



ODOT Federal-Aid Highway Program ESA-MSA Programmatic Notification

Key Number
18026

Last Modified
Nov 17, 2020

Project Information

NMFS Approval Notification Only		USFW Approval N/A		Select Predominant Project Type Bike/Pedestrian Facilities		Proponent Agency City of Sherwood	
Project Name Cedar Creek/Tonquin Trail: OR99W - SW Pine St (Sherwo			Route X - Other Road - X		Beg MP	End MP	Other Road / Path Name off ROW
Latitude (e.g. 45.4591° N) 45.3581570075		Longitude (e.g. -123.8442° W) -122.8455281700		ODOT Region Region 1		County Washington	
Biologist Sage Jensen		Phone 503-724-3531		E-mail sage.jensen@jacobs.com		Anticipated Construction Start Year 2021	
FHWA Contact Shaneka Owens		Phone 503-316-2553		E-mail shaneka.owens@dot.gov		End Year 2022	
6th Field HUC 170900100502 - Chicken Creek		6th Field HUC (if applicable)		ODOT Region Environmental Coordinator Sarah Eastman		E-mail sarah.eastman@odot.state.or.us	

Additional 6th Field HUCs
 Check if additional HUCs are listed below in Project Description.

ODFW In-Water Work Window	to		ODFW In-Water Work Window	to	
	to			to	

Brief Project Description:

The City of Sherwood (City), with Oregon Department of Transportation (ODOT) sponsorship, is proposing to construct a pedestrian and bicycle trail east of OR 99W, adjacent to and across Cedar Creek within the City of Sherwood. The Cedar Creek Trail project will connect to the existing Ice Age Tonquin Trail, a trail system connecting the cities of Sherwood, Wilsonville, and Tualatin. The 5,100-foot-long trail ends to the southeast of OR 99W at Stella Olsen Park.

Cedar Creek supports Upper Willamette River steelhead salmon (NMFS, threatened). Construction of the proposed project triggers notification only to NMFS under the FAHP Programmatic as a result of the following proposed elements:

1. Modifications to a curb along Alexander Lane necessitates stormwater treatment for 0.023 acre of existing impervious surface area (ISA). On-site treatment will utilize a BioClean MWS stormwater biofiltration system. This system has a general use level designation for enhanced treatment through the State of Washington TAPE program.
2. The project proposes to construct a new pedestrian bridge across Cedar Creek that meets ODOT fluvial performance standards and will not significantly impact riparian vegetation. The new bridge will be a minimum of 2x the average ACW, and will not result in any fill material within OHWMs. The ACW varies from 18-22' (average 20') at the location of the The new 302-foot-long bike/pedestrian bridge will cross Cedar Creek approx. 100 feet upstream of the existing OR 99W crossing over Cedar Creek. The column bents spanning Cedar Creek will be auger-cast piles set 40 feet apart and about twice the 20-foot ACW of Cedar Creek.
3. Removal of trees within the Cedar Creek riparian zone (150 feet upslope from OHWM of Cedar Creek). Construction of the trail necessitates the removal of 167 trees from the riparian zone. The project proposes to install 835 native trees (5:1 replacement ratio) within the Cedar Creek riparian zone to offset the tree removal.
4. Impacts to riparian habitat. Construction of the trail necessitates the removal of approximately 67,049 sqft of riparian habitat (31,963 sqft of permanent impact by the trail, and 35,113 sqft of temporary disturbance associated with trail construction). The project proposes to mechanically clear 201,228 sqft of weeds (English ivy and Himalayan blackberry) within the Cedar Creek riparian zone and revegetate with native shrubs and forbs to offset the permanent and temporary riparian habitat impacts.

The applicant proposes project construction during 2021-2022. Pre-consultation began with NMFS (Tom Loynes) via the monthly FHWA, NMFS, ODOT Region 1 Environmental meeting on October 29, 2015.

Affected Species

Species	Critical Habitat*
Columbia River Chum	<input checked="" type="checkbox"/>
Eulachon	<input checked="" type="checkbox"/>
Lower Columbia River Chinook	<input checked="" type="checkbox"/>
Lower Columbia River Coho	<input checked="" type="checkbox"/>
Lower Columbia River Steelhead	<input checked="" type="checkbox"/>
Middle Columbia River Steelhead	<input checked="" type="checkbox"/>
Snake River Basin Steelhead	<input checked="" type="checkbox"/>
Snake River Fall Chinook	<input checked="" type="checkbox"/>
Snake River Sockeye	<input checked="" type="checkbox"/>
Snake River Spring / Summer Chinook	<input checked="" type="checkbox"/>
Upper Columbia River Chinook	<input checked="" type="checkbox"/>
Upper Columbia River Steelhead	<input checked="" type="checkbox"/>

Species	Critical Habitat*
Upper Willamette River Chinook	<input checked="" type="checkbox"/>
Upper Willamette River Steelhead	<input checked="" type="checkbox"/>
Green Sturgeon	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

*Or proposed Critical Habitat if relevant.

May Effect EFH

- Chinook Salmon Coho Salmon Coastal Pelagics Groundfish

Project Activities

Check boxes to indicate project activities that may affect covered species or supporting habitat.

- | | |
|--|---|
| <input type="checkbox"/> General Heavy Construction | <input type="checkbox"/> Slope Stabilization and Drainage |
| <input type="checkbox"/> Geotechnical Drilling | <input type="checkbox"/> Streambank Stabilization and Scour Protection |
| <input type="checkbox"/> Material Sources | <input type="checkbox"/> Culvert and Bridge Removal |
| <input type="checkbox"/> Mobilization, Staging and Disposal | <input type="checkbox"/> Bridge Repair and Rehabilitation (As Relevant, Attach Bridge Supplement) |
| <input type="checkbox"/> Erosion, Sedimentation and Pollution Control | <input checked="" type="checkbox"/> Bridge Construction (Attach Bridge Supplement if Aquatic) |
| <input type="checkbox"/> Temporary Access Roads | <input type="checkbox"/> Pile Driving and Pile Removal (Attach Bridge Supplement if Aquatic) |
| <input type="checkbox"/> Barges | <input type="checkbox"/> Culvert Extension, Repair and/or Installation |
| <input type="checkbox"/> Temporary Bridges and Treated Materials (Attach Bridge Supplement if Aquatic) | <input type="checkbox"/> Painting and Coating |
| <input type="checkbox"/> Work Area Isolation | <input type="checkbox"/> Asphalt and Concrete Paving |
| <input checked="" type="checkbox"/> Clearing, Grubbing and Earthwork | <input type="checkbox"/> Other Permanent Roadway Structures |
| <input checked="" type="checkbox"/> Weed Removal | <input checked="" type="checkbox"/> Site Restoration and Enhancement Plantings |
| <input checked="" type="checkbox"/> Trees and Down Timber Removal | <input type="checkbox"/> Channel Modification and Waterway Enhancements (Attach Relevant Plans) |
| <input type="checkbox"/> Blasting | <input checked="" type="checkbox"/> Stormwater Management |
| | <input type="checkbox"/> Other: <input type="text"/> |

Activities Requiring Approval from Services (check which apply; explain / justify below)

Not Applicable

	Attachments Needed:
<input type="checkbox"/> On-site stormwater treatment deficit	Relevant plans
<input type="checkbox"/> Net increase in artificial fill or abandoned fill in the functional floodplain	Relevant plans
<input type="checkbox"/> Unvegetated streambank riprap; any streambank riprap above OHW, or in-stream flow control structures	Relevant plans
<input type="checkbox"/> In-water work extension	IWW Variance/Project Change
<input type="checkbox"/> Fish passage structure or fishway (including ladder, culvert retrofit, pool-riffle structure, roughened chute)	Fish passage plan or plans
<input type="checkbox"/> Weed control that doesn't meet treatment standards	Relevant plans
<input type="checkbox"/> Blasting in or near aquatic habitat	Blasting plan
<input type="checkbox"/> Bridge replacement that doesn't meet fluvial performance standards	Bridge Supplement
<input type="checkbox"/> Stream channel modification or waterway enhancement that does not meet design standards	Relevant plans
<input type="checkbox"/> Stormwater flow management (when required) in watershed less than 100 mi ²	Drawing or plans
<input type="checkbox"/> Other modifications to FAHP design standards in the FAHP that may result in direct impacts to covered aquatic resources	Relevant plans
<input type="checkbox"/> Removal of Kincaid's lupine, Bradshaw's lomatium, or Fender's blue butterfly habitat	Relevant plans
<input type="checkbox"/> High noise producing work within 300ft of Marbled Murrelet habitat between April 1st & August 5th	Relevant plans
<input type="checkbox"/> Removal of mature conifer trees (18" or larger DBH) in Northern Spotted Owl or Marbled Murrelet habitat	Relevant plans

Explanation of Activities That Require Approval or Modifications:

Not Applicable

Stormwater Management

Not Applicable

Stormwater Feature	Pre-Project	Anticipated Post Project
Project Impervious Surface Area (ISA)	0.107Acres	0.065Acres
Net New ISA (=Pre-Project-Actual Post Project)		-0.042Acres
Contributing Impervious Area (CIA)	0.107Acres	0.065Acres
Total ISA Treated On-site		0.065Acres
Total ISA Treated Off-site		Acres
Stormwater Credits Used*		Acres
Total Managed ISA (on- and off-site and credits)		0.065Acres
Net Water Quality Treatment (=Total Managed ISA-Post Project CIA)		0.000Acres
Excess Stormwater Area Treated for Credit*		Acres

* Stormwater Credit discussions still underway, please consult with NMFS before using any sort of credit.

Average Daily Traffic** Project Area Off-Site Treatment Area

**Provide range if variable. If off-site is less than on-site (per ADT Range table, see User's Guide), a greater amount of ISA must be treated and describe below.

Water Quality Design Storm Is Flow Control Provided?

If Not Required, Why?

Flow Control Design Range:

Lower End Point Design Storm Upper End Point Design Storm

Stormwater Manual Cited: Responsible Agency for Stormwater BMPs:

Stormwater Designer Name, Phone #, E-mail:

Attached Aerial Photo/Site Drawing That Show: The CIA, Sub-Basins, Drainage Flow Paths, Receiving Waters and BMP Locations.

Drainage Area	Treatment Method	BMP	Maint. Table***	ISA Treated (Acres)	Receiving Water
A	On-Site Treatment by Surface Discharge BMPs	Other: BioClean MWS unit	Other	0.065Acre(s)	Cedar Creek
				Acre(s)	
				Acre(s)	
				Acre(s)	
				Acre(s)	
				Acre(s)	

For additional rows, please attach the [Stormwater Management Data Page](#).

*** ODOT Stormwater Facility Maintenance Tables (<http://www.oregon.gov/ODOT/HWY/GEOENVIRONMENTAL/pages/omm.aspx>) or other (attach).

Comments:

"Project Impervious Surface Area" listed in the table is based on impervious area associated with the project. There will be a small reduction in ISA (Post Project ISA compared to Pre Project) because the trail (path) will replace the existing gravel shoulder along Alexander Lane in the area of Drainage A.

Drainage Area A: Where new curb construction along the north edge of Alexander Lane is proposed, a new BioClean MWS water quality unit will be provided to treat concentrated runoff from the northern half of Alexander Lane up to the crown in the road. The BioClean MWS unit is approved by Washington DOE's TAPE Program for General Use (GULD), Enhanced Treatment and does not require additional NMFS approval.

Habitat Impacts / Restoration

Not Applicable

Habitat Type	Anticipated Impact		Anticipated Restoration		
	Linear ft	Area	Linear ft	Area	Primary Purpose
Streambank Hardening Below OHW	ft		ft		
Riparian Habitat Disturbed		31,963 ft ²		95,889 ft ²	Offsetting
	ft	35,113 ft ²	ft	105,339 ft ²	Offsetting
	ft	ft ²	ft	ft ²	
	ft	ft ²	ft	ft ²	

* Aquatic Habitat Type(s) Disturbed: Pool Riffle Glide Estuarine Habitat (<300' away)

Trees & Woody Debris Anticipated Impacts / Restoration

Not Applicable

Habitat Type	Trees Removed				Trees Added		
	0-6"	6-18"	> 18"	# Down Timber (LWM)	# Native Trees Planted	# LWM Installed	Primary Purpose
Riparian Zone	50	89	28	0	835	0	Offsetting

Other Anticipated Avoidance/Minimization Measures, Offsetting Measures and Enhancements

Not Applicable

Activity/Resource	Purpose	Amount		
		On-Site	Off-Site	Units
Riparian Enhancements (invasive weed removal w/in riparian zone)	Offsetting	4.62		

Other information on impacts/restoration/enhancements (attach Additional Information form if more space needed):

The City entered into an agreement with Clean Water Services (CWS) in 2017 to provide funding and to develop a restoration plan for the proposed Project. To meet the additional requirements of restoration within the riparian zone for impacts to ESA listed species and their habitat, the City has committed to providing additional funding through CWS to provide increased restoration and plantings sufficient to offset impacts to the riparian zone per the FAHP. That additional restoration includes the following: (1) hand and/or mechanical removal of dense areas of non-native invasive vegetation (predominantly Himalayan blackberry and English ivy) within the riparian zone at a 3:1 ratio to offset the temporary disturbance to and permanent removal of riparian habitat; and (2) all areas within the riparian zone temporarily disturbed during construction, including areas where invasive weeds will be removed, will be restored by planting with native vegetation. In addition, tree planting within the riparian zone is proposed at a 5:1 ratio to offset the removal of existing trees within the riparian zone for trail construction. Tree plantings and invasive vegetation removal may take place on either side of Cedar Creek. Additional plantings and invasive weed removal is proposed throughout the project area as part of the project's commitment with Clean Water Services.

List of Attachments

Not Applicable

Relevant Plans/Special Provisions
Bridge Supplement
Contributing Impervious Area Map

Electronic Signatures & Authorizations:

The following individuals have reviewed the Notification for accuracy & compliance with the FAHP ESA Consultation (NMFS Ref(2011/02095)) and/or (USFW Cons #01EOFW00-2012-F-0020) approve implementation of the project as described here in. A Biologist Qualified by ODOT under its ESA Effects Determination Program must review this document and ensure its quality before it is submitted to the FHWA. Please sign this document electronically & forward appropriately.

Digitally signed by Jensen, Sage
Date: 2020.11.17 17:51:35 -08'00'

Qualified Biologist, Last Certified 11/12/2021

Digitally signed by John Schnaderbeck
Date: 2020.11.17 18:13:24 -08'00'

Construction Project Manager - Organization

Digitally signed by Denis Reich
Date: 2020.11.18 10:37:17 -08'00'

Region # Environmental Manager, ODOT

SHANEKA L OWENS
Digitally signed by SHANEKA L OWENS
Date: 2020.11.19 12:19:43 -08'00'

FHWA

Only if "approval from services required"

NMFS or USFW