

November 19, 2014 (Revised)

John Ho
Washington State Department of Transportation
Highways and Local Programs Division
310 Maple Park Avenue
Olympia, Washington 98504-7390

Subject: Request for Consultation under Section 7 of the Endangered Species Act (ESA)
Regarding: ESA No Effect Letter – Poplar Way Extension Bridge, Snohomish County, Lynnwood, WA

Dear Mr. Ho:

The City of Lynnwood is proposing to construct a new, multi-lane bridge structure over I-5, as well as other improvements, as part of the development of a new City center. 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 (**Figure I**). The project area also includes Poplar Way, 196th Street SW, Alderwood Mall Boulevard, Alderwood Mall Parkway, and 33rd Avenue West.

Perteet, Inc. has prepared this assessment on behalf of the City of Lynnwood and in response to species listings obtained from the U.S. Fish and Wildlife Service (USFWS 2013a) and the National Marine Fisheries Service (NMFS 2013a). This assessment is provided to facilitate consultation under Section 7(a)(2) of the Endangered Species Act (ESA); this assessment satisfies the responsibility of the City of Lynnwood under Section 7(c) of the ESA. The federal nexus for this project includes federal funding from the Federal Highway Administration.

This ESA No Effect Letter was revised with species information (**Table I**) that was reviewed for consistency on November 19, 2014 with the USFWS species lists (USFWS 2014b) to evaluate species that may potentially occur within Washington State and the project area (adding *Rana pretiosa*, Oregon Spotted frog). Species and critical habitat data from NMFS were also reviewed for species that may occur within the Puget Sound drainage basin. The Washington State Department of Natural Resources Natural Heritage Program (WDNR 2014a) was also consulted for information regarding federally listed plant species. The Natural Heritage Program did not identify any federally listed plant species in the project vicinity (WDNR 2014a).

Based on the data provided by these agencies, as well as observations made during a site investigation on October 21, 2013, it is our determination that there are no Threatened or Endangered species or critical habitat on or near the project site (**Figure I**). Therefore, the Poplar Way Extension Bridge project will have no effect on any listed species or habitat.

Project Location and Site Description

The subject property is located in the City of Lynnwood, Snohomish County, Washington, southwest of the I-5/ I-405 interchange. The project area is located in an urban setting with several commercial properties adjacent to the project area and the Alderwood Mall is located to the northwest (see attached photos). The project site crosses the I-5 corridor and includes Poplar Way, 196th Street SW,

Table 1. Listed species reported to occur within vicinity of Poplar Way Extension Bridge

Type	Scientific Name	Common Name	Population ¹	Status ²	Critical Habitat ³
Amphibians	<i>Rana pretiosa</i>	Oregon Spotted frog		T	P
Fish	<i>Salvelinus confluentus</i>	Bull Trout		T	D
	<i>Oncorhynchus tshawytscha</i>	Chinook Salmon	Puget Sound ESU	T	D
	<i>Oncorhynchus mykiss</i>	Steelhead Trout	Puget Sound DPS	T	
	<i>Thaleichthys pacificus</i>	Eulachon	Southern DPS	T	P
	<i>Sebastes pinniger</i>	Canary rockfish	Puget Sound DPS	T	P
	<i>Sebastes ruberrimus</i>	Yelloweye rockfish		T	
<i>Sebastes paucispinis</i>	Boccaccio rockfish	E			
Mammal	<i>Lynx canadensis</i>	Canada lynx		T	
	<i>Canis lupus</i>	Gray wolf		E	
	<i>Ursus arctos</i>	Grizzly bear		T	
	<i>Orcinus orca</i>	Killer whale	Southern resident DPS	E	D
	<i>Eumetopias jubatus</i>	Stellar sea lion	Eastern DPS	T	
	<i>Odocoileus virginianus leucurus</i>	Columbian white-tail deer	Columbia River DPS	E	
	<i>Thomomys mazama</i>	Mazama pocket gopher		PT	
Bird	<i>Brachyramphus marmoratus</i>	Marbled Murrelet		T	D
	<i>Strix occidentalis caurina</i>	Northern spotted owl		T	D
	<i>Charadrius nivosus nivosus</i>	Western snowy plover	Pacific coastal population	T	D
	<i>Eremophila alpestris strigata</i>	Streaked horn lark		T	P
	<i>Coccyzus americanus</i>	Yellow-Billed Cuckoo		T	P
Insect	<i>Euphydryas editha taylori</i>	Taylor's checkerspot butterfly		E	P
Conifers and Cycads	<i>Pinus albicaulis</i>	Pinus albicaulis		C	P

¹ Population defined as: evolutionary significant unit (ESU) and distinct population segment (DPS).

² Status is defined as: Threatened (T), Endangered (E), and proposed Threatened (PT).

³ Critical habitat is defined as: designated (D) or proposed (P).

Alderwood Mall Boulevard, and 33rd Avenue West (on the north side of I-5). The Public Land Survey System location of the project area is the NE 1/4 of Section 22, Township 27N, Range 04E, W.M.

The project area is situated within the overall Cedar/Sammamish River watershed, and specifically the Swamp Creek sub-basin (Water Resources Inventory Area [WRIA] 08-0470). The immediate project area is relatively flat with an elevation of approximately 400 feet above sea level. Two tributaries (Golde Creek and Poplar Creek) of Scriber Creek are located within the project vicinity. Scriber Creek is a tributary of Swamp Creek, which flows into the Sammamish River.

Golde Creek originates north of I-5 in the Alderwood Mall pond facility and then flows within a culvert in a southeasterly direction underneath I-5. The stream daylights immediately south of I-5 and flows in a southeasterly direction through two forested wetland areas near the project site. The Washington Department of Natural Resources map classifies the majority of Golde Creek as a *Type F* water (WDNR 2013b). However, the northernmost portion (north of 196th Street SW) is classified as a *Type N* water.

Poplar Creek originates near the I-5 and Alderwood Mall Parkway off-ramp and flows south through residential neighborhoods. It parallels Poplar Way and after crossing 212th Street SW it turns southeast and joins Scriber Creek. The Washington Department of Natural Resources map classifies Poplar Creek as a *Type F* water.

There are two wetlands located directly east of the current project limits. These wetlands are located on both the north and south sides of 196th Street SW, between the Alderwood Mall Parkway and I-5. According to the U.S. Fish and Wildlife Service National Wetlands Inventory map (USFWS 2013c) these wetlands are palustrine, forested, temporarily flooded (PFOA) systems. Golde Creek flows through these two wetland areas.

Project Description and Purpose

The Poplar Way Extension Bridge is a key transportation improvement identified in the “Interstate 5 (I-5) to Lynnwood City Center Access Study.” The City of Lynnwood (City) was the lead agency in partnership with the Washington State Department of Transportation (WSDOT) in the preparation of this study, which was tied to another federal grant, called the “City Center Exit Project”. The access study was a planning effort to select solutions to current and forecasted traffic demand and safety issues related to access to the regional transportation system in the Lynnwood area.

The purpose of the study was to evaluate the current and forecasted land use and traffic demands of the Lynnwood City Center Sub-Area Plan and prepare alternatives for transportation improvements necessary to satisfy these demands. The access study, in conjunction with determining whether there was a need and if the need was justified, evaluated improvement alternatives for local city streets, the feasibility of modifying existing access points, and / or creating new access points to I-5 or State Route 525 (SR 525). A key conclusion of the analysis of the study was that a new bridge extending Poplar Way across I-5 was an important improvement for mobility in the area. This Scope of Work, and its subsequent phases, will move the extension of Poplar Way forward towards construction.

Phase I of the Poplar Way Extension Bridge project refined the conceptual design developed under the access study for a new link between Poplar Way and 33rd Avenue W over I-5. Major elements of the project will include a new bridge structure over I-5 (including pedestrian and bicycle facilities), intersection modifications and grade adjustments to accommodate tie-in to existing streets on either side of the freeway, and widening portions of Poplar Way, 196th Street SW, Alderwood Mall Boulevard, 33rd Avenue W, and Alderwood Mall Parkway. The goal of Phase I was to define the new bridge structure type, size, and locations; and to establish profile grades connecting into adjoining arterials in order to identify the limits of proposed arterial improvements necessary to accommodate the new bridge. Final design and supporting environmental documentation for the Poplar Way Extension Bridge is being performed under Phase 2.

No wetlands will be impacted.

Effect Determination

Public resource documents and maps were reviewed to determine if any state or federally listed Threatened or Endangered (T&E) species or critical habitats are located within the project area. Although the USFWS lists species reported to occur in Washington State and the NMFS list species known to occur in the Puget Sound basin, these species and their critical habitat do not occur in the project areas (see Table 2).

Table 2. Rationale for effect determinations for Poplar Way extension bridge project

Scientific Name	Common Name	Rationale
<i>Rana pretiosa</i>	Oregon Spotted frog	Although reported to potentially occur in Snohomish County, lack of habitat exists within project area with good breeding and overwintering sites connected by year-round water.
<i>Salvelinus confluentus</i>	Bull Trout	Although reported to occur in Snohomish County, no suitable habitat exists within the project area.
<i>Oncorhynchus tshawytscha</i>	Chinook Salmon	Although reported to occur in Puget Sound drainages, there are no individuals or critical habitat in the project area.
<i>Oncorhynchus mykiss</i>	Steelhead Trout	Although reported to occur in Puget Sound drainages, there are no individuals in the project area.
<i>Thaleichthys pacificus</i>	Eulachon	The project area is more than 0.5 miles from marine waters.
<i>Sebastes pinniger</i> <i>Sebastes ruberrimus</i> <i>Sebastes paucispinis</i>	Canary rockfish Yelloweye rockfish Boccaccio rockfish	The project area is more than 0.5 miles from marine waters.
<i>Lynx canadensis</i>	Canada lynx	Although reported to occur in Washington, this species is not reported to occur in Snohomish County and no suitable habitat exists.
<i>Canis lupus</i>	Gray wolf	Although reported to occur in Snohomish County, no suitable habitat exists within the project area.
<i>Ursus arctos</i>	Grizzly bear	Although reported to occur in Snohomish County, no suitable habitat exists within the project area.
<i>Orcinus orca</i>	Killer whale	The project area is more than 0.5 miles from marine waters.
<i>Eumetopias jubatus</i>	Stellar sea lion	The project area is more than 0.5 miles from marine waters.
<i>Odocoileus virginianus leucurus</i>	Columbian white-tail deer	Although reported to occur in Washington, this species is not reported to occur in Snohomish County and no suitable habitat exists.
<i>Thomomys mazama</i>	Mazama pocket gopher	Although reported to occur in Washington, this species is not reported to occur in Snohomish County and no suitable habitat exists.
<i>Brachyramphus marmoratus</i>	Marbled Murrelet	Although reported to occur in Snohomish County, no suitable habitat exists within the project area.
<i>Strix occidentalis caurina</i>	Northern spotted owl	Although reported to occur in Snohomish County, no suitable habitat exists within the project area.
<i>Charadrius nivosus nivosus</i>	Western snowy plover	Although reported to occur in Washington, this species is not reported to occur in Snohomish County and no suitable habitat exists.
<i>Eremophila alpestris strigata</i>	Streaked horn lark	Although reported to occur in Washington, this species is not reported to occur in Snohomish County and no suitable habitat exists.

<i>Euphydryas editha taylori</i>	Taylor's checkerspot	Although reported to occur in Washington, this species is not reported to occur in Snohomish County and no suitable habitat exists.
<i>Coccyzus americanus</i>	Yellow-Billed Cuckoo	No critical habitat has been proposed in Washington. Yellow-billed cuckoos are associated with large stands of mature riparian forest. The species is considered rare in Washington. No suitable habitat exists within the project area.

The Washington Department of Natural Resources map (WDNR 2013b) classifies the majority of Golde Creek and Poplar Creek as *Type F* waters. The Snohomish County SnoScape map classifies Golde Creek as a fish-bearing stream from its confluence with Scriber Creek to just south of 196th Street SW; while north of this area it is classified as non-fish habitat (Snohomish County 2013). The Snohomish County SnoScape map classifies Poplar Creek near the project area as “unknown” habitat and further downstream the stream is mapped as “non-fish” habitat.

The Washington Department of Fish and Wildlife (WDFW) SalmonScape map does not indicate the presence of any listed species in Golde Creek or Poplar Creek (WDFW 2013a). The WDFW Priority Habitat and Species Program map also indicates a lack of fish in Golde Creek and Poplar Creek (WDFW 2013b). The nearest aquatic T&E species (Chinook salmon and steelhead trout) are located in Swamp Creek, approximately 4,300 feet to the east. Scriber Creek, located approximately 5,400’ south of the project area, also contains T&E fish species (Chinook salmon).

No in-water work will occur as part of this project, and stormwater generated by the completed project will be treated before entering any aquatic areas. Stormwater runoff from the project will be managed in accordance with the Washington Department of Ecology’s *Stormwater Management Manual for Western Washington* (Ecology 2005) pursuant to City of Lynnwood drainage standards. Runoff from the site will be routed to on-site ponds for treatment of sediments and pollutants. Treated water will then be routed to Golde Creek where it will be detained to meet flow control standards. Storm water will be released at rates and durations matching the existing conditions of the subject property’s natural discharge point.

Construction of the Poplar Way Extension Bridge will include the implementation of impact avoidance and minimization measures, best management practices (BMPs), and an Erosion and Sediment Control Plan (ESC). The BMP’s will be in compliance with Ecology’s 2005 Stormwater Management Manual for Western Washington. Therefore, based on these factors, it has been determined that the Poplar Way Extension Bridge project will have **no effect** on listed species or designated critical habitat.

Essential Fish Habitat

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) includes a mandate that NOAA Fisheries must identify essential fish habitat (EFH) for federally managed marine fish, and federal agencies must consult with NOAA Fisheries on all activities, or proposed activities, authorized, funded, or undertaken by the agency that may adversely affect EFH. The Pacific Fishery Management Council (PFMC) has designated EFH for the Pacific salmon fishery, federally managed ground fishes, and coastal pelagic fisheries (NOAA Fisheries 1999; PFMC 1999).

According to NOAA Fisheries information and public resource documents, Coho salmon EFH is located in Golde Creek. Storm water generated from the project area will be properly treated before leaving the site. Appropriately managing storm water to current water quality and water quantity standards will avoid impacts to any aquatic resources or EFH. In addition, no in-water work is proposed for Golde Creek. Therefore, the Poplar Way Extension Bridge project will have no adverse effects on EFH.

This assessment was prepared for your use and files. We will continue to remain aware of any change in status of these species and will be prepared to re-evaluate potential project impacts if necessary. If you have any questions or comments, or require additional information, please contact me at (425) 252-7700. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason Walker', written over a light blue rectangular background.

Jason Walker, Ecologist, PWS
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References

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Photo 1—Poplar Way looking south from 196th Street SW



Photo 2—Intersection of 196th Street SW and Poplar Way looking east



Photo 3—Looking north across I-5 from 196th Street SW toward 33rd Avenue W



Photo 4—Interurban trail looking northeast between I-5 and Alderwood Mall Blvd.



Photo 5—Intersection of Alderwood Mall Blvd. and 33rd Avenue W looking southwest



Photo 6—Looking south at intersection of Alderwood Mall Blvd. and 33rd Avenue W.



Photo 7—Golde Creek looking upstream from Alderwood Mall Parkway, east of Poplar Way



Photo 8—Poplar Creek looking upstream near intersection of Birch Way and 199th PI SW