

To: John Ho, Assistant Local Programs Engineer, Washington State Department of Transportation

From: Jason Walker, Environmental Planning Manager, Perteet Inc.
Carl Einfeld, PE, Project Manager, Perteet Inc.

CC: Robert Victor, PE, City of Lynnwood

Date: April 4, 2014 (Revised May 8, 2014)

RE: Poplar Way Extension Bridge – Revised 4(f) Memorandum

Project Description

The City of Lynnwood proposes to improve access to and circulation within their City Center. The Poplar Way Extension Bridge is a key transportation improvement identified within the “Interstate 5 (I-5) to Lynnwood City Center Access Study,” developed by the City in cooperation with the Washington State Department of Transportation (WSDOT), the Federal Highway Administration (FHWA), and Snohomish County. The City proposes to construct a new bridge across I-5 between Poplar Way and 33rd Avenue W. (at approximately 196th Street SW). The proposed project is located in Lynnwood, Snohomish County, Washington. The project is in Township 27N, Range 04E, Sections 15 and 22. On I-5, the project crossing is at Milepost 180. See vicinity and project area maps, (Exhibit 1).

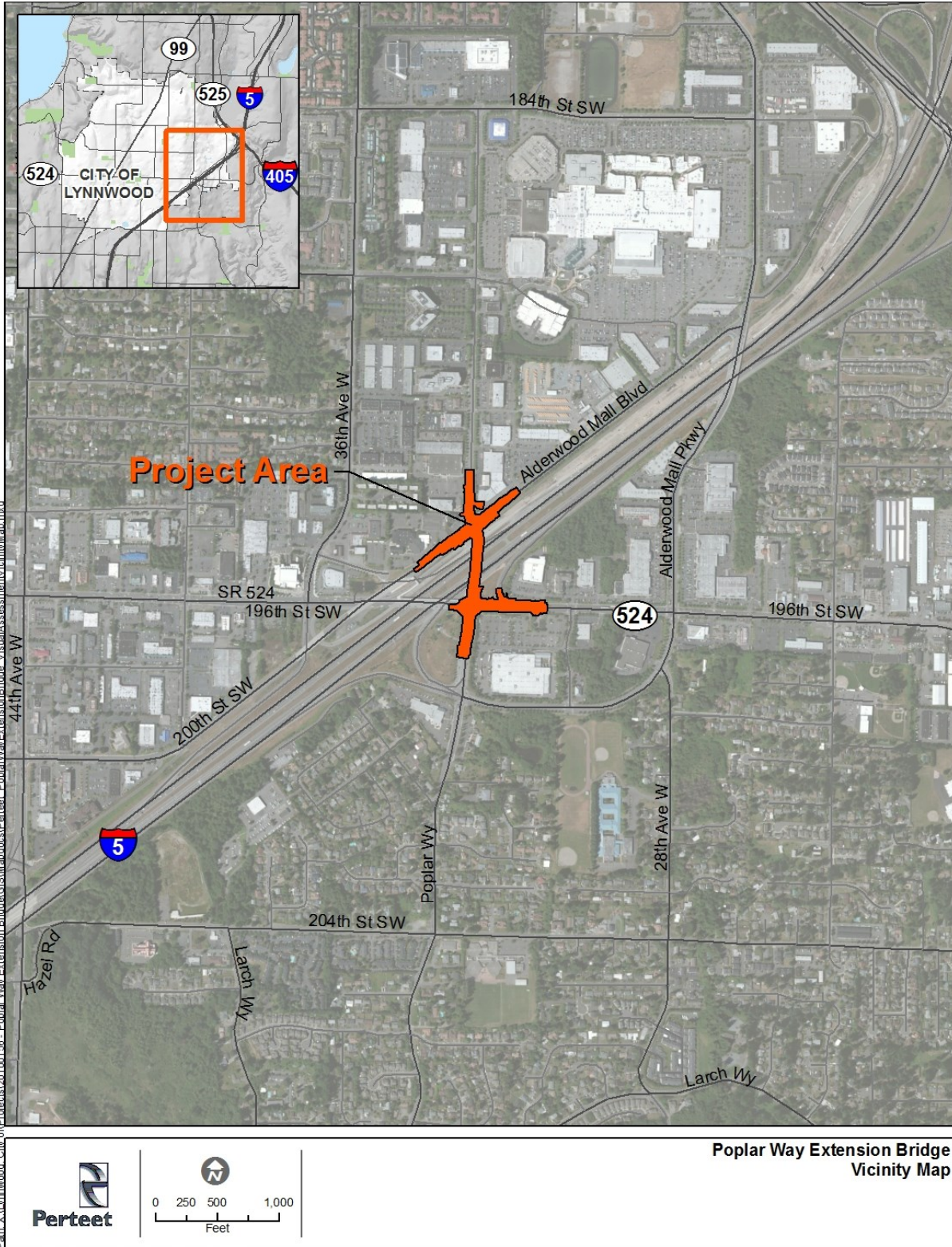
Intersection modifications will be made at Alderwood Mall Parkway/Poplar Way, 196th Street SW/Poplar Way, and Alderwood Mall Boulevard/33rd Avenue W. As part of the bridge span, new legs will be added to the 196th Street SW/Poplar Way and Alderwood Mall Boulevard/33rd Avenue W intersections. To accommodate the bridge, the project includes grade adjustments at these intersections: Up to 3 feet at the 196th Street SW/Poplar Way intersection and up to 5.5 feet at the Alderwood Mall Boulevard/33rd Avenue W. intersection. Widening and restriping of portions of Poplar Way, 196th Street SW, Alderwood Mall Boulevard, 33rd Avenue W., and Alderwood Mall Parkway are also included. Retaining walls will also be needed at these intersections to accommodate the grade changes, as well as at the bridge abutments.

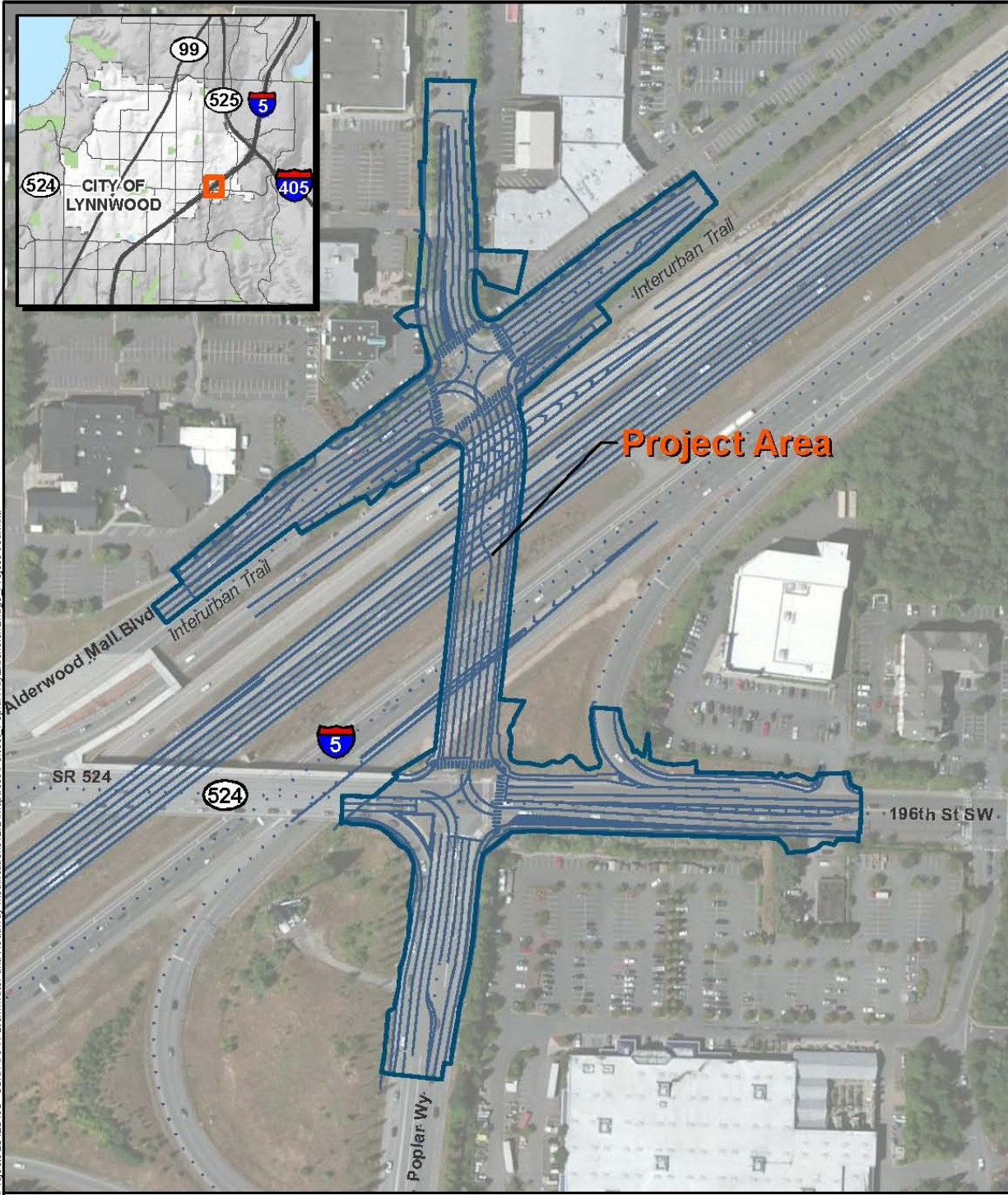
Major elements of the Poplar Way Extension Bridge project will include a new multi-lane bridge structure, approximately 600 feet long with six vehicle lanes, with sidewalks and bike lanes on both sides.

The project will also accommodate the Interurban Trail, which runs along Alderwood Mall Parkway on the west/northwest side of I-5. This trail is a regional, multi-use paved facility which connects communities from Shoreline to Everett. To accommodate the trail, a separate three-sided concrete box structure will cross over the trail, and the trail profile will be lowered. For planning purposes, construction of the project will potentially begin in 2015, with a potential opening in 2017; however, construction funding has not yet been obligated and the actual construction window is unknown.

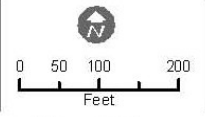
The project will also occur near Heritage Park, located southeast of the intersection of Poplar Way and Alderwood Mall Parkway. No impacts to the park (or park access) are proposed. Review of the Recreation and Conservation Office (RCO) usage also does not indicate any RCO funding has been obligated to this park.

Exhibit I – Vicinity and Project Area Maps





Path: X:\Lynnwood_City on Proje ds\20120193 - 53rd Ave W\Stormwater and Roadway Modifications\GIS\Mapdocs\Perteeet_PoplarWayExtensionBridge_ProjectArea.mxd



**Poplar Way Extension Bridge
Project Area**

Source: City of Lynnwood, Snohomish County, ESRI Imagery

Federal Nexus

Because the city has obtained federal funds for the design of the project, it will therefore follow the environmental review process and guidelines established by the National Environmental Policy Act (NEPA), which evaluates the environmental effects of a particular project and its alternatives. This memorandum analyzes the project's benefits and potential effects to Section 4(f) resources, which are defined as publicly owned parks, recreation areas, wildlife refuges, and significant historic sites. Section 4(f) of the Department of Transportation Act of 1966 prohibits federal agencies from modifying these resources unless a determination is made that:

1. There is no feasible and prudent alternative to using the property; and
2. The proposed action includes all possible planning to minimize harm to the property from such use.

Federal rules require the preparation of an alternatives analysis for projects that will have significant, adverse effects on 4(f) resources. The purpose of such an analysis is to show how the project design will avoid or minimize effects to resources. However, an alternative analysis is not required for projects that will have a minimal, or *de minimis*, effect¹. Although project activities involve some minor effects – both temporary and permanent – this report documents that the overall project will likely have a *de minimis* effect because it will not significantly adversely affect 4(f) resources. Rather, the project will improve access to downtown, medical facilities and public transportation centers; enhance traffic, pedestrian, and railway safety; and promote connectivity to publicly owned park resources.

During the planning process, it was shown that there are no feasible and prudent avoidance alternatives to consider. Accordingly, the project incorporates all possible mitigation to minimize harm to Section 4(f) properties and the project will comply with all federal and local laws.

Section 4(f) Property

Lynnwood's Heritage Park is located southeast of the intersection of Poplar Way and Alderwood Mall Parkway. This park is home to several relocated historical buildings. Improvements to this intersection are likely. However, no improvements will impact the park or the buildings. No impacts to the park (or park access) are proposed. Review of the RCO usage also does not indicate any RCO funding has been obligated to this park. The interurban trail occurs within the project area and the trail will be modified as part of the project.

The Interurban Trail runs along the southeast side of Alderwood Mall Parkway on the west/northwest side of I-5. This trail is a regional, multi-use paved facility which connects communities from Shoreline to Everett with a non-motorized transportation corridor. To accommodate a new vehicular bridge, the trail will be provided with an under-crossing in a three-sided concrete box structure. The bridge will cross over the trail; the trail profile will be lowered to go under the new extension bridge (Exhibit 2).

¹ Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, amended existing Section 4(f) legislation at Section 138 of Title 23 and Section 303 of Title 49, United States Code, to simplify the processing and approval of projects that have only *de minimis* effects on lands protected by Section 4(f).

Exhibit 2 – Photo and Design Simulation



Existing view of the Interurban Trail looking northeast at the intersection with 33rd Avenue W and Alderwood Mall Blvd.



Proposed design simulation of the new Interurban Trail under-crossing beneath the new Poplar Way Extension Bridge.

Methodology

Before approving project activities, supporting information must demonstrate that there are unique problems with alternatives that avoid 4(f) resources, or that other factors such as the cost, environmental effects or community disruption resulting from these alternatives would reach extraordinary magnitude. Conditions to these regulations may also apply. For example, the U.S. Secretary of Transportation can make an exception to Section 4(f) rules if there is no *feasible* and *prudent* alternative to the use of such land and the proposed action includes all possible planning to minimize harm to the properties. This analysis evaluates two alternatives – the preferred Project Alternative and the No Action Alternative (see Section 5.5 for an analysis of these alternatives).

The *de minimis* classification will likely apply to the preferred Project Alternative, which is one of three types of Section 4(f) processes used to make the “feasible and prudent” determination. “Programmatic” and “individual” processes are also used. Programmatic evaluations are those which have minor effects on public lands, or those which provide a net benefit to the natural resource, whereas individual evaluations are required for major effects that do not meet the definition of programmatic.

Because the project has been designed with minimal effects and will improve safety and connectivity to the protected public property, it will likely comply with the Federal Highway Administration (FHWA) standards for a *de minimis* project. In addition, the project will improve overall safety and connectivity between neighborhoods, medical facilities, and public facilities. The standards for a *de minimis* project are set in SAFETEA-LU (Section 138[b][1][C]).

The Interurban Trail is a regional non-motorized transportation corridor and not solely a recreational feature. This feature may meet the criteria for 4(f) exemption pursuant to the March 1, 2005 FHWA 4(F) Policy Paper part 14 (trails).

The following section of this report (“Effects and Measures to Minimize Harm”) provides an evaluation for each of the project’s effects and considerations for avoidance.

Effects and Measures to Minimize Harm

To comply with federal regulations, projects with federal funding must evaluate any project effects, considerations for avoidance, and proposals for mitigation of effects on public lands. This section describes benefits and effects on public lands that will result from the proposed project. The project will be constructed in accordance with the City’s standards and other permit requirements. Best Management Practices (BMPs) will be used during construction to minimize short-term effects.

Construction Activities:

During construction, a portion of the Interurban Trail will be temporarily detoured onto a fenced portion of Alderwood Mall Blvd, an approximate 300 linear foot section adjacent to the proposed bridge abutment at the south end of the intersection with 33rd Avenue W. The duration of this detour will be approximately six months while the abutment is being constructed. After the abutment is constructed (including a new trail under-crossing in a three-sided concrete box structure), the trail will route will be restored and will be operational during the remainder of the bridge construction. The project involves the following construction elements, which will have various temporary effects within the project area.

- Site preparation.
- Demolition to accommodate the new bridge substructure, superstructure, and adjacent street pavement.

- Construction of the new abutments, retaining walls, and bridge.
- Demolition and reconstruction of the city streets to north and south of the new bridge, including reconstruction of the Alderwood Mall Blvd/33rd Avenue W intersection and 196th St SW/Poplar Way intersection.
- Restoration and revegetation

Temporary and Permanent Effects:

Overall, the project will result in primarily beneficial effects on recreational facilities in the project area by improving sidewalks and safety conditions in the area. The Interurban Trail will be restored to pre-existing conditions and will be largely unchanged.

A portion of the trail, approximately 300 linear feet, will be detoured for approximately six months construction activities (potentially beginning in 2015). This is necessary to preserve public safety during construction.

Permanent effects include the regrading of a portion of the trail to provide a sloped undercrossing to route the trail under the new bridge. Slopes will be minimized to maintain ADA accessibility. Retaining walls will be necessary at the bridge abutments to accommodate new grade transitions. Landscaping will be planted to replace what was removed and will not be as mature in the first few years.

Long-term Benefits and Measures to Minimize Harm:

In cooperation with the City of Lynnwood and Snohomish County, improvements to the Interurban Trail will be provided including the inclusion of assessable walkways and trail connections. Trees and landscape restoration will be provided within the project to reduce visual impacts. Design elements will be tailored to impact as little of adjacent properties as possible.

Public Involvement and Outreach:

Efforts to provide public outreach will be made throughout the project’s decision-making process. As part of the city’s outreach, they will provide project updates on their website about the project to ensure effective communication with study area residents. The city will also continue schedule a minimum of two neighborhood meetings to inform residents and trail users of project activities and this outreach will be performed pursuant to Title VI requirements

Public comment will also be solicited through other processes, such as the State Environmental Policy Act (SEPA) process, which provides a way to identify possible environmental effects that may result from the project. In addition, project information may be published in the local newspaper and distribution notices will be sent to adjoining property owners.

Avoidance Alternatives:

NEPA requires that federal agencies evaluate a range of reasonable alternatives for a particular project, including the “No Action” alternative. For the purposes of this project, the Project Alternative (which represents the proposed improvements discussed in this memorandum) and the No Action alternative are considered reasonable alternatives to satisfy NEPA requirements.

Under the No Action alternative, project improvements would not be implemented and the existing roadways and bridge, including all public infrastructure and utilities, would remain in their current condition. Selecting this alternative would avoid disturbing the trail. However, the No Action alternative would not address the critical safety and mobility issues currently associated with economic growth of this city center, which are anticipated to worsen with time if improvements such as the Poplar Way Extension Bridge are not made. No feasible alternatives to the bridge exist beyond those identified (the Project and the No Action alternative)².

Design alternatives affecting the function and aesthetics of the bridge structure were considered during the planning and design phase. These alternatives relate to the design of the bridge but do not affect, for better or worse, the impacts of the bridge on the Interurban Trail.

Accordingly, the project includes all possible planning to minimize harm to Section 4(f) properties. The project will use best management practices (BMPs) during the construction process and will restore the park to current conditions.

Conclusion

This report has documented that the Poplar Way Extension Bridge project will likely have a *de minimis* effect because it will not have permanent adverse effects on 4(f) resources. Rather, the project will improve adjacent infrastructure and access; and promote connectivity to publicly owned park resources. In addition, citizen input will guide the development of the proposed improvements. During the planning process, it was shown that there are no feasible and prudent avoidance alternatives to consider. The trail will be temporarily detoured during the first phase of construction and will be operational while the bridge is constructed. Accordingly, the project includes all possible planning to avoid and minimize harm to Section 4(f) properties and the project will comply with all federal and local laws.

As such, this project meets the standards for a *de minimis* project set forth in SAFETEA-LU (Section 138[b][1][C]), as well as the requirements established in Section 4(f) of the Department of Transportation Act of 1966.

² No prudent or feasible alternate location exists to implement the proposed improvements, which meets the requirements of 23 CFR 771.135(i).