



## **PLANNING AND COMMUNITY DEVELOPMENT**

---

June 28, 2004

WSDOT  
Roland Benito, P.E.  
NW Regional Office  
15700 Dayton Avenue North  
PO Box 330310  
Seattle WA 98133-9710

Dear Mr. Benito,

Thank you for your letter dated June 24, 2004 in which you requested that the City of Everett become a cooperating agency for the I-5/Everett HOV transportation project (SR 526 to SR 2 vicinity). The City is happy to become a cooperating agency and will look forward to working with you during your coordination of the environmental analysis of the proposed project.

As you suggest in your letter, the environmental analysis and preparation of the NEPA environmental review will include all issues that need to be addressed under SEPA which will enable the City to adopt the environmental documents as adequate to meet our SEPA needs.

As we have discussed earlier, a shoreline substantial development permit will be required for the proposed stormwater improvements to be located on the south end of the riverfront properties (Simpson). All the special studies and discipline reports prepared for NEPA should be provided when a SEPA notice of adoption is requested.

The City wishes to participate in scoping the environmental analysis and review all of the technical reports listed with specific interest in reviewing:

- Biological Assessment
- Air Quality Technical Report
- Hazardous Materials Technical Report
- Noise Study
- Wetland/Biology Study
- Transportation

We also recommend consultation with the Tulalip Tribes as well, particularly regarding the cultural resource report. The City will provide early notice to the Tribes in conjunction with the shoreline application when submitted to the City.

Please let me know if you have any further questions regarding this letter or our permit process. Thanks again for your invitation to participate as a cooperating agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert A. Landles", with a long horizontal flourish extending to the right.

Robert A. Landles  
Interim SEPA Responsible Official

cc    Larry Crawford  
      Dave Davis  
      Allan Giffen  
      Dave Koenig  
      Gerry Ervine



RECEIVED  
JUL 15 2004

July 13, 2004

Roland Benito, P.E.  
WSDOT Northwest Region  
15700 Dayton Avenue North  
P.O. Box 3330310  
Seattle, WA 98133-9710

File		
✓	Proj. Eng.	
✓	Asst. Proj. Eng.	
	Office Assistant	
	Design Team LDR #1	
	Design Team LDR #2	
	Design Team LDR #3	
	Design Team LDR #4	

Dear Mr. Benito

Thank you for your letter dated June 24, 2004 concerning the Environmental Assessment (EA) for the Interstate 5 Everett HOV SR 526 to SR 2 Vicinity project currently being undertaken by WSDOT. As you may be aware Sound Transit in partnership with WSDOT and the City of Everett is currently working on the South Everett Freeway Station project, which is located near the 112<sup>th</sup> Street over crossing of Interstate 5 and in the general vicinity of WSDOT's aforementioned HOV project.

Sound Transit's project, referred to as the South Everett Freeway Station project includes improvements consisting of a 400-stall park-and-ride lot, direct access for carpools and buses to the high-occupancy vehicle (HOV) lanes on Interstate 5 (I-5) and a connection between the park-and-ride and 112<sup>th</sup> Street SE, which crosses over I-5. A key component of the project includes the extension of the existing northbound I-5 HOV lane, which currently ends in the vicinity of the project.

Due to the close proximity of the two projects and the potential for close coordination, Sound Transit accepts your invitation to be involved as a cooperating Agency with respect to the Interstate 5 Everett HOV SR 526 to SR 2 Vicinity project. Sound Transit understands that the Agency will not be required to provide analysis or written text for the document and our involvement will be to provide review of the Environmental Assessment (EA) and the Finding of No Significant Impact (FONSI). Given the list of discipline reports provided by your office we request that you provide the following reports for our review:

- Biological Assessment
- Visual Quality Technical Report
- Air Quality Technical Report
- Economics Technical Report
- Social Elements Technical Report
- Hazardous Materials Technical Report
- Noise Technical Report

Central Puget Sound  
Regional Transit Authority  
Union Station  
401 S. Jackson St.  
Seattle, WA 98104-2826  
Reception (206) 398-5000  
Facsimile (206) 398-5499  
www.soundtransit.org

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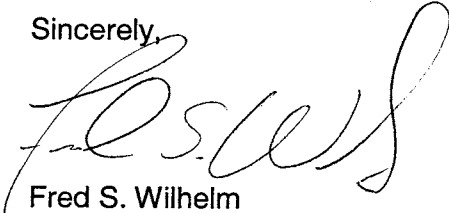
#### Chief Executive Officer

Joni Earl

- Wetland/Biology Technical Report
- Cultural Resource Assessment Technical Report
- Geology and Soils Technical Report
- Stormwater Technical Report
- Transportation Technical Report

Thank you for the opportunity to participate in the review of the discipline reports for the EA on this project.

Sincerely,



Fred S. Wilhelm  
Project Development Coordinator

Cc: Hank Howard, Project Manager  
Steve Kennedy, Senior Environmental Planner  
ED Barry, WSDOT  
Brian Jones, City of Everett



**Washington State**  
**Department of Transportation**  
Douglas B. MacDonald  
Secretary of Transportation

**RECEIVED**  
APR 20 2004

Northwest Region  
Environmental Services  
PO Box 330310 MS 138  
Seattle, WA 98133-9710

April 15, 2004

Ken Berg  
Fish and Wildlife Enhancement  
U.S. Fish and Wildlife Service  
510 Desmond Drive SE, Suite 102  
Lacey, WA 98503-1273

File	Initials
Proj. Eng.	
Asst. Proj. Eng.	
Office Assistant	
Design Team LDR #1	
Design Team LDR #2	
Design Team LDR #3	
Design Team LDR #4	

**Re: I-5, Everett High Occupancy Vehicle Lanes, SR 526 to Marine View Drive  
Determination of "May Affect, Not Likely to Adversely Affect" for Federally  
Listed Species**

Dear Mr. Berg:

The Washington State Department of Transportation (WSDOT) proposes to construct northbound and southbound high occupancy vehicle (HOV) lanes along on Interstate 5 from State Route (SR) 526 to the Marine View Drive vicinity in Everett, Washington. The Project is located within Sections 4, 5, 8, 9, 17, and 18 in Township 28N, Range 5E and in Sections 20, 21, 29, and 32 of Township 29N, Range 5E. The primary goals of the project are to increase HOV capacity to alleviate traffic congestion in the area and improve transit access to the Everett Multi-Modal Station.

The project will result in a net increase of 15.4 acres of impervious surface within the project area. A full retrofit of the I-5 stormwater collection and drainage system within the project limits will be provided to bring the roadway up to the WSDOT Highway Runoff Manual's water quality treatment requirements. The stormwater design approach will meet the intent of the WSDOT Highway Runoff Manual (HRM) as amended by Instructional Letter IL 4020.02, and the Ecology *Stormwater Management Manual for Western Washington*, 2001 edition. The project will provide full retrofit to existing and proposed pavements, limit peak flows currently released to streams, and treat all of the stormwater runoff from the 6-month or 2-year event and discharge treated runoff directly to the Snohomish River without detention. This project has received federal funds, and therefore has a nexus to the Endangered Species Act.

All disturbed areas will be appropriately contained, seeded, fertilized, mulched, and/or replanted with native vegetation. All appropriate water quality Best Management Practices (BMPs), Temporary Erosion and Sediment Control Plan (TESCP), and Spill Prevention Control and Countermeasures (SPCC) plans will be fully implemented.

A full review of field observations, and all other information, indicates that this project **may affect, but is not likely to adversely affect** chinook salmon, and will have no adverse effect to Essential Fish Habitat. A review of the WDFW PHS data mappings shows no other listed species occurring at a distance close enough to the project area to realize any adverse effects. WSDOT is submitting this biological assessment as a representative of the Federal Highway Administration. This report fulfills the requirements under section 7(c) of the Endangered Species Act (ESA) of 1973.

For questions or additional information on this project, please contact Brian Bigler at 206-440-4519.

Sincerely,

A handwritten signature in black ink that reads "Brian Bigler". The signature is fluid and cursive, with the first name "Brian" and last name "Bigler" clearly legible.

GARY DAVIS  
Assistant Environmental Program  
Manager / Biology

cc: Elizabeth Healy; FHWA  
Jeff Lundstrom; WSDOT  
Day file



**Washington State**  
**Department of Transportation**  
Douglas B. MacDonald  
Secretary of Transportation

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APR 20 2004

Northwest Region  
Environmental Services  
PO Box 330310 MS 138  
Seattle, WA 98133-9710

File	Units
Proj. Eng.	
Asst. Proj. Eng.	
Office Assistant	
Design Team LDR #1	
Design Team LDR #2	
Design Team LDR #3	
Design Team LDR #4	

April 15, 2004

Steve Landino  
National Marine Fisheries Service  
Habitat Program/Olympia Field Office  
510 Desmond Drive SE  
Lacey, WA 98503

**Re: I-5, Everett High Occupancy Vehicle Lanes, SR 526 to Marine View Drive  
Determination of "May Affect, Not Likely to Adversely Affect" for Federally  
Listed Species**

Dear Mr. Landino:

The Washington State Department of Transportation (WSDOT) proposes to construct northbound and southbound high occupancy vehicle (HOV) lanes along on Interstate 5 from State Route (SR) 526 to the Marine View Drive vicinity in Everett, Washington. The Project is located within Sections 4, 5, 8, 9, 17, and 18 in Township 28N, Range 5E and in Sections 20, 21, 29, and 32 of Township 29N, Range 5E. The primary goals of the project are to increase HOV capacity to alleviate traffic congestion in the area and improve transit access to the Everett Multi-Modal Station.


The project will result in a net increase of 15.4 acres of impervious surface within the project area. A full retrofit of the I-5 stormwater collection and drainage system within the project limits will be provided to bring the roadway up to the WSDOT Highway Runoff Manual's water quality treatment requirements. The stormwater design approach will meet the intent of the WSDOT Highway Runoff Manual (HRM) as amended by Instructional Letter IL 4020.02, and the Ecology *Stormwater Management Manual for Western Washington*, 2001 edition. The project will provide full retrofit to existing and proposed pavements, limit peak flows currently released to streams, and treat all of the stormwater runoff from the 6-month or 2-year event and discharge treated runoff directly to the Snohomish River without detention. This project has received federal funds, and therefore has a nexus to the Endangered Species Act.

All disturbed areas will be appropriately contained, seeded, fertilized, mulched, and/or replanted with native vegetation. All appropriate water quality Best Management Practices (BMPs), Temporary Erosion and Sediment Control Plan (TESCP), and Spill Prevention Control and Countermeasures (SPCC) plans will be fully implemented.

A full review of field observations, and all other information, indicates that this project **may affect, but is not likely to adversely affect** bald eagles and bull trout. A review of the WDFW PHS data mappings shows no other listed species occurring at a distance close enough to the project area to realize any adverse effects. WSDOT is submitting this biological assessment as a representative of the Federal Highway Administration. This report fulfills the requirements under section 7(c) of the Endangered Species Act (ESA) of 1973.

For questions or additional information on this project, please contact Brian Bigler at 206-440-4519.

Sincerely,

A handwritten signature in black ink that reads "Brian Bigler". The signature is written in a cursive, flowing style.

GARY DAVIS  
Assistant Environmental Program  
Manager / Biology

cc: Elizabeth Healy; FHWA  
Joe Simek; WSDOT  
Day file





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Western Washington Fish and Wildlife Office  
510 Desmond Dr. SE, Suite 102  
Lacey, Washington 98503



In Reply Refer To:  
1-3-04-I-0792

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JUL 14 2004

ENVIRONMENTAL

JUL 8 2004

Gary Davis  
Environmental Program Manager  
Department of Transportation - Northwest Region  
15700 Dayton Avenue North  
P.O. Box 330310  
Seattle, Washington 92133-9710

Dear Mr. Davis:

Your April 15, 2004, letter requested our concurrence with your determination of **"may affect, not likely to adversely affect"** for the bull trout (*Salvelinus confluentus*) and the bald eagle (*Haliaeetus leucocephalus*) for the construction of **High Occupancy Vehicle (HOV) lanes along Interstate 5 from State Route (SR) 526 to the Marine View Drive vicinity** in the City of Everett, Snohomish County, Washington. Your letter and enclosed Biological Assessment (BA), were received in our office on April 16, 2004. It is our understanding that this request is being submitted to us by the Washington State Department of Transportation (WSDOT), Northwest Region on behalf of the Federal Highway Administration. This informal consultation has been conducted in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

The purpose of the project is to increase the HOV lane capacity to alleviate traffic congestion in the area and improve transit access to Everett's Multi-Modal Station. The WSDOT expects the project to be constructed from 2004 to late 2009. To complete the project, WSDOT proposes to conduct the following activities:

- Add an HOV lane, starting near the East Marine View Drive on-ramp and continuing through the SR 526 interchange to tie into the existing southbound HOV lanes south of the interchange.
- Construct an auxiliary lane from the southbound SR 2 on-ramp to the Broadway on-ramp.
- Construct retaining walls at several location along the length of the project.

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- Modify or replace several overpass and underpass structures along the project corridor.
- Construct an HOV lane that extends the existing lane from south of SR 526 and terminates approximately 1,500 feet before the SR 2 on-ramp.
- Construct an additional lane through the SR 2 interchange.
- Modify the SR 2 on-ramp.
- Construct a new drainage collection system within the project corridor and a total of six water quality treatment facilities along the project corridor.
- Minimal wetland mitigation may also be required.

We believe that sufficient information has been provided on the project effects to listed species for the lead agency to make an effect determination of "may affect, but not likely to adversely affect". Our concurrence would be based on information in the BA, the additional information received from WSDOT on June 25, 2004, the performance standards provided by electronic mail on July 1, 2004, successful implementation of the conservation measures described in the BA (pages 18-19), and the following rationale.

### **Bull Trout**

The project "**may affect**" the bull trout because:

- The Snohomish River and all of its tributaries are part of the Snohomish-Skykomish core area, which supports a sub-population of bull trout. Bull trout are expected to be in all reaches of the Snohomish River downstream of barriers. No barriers prevent bull trout from entering the Snohomish River within the action area.
- The proposed project will result in a net increase of 15.4 acres of impervious surface.
- Project activities may result in temporary increases of sedimentation into fish-bearing waterways.
- Minimal disturbance of the riparian corridor and nearby wetlands will occur during construction.

The project is "**not likely to adversely affect**" the bull trout because:

- The project will be conducted during an approved fish window when bull trout are least likely to be in the project area. Bull trout access to the tributaries within the action area is limited by barriers.
- All new and existing impervious surface within the project corridor will be treated for water quality, using enhanced water quality treatment measures as stated in the WSDOT highway runoff manual (see performance measures).
- Sedimentation will be minimized through implementation of Best Management Practices and other safeguards during construction.
- No in-water work within the ordinary high water mark will be conducted. The proposed footprint of the freeway will have no direct impacts on wetlands and wetland mitigation will occur for any disturbance that does occur.
- Disturbed or removed vegetation will be replaced at a 1:1 ratio.



**Bald Eagle**

The project **"may affect"** the bald eagle because:

- Bald eagles are likely to forage year-round within the action area along the Snohomish River.
- Noise from construction may displace foraging bald eagles.
- Temporary increases in sedimentation may temporarily affect bald eagle prey species.

The project is **"not likely to adversely affect"** the bald eagle because:

- No bald eagle nests are documented within the action area.
- It is unlikely that bald eagles forage along the Interstate 5 corridor due to the amount of human activity that occurs in this area.
- Bald eagle foraging habitat exists outside of the action area.
- Sedimentation will be minimized through implementation of Best Management Practices and other safeguards during construction.

In order to expedite the environmental review process, if the Federal Highway Administration concurs with the effect determinations for listed species, then you may consider this action to be in compliance with requirements of 50 CFR 402.13, thereby concluding the consultation process. The project should be reanalyzed if new information reveals effects of the action that may affect listed species or critical habitat in a manner, or to an extent, not considered in this consultation. The project should also be reanalyzed if the action is subsequently modified in a manner that causes an effect to a listed species or critical habitat that was not considered in this consultation, and/or a new species is listed or critical habitat is designated that may be affected by this project.

If you have further questions about this letter or your responsibilities under the Endangered Species Act of 1973, as amended, please contact Jennifer Quan at (360) 753-6047.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ken S. Berg".

Ken S. Berg, Manager  
Western Washington Fish and Wildlife Office

cc:

FHWA – Olympia (E. Healy)

WDFW Region 4

WSDOT – ESO, Olympia (P. Wagner, M. Carey)



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UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Northwest Region  
7600 Sand Point Way N.E., Bldg. 1  
Seattle, WA 98115

NMFS Tracking No.:  
2004/00667

July 6, 2004

Gary Davis  
WSDOT - Northwest Region  
P. O. Box 330310  
Seattle, WA 98133-9710

Re: Endangered Species Act Section 7 Informal Consultation and Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Consultation: I-5 HOV Lanes, SR 526 to Marine View Drive (Lower Snohomish River HUC, 171100110202)

Dear Mr. Davis:

This correspondence is in response to your request for consultation under the Endangered Species Act (ESA). Additionally, this letter serves to meet the requirements for consultation under the Magnuson-Stevens Fishery Conservation and Management Act (MSA).

#### Endangered Species Act

NOAA's National Marine Fisheries Service (NOAA Fisheries) has reviewed the Biological Assessment (BA) and Essential Fish Habitat (EFH) assessment for the above referenced design build Project received on June 10, 2004, and additional information received on June 24, 2004, June 25, 2004 and July 1, 2004. According to the BA, the Washington Department of Transportation (WSDOT) is proposing to construct northbound and southbound High Occupancy Vehicle (HOV) lanes along I-5 from State Route (SR) 526 to Marine View Drive in Everett, Snohomish County, Washington. The proposed project will increase HOV lane capacity to alleviate traffic congestion in the area and improve transit access to Everett's Multi-Modal Station. New HOV lanes will be constructed in the existing median for part of the project and along the highway shoulder for the remainder of the project. The project will also include new retaining walls in several locations, modifications to or replacement of several overpasses and underpasses, and modifications to the SR 2/ Everett Avenue interchange.

A total of 15.4 acres of new impervious surface will be created. Runoff from all existing and new impervious surfaces within the project area will be collected by stormwater conveyance systems directing stormwater into six stormwater water quality (WQ) treatment facilities. Two of the WQ facilities will be located in the Snohomish River floodplain and require floodplain fill. All of the facilities will discharge into the Snohomish River, without detention, via existing outfalls. The outfall for WQ facility number 1, located approximately 1.5 feet above the ordinary high water mark (OHWM), will be enlarged.



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Vegetation will be removed for stormwater conveyance installation, outfall culvert replacement, and WQ facility construction. Approximately 0.9 acres of wetland and 2.9 acres of wetland buffer will be unavoidably affected for WQ facility construction. Construction will not involve any in-water work and will not otherwise directly affect fish habitat. Machinery typical of large road construction projects will be used for all activities.

The action area includes the I-5 corridor east to the Snohomish River, and extends 0.5 miles upstream and 2.0 miles downstream of the project limits. The action area is located in the Lower Snohomish River 6th field Hydrologic Unit Code (HUC), number 171100110202. The Snohomish River, tributary to Puget Sound, supports Puget Sound (PS) chinook (*Oncorhynchus tshawytscha*) salmon, listed as threatened under the ESA.

The WSDOT has determined that the project "may effect, but not likely to adversely effect" PS chinook. During consultation, WSDOT identified the following measures to be taken to avoid and minimize the potential effects of the project:

- 1) Work in the vicinity of the OHWM will be conducted during the work window specified by Washington Department of Fish and Wildlife (WDFW).
- 2) The stormwater design will meet the March 2004 *WSDOT Highway Runoff Manual* as amended by the Instructional Letter IL 4020.02 and the 2001 *Department of Ecology Stormwater Management Manual for Western Washington*.
- 3) All stormwater water quality facilities will be designed for enhanced treatment.
- 4) Water quality facilities located within the floodplain will not include vaults.
- 5) Any water quality facility site located within the floodplain and involving filling will receive equal volume compensation (e.g. equal volume floodplain excavation) in the immediate vicinity.
- 6) Any temporary and/or permanent vegetation removal associated with stormwater conveyance installation, culvert replacement, and water quality facilities will be replaced at a 1-to-1 ratio, will be monitored for a minimum of 3 years, and will achieve a minimum of 80% survival.
- 7) All impacted wetlands will be replaced at ratios dictated by state and local regulatory standards.
- 8) Construction will adhere to Best Management Practices (BMPs) and a Standard Pollution Prevention Control and Countermeasures (SPCC) plan as defined by the Temporary Erosion and Sediment Control (TESC) plan, as approved by the project engineer.



- 9) Prior to clearing or grading, those areas that are to remain undisturbed will be clearly marked by flagging or the use of high-visibility fencing. During the construction period, no disturbance beyond the marked clearing limits will be permitted. The flagging/fencing will be maintained by the contractor for the duration of construction.
- 10) Erosion and sediment control (ESC) facilities will be constructed in conjunction with all clearing and grading activities, and in such a manner to ensure that sediment-laden water does not enter streams or adjacent wetlands.
- 11) The ESC facilities will be inspected daily by the contractor and maintained as necessary to ensure their continued functioning.
- 12) Appropriate erosion control measures will be installed in areas where construction will occur adjacent to slough or wetlands. These may include sediment fencing, hay bales, sand bags, dirt berms, or other means.
- 13) Any area stripped of vegetation where no further work is anticipated for a period of seven days during the dry season (May 1 to September 30), or for more than two days during the wet season (October 1 to April 30), will be stabilized using appropriate methods including covering, mulching, or seeding. Any area to remain unworked for more than 30 days will be seeded and/or covered, unless winter weather makes vegetation establishment infeasible.
- 14) All vegetation removed from construction areas will be removed from the site and will not be placed in wetlands, streams, or their buffers.
- 15) The use of silt fences, straw bales, and other sediment filtration devices will be used to minimize the inputs of fine sediment during rainstorms prior to completion of construction. Silt fencing will be used in compliance with western Washington construction BMPs.
- 16) Following construction, all disturbed areas will be vegetated or otherwise permanently stabilized and temporary ESC facilities will be removed.

Since the proposed action incorporates the avoidance and minimization measures noted above, NOAA Fisheries can expect the effects of the action to be discountable or insignificant. Therefore, NOAA Fisheries concurs with your effect determination of "may affect, but not likely to adversely affect" for PS chinook. NOAA Fisheries' concurrence is based on the description of activities and conservation measures identified above and included in the amended BA, and is contingent upon full implementation of the project and conservation measures as proposed.

The regulations (50 CFR 402.08) implementing section 7 of the ESA of 1973, as amended, allow a Federal agency to designate a non-Federal representative to conduct informal consultations or prepare BAs by giving written notice to the Director of such designation. NOAA Fisheries has received the letter written May 10, 1999 from Federal Highways



Administration (FHWA), Gene Fong, Division Administrator, so designating WSDOT as their non-Federal representative. The ultimate responsibility for compliance with section 7 remains with FHWA.

This concludes informal consultation on these actions in accordance with 50 CFR 402.14(b)(1). The FHWA must re-analyze this ESA consultation: (1) if new information reveals effects of the action that may affect listed species in a way not previously considered; (2) if the action is modified in a manner that causes an effect to the listed species that was not previously considered; or (3) if a new species is listed or critical habitat designated that may be affected by the identified actions.

### **Magnuson-Stevens Fishery Conservation and Management Act**

Federal agencies are required, under section 305(b)(2) of the MSA and its implementing regulations (50 CFR 600 Subpart K), to consult with NOAA Fisheries regarding actions that are authorized, funded, or undertaken by that agency that may adversely affect EFH. The MSA (section 3) defines EFH as "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." If an action would adversely affect EFH, NOAA Fisheries is required to provide the Federal action agency with EFH conservation recommendations (MSA section 305(b)(4)(A)). This consultation is based, in part, on information provided by the Federal action agency and descriptions of EFH for Pacific salmon contained in Appendix A to Amendment 14 to the Pacific Coast Salmon Plan (August 1999) developed by the Pacific Fishery Management Council and approved by the Secretary of Commerce (September 27, 2000).

The proposed project is described in the BA submitted by WSDOT. The proposal encompasses habitats which have been designated as EFH for various life stages of chinook, coho (*O. kisutch*), and Puget Sound pink (*O. gorbuscha*) salmon.

*EFH Conservation Recommendations:* Because the habitat requirements (*i.e.*, EFH) for the MSA-managed species in the action area are similar to that of the ESA-listed species, and because the conservation measures that FHWA/WSDOT included as part of the proposed action to address ESA concerns are also adequate to avoid, minimize, or otherwise offset potential adverse effects to designated EFH, conservation recommendations pursuant to MSA (section 305(b)(4)(A)) are not necessary. Since NOAA Fisheries is not providing conservation recommendations at this time, no 30-day response from FHWA/WSDOT is required (MSA section 305(b)(4)(B)).



This concludes consultation under the MSA. If the proposed action is modified in a manner that may adversely affect EFH, or if new information becomes available that affects the basis for NOAA Fisheries' EFH conservation recommendations, FHWA/WSDOT will need to reinitiate consultation in accordance with the implementing regulations for EFH at 50 CFR 600.920(1).

If you have any questions, please contact Neil Rickard of my staff at the Washington State Habitat Office at (360) 753-9090, by e-mail at [neil.rickard@noaa.gov](mailto:neil.rickard@noaa.gov), or by mail at the letterhead address.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert D. Lohn", with a stylized flourish at the end.

Robert D. Lohn  
Regional Administrator

cc: Paul Wagner, WSDOT HQ Biology  
Jennifer Quan, FWS Lacey





**Washington State  
Department of Transportation**  
**Douglas B. MacDonald**  
Secretary of Transportation

**Northwest Region**  
15700 Dayton Avenue North  
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Seattle, WA 98133-9710

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April 25, 2002

The Honorable William E. Matheson, Chair  
Snohomish Tribe of Indians  
144 Railroad Avenue, Suite 201  
Edmonds, WA 98020

Dear Chairperson Matheson:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to develop an undertaking to address an identified transportation need in Snohomish County. The proposed I-5 Everett HOV project would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. The project would also include construction of the following other improvements to support construction and operation of the facility:

- Construction of auxiliary lanes;
- Reconstruction of ramps, movement of the non-standard left-hand northbound off ramp at Broadway to a right-hand off ramp;
- Conversion of the existing northbound off ramp to HOV only and addition of a southbound HOV only on ramp in that area;
- Retrofit of drainage facilities to provide detention and treatment for the entire I-5 facility; and
- Environmental mitigation needed to support the project.

The improvements, by area of improvement, are outlined in the following sections.

#### **Southbound Interstate 5 Improvements**

The proposed action would add an HOV lane starting between the ramps to and from SR 2 and continuing through the SR 526 interchange to tie into the existing southbound HOV lanes south of the interchange. An auxiliary lane would be constructed from the southbound SR 2 on-ramp to the Broadway on-ramp. This alternative would require modification of the Broadway on-ramp to a merge condition, rather than an add lane.

#### **Northbound Interstate 5 Improvements**

This proposed action would construct an HOV lane extending the existing lane from south of SR 526 and terminating approximately 1,500 feet before the SR 2/Everett Avenue on-ramp. It would require the construction of an additional lane through the interchange and

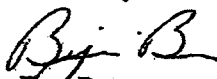
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In order to ensure that we take into account the effects of this undertaking on properties listed in or eligible for listing in the National Register of Historic Places, the WSDOT is initiating formal Section 106 consultation pursuant to 36 CFR 800.2(c)(4). Recognizing the government-to-government relationship that the Federal Highway Administration has with the Tribe, they will continue to play a key role in this undertaking as the responsible Federal agency. However, since the WSDOT has been delegated the authority from FHWA to initiate consultation and we will be directly managing the cultural resources studies and carrying out this undertaking, you may contact us at anytime for assistance with the process and/or the undertaking.

Your response to this letter, acknowledging your interest in participating in this undertaking as a consulting party and identifying key tribal contacts, is greatly appreciated. Please provide a response by May 28, 2002 in here] so that we may discuss this undertaking and the area of potential effects. Should you have any questions about this project, you may contact Lawrence Spurgeon at (206) 382-5222.

If you have any general questions about the Section 106 process, you may contact Steve Shipe by phone at (206) 440-4531 or by E-mail at [shipest@wsdot.wa.gov](mailto:shipest@wsdot.wa.gov).

Sincerely,

  
Ben Brown

Enclosures: Project documentation  
Purpose and Scope

cc: SHPO  
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Day File  
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**Washington State**  
**Department of Transportation**  
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April 25, 2002

The Honorable Joseph O. Mullen, Chairman  
Snoqualmie Tribe  
P.O. Box 670  
Fall City, WA 98024

Attention: Ray Mullen, Director, Cultural Resources

Dear Chairperson Mullen:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to develop an undertaking to address an identified transportation need in Snohomish County. The proposed I-5 Everett HOV project would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. The project would also include construction of the following other improvements to support construction and operation of the facility:

- Construction of auxiliary lanes;
- Reconstruction of ramps, movement of the non-standard left-hand northbound off ramp at Broadway to a right-hand off ramp;
- Conversion of the existing northbound off ramp to HOV only and addition of a southbound HOV only on ramp in that area;
- Retrofit of drainage facilities to provide detention and treatment for the entire I-5 facility; and
- Environmental mitigation needed to support the project.

The improvements, by area of improvement, are outlined in the following sections.

#### **Southbound Interstate 5 Improvements**

The proposed action would add an HOV lane starting between the ramps to and from SR 2 and continuing through the SR 526 interchange to tie into the existing southbound HOV lanes south of the interchange. An auxiliary lane would be constructed from the southbound SR 2 on-ramp to the Broadway on-ramp. This alternative would require modification of the Broadway on-ramp to a merge condition, rather than an add lane.

### Northbound Interstate 5 Improvements

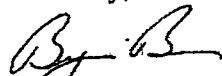
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Sincerely,

  
Ben Brown

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April 25, 2002

The Honorable Bennie J. Armstrong, Chairman  
Suquamish Tribe  
P.O. Box 498  
Suquamish, WA 98392-0498

Attention: Charlie Sigo, Director, Cultural Resources

Dear Chairperson Armstrong:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to develop an undertaking to address an identified transportation need in Snohomish County. The proposed I-5 Everett HOV project would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. The project would also include construction of the following other improvements to support construction and operation of the facility:

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Sincerely,

  
Ben Brown

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April 25, 2002

The Honorable Herman A. Williams, Jr., Chairman  
The Tulalip Tribes  
6700 Totem Beach Road  
Marysville, WA 98270-9694

Attention: Hank Gobin, Manager, Cultural Resources

Dear Chairperson Williams:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to develop an undertaking to address an identified transportation need in Snohomish County. The proposed I-5 Everett HOV project would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. The project would also include construction of the following other improvements to support construction and operation of the facility:

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The improvements, by area of improvement, are outlined in the following sections.

#### **Southbound Interstate 5 Improvements**

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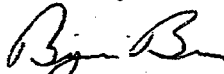
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Sincerely,

  
Ben Brown

Enclosures: Project documentation  
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April 25, 2002

The Honorable Robert Wahpat, Chairman  
Yakama Nation  
P.O. Box 151  
Toppenish, WA 98948

Attention: Johnson Meninick, Director, Cultural Resources

Dear Chairperson Wahpat:

The Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), is proposing to develop an undertaking to address an identified transportation need in Snohomish County. The proposed I-5 Everett HOV project would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. The project would also include construction of the following other improvements to support construction and operation of the facility:

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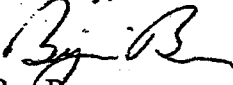
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Sincerely,

  
Ben Brown

Enclosures: Project documentation  
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October 31, 2003

The Honorable William E. Matheson, Chair  
Snohomish Tribe of Indians  
144 Railroad Avenue, Suite 201  
Edmonds, WA 98020

Dear Chairperson Matheson:

In April of 2002, the Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), notified your Tribe of a proposal to develop an undertaking to address an identified transportation need in Snohomish County. This proposal was the I-5 Everett HOV project, and would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. A more detailed description of the proposed project as a whole is contained in the accompanying enclosure.

The reason for this letter is to inform you of the addition of several water quality treatment facilities not previously included during the initial consultation. There are six of them. (Please see the attached drawings for location and preliminary conceptual information.) Larson Archaeological Associates (LAAS) has once again been retained to investigate these additional locations and include their findings in an updated Cultural Resource Survey. WSDOT would be happy to share that report with you once they are produced.

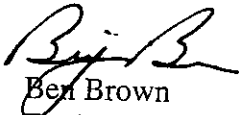
- The first water quality facility will be located close to the Snohomish River near Lowell-Snohomish Road. Included with this water quality facility, we will incorporate interpreted trail and wetland enhancement to create an community and environmental friendly site.
- The second and third facilities will be near 36<sup>th</sup> Avenue and Pacific Avenue. Both facilities will be located on the east side of I-5.
- The fourth and fifth facilities are existing wetlands at the I-5/US 2 interchange on WSDOT property. These facilities will be improved to treat more storm water runoff. We will upgrade our currently bioswale to capture additional water quality runoff from I-5 mainline.
- The sixth facility will be built between ramps at Marine View Drive on existing WSDOT property.

In order to ensure that we take into account the effects of this undertaking on properties listed in or eligible for listing in the National Register of Historic Places, the WSDOT is Continuing formal Section 106 consultation pursuant to 36 CFR 800.2(c)(4). Recognizing the government-to-government relationship that the Federal Highway Administration has with the Tribe, they will continue to play a key role in this undertaking as the responsible Federal agency. However, since the WSDOT has been delegated the authority from FHWA to initiate consultation and we will be directly managing the cultural resources studies and carrying out this undertaking, you may contact us at anytime for assistance with the process and/or the undertaking.

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Sincerely,



Ben Brown

Environmental Documentation Program Manager

Enclosures: Project Drawings  
Purpose and Scope  
Project Description

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October 31, 2003

The Honorable Joseph O. Mullen, Chair  
Snoqualmie Tribe  
P.O. Box 280  
Carnation, WA 98014

**Attn: Ray Mullen, Cultural Resources Director**

Dear Chairperson Mullen:

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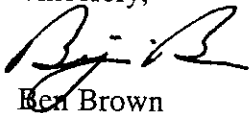
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Sincerely,



Ben Brown

Environmental Documentation Program Manager

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October 31, 2003

The Honorable Bennie J. Armstrong, Chair  
Suquamish Tribe  
P.O. Box 498  
Suquamish, WA 98392-0498

**Attn: Charlie Sigo, Cultural Resources Specialist**

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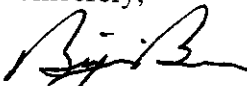
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Environmental Documentation Program Manager

Enclosures: Project Drawings  
Purpose and Scope  
Project Description

cc: SHPO  
FHWA  
Day File  
Project File  
Lawrence Spurgeon  
Tom Ostrom  
Rob Purser





**Washington State**  
**Department of Transportation**  
**Douglas B. MacDonald**  
Secretary of Transportation

**Northwest Region**  
15700 Dayton Avenue North  
P.O. Box 330310  
Seattle, WA 98133-9710

206-440-4000  
TTY: 1-800-833-6388  
[www.wsdot.wa.gov](http://www.wsdot.wa.gov)

October 31, 2003

The Honorable Herman A. Williams, Jr., Chair  
The Tulalip Tribes  
6700 Totem Beach Road  
Tulalip, WA 98271-9694

**Re: I-5 Everett HOV project**

Dear Chairperson Williams:

In April of 2002, the Washington State Department of Transportation (WSDOT), in cooperation with the Federal Highway Administration (FHWA), notified your Tribe of a proposal to develop an undertaking to address an identified transportation need in Snohomish County. This proposal was the I-5 Everett HOV project, and would complete the northern most portion of the *South Seattle to Everett WSDOT Freeway Core HOV Lane Project and Plan* by constructing northbound and southbound HOV lanes along I-5 within incorporated Everett. A more detailed description of the proposed project as a whole is contained in the accompanying enclosure.

The reason for this letter is to inform you of the addition of several water quality treatment facilities not previously included during the initial consultation. There are six of them. Larson Archaeological Associates (LAAS) has once again been retained to investigate these additional locations and include their findings in an updated Cultural Resource Survey. WSDOT would be happy to share that report with you once they are produced.

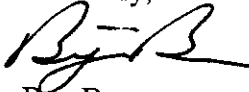
- The first water quality facility will be located close to the Snohomish River near Lowell-Snohomish Road. Included with this water quality facility, we will incorporate interpreted trail and wetland enhancement to create an community and environmental friendly site.
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- The fourth and fifth facilities are existing wetlands at the I-5/US 2 interchange on WSDOT property. These facilities will be improved to treat more storm water runoff. We will upgrade our currently bioswale to capture additional water quality runoff from I-5 mainline.
- The sixth facility will be built between ramps at Marine View Drive on existing WSDOT property.

In order to ensure that we take into account the effects of this undertaking on properties listed in or eligible for listing in the National Register of Historic Places, the WSDOT is Continuing formal Section 106 consultation pursuant to 36 CFR 800.2(c)(4). Recognizing the government-to-government relationship that the Federal Highway Administration has with the Tribe, they will continue to play a key role in this undertaking as the responsible Federal agency. However, since the WSDOT has been delegated the authority from FHWA to initiate consultation and we will be directly managing the cultural resources studies and carrying out this undertaking, you may contact us at anytime for assistance with the process and/or the undertaking.

Your response to this letter, acknowledging your interest in participating in this undertaking as a consulting party, in identifying any Traditional Cultural Properties (TCPs) that may exist within the project's Area of Potential Effects (APE), and any key tribal contacts, is greatly appreciated. We are also inviting comments regarding any other tribal concerns the proposed project may raise. Following a meeting with Tribal representatives in March 2003, additional copies of this letter have been prepared and sent directly to the Cultural Resources and Environmental Programs Directors for the Tribe.

Please provide a response by December 4, 2003 so that we may discuss this undertaking and the area of potential effects. Should you have any questions about this project, you may contact Lawrence Spurgeon at (206) 382-5222. If you have any general questions about the Section 106 process, you may contact Steve Shipe by phone at (206) 440-4531 or by E-mail at [shipest@wsdot.wa.gov](mailto:shipest@wsdot.wa.gov).

Sincerely,



Ben Brown

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Purpose and Scope

cc: SHPO  
FHWA  
Day File  
Project File  
Lawrence Spurgeon



**Washington State**  
**Department of Transportation**  
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October 31, 2003

Mr. Hank Gobin, Cultural Resources Manager  
The Tulalip Tribes  
6410 23<sup>rd</sup> Ave. NE  
Tulalip, WA 98271-9694

**Re: I-5 Everett HOV project**

Dear Mr. Gobin:

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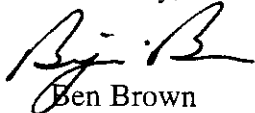
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Sincerely,



Ben Brown  
Environmental Documentation Program Manager

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October 31, 2003

Mr. Richard Young, Environmental Programs  
The Tulalip Tribes  
6700 Totem Beach Road  
Tulalip, WA 98271-9694

**Re: I-5 Everett HOV project**

Dear Mr. Young:

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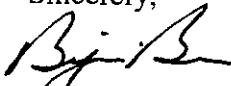
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Sincerely,



Ben Brown

Environmental Documentation Program Manager

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October 31, 2003

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The Honorable Ross Sockzehigh, Chair  
Yakama Nation  
P.O. Box 151  
Toppenish, WA 98948

**Attn: Johnson Meninick, Cultural Resources Director**

Dear Chairperson Sockzehigh:

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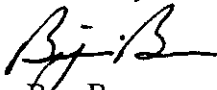
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Ben Brown

Environmental Documentation Program Manager

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Project File  
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Post-it® Fax Note	7671	Date	12/16/03	# of pages	2
To	John Ammeter	From	KURT ROEDEL		
Co./Dept	Snohomish Tribe	Co.	LAAS		
Phone #		Phone #	253-858-1411		
Fax #	425-744-1971	Fax #	253-858-1410		

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### Memorandum

TO: John Ammeter, Cultural Representative, Snohomish Tribe of Indians

FROM:  Lynn L. Larson, President, Larson Anthropological Archaeological Services, Limited (LAAS)

DATE: December 16, 2003

SUBJECT: Proposed Everett HOV Project - Archaeological Fieldwork

LAAS will be conducting archaeological fieldwork for the proposed Everett HOV Project on December 22, 2003, between 9 AM and 5 PM. Fieldwork will be conducted in four parcels in Lowell and Everett, in Snohomish County, in Sections 20 and 32, Township 29 North, Range 5 East, Willamette Meridian (Figure 1). Please contact LAAS archaeologist Kurt Roedel at 253-858-1411 or kroedel@attglobal.net if you have any questions, or would like a tribal member to accompany him.

7700 PIONEER WAY  
SUITE 101  
GIG HARBOR  
WASHINGTON  
98335-1164

TEL: [253] 858.1411  
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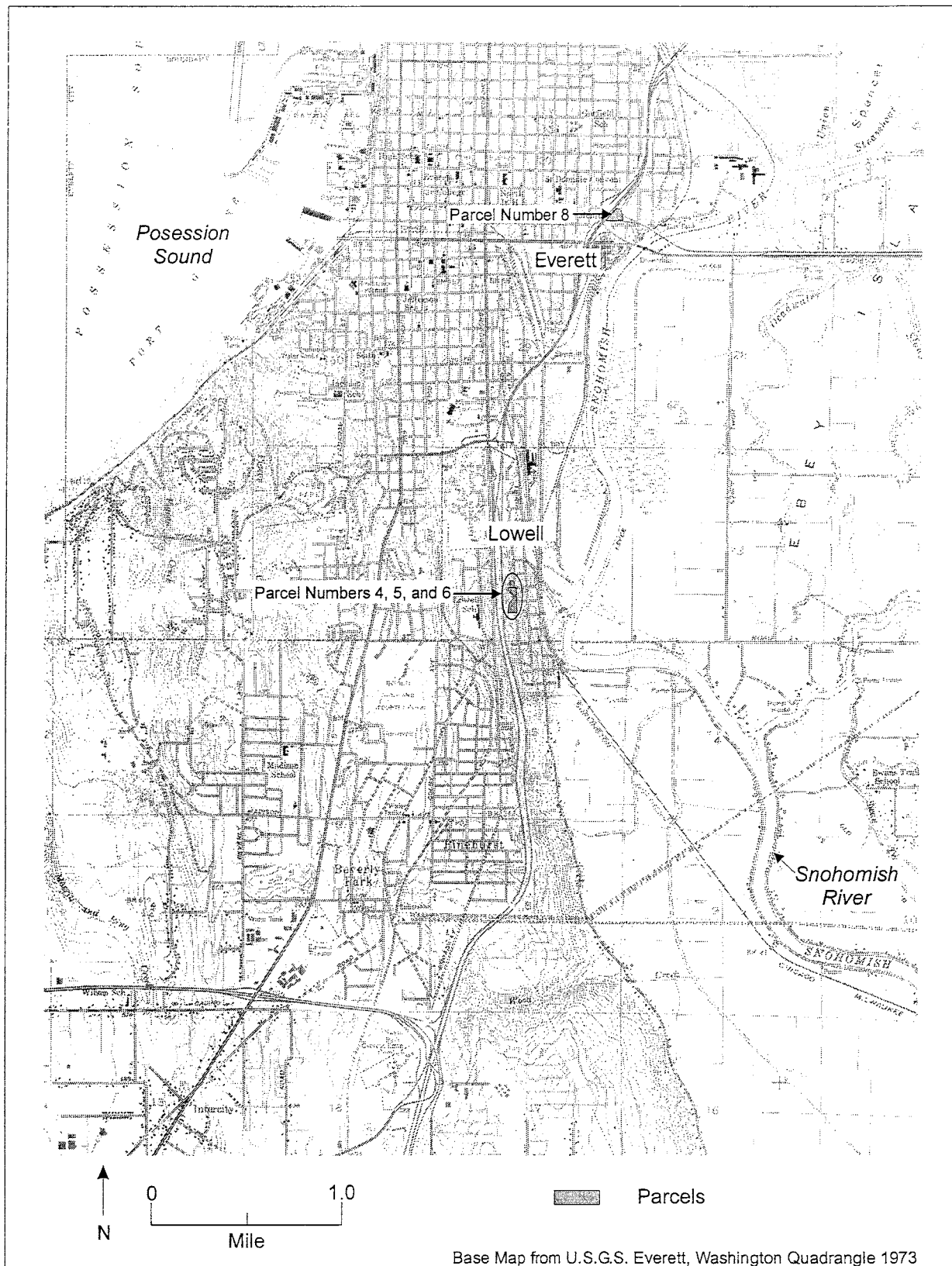


Figure 1. Location of the proposed field reconnaissance in Parcels 4, 5, 6, and 8 for the Everett HOV project area.



Post-it® Fax Note 7671		Date 12/16/03	# of pages 2
To Ray Mullen		From Kurt Roedel	
Co./Dept Snoqualmie Tribe		Co. LAAS	
Phone #		Phone # 253-858-1411	
Fax # 425-333-4381		Fax # 253-858-1410	

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### Memorandum

TO: Ray Mullen, Cultural Specialist, Snoqualmie Tribe

FROM: ~~88~~ Lynn L. Larson, President, Larson Anthropological Archaeological Services, Limited (LAAS)

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Post-it® Fax Note 7671		Date 12/16/03	# of pages 2
To Hank Gobin		From Kurt Roedel	
Co./Dept: Tulalip Tribes		Co. LAAS	
Phone #		Phone # 253-858-1411	
Fax # 360-651-3312		Fax # 253-858-1410	

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To	Charlie Sigo		From	Kurt Roedel	
Co./Dept.	Suquamish Tribe		Co.	LAAS	
Phone #			Phone #	253-858-1411	
Fax #	360-598-4666		Fax #	253-858-1410	

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### Memorandum

TO: Charlie Sigo, Tribal Curator, Suquamish Tribe

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DATE: December 16, 2003

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Post-it® Fax Note	7671	Date	12/16/03	# of pages	2
To	Johnson Meninick	From	Kurt Roedel		
Co./Dept.	Yakama Tribe	Co.	LAAS		
Phone #		Phone #	253-858-1411		
Fax #	509-865-4664	Fax #	253-858-1410		

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ARCHAEOLOGICAL  
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### Memorandum

TO: Johnson Meninick, Cultural Resources Program Manager, Yakama Nation

FROM:  Lynn L. Larson, President, Larson Anthropological Archaeological Services, Limited (LAAS)

DATE: December 16, 2003

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To	John Ammeter	From	Kurt Roedel		
Co./Dept.	Snohomish Tribe	Co.	LAAS		
Phone #		Phone #	253-858-1411		
Fax #	425-744-1971	Fax #	253-858-1410		

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### Memorandum

TO: John Ammeter, Cultural Representative, Snohomish Tribe of Indians

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DATE: April 12, 2004

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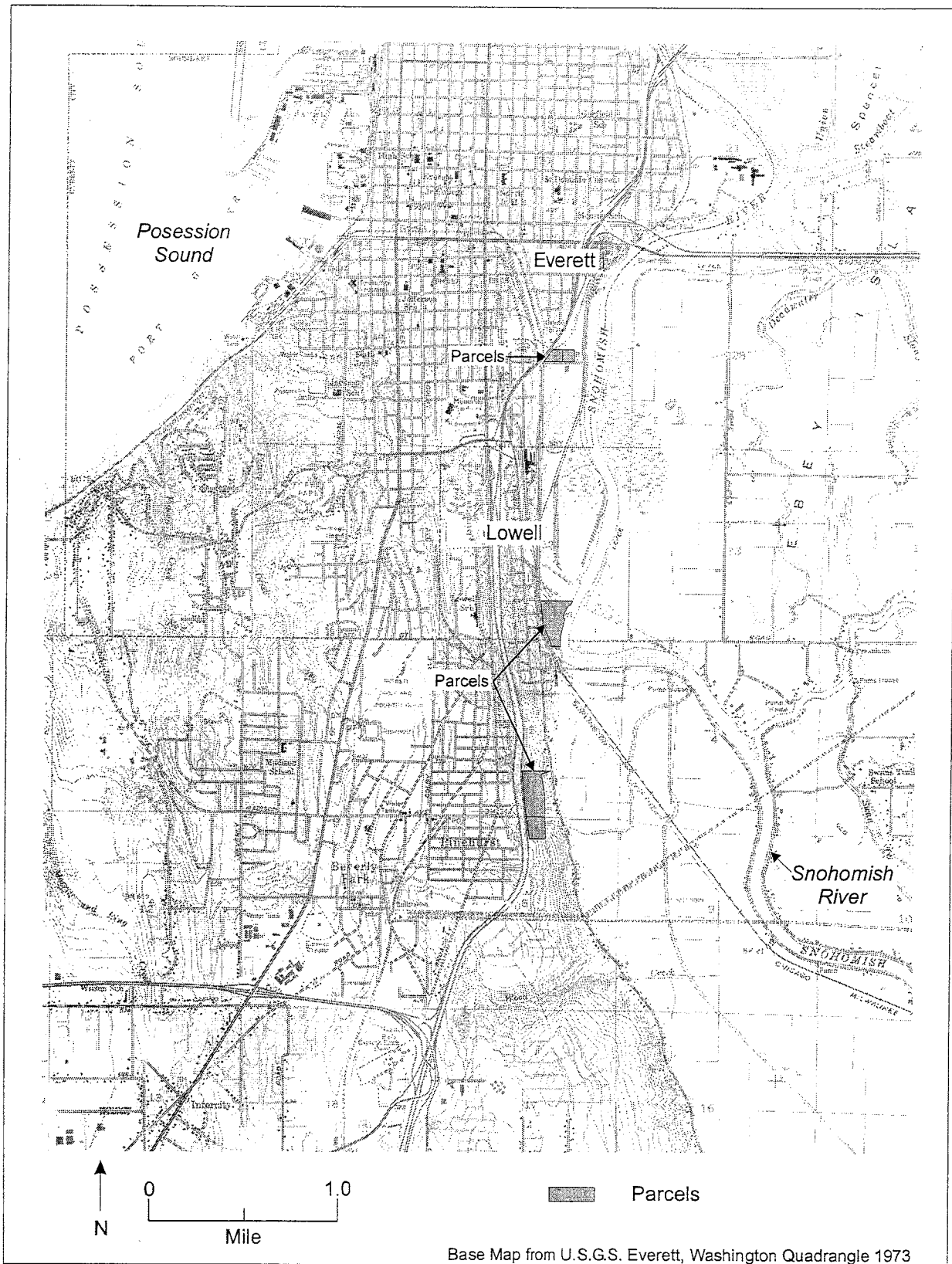


Figure 1. Location of proposed field reconnaissance in five parcels for the Everett HOV project area.





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Co./Dept	Snoqualmie T.	Co.	LAAS		
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Co./Dept.	Suquamish T.		
Co.	LAAS		
Phone #	253-858-1411		
Fa:	360-598-6295	Fax #	253-858-1410

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


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### Memorandum

TO: Johnson Meninick, Cultural Resources Program Manager, Yakama Nation

FROM:  Lynn L. Larson, President, Larson Anthropological Archaeological Services, Limited (LAAS)

DATE: April 12, 2004

SUBJECT: Proposed Everett HOV Project - Archaeological Fieldwork

LAAS will be conducting archaeological fieldwork for the proposed Everett HOV Project on April 14 and 15, 2004, between 9 AM and 4 PM. Fieldwork will be conducted in five parcels in Lowell and Everett, in Snohomish County, in Sections 29 and 32, Township 29 North, Range 5 East, and Section 8, Township 28 North, Range 5 East, Willamette Meridian (Figure 1). Please call LAAS archaeologist Kurt Roedel at 253-858-1411 or e-mail him at [kroedel.laas@attglobal.net](mailto:kroedel.laas@attglobal.net) if you have any questions, or would like a tribal member to accompany him.



Cultural Resources Department  
xalal?tx

6410 - 23rd Avenue N.E.  
Tulalip, WA 98271-9694  
(360) 651-3300  
FAX (360) 651-3312

The Tulalip Tribes are the successors in  
interest to the Snohomish,  
Snoqualmie, and Skykomish tribes  
and other tribes and band signatory  
to the Treaty of Point Elliott

November 27, 2002

Ms. Lynn L. Larson  
Larson Anthropological  
Archaeological Services Limited  
7700 Pioneer Way, Suite 101  
Gig Harbor, WA 98335-1164

Dear Ms Larson:

This is in response to your November 21, 2002- letter.

The position and concerns of the Tulalip Tribes are outlined in the following  
SOP's.

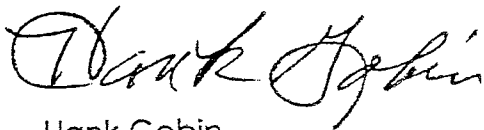
1. Cultural Resources office will be the point of contact for this project.
2. We would ask that before any major construction be done at the project site:  
  
That you do a cultural and archaeological assessment before any work begins no matter how big or small the project.
3. Whatever is being proposed that it does not adversely effect the natural resources in that area such as: timber, floral, faunas, i.e., clear cutting without leaving at least 200-foot buffer zone adjacent to rivers and streams.
4. Ethno botany, i.e., plants indigenously to the Puget Sound (pre-contact). We would like to see more time given to identifying indigenous plants @ project sites. To begin developing a profile of what types of plants that are still in existence that was indigenous to the environment, and after construction that any replanting is done with indigenous plants of the area.
5. To protect our water resources and fisheries.

6. That you only contact tribal representatives that are federally recognized, and that these representatives have tribal jurisdiction in the area of your work project.

These SOPs should serve as our basic concerns when it comes to buildings and development projects in Snohomish, King and Island County.

We appreciate the opportunity of working with you on the project. This office would like to do periodic site visitations as the project progresses. Thank you.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Hank Gobin". The signature is fluid and cursive, with the first name "Hank" being more prominent and the last name "Gobin" following in a similar style.

Hank Gobin  
Cultural Resources Manager



Cultural Resources Department

ḵalalʔtxʷ

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The Tulalip Tribes are the successors in interest to the Snohomish, Snoqualmie, and Skykomish tribes and other tribes and band signatory to the Treaty of Point Elliott

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NOV 13 2003

**ENVIRONMENTAL**

November 5, 2003

Mr. Ben Brown  
Environmental Documentation Program Manager  
P.O. Box 330310  
Seattle, WA 98133-0710

Dear Mr. Brown:

This is in response to your letter dated October 31, 2003 Re: I-5 Everett HOV project.

The position and concerns of the Tulalip Tribes are outlined in the following SOP's.

1. Cultural Resources Office will be the point of contact for this project.
2. We would ask that before any major construction be done at the project site:  
That you do a cultural and archaeological assessment before any work begins no matter how big or small the project.
3. Whatever is being proposed that it does not adversely effect the natural resources in that area such as: timber, floral, faunas, i.e., adjacent to rivers and streams.
4. Ethno botany, i.e., plants indigenous to the Puget Sound (pre-contact). We would like to see more time given to identifying indigenous plants @ project sites. To begin developing a profile of what types of plants that are still in existence that was indigenous to the environment, and after construction that any replanting is done with indigenous plants of the area.

5. To protect our water resources and fisheries.
6. That you only contact tribal representatives that are federally recognized, and that representatives have tribal jurisdiction in the area of your work project.
7. Periodic site visitations as project progresses.

These SOP's should serve as our basic concerns when it comes to buildings and development projects in Snohomish, King and Island County.

We appreciate the opportunity of working with you on this project. Thank you.

Sincerely yours,

  
k'w'íxəm qidəm

Hank Gobin,

Cultural Resources Manager





**Washington State  
Department of Transportation**  
**Douglas B. MacDonald**  
Secretary of Transportation

**Northwest Region**  
15700 Dayton Avenue North  
P.O. Box 330310  
Seattle, WA 98133-9710

206-440-4000  
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April 10, 2003

Dr. Allyson Brooks, SHPO  
Office of Archaeology and Historic Preservation  
P.O. Box 48343  
Olympia, WA 98504-8343

**Subject:** Identification of Area of Potential Effects (APE) for the Interstate 5 HOV, SR 526 to SR 2 Vicinity (Everett HOV) Project

Dear Dr. Brooks:

The Washington State Department of Transportation (WSDOT), assuming the role of lead federal agency for the Federal Highways Administration (FHWA), proposes to construct High Occupancy Vehicle (HOV) lanes on Interstate 5 between State Route 526 and State Route 2 in Everett, Snohomish County, Washington (Figure 1). WSDOT is preparing a NEPA/SEPA EA for the proposed Interstate 5 HOV, SR 526 to SR 2 Vicinity (Everett HOV) Project. The proposed project is subject to Section 106 of the National Historic Preservation Act and Section 4(f) of the Department of Transportation Act. WSDOT is seeking Washington State Office of Archaeology and Historic Preservation (OAHP) concurrence for the proposed Area of Potential Effects (APE) for archaeological resources and historic buildings and structures as part of the Section 106 process (Figure 1).

#### PROJECT DESCRIPTION

The Everett HOV project would complete the northernmost portion of the *South Seattle to Everett WSDOT Freeway Core HOV lane Project and Plan* by constructing northbound and southbound HOV lanes from SR 526 (Boeing Freeway) to SR 2. The project would also include the following improvements: 1) Northbound and southbound auxiliary lanes between 41<sup>st</sup> Street and SR 2; 2) Construction of a two-lane right hand fly over off-ramp from northbound I-5 to northbound Broadway; 3) Converting the existing northbound left hand Broadway off-ramp to HOV only and adding a southbound HOV only on-ramp from southbound Broadway; 4) Ramp metering as needed to improve operations; 5) Retrofitting drainage facilities to provide detention and treatment for the all of I-5 within the project limits; 6) Constructing noise walls, as warranted, throughout the project limits; 7) Providing environmental mitigation, including constructed wetlands to treat stormwater, needed to support this project.

## **SOUTHBOUND I-5 IMPROVEMENTS**

The southbound I-5 improvements would add an HOV lane, starting near the East Marine View Drive/Grand Drive Avenue on-ramp and continuing through the SR 526 interchange. An auxiliary lane would be constructed from the southbound SR-2 on-ramp to the Broadway on-ramp. New retaining walls would be required in several locations to accommodate the widening. Several overpass and underpass structures would require modification or replacement to allow for the additional width to I-5.

## **NORTHBOUND I-5 IMPROVEMENTS**

The northbound I-5 improvements would construct an HOV lane that extends the existing lane from south of SR-526 and terminates approximately 1,500 feet before the SR 2/Everett Avenue on-ramp. New retaining walls would be required in several locations to accommodate the widening, and several overpass and underpass structures would require modification or replacement to allow for the additional width to I-5.

## **INTERCHANGES**

Ramp alignments at Broadway, 41<sup>st</sup> Street, Pacific Avenue, and SR 2 would be altered to allow for widening of the I-5 mainline. Selected on-ramps and off-ramps would be realigned to accommodate the widening of I-5. All interchange realignments would be within WSDOT right-of-way.

## **DRAINAGE FEATURES AND OFF-SITE CONSTRUCTION**

WSDOT proposes to completely retrofit I-5's stormwater collection and drainage system within the project limits. This would require the construction of wetlands at three locations. There are presently eleven candidate parcels proposed for off-site constructed wetlands that are being assessed as part of the proposed project. WSDOT will construct stormwater conveyance systems between I-5 and the three constructed wetlands. WSDOT will also construct outlets between the constructed wetlands and Woods Creek, Bigalow Creek and the Snohomish River.

## **PROPOSED AREA OF POTENTIAL EFFECTS**

### **ARCHAEOLOGICAL RESOURCES**

WSDOT proposes that the APE for archaeological resources would consist of areas of proposed ground disturbance related to freeway improvements, wetlands construction and stormwater conveyance construction.

### **HISTORIC BUILDINGS AND STRUCTURES**

WSDOT proposes that the Everett HOV project APE for historic buildings and structures include the proposed action and the adjoining area within 100 feet of the east edge of the

proposed northbound and southbound I-5 HOV lane, within 100 feet of interchange improvements and noise walls and within 100 feet of proposed constructed wetland areas. WSDOT believes that the proposed APE will adequately address potential direct and indirect effects of the proposed action, including visual effects, to significant cultural resources.

Please call Liz Kriewald at (206) 440-4536 if you have any questions or comments regarding the proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Brown", is written over the printed name.

Ben Brown  
Environmental Documentation Program Manager

Enclosures

CC: Day File  
Project File



STATE OF WASHINGTON

OFFICE OF COMMUNITY DEVELOPMENT

**Office of Archaeology and Historic Preservation**

1063 S. Capitol Way, Suite 106 • PO Box 48343 • Olympia, Washington 98504-8343 • (360) 586-3065  
Fax Number (360) 586-3067 • <http://www.oahp.wa.gov>

April 15, 2003

Mr. Ben Brown  
Department of Transportation  
15700 Dayton Avenue North  
PO Box 330310  
Seattle, Washington 98133-9710

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ENVIRONMENTAL

Log No.: 041503-4-FHWA

Re: Area of Potential Effect for I-5 HOV Lanes

Dear Mr. Brown:

We have reviewed the materials forwarded to our office for the proposed Area of Potential Effect (APE) for the I 5 HOV lanes between SR 526 and SR 2 in Snohomish County. Thank you for your description of the area of potential effect. We concur with your definition of the area of potential effect. We look forward to the results of your consultation with the concerned tribes and receiving the survey report.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer for compliance with Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800. We would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4).

Should additional information become available, our assessment may be revised. In the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity should be discontinued, the area secured, and the tribe's cultural committee and this office notified. Thank you for the opportunity to comment.

Sincerely,

Robert G. Whitlam, Ph.D.  
State Archaeologist  
(360) 586-3080  
email: [robw@cted.wa.gov](mailto:robw@cted.wa.gov)



**Washington State**  
**Department of Transportation**  
**Douglas B. MacDonald**  
Secretary of Transportation

**Northwest Region**  
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July 28, 2004

Susan Francisco, Director  
Everett Parks Department  
802 Mukilteo Blvd.  
Everett, WA 98203

Dear Ms. Francisco:

The Washington State Department of Transportation (WSDOT) in cooperation with the Federal Highway Administration (FHWA), the city of Everett, and Sound Transit is initiating a joint National Environmental Policy Act (NEPA) Environmental Assessment (EA) for the construction of High Occupancy Vehicle (HOV) Lanes on Interstate 5 from SR 526 to SR 2 Vicinity in Snohomish County.

WSDOT is requesting the Everett Parks Department's concurrence that placement of pipes under the Lowell Riverfront Trail would not cause an impact under Section 4(f) of the Department of Transportation Act.

To provide water quality treatment, WSDOT is working in cooperation with the city of Everett to build a Constructed Stormwater Treatment Wetland on the city-owned parcel referred to as the Simpson Site near the Snohomish River in the Lowell Neighborhood. To convey treated stormwater to the Snohomish River, WSDOT would require a temporary construction easement to place a pipe or pipes crossing the Lowell Riverfront Trail. WSDOT has committed to placing the pipes across the trail during nighttime hours so that use of the trail would not be disrupted. The pipe placement would only require a temporary construction easement and the temporary occupancy would:

- (a) be of short duration and less than the time needed for construction of the project,
- (b) not change the ownership or result in the retention of long-term or indefinite interests in the land for transportation purposes,
- (c) not result in any temporary or permanent adverse change to the activities, features, or attributes which are important to the purposes or functions that qualify the resource for protection under Section 4(f), and
- (d) include only a minor amount of land



Interstate 5 Everett HOV  
SR 526 to SR 2 Vicinity  
Request for Section 4(f) Concurrence

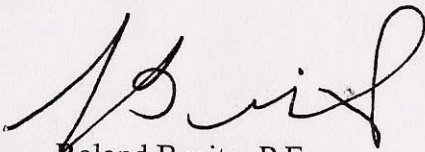
Project Background:

The purpose of the project is to provide long-term person mobility by promoting the principles of HOV incentives by enabling HOVs to bypass congestion, provide reliable HOV level of service and benefit general-purpose traffic by decreasing the number of vehicles on the system as a result of removing HOV traffic from the general-purpose lanes. In addition, this project relieves congestion and provides safety improvements, while at the same time minimizing environmental impacts and satisfying the public expectations.

The improvements being considered include widening the roadway to add a Northbound and Southbound HOV lanes in each direction, a Northbound and Southbound auxiliary (general-purpose) lane from Broadway I/C to SR 2 (SB) and the 41<sup>st</sup> Street I/C to SR 2 (NB), moving the NB left-hand off-ramp to Broadway to a right-hand off-ramp, converting the existing NB off-ramp to Broadway into an HOV Only facility, adding a SB HOV on-ramp from Broadway, retrofitting drainage facilities to provide treatment and detention for this I-5 project area, environmental mitigation as needed and ITS facilities. Anticipate completion of the EA and issuance of the FONSI/SEPA adoption is in late 2004.

If you have any questions or comments concerning our proposed construction, please feel free to contact me at (206) 440-4612.

Sincerely,



Roland Benito, P.E.  
Project Engineer

RB:ls/jb

cc: Bob Dyer  
Pat McCormick  
Dean Torkko

From: Hal Gausman  
Sent: Wednesday, July 28, 2004 4:24 PM  
To: 'Benito'  
Cc: Dave Davis  
Subject: I-5 Everett HOV Project and Everett Parks

Dear Roland, it was great to meet with you today.  
Everett Parks is in support of the I-5 HOV Project and finds no major issues related to the recreational component of your Environment Assessment and the City's Lowell River Front Bike Trail. We do ask that the final design and construction process minimize the length of time of disturbance to the trail, that the outfall described as part of the project be designed to restrict entry into the pipe by children and that consideration be given for blending the outfall with the natural environment and aesthetic qualities of the river. Please call if you have any questions

Hal Gausman 425-257-8378  
Assistant Director, Landscape Architect  
Everett Parks and Recreation



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Department of Transportation**  
**Douglas B. MacDonald**  
Secretary of Transportation

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[www.wsdot.wa.gov](http://www.wsdot.wa.gov)

5 August 2004

The Honorable Bennie Armstrong  
Suquamish Tribal Council  
P.O. Box 498  
Suquamish, WA 98392

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**

Dear Chairman Armstrong:

Per compliance with the National Historic Preservation Act and 36CFR800, we are continuing consultation with the Suquamish Tribe for this project. Enclosed please find Larson Anthropological Archaeological Service's report (#2003-07, dated 29 July 2004) summarizing a cultural resources study for the above project. We have determined that the following eight properties are eligible for inclusion in the NRHP:

- 1) Baldwin House, 4422 S. 4<sup>th</sup> Avenue, Everett
- 2) Lychgate at Evergreen Cemetery, Broadway & 41<sup>st</sup> Street East, Everett
- 3) George Summer House, 4100 S. 3<sup>rd</sup> Street, Everett
- 4) Emil Anderson House, 4532 S. 4<sup>th</sup> Avenue, Everett
- 5) McCabe Building, 3118-3120 Hewitt Avenue, Everett
- 6) Moses C. Howell House, 2422 Harrison Avenue, Everett
- 7) Virginia Neff House, 2426 Harrison Avenue, Everett
- 8) Theo J. Jerome House, 2502 Harrison Avenue, Everett

The proposed improvements (lane, ramp, and noise wall installations) will all occur within the present right-of-way in the vicinities of the historic properties listed above. Given the presence of the existing highway, and the limited additional impacts posed by the proposed improvements, we have determined that the project will have no adverse effect on historic properties.

You will note numerous inappropriate references in the LAAS report to "adverse effects" anticipated to NRHP listed and eligible properties (with which we do not agree) and to historic resources not NRHP eligible. As "effects" apply only to eligible historic properties (per 36CFR800), we are not determining effects on ineligible resources.

Due to access restrictions, surveys and/or shovel probes for archaeological resources could not be completed on all parcels within the APE. Surveys and appropriate subsurface probes will be done when access is obtained to those parcels, specifically for Water Quality Sites 1, 2, and 3 (see p. 7-1



Chairman Bennie Armstrong  
5 August 2004  
Page 2

of the LAAS report). Monitoring for cultural resources will be conducted where construction penetrates native soils at Water Quality Sites 4 and 5, and at the Lowell Slide Drainage Easements (see p. 7-1).

I look forward to any comments you may wish to make on the enclosed report, or on the project as proposed. If you have questions, you may contact me at 360-570-6639, email at [holstinec@wsdot.wa.gov](mailto:holstinec@wsdot.wa.gov), or Jason Biggs at 206-440-4639. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Holstine", with a stylized flourish at the end.

Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region



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**Department of Transportation**  
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[www.wsdot.wa.gov](http://www.wsdot.wa.gov)

5 August 2004

The Honorable William E. Matheson  
Snohomish Tribe of Indians  
144 Railroad Avenue, Suite 201  
Edmonds, WA 98020

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**

Dear Chairman Matheson:

Per compliance with the National Historic Preservation Act and 36CFR800, we are continuing consultation with the Snohomish Tribe for this project. Enclosed please find Larson Anthropological Archaeological Service's report (#2003-07, dated 29 July 2004) summarizing a cultural resources study for the above project. We have determined that the following eight properties are eligible for inclusion in the NRHP:

- 1) Baldwin House, 4422 S. 4<sup>th</sup> Avenue, Everett
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The proposed improvements (lane, ramp, and noise wall installations) will all occur within the present right-of-way in the vicinities of the historic properties listed above. Given the presence of the existing highway, and the limited additional impacts posed by the proposed improvements, we have determined that the project will have no adverse effect on historic properties.

You will note numerous inappropriate references in the LAAS report to "adverse effects" anticipated to NRHP listed and eligible properties (with which we do not agree) and to historic resources not NRHP eligible. As "effects" apply only to eligible historic properties (per 36CFR800), we are not determining effects on ineligible resources.

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Chairman William E. Matheson  
5 August 2004  
Page 2

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I look forward to any comments you may wish to make on the enclosed report, or on the project as proposed. If you have questions, you may contact me at 360-570-6639, email at [holstinec@wsdot.wa.gov](mailto:holstinec@wsdot.wa.gov), or Jason Biggs at 206-440-4639. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Holstine", written over a horizontal line.

Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region



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5 August 2004

The Honorable Joseph Mullen  
Snoqualmie Tribe of Indians  
P.O. Box 280  
Carnation, WA 98014-0280

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**

Dear Chairman Mullen:

Per compliance with the National Historic Preservation Act and 36CFR800, we are continuing consultation with the Snoqualmie Tribe for this project. Enclosed please find Larson Anthropological Archaeological Service's report (#2003-07, dated 29 July 2004) summarizing a cultural resources study for the above project. We have determined that the following eight properties are eligible for inclusion in the NRHP:

- 1) Baldwin House, 4422 S. 4<sup>th</sup> Avenue, Everett
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Chairman Joseph Mullen  
5 August 2004  
Page 2

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I look forward to any comments you may wish to make on the enclosed report, or on the project as proposed. If you have questions, you may contact me at 360-570-6639, email at [holstinec@wsdot.wa.gov](mailto:holstinec@wsdot.wa.gov), or Jason Biggs at 206-440-4639. Thank you for your attention to this matter.

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Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region



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Department of Transportation**  
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Secretary of Transportation

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[www.wsdot.wa.gov](http://www.wsdot.wa.gov)

5 August 2004

The Honorable Stanley Jones, Sr.  
Tulalip Tribes  
6700 Totem Beach Road  
Marysville, WA 98270-9694

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**

Dear Chairman Jones:

Per compliance with the National Historic Preservation Act and 36CFR800, we are continuing consultation with the Tulalip Tribe for this project. Enclosed please find Larson Anthropological Archaeological Service's report (#2003-07, dated 29 July 2004) summarizing a cultural resources study for the above project. We have determined that the following eight properties are eligible for inclusion in the NRHP:

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Chairman Stanley Jones, Sr.  
5 August 2004  
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Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region





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5 August 2004

The Honorable Jerry Meninick  
Yakama Nation Tribal Council  
POB 151  
Toppenish, WA 98948-0151

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**

Dear Chairman Meninick:

Per compliance with the National Historic Preservation Act and 36CFR800, we are continuing consultation with the Yakama Nation for this project. Enclosed please find Larson Anthropological Archaeological Service's report (#2003-07, dated 29 July 2004) summarizing a cultural resources study for the above project. We have determined that the following eight properties are eligible for inclusion in the NRHP:

- 1) Baldwin House, 4422 S. 4<sup>th</sup> Avenue, Everett
- 2) Lychgate at Evergreen Cemetery, Broadway & 41<sup>st</sup> Street East, Everett
- 3) George Summer House, 4100 S. 3<sup>rd</sup> Street, Everett
- 4) Emil Anderson House, 4532 S. 4<sup>th</sup> Avenue, Everett
- 5) McCabe Building, 3118-3120 Hewitt Avenue, Everett
- 6) Moses C. Howell House, 2422 Harrison Avenue, Everett
- 7) Virginia Neff House, 2426 Harrison Avenue, Everett
- 8) Theo J. Jerome House, 2502 Harrison Avenue, Everett

The proposed improvements (lane, ramp, and noise wall installations) will all occur within the present right-of-way in the vicinities of the historic properties listed above. Given the presence of the existing highway, and the limited additional impacts posed by the proposed improvements, we have determined that the project will have no adverse effect on historic properties.

You will note numerous inappropriate references in the LAAS report to "adverse effects" anticipated to NRHP listed and eligible properties (with which we do not agree) and to historic resources not NRHP eligible. As "effects" apply only to eligible historic properties (per 36CFR800), we are not determining effects on ineligible resources.

Due to access restrictions, surveys and/or shovel probes for archaeological resources could not be completed on all parcels within the APE. Surveys and appropriate subsurface probes will be done when access is obtained to those parcels, specifically for Water Quality Sites 1, 2, and 3 (see p. 7-1

Chairman Jerry Meninick  
5 August 2004  
Page 2

of the LAAS report). Monitoring for cultural resources will be conducted where construction penetrates native soils at Water Quality Sites 4 and 5, and at the Lowell Slide Drainage Easements (see p. 7-1).

I look forward to any comments you may wish to make on the enclosed report, or on the project as proposed. If you have questions, you may contact me at 360-570-6639, email at [holstinec@wsdot.wa.gov](mailto:holstinec@wsdot.wa.gov), or Jason Biggs at 206-440-4639. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Holstine", with a horizontal line extending from the end of the signature.

Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region



**Washington State  
Department of Transportation**  
**Douglas B. MacDonald**  
Secretary of Transportation

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5 August 2004

Allyson Brooks, Ph.D.  
State Historic Preservation Officer  
Office of Archaeology & Historic Preservation  
MS-48343  
Olympia, WA 98504-8343

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**  
**OAHP Log #: 04153-4-FHWA**

Dear Dr. Brooks:

Enclosed are copies of the letter (dated 10 April 2003) to you from Ben Brown of WSDOT's Northwest Region defining the area of potential effect (APE), and of the letter (dated 15 April 2003) from Rob Whitlam of your staff concurring with our APE definition for this project. Also enclosed please find Larson Anthropological Archaeological Service's report (#2003-07, dated 29 July 2004) summarizing a cultural resources study for the above project.

Pursuant to compliance with Section 106 of the NHPA, we have determined that the following eight properties (shown on the map enclosed as Figure 4-4) are eligible for inclusion in the NRHP:

- 1) Baldwin House, 4422 S. 4<sup>th</sup> Avenue, Everett
- 2) Lychgate at Evergreen Cemetery, Broadway & 41<sup>st</sup> Street East, Everett
- 3) George Summer House, 4100 S. 3<sup>rd</sup> Street, Everett
- 4) Emil Anderson House, 4532 S. 4<sup>th</sup> Avenue, Everett
- 5) McCabe Building, 3118-3120 Hewitt Avenue, Everett
- 6) Moses C. Howell House, 2422 Harrison Avenue, Everett
- 7) Virginia Neff House, 2426 Harrison Avenue, Everett
- 8) Theo J. Jerome House, 2502 Harrison Avenue, Everett

The proposed improvements (lane, ramp, and noise wall installations) will occur within the present right-of-way in the vicinities of the historic properties listed above. The proposed improvements will occur to the rear of all of the houses, posing no impacts to the structures' primary facades. Given the presence of the existing highway, and the limited additional impacts planned, we have determined that the project will have no adverse effect on the houses. Probable effects to the McCabe Building, a property listed in the NRHP, will be similar in that retaining walls are planned across a parking lot and street to the east and across a wide intersection to the north. The Lychgate is situated at the northeast entrance to Evergreen Cemetery. Trees and two existing two-lane

roadways separate the cemetery and the southbound lanes of I-5, where a new ramp and noise wall will be constructed. Visual effects on the Lychgate are not anticipated to be adverse.

You will note numerous inappropriate references in the LAAS report to "adverse effects" anticipated to NRHP listed and eligible properties (with which we do not agree) and to historic resources not NRHP eligible. As "effects" apply only to eligible historic properties (per 36CFR800), we are not determining effects on ineligible resources.

Due to access restrictions, surveys and/or shovel probes for archaeological resources could not be completed on all parcels within the APE. Surveys and appropriate subsurface probes will be done when access is obtained to those parcels, specifically for Water Quality Sites 1, 2, and 3 (see p. 7-1 of the LAAS report). Monitoring for cultural resources will be conducted where construction penetrates native soils at Water Quality Sites 4 and 5, and at the Lowell Slide Drainage Easements (see p. 7-1).

I look forward to your concurrence with our determinations of NRHP eligibility, and of no adverse effect for the project. If you have questions, you may contact me at 360-570-6639, email at [holstinec@wsdot.wa.gov](mailto:holstinec@wsdot.wa.gov), or Jason Biggs at 206-440-4639. Thank you for your attention to this matter.

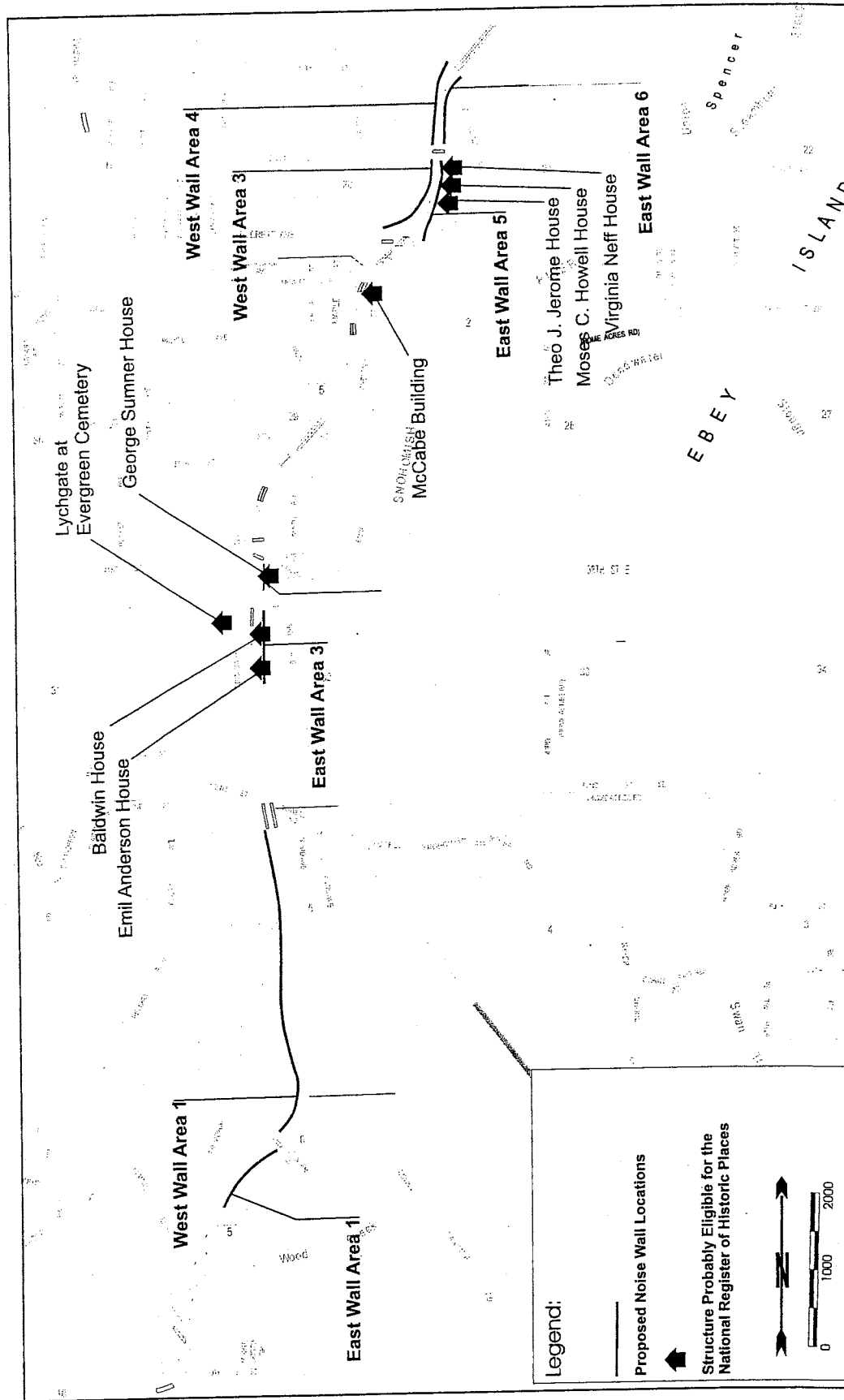
Sincerely,



Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region  
Joseph Mullen, Snoqualmie Tribe  
William E. Matheson, Snohomish Tribe  
Bennie Armstrong, Suquamish Tribe  
Stanley Jones, Sr., Tulalip Tribe  
Jerry Meninick, Yakama Nation



**Figure 4-4: Locations of Structures Probably Eligible for Listing in the NRHP Relative to Proposed Noise Barriers**



**Washington State  
Department of Transportation**

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27 August 2004

Allyson Brooks, Ph.D.  
State Historic Preservation Officer  
Office of Archaeology & Historic Preservation  
MS-48343  
Olympia, WA 98504-8343

**Re: I-5 Everett HOV SR 526 to SR 2 Project, Snohomish County**  
**OAHP Log #: 04153-4-FHWA**  
**Attention: Greg Griffith, Deputy SHPO**

Dear Dr. Brooks:

Enclosed is a copy of the letter (dated 11 August 2004) from Russell Holter of your staff concurring with our determinations of NRHP eligibility for eight properties with the APE for this project. Also enclosed please find EZ2 NRHP Determination of Eligibility forms for 27 properties not previously inventoried within the APE. Because the buildings lack integrity and historical and architectural significance, we have determined the structures **are not** NRHP eligible.

I agree with the consultant's evaluations of NRHP eligibility for all the properties here evaluated, with the exception of one: the consultant concludes that the "carriage house" behind the residence at 1909 Summit Avenue in Everett "may be eligible for listing . . . because it is a well-preserved and rare example of an early building type that was once common in this neighborhood." I disagree with the consultant's characterization of the building as a "carriage house": the structure appears to be a common vehicle garage lacking architectural distinction.

I look forward to your concurrence with our determinations of NRHP eligibility. If you have questions, you may contact me at 360-570-6639, email at [holstinec@wsdot.wa.gov](mailto:holstinec@wsdot.wa.gov), or Jason Biggs at 206-440-4639. Thank you for your attention to this matter.

Sincerely,

Craig Holstine  
Cultural Resources Specialist

Enc.

Cc: Dean Torkko, Steve Shipe and Jason Biggs, WSDOT Northwest Region



STATE OF WASHINGTON

**Office of Archaeology and Historic Preservation**

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501  
(Mailing Address) PO Box 48343 • Olympia, Washington 98504-8343  
(360) 586-3065 Fax Number (360) 586-3067

September 3, 2004

Mr. Craig Holstine  
Washington State Department of Transportation  
P.O. Box 47332  
Olympia, WA 98504-7332

RECEIVED

SEP 07 2004

ENVIRONMENTAL AFFAIRS POINT PLAZA

In future correspondence please refer to:

Log: 041503-04-FHWA

Property: 35 Historic Properties, Everett (see attached lists)

Re: Determination of Eligibility/Effect, I-5 Everett HOV S.R. 526 to S.R. 2

Dear Mr. Holstine:

Thank you for contacting the Washington State Office of Archaeology and Historic Preservation (OAHP) regarding the above referenced project. This submittal has been reviewed on behalf of the State Historic Preservation Officer (SHPO) under provisions of Section 106 of the National Historic Preservation Act of 1966 (as amended) and 36 CFR Part 800 and follows upon a request for additional information contained in our letter to you of August 11, 2004.

In response, I have reviewed the EZ2 National Register of Historic Places Determination of Eligibility forms for 27 residential properties within the project area of potential effect (APE). As a result of this review, I concur with your determination that these properties are not eligible for listing in the National Register. Although of historic interest for being over 50 years in age, these residences do not exhibit significant historical associations nor distinctive architectural design or craftsmanship. In addition, the photographs indicate that most of these properties have been the subject of recent alterations that have significantly compromised the integrity of historic appearance. Although on the EZ2 form, we request that these 27 properties be documented in OAHP's electronic database format for inclusion in the Historic Property Inventory.

As a follow-up to your letter of August 5, 2004 regarding National Register eligibility of seven historic properties in the APE, I concur with your determination that these properties (see attached list) are eligible for listing in the Register. It is noted that the McCabe Building is already listed in the National Register.

In regard to your determination of effect, I concur with your determination that the proposed action will have "no adverse effect" on significant historic properties listed in, or eligible for listing in, the National Register of Historic Places. This concurrence is based upon: recognition that I-5 has existed behind these properties for decades and therefore the setting of these properties will not be significantly altered; that the proposal will be confined to the existing right-of-way and therefore property boundaries and landscaping will not be altered;




Mr. Craig Holstine  
September 3, 2004  
Page Two

and that the project is taking place to the rear of the properties and therefore public views and visual impressions of these properties will not be altered. In summary, implementation of the roadway expansion will not alter character-defining features of these properties that qualify them for National Register listing nor will there be any appreciable change to the setting beyond what has already occurred in the past when I-5 was constructed and gradually expanded.

In view of the "no adverse effect" determination, further contact with OAHP on this project as it pertains to the reviewed properties is not necessary. However, please note that our concurrence on National Register eligibility and your determination of effect is based upon information available to OAHP at this time. Should more information come to light on these properties or should project plans/designs change significantly, please contact OAHP for further consultation on this matter. Also, we anticipate receiving completed Historic Property Inventory Database records for all reviewed properties.

Again, thank you for the opportunity to review and comment. **Please note that this fall, OAHP will be requiring that all historic property inventory forms submitted to our office be submitted in an electronic version using the new Microsoft Access database. If you have not registered for a copy of the database please log on to our website at [www.oahp.wa.gov](http://www.oahp.wa.gov) for further instruction.** Please feel free to contact me if you have any questions at 360-586-3073 or [gregg@cted.wa.gov](mailto:gregg@cted.wa.gov).

Sincerely,



Gregory Griffith  
Deputy State Historic Preservation Officer

Enclosures

Cc: Elizabeth Healey, FHWA  
Jan Meston, City of Everett w/enclosures

**The following properties in the city of Everett determined eligible for listing in the National Register of Historic Places 9/3/04**

Baldwin House, 4422 S. 4<sup>th</sup> Avenue

Lychgate at Evergreen Cemetery, Broadway & 41<sup>st</sup> Street East

George Summer House, 4100 S. 3<sup>rd</sup> Street

Emil Anderson House, 4532 S. 4<sup>th</sup> Avenue

Moses C. Howell House, 2422 Harrison Avenue

Virginia Neff House, 2426 Harrison Avenue

Theo J. Jerome House, 2502 Harrison Avenue

The McCabe Building, 3118-3120 Hewitt Avenue listed in the National Register 10/21/77\*

**The following properties in the city of Everett found not eligible for listing in the  
National Register of Historic Places 9/3/04**

4124 S. 3<sup>rd</sup> Street  
4211 S. 4<sup>th</sup> Street  
4215 S. 4<sup>th</sup> Street  
4410 S. 4<sup>th</sup> Street  
4412 S. 4<sup>th</sup> Street  
4418 S. 4<sup>th</sup> Street  
4430 S. 4<sup>th</sup> Street  
4510 S. 4<sup>th</sup> Street  
4514 S. 4<sup>th</sup> Street  
4600 S. 4<sup>th</sup> Street  
4602 S. 4<sup>th</sup> Street  
4606 S. 4<sup>th</sup> Street  
4612 S. 4<sup>th</sup> Street  
4716 S. 4<sup>th</sup> Street  
2518 62<sup>nd</sup> Street SE  
3402 Everett Avenue  
2501 Highland Avenue  
2609 Jackson Avenue  
6029 McDougall Avenue  
6105 McDougall Avenue  
1909 Summit Avenue  
1925 Summit Avenue  
1929 Summit Avenue  
2408 Summit Avenue  
2614 Summit Avenue (garage only)  
2711 Walnut Avenue  
2713 Walnut Avenue

