



U.S. Department
of Transportation
**Federal Transit
Administration**

Memorandum

Subject: Spokane Central City Line DCE

Date: March 6, 2019

From: Francis Eugenio, Regional Counsel

Reply to
Attn. of: John Witmer, Community Planner

To: Linda Gehrke, Regional Administrator for

REQUEST

Concurrence is requested for the determination that the above-noted project is a categorical exclusion under 23 CFR 771.118(d) and that significant effects will not result. Concurrence is further requested for determination of compliance with the following Federal requirements for award of a Federal grant: Section 106 of the National Historic Preservation Act; Section 4(f) of the Department of Transportation Act; the Endangered Species Act; and the Magnuson Stevens Fishery Conservation Act.

On March 6, 2019, the Spokane Transit Authority (STA) submitted the final version of a documented categorical exclusion (DCE) for the Central City Line (CCL) Project (Project). Earlier drafts were submitted September 7, 2017, May 25, 2018, and November 27, 2018. This is the documentation I rely on to make my findings. Based on the provided information, I do not believe additional NEPA review is necessary. This applies only to the project as described in the provided materials.

PROJECT DESCRIPTION

The Project is summarized in STA's submittal in Section I under "Project Description." In general, the Project is a 5.8-mile bus rapid transit (BRT) system consisting of 21 station pairs (34 individual stations) that connect major destinations in Spokane, Washington, including the Central Business District, the University District, Gonzaga University, and Spokane Community College along with residential neighborhoods. STA will purchase ten (10) new vehicles that are modern, rubber-tired, battery electric vehicles with zero-emissions, rechargeable through either inductive or conductive charging. A detailed project description is provided in Section III. A. of the DCE.

FINDINGS

1. Based on the information provided by the proposed grantee and my knowledge of the Project, the Project qualifies as a categorical exclusion under 23 CFR 771.118(d). The impacts of the project are not significant.
2. Section 4(f) finding:

- (a) The Project proposes to relocate approximately 125 feet of the Centennial Trail, four to six feet north of the existing location along Mission Avenue, west of Upriver Drive and East of Perry Street. The Centennial Trail is protected by Section 4(f) of the Department of Transportation Act (49 U.S.C. 303). FTA has made a *de minimis* determination for the Central City Line project and subsequent realignment of the trail.
- (b) The Project proposes temporary use of three properties protected by Section 4(f) of the Department of Transportation Act (49 U.S.C. 303). Temporary construction easements are required within each of the properties to allow construction of the stations for a duration of approximately four to six weeks. These temporary construction easements will all be located along the edges of the parks and will not interfere with the use of the park or park amenities.
- (c) FTA has received concurrence letters on the *de minimis* determination and temporary occupancy exception from the appropriate officials with jurisdiction.

3. Section 106 finding:

- (a) The Project will have no adverse effect on properties eligible for protection under Section 106 of the National Historic Preservation Act, which was concurred with by the SHPO.

4. Endangered Species Act (ESA), 16 U.S.C. Chapter 35, finding:

- (a) The Project will have no effect on ESA species. There is no designated critical habitat for ESA species in the project area.

5. Magnuson-Stevens Fishery Conservation and Management Act (MSA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267):

- (a) There are no designated EFH within proximity of the Project.

RECOMMENDATION

It is, therefore, recommended that the project refinements have met the requirements under NEPA, Section 106, Section 4(f), ESA and MSA.

CONCUR:

LINDA M GEHRKE
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Date: 2019.03.07
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Linda Gehrke
Regional Administrator

Date