

Puget Sound Gateway Program: Phase 1 Improvements of the SR 167 Completion Project NEPA/SEPA Environmental Re-evaluation SR 167/I-5 to SR 161 – New Expressway Project (Stage 2 Project)

23 CFR §771.129

Washington State Department of Transportation/Federal Highway Administration

REGION/MODE HQ/ Megaprograms	SR I-5/SR 167	PROJECT PROGRAM# M00600R	FEDERAL AID # 0167(059)	PROJECT# 316708T, 316707T, 316706T
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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)
- 2) Record of Decision for State Route 167 Extension Project Puyallup to SR 509 (October 2007)
- 3) SR 167 Puyallup to SR 509, SR 167 Puyallup River Bridge Replacement Final Supplemental Environmental Impact Statement and Record of Decision (November 2013)
- 4) Puget Sound Gateway Program, NEPA Re-evaluation of Phase 1 Improvements of the SR 167 Completion Project (December 2018)

REASON FOR RE-EVALUATION:

The purpose of this National Environmental Policy Act (NEPA)/State Environmental Policy Act (SEPA) Re-evaluation (Re-evaluation) is to document how recent design revisions for the State Route (SR) 167/I-5 to SR 161 – New Expressway Project (Stage 2 Project) would affect the natural and built environment and whether those effects are substantially different from the effects described in the Final Environmental Impact Statement (EIS), Record of Decision (ROD), and subsequent environmental re-evaluations and memoranda.

DESCRIPTION OF CHANGED CONDITIONS:

WSDOT has revised the design as follows (*see also Attachment 1 for more detailed description of design changes*):

- **Mainline SR 167 from I-5 to SR 410 refinements**, including slight horizontal and vertical shifts.
- **Tacoma to Puyallup Shared Use Path (T2P SUP)**, including extension of the active transportation trail system between 20th Street E. and N. Meridian Avenue, connecting the T2P SUP to the Interurban Trail near 20th Street E., the Puyallup Recreation Center, and the Riverwalk Trail near N. Meridian Avenue.
- **Interchanges refinements** at the I-5, Valley Avenue, and Meridian Avenue interchanges.
- **Local roadway improvements** and modifications.
- **Environmental Mitigation and Enhancements**, including Riparian Restoration Program (RRP) boundary changes to address mitigation needs as shown in Figure 2.

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

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

- The Healthy Environment for All Act (also known as the **HEAL Act**) Senate Bill 5141 became effective July 25, 2021. HEAL Act compliance applies to WSDOT projects with a design start date following July 1, 2023. The design for the SR 167 Completion Project began in the mid-2000s, and NEPA decision documents were issued over 10 years ago; therefore, the HEAL Act does not apply to the Stage 2 Project.

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)

See Attachment 1: Description of Changed Conditions and Effects.

	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)

Threatened or Endangered Species: FHWA and WSDOT reinitiated Endangered Species Act consultation with NMFS and provided USFWS with an update regarding Stage 2 design refinements and a documented shift in fish use within the action area (reason for NMFS Re-initiation). The NMFS Re-initiation and USFWS Update were submitted on March 16, 2023. WSDOT received acknowledgement of the Biological Opinion ESA Re-initiation from the NMFS on September 6, 2023, and acknowledgement on the ESA Update from the USFWS on March 17, 2023.

Wetlands: Since the 2018 Re-evaluation, overall wetland acreage has increased in the project area and project impacts to wetlands have increased. Based on the comparison of impacts to mitigation benefits, there will be no new significant impacts to wetlands as a result of the design refinements included in the Stage 2 Project, which will achieve no net loss of wetland acreage and function.

Section 4(f): WSDOT prepared "Section 4(f) Exception" documents for the transportation enhancements on the Puyallup Recreation Center property and temporary occupancy of the City of Puyallup's Riverwalk Trail.

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)
6) ECONOMIC GROWTH and DEVELOPMENT	()	(X)	12) RECREATION	()	(X)
			13) SOCIAL IMPACTS	()	(X)

COMMENTS:

The revised design addressed by this Re-evaluation does not substantially change the overall impacts that were discussed in the previously prepared project documents listed at the top of this form (see Attachment 1: Description of Changed Conditions and Effects).


- WSDOT has applied wetland avoidance, minimization, and mitigation measures. Unavoidable permanent and long-term temporary wetland impacts will be offset by:
 - Using remaining area within the Stage 1b Hylebos RRP as documented in the Stage 1b Mitigation Plan and subsequent permit modifications.
 - Constructing onsite, in-kind mitigation sites within the Hylebos Creek, Wapato Creek, and Puyallup River basins.
- WSDOT has engaged with the Puyallup Tribe of Indians (PTOI) and Washington Department of Fish and Wildlife (WDFW) to investigate offsite fish habitat enhancement solutions for the Upper Wapato Diversion (WDFW Site ID 105 R121519a) that would provide greater benefits to fish. The Stage 2 Project team will continue to collaborate with the PTOI and WDFW on the off-site fish habitat enhancement project solutions. The fish barrier resolution will be evaluated in a separate NEPA document and will be permitted separately.

CONCLUSIONS and/or RECOMMENDATIONS:

Changes as noted above would not result in new significant adverse effects. The Stage 2 Project remains compliant with current federal, state, local, and departmental regulations and directives with regard to NEPA and SEPA processes. This re-evaluation form and the attachments demonstrate there would be no new significant effects resulting from the proposed changes as compared to the Final EIS that was approved in November 2006, the ROD that was approved in October 2007.

I concur with the conclusions and recommendations above.

WSDOT Official

 Margaret Kucharski, WSDOT Megaprograms Env Mgr

09/12/2023

Date

FHWA Official

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