



U.S. Department
of Transportation

**Federal Highway
Administration**

Washington Division

Suite 501 Evergreen Plaza
711 South Capitol Way
Olympia, Washington 98501-1284
(360) 753-9480
(360) 753-9889 (FAX)
<http://www.fhwa.dot.gov/wadiv>

August 31, 2011

HFO-WA.3/ WA1124

Ms. Paula J. Hammond
Secretary of Transportation
Department of Transportation
Olympia, Washington

Attention: Trevin Taylor

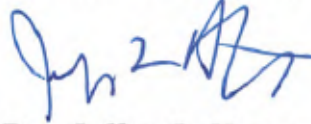
**Index-Galena Road from MP 6.4 to
MP 6.9
NEPA Classification Change**

Dear Ms. Hammond:

This is a follow up letter to our phone conversation last month regarding a change to the environmental classification for the Snohomish County Index-Galena M.P. 6.4 to M.P. 6.9 emergency relief project. Since 2007, this office has supported the position that the proper NEPA classification for this project was a well documented Categorical Exclusion (DCE). However, new information has surfaced that has prompted this office to change this position. Following the July 6, 2011 Interdisciplinary Meeting for this project, the project's co-lead federal agency, the US Forest Service (USFS), expressed concerns about continuing to proceed with a DCE. The USFS referenced a FHWA Western Federal Lands (WFL) project with a similar scope where the Categorical Exclusion NEPA classification was challenged. In discussing the NEPA challenge with WFL staff, our office has come to the conclusion that a well documented DCE will not suffice for this project and now believe that an Environmental Assessment (EA) is appropriate. Even though the original decision was made to proceed as a DCE back in 2007, it was always understood that circumstances might warrant switching to an EA. We believe that what we have learned about the WFL lawsuit warrants developing the NEPA document as an EA instead of a DCE. Therefore, this office now supports proceeding with the project as an Environmental Assessment. If you have any questions regarding this, please contact me at (360) 753-9411 or at jeff.horton@dot.gov.

Sincerely,

DANIEL M. MATHIS, P.E.
Division Administrator

A handwritten signature in blue ink, appearing to read "Jeffrey L. Horton". The signature is stylized and cursive.

By: Jeffrey L. Horton, P.E.
Area Engineer

CC: Eric Ozog - USFS (email)