Re-Evaluation of the Categorical Exclusion for the I-205: Stafford Road to OR 213 Improvements Project

1.0 Project Name and Information

Project Name: I-205: Stafford Road to OR 213 Project (I-205: Phase 1a Project)

NEPA decision type being re-evaluated: Categorical Exclusion [23 CFR 771.117(d)(13)]

Highway: I-205 **County:** Clackamas County

Key Number: 19786 (22467) **Federal-Aid Number:** S064(057)

2.0 Purpose/Introduction

In 2018, ODOT and FHWA determined that the I-205: Stafford Road to OR 213 Improvements Project as described under "Original Project Description" below, qualified as a categorical exclusion (CE) as outlined in 23 CFR 771.117(d)(13). In December 2018, FHWA signed a Categorical Exclusion (CE) Closeout Document (2018 CE) for the I-205: Stafford Road to OR 213 Improvements Project. The information provided in the 2018 CE demonstrated that the specific conditions and criteria for an FHWA CE were satisfied and that the project would not involve significant environmental effects, as described in 23 CFR 771.117(a) nor unusual circumstances, as described in 23 CFR 771.117(b).

Per 23 CFR 771.129(c) and FHWA's Re-evaluation guidance[1], once a NEPA decision has been rendered, FHWA "must determine, prior to granting any new approval related to an action or amending any previously approved aspect of an action, including mitigation commitments, whether an approved environmental document remains valid". The next major approval action needed is for FHWA to concur with ODOT's financial strategy and contract award for Phase 1a of the I-205: Stafford Road to OR 213 Improvements Project, therefore, a re-evaluation is required to determine if the CE decision remains valid for decision-making for the requested action.

Requirements for written re-evaluations are triggered when the original NEPA document was an EIS (23 CFR 771.129[a-b]). In the case of a CE determination that has already been rendered, a re-evaluation consultation with FHWA is required (23 CFR 771.129 [c]). FHWA determines if a re-evaluation consultation needs to be documented and the level of documentation needed. As requested by FHWA, this re-evaluation of the 2018 CE documents changes to the scope of the I-205: Stafford Road to OR 213 Improvements Project, any associated changes to environmental effects, and the conclusion of ODOT and FHWA's re-evaluation consultation. This Re-evaluation incorporates by reference the 2018 CE and all supporting documentation, including:

- Environmental Justice Technical Memorandum
- No Effect FAHP Notification
- SHPO Concurrence Joint Finding of No Adverse Effect
- Section 4(f) de minimis Impacts Determination Concurrence
- Section 4(f) No Use of 4(f) Resources—Temporary Occupancy The McLean House and Park
- Section 4(f) No Use of 4(f) Resources—Temporary Occupancy West Bridge Park
- Section 4(f) de minimis Impact Determination for Jon Storm Park
- Section 4(f) de minimis Impact Determination for Sportcraft Boat Ramp Park
- Tribal Coordination Summary

3.0 Original Project Description

The description of the I-205: Stafford Road to OR 213 Improvements Project in the 2018 CE is as follows [in italics]:

[1] *NEPA Re-Evaluation Joint Guidance for Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), & Federal Transit Administration (FTA) (2019)*

The elements of the I-205: Stafford Road to OR 213 Project (Project) to be constructed are:

1. *Seismic Upgrades: The Project will upgrade the George Abernethy Bridge (Abernethy Bridge) and all the bridges carrying I-205 traffic within the Project to withstand the Cascadia Seismic Event (CSE). Bridges to be replaced to meet the seismic design criteria are discussed below. The project will achieve the seismic design criteria at the Abernethy Bridge (MP 9.03) through a series of structural upgrades including replacement of the substructure (piers 3 through 7), adding columns, increasing foundation sizes, enlarging columns and beams, and other substructure improvements. Subsurface soils on both sides of the Willamette River will be strengthened using industry standard methods for deep soil mixing or jet grouting. Both operations would utilize a drill rig to inject soil strengthening materials (grout or cementitious binder slurry) to a predetermined depth to mitigate liquefaction during the CSE. The surface above the subsurface soil strengthening will be returned to pre-existing conditions when the operation is complete. Foundation improvements and substructure upgrades will occur at the remainder of the I-205 bridges which carry I-205 traffic through the Project but the following structures will not be replaced:*
    - *I-205 NB over Blankenship Road - MP 5.84*
    - *I-205 SB over Blankenship Road - MP 5.90*
    - *I-205 NB over 10th Street (West Linn) - MP 6.40*
    - *I-205 SB over 10th Street (West Linn) - MP 6.42*
    - *I-205 over Willamette River (Abernethy) - MP 9.03*
    - *I-205 SB Connector #2 to OR 43 (West Linn Interchange) - MP 9.14*
    - *I-205 NB Connector #1 to OR 99E (Oregon City Interchange) - MP 9.30*
    - *I-205 over Main Street (Oregon City) - MP 9.51*

2. *I-205 Widening: The Project will add a third lane in each direction on the seven-mile stretch of I-205 between the Stafford Road and OR 99E Interchanges and add an I-205 NB auxiliary lane from OR 99E to OR 213. Widening I-205 will require rock blasting in order to remove rock from the rock slope located in West Linn adjacent to the I-205 NB direction between the Sunset Avenue overcrossing and just south of the OR 43 Interchange. I-205 widening will not require any culvert lengthening. The main spans of the Abernethy Bridge will be widened by sliding the existing bridge girders toward the outside of the bridge and constructing the additional lane width between the NB and SB lanes. The remainder of the seismically upgraded bridges will be widened to the inside to accommodate the additional lane width.*

3. *Bridge Replacements: The following bridges will be replaced to meet seismic design standard and facilitate the widening I-205:*
    - *I-205 NB over Borland Road - MP 3.82*
    - *I-205 SB over Borland Road - MP 3.81*
    - *I-205 NB over the Tualatin River - MP 4.10*
    - *I-205 SB over the Tualatin River - MP 4.08*
    - *I-205 NB over Woodbine Road - MP 5.14*
    - *I-205 SB over Woodbine Road - MP 5.19*
    - *Sunset Avenue (West Linn) over I-205 - MP 8.28*
    - *West A Street (West Linn) over I-205 - MP 8.64*

4. *Interchange Improvements: To improve I-205 safety and travel-time predictability entrance ramps, exit ramps, and the intersections around the OR 43 Interchange will be modified. At the OR 43 Interchange, the two I-205 NB entrance ramp points will be consolidated to reduce merging and weaving issues and reduce rear-end crashes. A roundabout will be constructed at the currently signalized intersection of the I-205 NB offramp and OR 43 to accept the consolidated I-205 NB entrance point and Broadway Street Bridge overcrossing will be removed to enhance the function of the consolidated interchange.*

5. *Traveler Information Signs (Active Traffic Management (ATM) Improvements): The Project will include five variable message speed signs and 13 variable advisory speed signs to convey ODOT RealTime traffic information. These traffic information signs will be installed on four new structures and two existing structures within the Project area.*

6. *Maintenance of Traffic: The number and speed of I-205 traffic travel lanes will typically be maintained throughout the construction of the project. Rolling slow downs of NB and SB traffic will be required during rock blasting. The rolling slow downs will be timed to coincide with lowest traffic volumes during times of day when blasting can be done safely. Traffic on Willamette Falls Drive will be delayed for up to 30 minutes during these times. Bi-directional weekend closures of I-205 will be necessary during the sliding of the NB and SB lanes of the Abernethy Bridge. During the weekend the Abernethy Bridge NB lanes are slid to the final configuration, I-205 NB will be closed from I-5 to OR 99E. During the weekend of the Abernethy Bridge SB lane slide I-205 SB will be closed from OR 213 to OR 43. Traffic will be detoured to I-5 and I-84 or will have the option of utilizing the extensive local street network to navigate to their destinations. Nighttime lane closures of I-205, Borland Road, and Woodbine Road in accordance with ODOT Standard Specifications will be necessary during existing structure*

demolition and new bridge beam erections. For three weeks during the reconstruction of the OR 43 Interchange, OR 43 will be closed from Willamette Falls Drive to the I-205 NB on-ramp. OR 43 SB traffic will be able to access I-205 NB and SB during construction; however, NB OR 43 traffic will be detoured to OR 99E to access NB and SB I-205.

4.0 Changes to the Original Project

Since the 2018 CE decision was rendered, several of the ATM improvements have been completed[2]. The other elements of the I-205: Stafford Road to OR 213 Improvements Project have advanced as phased construction packages and funding mechanisms for the separate phases that have been identified. While the description of the I-205: Stafford Road to OR 213 Improvements Project elements as included in the 2018 CE has not changed beyond minor design refinements, the funding mechanisms for the phases have resulted in changes to the project scope.

Recently signed into law, Oregon House Bill 3055 provides financing options that allow Phase 1a of the I-205: Stafford Road to OR 213 Improvements Project to be constructed beginning in the spring/summer 2022 without the use of toll revenue. Construction of the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project will require toll revenue. The I-205 Toll Project is a separate project that would toll I-205 near the Abernethy and Tualatin River Bridges to raise revenue for construction of the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project.

As Phase 1a is now advancing as a separate project with independent funding, the 2018 CE decision is being reduced in scope to include only Phase 1a (the "I-205: Phase 1a Project" or "Phase 1a Project"). Because the I-205 Toll Project is needed to fund construction of the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project, those remaining phases will now be evaluated as part of the I-205 Toll Project Environmental Assessment (EA) and are no longer included in the 2018 CE project scope or CE decision. Additional details of the changes being made to the CE are provided below.

I-205: Phase 1a Project

The I-205: Phase 1a Project is reconstruction of the George Abernethy Bridge (Abernethy Bridge) and improvements to the OR 43 and OR 99E interchanges at either end of the bridge. The downscoped CE now includes the following Phase 1a Project elements, all of which were included in the 2018 CE:

- Seismic Upgrades: The Project will upgrade the Abernethy Bridge to withstand the Cascadia Seismic Event (CSE). The project will achieve the seismic design criteria at the Abernethy Bridge (MP 9.03) through a series of structural upgrades including replacement of the substructure (piers 3 through 7), adding columns, increasing foundation sizes, enlarging columns and beams, and other substructure improvements. Subsurface soils on both sides of the Willamette River will be strengthened using industry standard methods for deep soil mixing or jet grouting. Both operations would utilize a drill rig to inject soil strengthening materials (grout or cementitious binder slurry) to a predetermined depth to mitigate liquefaction during the CSE. The surface above the subsurface soil strengthening will be returned to pre-existing conditions when the operation is complete.
- I-205 Widening: The main spans of the Abernethy Bridge will be widened by sliding the existing bridge girders toward the outside of the bridge and constructing the additional lane width between the NB and SB lanes. Bridge widening will allow for up to 3 general purpose lanes and 1 auxiliary lane in each direction in the future if needed; however, Phase 1a will only be striped for 2 general purpose lanes and 1 auxiliary northbound and 3 general purpose lanes and 1 auxiliary lane southbound across the Abernethy Bridge at this time.
- Interchange Improvements: To improve I-205 safety and travel-time predictability, entrance ramps, exit ramps, and the intersections around the OR 43 and OR 99E Interchanges will be modified. At the OR 43 Interchange, the two I-205 NB entrance ramp points will be consolidated to reduce merging and weaving issues and reduce rear-end crashes. A roundabout will be constructed at the currently signalized intersection of the I-205 NB offramp and OR 43 to accept the consolidated I-205 NB entrance point.
- Maintenance of Traffic: The number and speed of I-205 traffic travel lanes will typically be maintained throughout the construction of the project. Bi-directional weekend closures of I-205 will be necessary during the sliding of the NB and SB lanes of the Abernethy Bridge. During the weekend the Abernethy Bridge NB lanes are slid to the final configuration, I-205 NB will be closed from I-5 to OR 99E. During the weekend of the Abernethy Bridge SB lane slide I-205 SB will be closed from OR 213 to OR 43. Traffic will be detoured to I-5 and I-84 or will have the option of utilizing the extensive local street network to navigate to their destinations. For three weeks during the reconstruction of the OR 43 Interchange, OR 43 will be closed from Willamette Falls Drive to the I-

[2] *Five RealTime signs as described in #5 under Original Project Description were completed in 2020.*

205 NB on-ramp. OR 43 SB traffic will be able to access I-205 NB and SB during construction; however, NB OR 43 traffic will be detoured to OR 99E to access NB and SB I-205.

Design of the Phase 1a Project has advanced since the 2018 CE to include additional detail of project elements and incorporate locally funded partner projects. The following detailed elements are incorporated into the Phase 1a Project and were included in the original area of potential impact (API) of the project:

- Realignment and widening of Clackamette Drive under the Abernethy Bridge.
- Installation of multi-use paths along Clackamette Drive and OR43.
- Installation of a noise abatement wall (a.k.a. sound wall) along I-205 and across Main Street Bridge on southbound side of the highway.
- Ramps to OR 99 E will be realigned to connect safely to the widened bridge.
- Utility work related to City of West Linn waterline and Clackamas County Water Environmental Services sewer force main on Abernethy Bridge (locally funded partner projects).

The limits of the Phase 1a Project are mile posts 8.60 (southern) and 10.33 (northern). These project limits include the Abernethy Bridge and adjacent interchanges and on and off ramps at OR 43 and OR 99, which will need to be modified as part of the structural improvements to the bridge. The southern and northern limits of the Phase 1a Project are located at logical termini: the OR 43 interchange to the south and OR 213 to the north. The southern project limit at OR 43 is a logical terminus because the interchange is connected to the Abernethy Bridge. The northern project limit extends to a terminus at OR 213 to include restriping of I-205 that is necessary to safely connect the existing freeway to the widened bridge. The Phase 1a Project limits are shown in the attached exhibit.

The Abernethy Bridge currently does not meet the seismic design criteria to withstand the CSE and is vulnerable to severe damage or collapse in the event of a major earthquake. ODOT has designated I-205 as a statewide north-south lifeline route, which means it must be operational quickly if an earthquake renders other roadways unusable or impassable. The Phase 1a Project has independent utility in that it will result in the first earthquake-ready interstate structure across the Willamette River and will support I-205 as the regional north-south lifeline route, including the ability to provide needed supplies and services to the region after a disaster.

I-205 Toll Project

Toll revenue is needed to complete the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project, which include improvements from OR 99E to OR 213, and OR 43 to Stafford Rd, including replacement of the Tualatin River Bridge. Therefore, these remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are now being made part of the I-205 Toll Project.

An Environmental Assessment (EA) is being prepared for the I-205 Toll Project. The I-205 Toll Project EA will describe the anticipated benefits and impacts resulting from tolling, including the impacts related to the identified improvements that will be funded by tolling (i.e., remaining construction phases of the I-205: Stafford Road to OR 213 Improvements Project). Impacts and benefits to communities, traffic, noise, air quality, and the natural environment, as well as potential mitigation to avoid, minimize, and offset adverse impacts from tolling and highway improvements will be analyzed in the I-205 Toll EA.

The elements of the I-205: Stafford Road to OR 213 Improvements Project that will be evaluated in the I-205 Toll Project EA are:

- Foundation improvements and substructure upgrades for seismic resiliency at five I-205 bridges:
    - I-205 NB over Blankenship Road - MP 5.84
    - I-205 SB over Blankenship Road - MP 5.90
    - I-205 NB over 10th Street (West Linn) - MP 6.40
    - I-205 SB over 10th Street (West Linn) - MP 6.42
    - I-205 over Main Street (Oregon City) - MP 9.51
- Widening of I-205 by adding a third lane in each direction on I-205 between the Stafford Road and OR 99E Interchanges and adding an auxiliary lane on I-205 NB from OR 99E to OR 213. (While the Abernethy Bridge is located within this segment of I-205, the bridge structure will be widened in the Phase 1a Project for the reasons described above.)
- Rock blasting to remove rock from slope adjacent to the I-205 between the Sunset Avenue overcrossing and just south of the OR 43 Interchange to accommodate widening.
- Bridge replacements to meet seismic design standards and facilitate the widening of I-205:
    - I-205 NB over Borland Road - MP 3.82

- I-205 SB over Borland Road - MP 3.81
- I-205 NB over the Tualatin River - MP 4.10
- I-205 SB over the Tualatin River - MP 4.08
- I-205 NB over Woodbine Road - MP 5.14
- I-205 SB over Woodbine Road - MP 5.19
- Sunset Avenue (West Linn) over I-205 - MP 8.28
- West A Street (West Linn) over I-205 - MP 8.64

- Maintenance of the same number of travel lanes and speed of traffic on I-205 throughout construction, with rolling slow downs during rock blasting, which will be timed to coincide with lowest traffic volumes during times of day when blasting can be done safely.

5.0 Changes to Environmental Effects

As noted in Section 4.0, the 2018 CE decision is downscoped to include only the Phase 1a Project. The 2018 CE documents that the I-205: Stafford Road to OR 213 Improvements Project, which at the time included Phase 1a Project elements, qualified as a categorical exclusion (CE) as outlined in 23 CFR 771.117(d)(13). The environmental effects of the Phase 1a Project elements are disclosed in the 2018 CE and supporting documentation.

Removing elements related to the other phases of the original project (i.e., downscoping the CE to cover only the Phase 1a Project elements) reduces the environmental effects identified in the 2018 CE. However, this does not affect the validity of the analysis and conclusions in the 2018 CE for the I-205 Phase 1a Project elements. Design refinements described in Section 4.0 are within the original API and would not result in significant effects or unusual circumstances, and the conclusions of the 2018 CE remain valid for decision-making for all elements of the Phase 1a Project.

The environmental effects of elements described in the 2018 CE that are not included in the Phase 1a Project are now removed from the 2018 CE decision. Environmental effects from these remaining project phases will now be analyzed in the I-205 Toll Project EA. The I-205 Toll Project EA will address the environmental effects resulting from tolling, including the environmental effects of the construction of the future phases of the I-205: Stafford Road to OR 213 Improvements Project, which will be funded with toll revenue. The Build Alternative for the I-205 Toll Project EA includes tolling on the Abernethy Bridge; therefore, tolling is a reasonably foreseeable future action for the Phase 1a Project.

ODOT has re-evaluated the environmental effects identified in the 2018 CE and supporting documentation to determine whether they remain valid for the Phase 1a Project. Details of changes to the discussion of the resources in the 2018 CE are as follows:

Right-of-way. The same effects identified in the ROW section of the 2018 CE would occur with the Phase 1a Project, with the exception of a slight reduction in temporary construction easements required and less one fee acquisition near the West A Street Bridge. These reductions in ROW effects would not result in significant effects or an unusual circumstance and the analysis and conclusions remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new ROW impacts associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Land Use. All land use permitting requirements for the Phase 1a Project have been met. No change to the local land use processes for the City of West Linn and City of Oregon City identified in the 2018 CE would occur. Local land use decisions from Clackamas County would not be needed for the Phase 1a Project, therefore land use effects would be reduced in scope from the 2018 CE. No change has occurred that would result in significant effects or an unusual circumstance. Therefore, the land use analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new land use impacts associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Socioeconomic. The Phase 1a Project would not provide the benefit of decreased congestion from the addition of a travel lane on I-205 for a seven-mile stretch in each direction or the safety benefit of the auxiliary lane from OR 99 to OR 213. In addition, the construction impacts of widening I-205 and related changes in travel patterns and traffic in nearby communities would not occur. These reductions in socioeconomic effects would not result in significant effects or an unusual circumstance and do not change the validity of the analysis or conclusions in the 2018 CE; they remain valid for

decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new socioeconomic effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Environmental Justice. The 2018 CE and supporting Technical Memorandum included an analysis of the Environmental Justice effects of the Phase 1a Project elements. The reduced API for the Phase 1a Project does not alter the finding presented in the 2018 CE. That is, the I-205: Stafford Road to OR 213 Improvements Project will not cause disproportionately high and adverse effects on any minority or low-income populations in accordance with the provisions of E.O. 12898 and FHWA Order 6640.23. The 2018 CE remains valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new Environmental Justice effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Clean Water Act Section 404 Compliance/Wetlands/Waters. ODOT has received a U.S. Army Corps of Engineers Section 404 permit (NWP-2016-458, authorized December 18, 2019) and Department of State Lands Removal-Fill permit (62035-RF, authorized July 18, 2019) for Phase 1a. The Phase 1a Project would not result in impacts to the Tualatin River and ditches/streams/waterways outside of the Phase 1a Project limits, as identified in the 2018 CE, and as a result, the Phase 1a Project will have approximately 1 less acre of impact than what was analyzed in the 2018 CE. This change reduces impacts to waterways and would not result in significant effects or an unusual circumstance. Therefore, the analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new water resource and wetland effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Water Quality. The Phase 1a Project will require treatment of 63 acres of impervious surface, which is 59 fewer acres than reported in the 2018 CE. As contemplated in the 2018 CE, the Phase 1a Project includes stormwater treatment facilities to serve the new impervious area. ODOT received a Department of Environmental Quality (DEQ) Section 401 Certification Approval (2016-458-3, authorized August 4, 2021). The reduction in water quality impacts would not result in significant effects or an unusual circumstance. Therefore, the analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new water quality effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Endangered Species Act/ Threatened and Endangered Species. The Lower Columbia River Chinook, Coho, and Steelhead and Upper Willamette River Chinook and Steelhead, and designated critical habitat for each of these evolutionary significant units are within the Phase 1a Project limits. The conclusions of the ESA section of the 2018 CE remain valid related to these species and their critical habitat. The locations of White Rock Larkspur (Delphinium leucophaeum), a plant listed as a species of concern by USFWS, are outside of the Phase 1a Project limits and will not be affected. No significant effects or unusual circumstances would occur. Therefore, with these reductions in scope, the analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new effects to threatened and endangered species associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

NHPA Section 106 (Cultural Resources). The same effects identified in the 2018 CE would occur with the Phase 1a Project and the Section 106 finding presented in the 2018 CE, and the SHPO Concurrence Joint Finding of No Adverse Effect, remains applicable to the Phase 1a Project. No change has occurred that would result in significant effects or an unusual circumstance and the analysis and conclusions remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new cultural resource effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Visual Resources. The Phase 1a Project would result in a reduced area of construction impact; therefore, visual impacts from construction activities would fall only within the Phase 1A Project limits. This change reduces impacts to visual resources and would not result in significant effects or an unusual circumstance. Therefore, the analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new visual resource effects associated with the

remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Section 4(f). The same effects identified in the 4(f) section of the 2018 CE would occur with the Phase 1a Project and all Section 4(f) de minimis findings and Section 4(f) temporary occupancy findings included in the 2018 CE supporting documentation remain valid. No change has occurred that would result in significant effects or an unusual circumstance and the analysis and conclusions remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new 4(f) impacts associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Section 6(f). The same effects identified in the 6(f) section of the 2018 CE would occur with the Phase 1a Project. No change has occurred that would result in significant effects or an unusual circumstance and the analysis and conclusions remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new 6(f) impacts associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Air Quality. As reported in the 2018 CE, the Portland area is still in attainment for all criteria pollutants; therefore, regional conformity and project level conformity do not apply. The Phase 1a Project still falls in the category of 'exempt' from Mobile Source Air Toxics (MSAT) considerations because it is a categorical exclusion project under 23CFR771.117(d)(13). No change has occurred that would result in significant effects or an unusual circumstance and the air quality analysis and conclusions remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new air quality impacts associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Noise. The 2018 CE identified a total of five noise abatement walls as reasonable and feasible in accordance with ODOT Noise Policy for mitigating traffic noise. With the reduced scope of the project, noise impacts are reduced and only one noise abatement wall is determined reasonable and feasible for the Phase 1a Project. The one noise wall included in the Phase 1a Project is located approximately between mileposts 9.7 and 9.4. No rock blasting or crushing would occur as part of the Phase 1a Project. This change reduces impacts associated with noise and would not result in significant effects or an unusual circumstance. Therefore, the noise analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new noise effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Hazardous Materials. There are 31 sites of concern near and/or adjacent to the Phase 1a Project limits, which is 15 fewer sites than examined in the 2018 CE. This change reduces impacts associated with hazardous materials and would not result in significant effects or an unusual circumstance. Therefore, the hazardous materials analysis and conclusions in the 2018 CE remain valid for decision-making for the Phase 1a Project since the effects of the downscoped project were necessarily considered as part of the analysis for the 2018 CE. Any other or new hazardous materials effects associated with the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Tribal Coordination. Tribal coordination conducted and documented for the 2018 CE included all elements of the Phase 1a Project and remains valid for the Phase 1a Project.

U.S. Coast Guard Permit and Approval. No change. On September 16, 2021, the USCG granted a Bridge Permit Amendment (1-21-13) for ODOT to modify the Abernethy Bridge based on plans dated May 24, 2021. USCG Construction Plan Approval is pending contract award and the contractor's development of a construction plan.

Environmental Commitments. All commitments listed in the Environmental Commitments section of the 2018 CE are applicable to the Phase 1a Project and would still occur, with the exception of commitments related to minimizing effects of rock blasting. Rock blasting would not occur during the Phase 1a Project, so no environmental commitments related to rock blasting are required. Environmental commitments for the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project are part of the I-205 Toll Project and will be analyzed in the I-205 Toll Project EA.

Cumulative Effects. The cumulative effects of the infrastructure improvements between Stafford Road and OR 213, including Phase 1a, were considered when ODOT and FHWA determined that the I-205: Stafford Road to OR 213

Improvements Project qualified as a CE, as outlined in 23 CFR 771.117(d)(13). Tolling was not considered a reasonable and foreseeable action at the time the 2018 CE was approved, but since then the I-205 Toll Project has been adopted in the Regional Transportation Plan fiscally constrained list. The Build Alternative for the I-205 Toll Project EA includes tolling in the area of the Abernethy Bridge. For these reasons, tolling is a reasonably foreseeable future action for the Phase 1a Project. As documented in this Re-evaluation, downscoping the CE to cover only the Phase 1a Project elements reduces or does not change the environmental effects identified in the 2018 CE, and the Phase 1a Project would not result in unusual circumstances or significant direct or indirect impacts to any resources. The contribution of Phase 1a Project effects would not meaningfully alter, or significantly contribute to, the overall cumulative effects of past, present, and reasonably foreseeable future actions, including those of the I-205 Toll Project. The I-205 Toll Project EA will include a cumulative effects analysis of tolling, taking into consideration the Phase 1a Project, as well as the remaining phases of the I-205: Stafford Road to OR 213 Improvements Project.

6.0 Conclusion

The I-205: Stafford Road to OR 213 Improvements Project is moving forward as the I-205: Phase 1A Project and the 2018 CE decision is downscoped to include only Phase 1a elements as described in this Re-evaluation.

FHWA has concluded that the CE Closeout Document dated December 20, 2018, is still valid for the I-205: Phase 1a Project and that no additional NEPA documentation outside of this Re-evaluation is necessary. FHWA signature on this document indicates that a supplemental NEPA document is not necessary and that any additional environmental documentation and consideration is included within or is incorporated by reference in this re-evaluation.

As documented in this Re-evaluation, the remaining construction phases of the I-205: Stafford Road to OR 213 Improvements Project are now included in the I-205 Toll Project. The environmental effects of those phases will therefore be analyzed in the I-205 Toll Project EA.

Approved by: EMILY A CLINE Digitally signed by EMILY A CLINE Date: 2022.05.04 13:27:33 -07'00'

Emily Cline, Environmental Program Manager
Federal Highway Administration, Oregon Division

Date