway.

**P (1-12-13) HQ EVAL.**

3. Protests: None known. **P (1-12-13) HQ EVAL.**

4. CG-BRG-2 Comments:

D. WATERWAY: Lake Washington

1. Physical characteristics at bridge site:

- a. Width of waterway at bridge site: Approximately 1.8 miles bank to bank. **P (1-12-13) HQ EVAL.**
  - b. Depth of waterway at bridge site: The depths varies from 20 feet near shore to up to 200 feet. The minimum depth at the proposed navigational spans is approximately 20 feet. **P (1-12-13) HQ EVAL.**
  - c. Other limiting factors: The waterway and bridge is subject to high winds. The plan sheets show Normal High and Normal Low Water levels; however, the waterway is not tidal. Depths are influenced by heavy rains, high winds, and the amount of water entering through the lock to Puget Sound. **P (1-12-13) HQ EVAL.**
2. Federal project: None. **P (1-12-13) HQ EVAL.**
- a. Status of Project: N/A.
  - b. Location: N/A.
  - c. Other Limiting Factors: See above.
3. Navigation on waterway:
- a. Commercial navigation: Marine contractors, passenger and excursion vessels, and occasional tug/barges transit the waterway at the bridge site. The proposed bridge would meet the reasonable needs of all present and prospective commercial navigation on the waterway. **P (1-12-13) HQ EVAL.**  
  
The new structure has been designed to accommodate vessel traffic. A new bridge maintenance facility with working dock will also be a 12,000 ft<sup>2</sup> two-story building built into the end abutment slope under the new east approach bridge and the t-shaped dock will extend approximately 120 ft off shore. **Enclosure 4.**
  - b. Recreational navigation: Recreational vessels of various type and size utilize the waterway. The proposed bridge would meet the reasonable needs of all present and prospective recreational navigation on the waterway.
  - c. Emergency operations and national defense:
4. CG-BRG-2 Comments:
- E. PUBLIC NOTICE: PN 2-14
1. PN date: 27 February 2014. **Enclosure 9.**
  2. Circulation of PN: PN 2-14 Availability Notification (**enclosure 10**) was mailed to all resource agencies and to all adjacent property owners on 4 March 2014. **Enclosure 21.**

3. Navigational related comments:

4. CG-BRG-2 Comments:

- a. No comments were received on PN 2-14. **Enclosure 21.**
- b. LNM 09/14 dated 5 March 2014 was issued with notification of PN. **Enclosure 11.**

F. District's recommendations:

1. Recommend using the exact conditions, in their entirety, of the original permit P(1-12-3) dated 9 March 2012.

G. The following text is to be included at the conclusion of each navigational evaluation:

"The case record reflects that the proposed bridge project would provide for the reasonable needs of the present and prospective navigation on the waterway. Agency procedures have been complied with for this permit action. It is recommended that a permit be issued for this bridge construction project."

H. CG-BRG-2 NAVIGATION EVALUATION

Review completed on: 30 April 2014 by Lindsey R Braden

Signed: \_\_\_\_\_

Bridge Management Specialist

### III. ENVIRONMENTAL EVALUATION

#### A. NEPA (P. L. 91-190, as amended)

1. Lead Federal Agency (LFA): Federal Highway Administration (FHWA)

- a. Cooperating Agencies: U.S. Coast Guard (USCG) is one of the cooperating agencies. The project has 19 other cooperating agencies (**enclosure 21**).

2. Level of Environmental Documentation:

EIS    EA/FONSI    Categorical Exclusion

a. LFA environmental documentation:

Prepared by: The FHWA and the Washington State Department of Transportation (WSDOT).

The FHWA approved the Final Environmental Impact Statement (FEIS) (FHWA-WA-EIS-06-02-F) on 26 May 2011. The Notice of Availability (NOA) for the FEIS was published in the Federal Register on 17 June 2011. FHWA signed a Record of Decision (ROD) on 4 August 2011. A Draft Supplemental EIS was issued on 22 January 2010. The NOA for the Draft Supplemental EIS was published in the Federal Register on 22 January 2010.

Re-evaluations were issued in January 2012, July 2012, October 2012, February 2013, and again in February 2013 (**enclosure 21**).

FHWA and WSDOT issued a re-evaluation on 23 January 2014 that evaluated the impacts of design refinements for the West Approach Bridge North (WABN). These refinements minimized environmental impacts and in-water construction impacts. FHWA and WSDOT concluded that no additional adverse effects beyond those described in the FEIS and ROD would result from the changed conditions (**enclosure 5**).

FHWA and WSDOT issued a re-evaluation for further design refinements on 11 March 2014 for the proposed changes to the WABN (**enclosure 12**). This re-evaluation concluded that no additional adverse effects beyond those described in the FEIS and ROD would result from the changed conditions.

b. USCG environmental documentation:

The USCG adopted the bridge-related portions of the EIS on 27 February 2012 and signed a record of decision on 9 March 2012 (**enclosure 21**).

The USCG has determined that the ROD is still valid for the proposed action since the changes to the project are minor and will not have any adverse environmental effects not already discussed in the FEIS and ROD. No environmental factors stemming from the proposed changes would change the decision detailed in the ROD. This is supported by the 2014 FHWA/WSDOT re-evaluations discussed above.

3. Other environmental information:

a. Public Meetings:

- i No public meetings were held for the proposed permit amendment.

B. Public Notice:

The Coast Guard District 13 issued Public Notice 2-14 (**enclosure 9**).

Date(s) issued: 27 February 2014

1. PN circulation:

PN 2-14 availability notification was mailed to all resource agencies and to all adjacent property owners on 4 March 2014 (**enclosure 10**). The PN was also posted to the website.

2. Substantive environmental responses:

There were no comments or concerns in response to the PN (**enclosure 21**).

3. Other information to supplement PN:

There is no additional unique information pertaining to this proposed project that is not already mentioned above.

C. Water Quality Certificate, Section 401 (P. L. 92-500, as amended)

1.  Issued       Waived       Denied       Not Required

WQC scope:

Certifying agency and date: The Washington Department of Ecology (WDOE) issued Water Quality Certification (WQC) order number 9011 for the bridge project on 15 February 2012. WDOE issued amendment #4 on 19 February 2014 (**enclosure 4**).

a. Nationwide Permit:

Not applicable. The USACE issued individual permit NWS-2008-1246 in 2008. Via letter dated 19 February 2014, the Seattle district modified the project's individual permit to incorporate the proposed project changes. The permit updated special condition "c" to update

the ESA consultation record, and added special condition “n” to abide by the “Final Wetland Mitigation Report, Final Aquatic Mitigation Plan Addendum 2”. Mitigation shall be constructed before or concurrent with the work authorized by the permit (**enclosure 16**).

b. Clean Water Act and National Pollutant Discharge Elimination System (NPDES):

The WABN structure would contribute only a portion of the stormwater associated with the entire West Approach Area described in the FEIS; as such, a commensurate portion of the stormwater management infrastructure would be constructed during this phase. However, all the stormwater from WABN cannot feasibly be routed to the facility that will be constructed, so as a temporary best management practice (BMP), the applicant proposes to conduct high-efficiency street sweeping until the existing bridges are demolished (**enclosure 5 [4]**).

c. Safe Drinking Water Act:

Not applicable.

2. USEPA notification:

Means of USEPA notification and date: By telephone on 31 March 2014 Ms. Krista Rave-Perkins of EPA Region 10 was notified of the new WQC amendment (**enclosure 6 and 21**).

a. USEPA comment:

Ms. Rave-Perkins indicated by email on 3 April 2014 that the EPA had no objection to the issuance of the WQC amendment for this project (**enclosure 6**).

3. Important conditions of WQC:

- a. The new condition requires the applicant to mitigate in accordance with the plan described in their “Final Aquatic Mitigation Plan Addendum 2”, in addition to other mitigation requirements that still stand from the previous WQC.

D. National Historic Preservation, Section 106 (P. L. 89-665, as amended)

1. NRHP checked by: (X) District ( ) Headquarters ( ) Neither  
2. SHPO consulted via: (X) Public Notice (X) Other

Details of consultation under Section 106 can be found in the original evaluation for this bridge project. The current amendment has no effects on any resources considered under that law.

3. Section 106 properties:

Yes. The 23 January 2014 re-evaluation analyzed the effects of minor adjustments to the limits of construction with regard to their potential impacts on cultural resources. None of the proposed changes were located outside of the previously identified area of potential effect (APE). WSDOT evaluated the proposed changes to the limits of construction and determined that they would not adversely affect historic properties. WSDOT notified the SHPO of the changes and determined that the proposed changes would not result in additional adverse effects to historic properties. Concurrence was received from SHPO on 12 August 2013 (**enclosure 5 [5]**).

a. Mitigation:

There will be no effects from the permit modification on any historic property.

b. Correspondence(s) with SHPO/THPO:

See original evaluation for original correspondence. WSDOT continued consultation with the SHPO on 11 July 2013 regarding the changes to the WABN (**enclosure 5 [59]**). SHPO concurred that the current changes would have no adverse effect on 12 August 2013 (**enclosure 5 [65]**). WSDOT, on behalf of FHWA, consulted the SHPO as stipulated in the Programmatic Agreement on 29 January 2014 (**enclosure 12 [6]**). SHPO concurred with the further refinements on 26 February 2014 (**enclosure 12 [5]**).

c. If USCG is the LFA, CG consultation with SHPO:

N/A, USCG was not the LFA.

d. If USCG is the LFA, public notification of the adverse effect:

N/A, USCG was not the LFA.

e. Correspondence(s) with ACHP:

Not applicable.

f. If USCG is the LFA and adverse effect determination, CG invitation to ACHP for participation:

N/A, USCG was not the LFA.

g. MOA/MOU:

See original evaluation.

i. Date MOA was received by CG legal (CG LFA only):

See original evaluation.

ii Date MOA was filed with ACHP (CG LFA only):

See original evaluation.

h. National Historic Preservation Act:

If more than one federal agency is involved in an undertaking, regulations implementing the National Historic Preservation Act (NHPA) provide for designation of a lead agency to fulfill collective NHPA responsibilities and for the LFA to designate a representative [36 CFR 800.2(a)(2), 800.2(a)(3)]. The USCG concludes that FHWA and WSDOT actions have fulfilled USCG NHPA section 106 responsibilities.

i. Native American Graves Protection and Repatriation Act:

The proposed changes will have no effect the project's NAGPRA compliance. See original evaluation for a discussion of tribal religious issues.

j. Antiquities Act of 1906:

Not applicable.

k. Archaeological Resources Protection Act of 1979:

Not applicable.

l. American Indian Religious Freedom Act of 1978:

The proposed changes will have no effect the project's AIRFA compliance. See original evaluation for a discussion of tribal religions issues.

m. The Abandoned Shipwreck Act:

Not applicable.

4. Other information regarding Section 106:

No other unique information.

E. Flood plain:

1. Flood plan encroachment:

Encroachment     Significant encroachment     Not applicable

2. 100-year flood elevation:

Lake Washington does not have a floodway or floodplain. Construction of the Lake Washington Ship Canal and Hiram Chittenden locks and subsequent water level regulation in Lake Washington by the USACE eliminated the annual flood-driven seasonal inundation of the shoreline (**original evaluation**).

3. Provide low steel elevation.

According to correspondence from D13 dated 1 May 2013, the low steel for the whole bridge is 0 feet as the entire center section of the bridge is a floating (pontoon) bridge.

4. List Executive Order 11988 – Floodplain Management coordination:

Not applicable since there is no defined floodplain.

5. Other unique information regarding floodplains:

Not applicable.

F. Coastal Zone Management, Section 307 (P. L. 92-583):

1. State CZM program information:

Washington has a federally approved coastal zone management program. The WDOE Shorelands and Environmental Assistance Program is responsible for implementing Washington's CZM Program. The project is located within King County, which is within Washington State's coastal zone; therefore, the project is subject to the CZMA.

2. Consistency certification:

WSDOT applied for a CZMA Consistency Determination by submitting a federal consistency document package to WDOE consisting of a JARPA form on 10 August 2011 (**original evaluation**).

3. State concurrence:

By letter dated 21 February 2012, the WDOE determined that the proposed work is consistent with the Washington's CZM Program (**enclosure 18**). The proposed changes to the project would not affect the determination of consistency.

4. USCG concurrence and adoption:

The Coast Guard concurs with and adopts the applicant's CZM consistency certification.

5. List Executive Order 13089 – Coral Reef Protection:

Not applicable.

6. Unique information regarding CZM:

No other unique information.

G. Other appropriate environmental control laws/orders.

1. Wetlands

a. Amount of wetlands to be impacted:

Please see original evaluation for a discussion of wetlands. The proposed modifications will have no impacts on wetlands.

b. Wetlands Finding:

Please see original evaluation.

c. Effects to wetlands and mitigation:

Please see original evaluation. Mitigation committed to in the “SR 520, I-5 to Medina: Bridge Replacement and HOV project Final Wetland Mitigation Report, Final Aquatic Mitigation Plan Addendum 2”, dated December 2013, has been incorporated into the WQC in Condition G.1.

d. List Executive Order 11990 – Protection of Wetlands:

Please see original evaluation.

e. Other unique and substantive information:

No other unique information.

f. Agency response to the PN:

N/A

2. Fish and Wildlife – Essential Fish Habitat (EFH)

a. Impacts to state and federal threatened or endangered species or critical habitat and/or EFH and proposed species or proposed critical habitat:

WSDOT analyzed the potential effects of the proposed changes on fish and aquatic habitat, including potential changes in turbidity effects, pile driving activities, shading effects, and structural complexity. Overall, the analysis demonstrated that the proposed changes generally reduced the amount and extent of take authorized in the BO for Puget Sound Chinook, Puget Sound steelhead, and Coastal-Puget Sound bull trout. However, the timing of authorized take associated with construction activities has changed. Collectively, the proposed changes do not represent new mechanisms of effect not authorized in the incidental take statement (**enclosure 5 [6]**).

b. Date Biological Assessment and/or Opinion was completed:

Please see original evaluation for a full description of impacts to T&E species and EFH.

c. Date EFH Assessment was prepared:

Please see original evaluation.

d. Coordination with Fish and Wildlife Service and NMFS:

Please see original evaluation.

i. Date letter was sent to LFA with mitigation recommendations:

26 July 2013 (**enclosure 14**).

ii. Date letter was sent to NMFS and/or USFWS with minimization/avoidance measures:

22 January 2014 (**enclosure 14**).

iii. Date letter from NMFS and/or USFWS concluding consultation:

22 January 2014 (**enclosure 14**).

3. Fish and Wildlife-Magnuson-Stevens Act/EFH coordination

a. NMFS comment(s):

Please see original evaluation for a full description of impacts to T&E species and EFH.

4. Fish and Wildlife – Endangered and Threatened Species Act (ESA)

a. Endangered Species Act of 1973 coordination:

WSDOT analyzed the potential effects of the proposed changes on fish and aquatic habitat, including potential changes in turbidity effects, pile driving activities, shading effects, and structural complexity. Overall, the analysis demonstrated that the proposed changes generally reduced the amount and extent of take authorized in the BO for Puget Sound Chinook, Puget Sound steelhead, and Coastal-Puget Sound bull trout. However, the timing of authorized take associated with construction activities has changed. Collectively, the proposed changes do not represent new mechanisms of effect not authorized in the incidental take statement (**enclosure 5 [6]**).

FHWA reinitiated consultation with NMFS and USFWS on 26 July 2013 regarding the proposed changes to the WABN phase of the

project. NMFS in a letter dated 22 January 2014 and FWS in a letter dated 26 November 2013 found that their previous conclusions reached in the Biological Opinion remain valid (**enclosures 13 and 14**). They have modified the ESA Section 7 consultation to recognize the changes described in the work, and have amended the timing and extent of take to reflect the updated WABN design; their conclusions of “no jeopardy” remain (**enclosure 5 [7]**).

5. Fish and Wildlife – Fish and Wildlife Coordination Act (FWCA)

a. Fish & Wildlife Coordination Act (FWCA):

Please see original evaluation for a description of previous coordination regarding wildlife. Additionally, the consultation described immediately above and the applicant’s coordination with Washington Department of Fish and Wildlife (**enclosure 15**) fulfill requirements of the FWCA.

b. Date of consultation initiated with the USFWS and the state fish and game agency:

26 July 2013 (**enclosure 13**).

c. Date consultation completed with the USFWS and the state fish and game agency:

26 November 2013 (**enclosure 13**).

d. Date USFWS and the state fish and game agency provided recommendations:

26 November 2013 (**enclosure 13**).

6. Fish and Wildlife – Migratory Bird Treaty Act (MBTA)

a. Migratory Bird Act coordination:

Please see original evaluation for a discussion of impacts to migratory birds. No changes to these impacts will result from the proposed changes to the project.

b. Executive Order 13186 -- Responsibility of Federal Agencies to Protect Migratory Birds coordination:

E.O.13186 was adhered to through adherence to the MBTA.

7. Fish and Wildlife – Bald and Golden Eagle Protection Act

a. Bald and Golden Eagle Protection Acts coordination:

Please see original evaluation for a discussion of impacts to bald

eagles. No changes to these impacts will result from the proposed changes to the project.

8. Fish and Wildlife – Marine Mammal Protection

a. Marine Mammal Protection Act of 1972 coordination:

Not applicable. No marine mammals are found in Lake Washington.

9. Fish and Wildlife – National Marine Sanctuaries

a. National Marine Sanctuaries Act coordination:

Not applicable – the project is not in or near a marine sanctuary<sup>1</sup>.

10. Fish and Wildlife – Marine Protected Areas

a. Executive Order 13158 – Marine Protected Areas coordination:

Not applicable – the project is not in or near a marine protected area<sup>2</sup>.

11. Fish and Wildlife – Invasive Species

a. Executive Order 13112 – Invasive Species coordination:

Invasive species present in the project area are described in section 4.11 of the FEIS. WSDOT has coordinated with the City of Seattle, the University of Washington, Seattle Parks and Recreation, and the Arboretum Foundation in developing a planting strategy to offset the project's effects on regulated shoreline habitat under the City's shoreline management regulations. Many shoreline areas of Union Bay and the Montlake Playfield are not fully vegetated and/or contain invasive species. Some of these areas could be replanted with native trees and shrubs and the invasive species removed (FEIS, 5.11).

12. Fish and Wildlife – Other Coordination

a. Coordination for Federal, state, or other fish and wildlife controls/laws:

Not applicable.

13. Fish and Wildlife – PN

a. Agency response to the PN(s) regarding this matter:

N/A.

14. Noise

<sup>1</sup> <http://sanctuaries.noaa.gov/about/welcome.html>. Accessed 24 April 2014.

<sup>2</sup> [http://marineprotectedareas.noaa.gov/helpful\\_resources/inventoryfiles/westcoast\\_mpas\\_wallmap.pdf](http://marineprotectedareas.noaa.gov/helpful_resources/inventoryfiles/westcoast_mpas_wallmap.pdf). Accessed 24 April 2014.

a. Operational and construction noise and vibration impacts:

WSDOT analyzed the potential impacts of the interim connection in the Montlake area to ensure that no unanticipated temporary noise effects would occur. The WABN noise levels were modeled using year 2030 traffic to be comparable to the conditions described in the FEIS. The analysis concluded that noise levels would be expected to decrease slightly in 2030 when compared to existing conditions modeled in 2030 at most locations. The maximum increase modeled was 1 dB, which would not amount to an audible change. No adverse noise effects would occur from the proposed changes.

b. Mitigation:

Not applicable.

c. Noise Control Act and USEPA comment:

Not applicable.

d. Agency response to the PN:

Not applicable.

15. Air

a. Located in area of attainment, maintenance, or nonattainment for each of the criteria pollutants in the National Ambient Air Quality Standards (NAAQS):

Please see the original evaluation for a discussion of impacts to air quality. The proposed changes will not cause any impacts to air quality.

b. Conformity determination for General and/or Transportation Conformity:

Please see the original evaluation.

c. If a conformity determination was prepared, state if USEPA reviewed:

Please see the original evaluation.

d. Exemptions, and corresponding enclosure(s) or reference site:

Please see the original evaluation.

e. Project listed in the SIP, FIP, TIP, and/or RTP:

Please see the original evaluation.

f. Operational and construction impacts:

Please see the original evaluation.

i. Mitigation:

Please see the original evaluation.

g. Impacts on greenhouse gas emissions and/or climate change:

Please see the original evaluation.

i. Mitigation:

Please see the original evaluation.

h. Compliance with Clean Air Act and Amendments and USEPA comment(s):

The USCG has determined, in accordance with the Clean Air Act (CAA) section 176(c) [42 U.S.C. 7506(c)], that its issuance of a permit to replace the SR 520 bridge across Lake Washington would conform to the CAA state implementation plan (SIPs) for the state of Washington. The USCG is making this determination based on its review of the FHWA FEIS and ROD, and subsequent re-evaluations for the crossing project.

i. Agency response to PN:

N/A.

16. Other – Environmental Justice

a. Impacts and mitigation for Executive Order 12898—Environmental Justice:

The WABN phase would be located within the Muckleshoot Indian Tribe's usual and accustomed fishing areas. The additions to the limits of construction are not expected to result in any effects beyond those anticipated to occur as described in the FEIS. FHWA and WSDOT will continue to coordinate with the Muckleshoot Indian Tribe. There are no other changes that would affect low-income, minority, or limited-English-proficient populations. Based on this information, the environmental justice determination as described in the FEIS would not change (**enclosure 5 [7]**).

17. Other – Environmental Health and Safety Risks to Children

a. Compliance with Executive Order 13045 – Environmental Health and Safety Risks to Children:

Not applicable.

18. Other – Occupational Safety and Health

- a. Compliance with Occupational Safety and Health Act of 1970 and OSHA comment:

Please see the original evaluation.

19. Other – Prime and Unique Farmland

- a. Impacts and mitigation for Prime and Unique Farmland (Farmland Protection Policy Act (FPPA)) and National Resources Conservation Service (NRCS) comment:

Unknown. There is no data available in the NRCS soil survey database for the project area for the WABN.<sup>3</sup> On the east side of Lake Washington, there are soils classified as prime and as farmlands of statewide importance. However, these soils are in an urban, built-up area.

20. Other – Land and Water Conservation Fund, Section 6(f)

- a. Compliance with Section 6(f) Land and Water Conservation Fund Act of 1965 (LWCFA) and NPS comment:

The updated limits of construction for this proposed modification were evaluated for potential Section 6(f) impacts. The proposed changes would not result in any additional 6(f) conversion. Construction in the parking lot area would be completed within the 6-month exemption period permitted under Section 6(f) for temporary use, and the property would be returned to the City of Seattle's jurisdiction once construction activities are completed. The proposed changes were approved by the Section 6(f) grantees and the Washington State Recreation and Conservation Office (**enclosure 5 [6]**).

21. Other – Wild and Scenic Rivers

- a. Impacts and mitigation for Wild and Scenic Rivers and NPS comment:

Not applicable. Lake Washington is not a designated Wild and Scenic River.

22. Other – American Heritage Rivers

- a. Compliance with Executive Order 13061 – American Heritage Rivers and CEQ comment:

Not applicable.

<sup>3</sup><http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>. Accessed 24 April 2014.

23. Other – Relocation and Displacement

- a. Impacts and mitigation for relocations and displacement (Uniform Relocation and Real Property Acquisition Policies Act of 1970) and FHWA comments:

Not applicable. The proposed changes will have no effect on any relocations or displacements. See the original evaluation for information about displacements and relocations.

24. Other – Emergency Planning and Community Right-to-Know

- a. Compliance with the Emergency Planning and Community Right-to-Know Act and EPA comment:

Not applicable. The proposed changes will have no effect on right-to-know information.

25. Other – Pollution Prevention

- a. Compliance with the Pollution Prevention Act of 1990 and USEPA comment:

Not applicable. The proposed changes will have no effect on the project's PPA compliance.

26. Other – Resource Conservation and Recovery

- a. Compliance with Resource Conservation and Recovery Act and USEPA comment:

Not applicable. The proposed changes will have no effect the project's RCRA compliance.

27. Other – Federal Compliance with Pollution Control Standards

- a. Compliance with Executive Order 12088 – Federal Compliance with Pollution Control Standards and USEPA comment:

Not applicable. The proposed changes will have no effect on the project's compliance with EO 12088.

28. Other – Environmental Effects Abroad of Major Federal Actions

- a. Impacts and mitigation for Executive Order 12114 – Environmental Effects Abroad of Major Federal Actions and CEQ and DOS comment:

Not applicable. Environmental effects of the proposed project do not extend abroad.

29. Other – Comprehensive Environmental Response, Compensation and

Liability Act

- a. Compliance with Comprehensive Environmental Response, Compensation and Liability Act and USEPA comment:

Not applicable. The proposed changes will have no effect on the project's CERCLA compliance. See original evaluation for details about CERCLA sites.

30. Other – Cumulative or Indirect Impacts

- a. Impacts and mitigation for cumulative or indirect impacts and any comments:

Please see the original evaluation for a discussion of cumulative impacts. The proposed changes would not affect the determination of cumulative impacts discussed in the FEIS and subsequent re-evaluations.

Disclaimer condition: Standard wording: Issuance of this permit does not relieve the permittee of the obligation or responsibility for compliance with the provisions of any other law or regulation as may be under the jurisdiction of any federal, state or local authority having cognizance of any aspects of the location construction or maintenance of said bridge.

31. Other – Unique Federal, State, and Other Environmental Controls/Laws (Coastal Barrier Resources Act, Visual and Aesthetic, Traffic, Aviation, etc.)

- a. Impacts and mitigation in reference to Federal, state, and other environmental controls/laws unique to this case (Coastal Barrier Resources Act, etc.):

i Visual and Aesthetic

Not applicable. The proposed changes would have no effect on the project's visual impacts. See the original evaluation for a discussion of visual issues.

ii Traffic

Not applicable. The proposed changes would have no effect on the project's traffic impacts. See the original evaluation for a discussion of traffic impacts.

iii Aviation

Not applicable

iv Utilities

Not applicable

v Contamination

Not applicable

vi Coastal Barrier Resources

Not applicable

vii Other – PN Responses

viii Agency response to the PN(s):

Not applicable

#### H. Additional Comments

CG-BRG-2 environmental evaluation: The case record reflects that the USCG has met its responsibilities under the applicable environmental control laws/orders and agency procedures. The environmental documentation contained in the case record is acceptable for purposes of this permit action.

Review completed on: 25 April 2014 by Kate O'Dell

Signed: \_\_\_\_\_

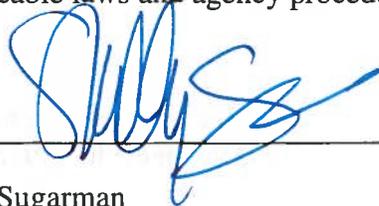


Bridge Management Specialist

#### IV. PROGRAM REVIEW DETERMINATION

Based upon a review of the foregoing environmental and navigational evaluations and the entire case record, I have determined that the above Headquarters' evaluations accurately describe the case record with regard to compliance with the various applicable laws and agency procedures.

Signed: \_\_\_\_\_



Shelly H. Sugarman  
Chief, Bridge Permits Branch

Date: \_\_\_\_\_

5 May 14



