

Chapter 5 Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for the proposed project have been accomplished through a variety of formal and informal methods, including: project development team meetings, interagency coordination meetings, the NEPA/404 Integration process, and a public scoping meeting. This chapter summarizes the results of Caltrans efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

5.1 Scoping Process

NEPA requires the federal lead agency to consult with federal agencies that have jurisdiction over the proposed action by law or special expertise and solicit appropriate information from the public during EIS preparation. Scoping is the process by which the lead agency conducts these activities. This process helps determine the scope of the EIS, including the extent of the action, the range of alternatives, and the types of significant adverse effects to be evaluated. The lead agency's scoping process may include early scoping meetings that can be combined with other aspects of the federal agency planning process. As part of the scoping process, NEPA and FHWA regulations require that a Notice of Intent (NOI) to prepare an EIS be filed with the EPA and appear in the Federal Register.

CEQA specifically requires that when one or more state agencies will be a responsible or trustee agency, a notice of preparation (NOP) must be filed with the State Clearinghouse (State CEQ Guidelines Section 15082[d]). The NOP is provided to appropriate state agencies and invites them to offer comments during the scoping period, which lasts a minimum of 30 days following the filing of the NOP.

5.1.1 Notice of Intent/Notice of Preparation

The NOI for the proposed project was published in the Federal Register on May 9, 2003 and the NOP for the proposed project was published on April 28, 2003. The NOP was filed with the State Clearinghouse and sent to the appropriate elected officials, agencies, and interested parties.

5.1.2 NOP Scoping Meeting

A scoping meeting for the NOP was held on May 12, 2003 from 6 to 8:30 pm at Rodriguez High School, located at 5000 Red Top Road in Fairfield. Map and graphics were available for viewing and a formal presentation explaining the proposed project was given. Prior to scoping, an informational open house was held March 6, 2003 to provide the public with an opportunity to

learn about the I-80/I-68-/I-780 Major Investment Study in advance of the May Scoping Meeting.

A number of means were used to inform the public of the scoping process and the scoping meeting. A public notice was distributed to the project mailing list, which included the property owners, elected officials, city staff, special interest organizations, and neighborhood groups. The Department and STA mailed a letter to agency representatives and elected officials.

5.2 NEPA/404 Integration

To streamline, standardize, and facilitate the integration of the NEPA and Clean Water Act, Section 404 processes, FHWA, the Department, the EPA, USACE, USFWS, and NOAA's NMFS entered into the *Memorandum of Understanding – National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada* (NEPA/404 MOU) in April 2006. This MOU establishes a process for early coordination among departments of transportation and federal resource agencies in defining the purpose and need, establishing the criteria for evaluating and selecting alternatives, and setting the range of alternatives to be studied for surface transportation projects.

The NEPA/404 MOU applies to federal aid surface transportation projects that have five or more acres of permanent impacts to water of the U.S. and that require a NEPA EIS. The proposed project meets those criteria and complies with the NEPA/404 MOU.

The NEPA/404 MOU process was initiated with the first checkpoint meeting held on March 15, 2007. Participants invited to this process included the Department, FHWA, NOAA's NMFS, USACE, USFWS, EPA, RWQCB, and DFG. Meeting materials and correspondence with agencies are provided in Appendix H.

The *Preliminary Delineation of Waters of the United States for the Interstate 80/Interstate 680/State Route 12 Interchange Project* was prepared and submitted to the USACE in August 2008. A field verification was conducted in January 2009 and the final verification of the revised map occurred on July 9, 2009. Figures 3.3-2a through 3.3-2d in Volume 2 of this document reflect the results of the verified map.

The first formal checkpoint conducted on March 15, 2007 was held at the Solano County Administrative offices in Fairfield. The purpose of the March 15, 2007 meeting was to present an overview of the proposed project, discuss the purpose and need, screening criteria, and preliminary alternatives, and seek input from the signatory agencies. The summary of the meeting and request for concurrence was sent to the participating agencies on March 22, 2007 and responses were received from the RWQCB and USACE (Appendix H). No negative comments or disagreement was received from the agencies.

The second formal checkpoint meeting was conducted on February 10, 2009 at the STA offices in Suisun City. The purpose of the meeting was to present an overview of project alternatives to be addressed in the environmental document, discuss the purpose and need, present expected impacts to biological and aquatic resources, and seek input on from the signatory agencies. A

table showing preliminary acreages of wetland impacts and expected impacts to biological resources, along with maps showing biological resources in the project vicinity were provided. A summary letter and request for concurrence was sent to the participating agencies on May 20, 2009. The EPA requested more information regarding potential impacts to the Green Valley Corporate wetlands mitigation site. Upon receipt of that information, both USACE and the EPA agreed with the range of alternatives in letters dated August 6, 2009 and September 2, 2009, respectively (Appendix H).

A third Checkpoint meeting will be held among the signatory agencies after the close of the comment period on the draft EIR/EIS but before the final EIR/EIS is circulated for public review. The purpose of the third checkpoint meeting will be to select a LEDPA after considering the public and agency comments received on the draft EIR/EIS.

5.3 Consultation and Coordination with Public Agencies

The following public agencies have been consulted regarding the proposed project to date. Contacts and consultation with agencies are included in Appendix H.

- U.S. Environmental Protection Agency.
- U.S. Fish and Wildlife Service.
- U.S. Department of Agriculture, Natural Resources Conservation Service.
- National Marine Fisheries Service.
- U. S. Army Corps of Engineers.
- California Department of Fish and Game.
- California Department of Conservation.
- Regional Water Quality Control Board.
- Office of Historic Preservation.
- The City of Fairfield.
- Suisun City.
- Solano County.
- California Highway Patrol.
- Bay Area Air Quality Management District.

The EPA and USACE were invited to be cooperating agencies. The EPA declined, but will continue to be a Responsible Agency. USACE accepted in a letter dated December 31, 2009 (Appendix H). As a cooperating agency, USACE has participated in the preparation of this document as part of their responsibility to assist the Department in this process.

Consultation with the U.S. Fish and Wildlife Service and NOAA, NMFS is summarized in Chapter 3.3. The Department has consulted with USFWS regarding the CRLF site assessment and potential mitigation strategies and approaches. Consultation with the USACE has included field visits and verification for the wetland delineation in 2009, as well as involvement in the NEPA/404 process. The Department contacted the Office of Historic Preservation and requested concurrence with eligibility recommendations made in the Historic Properties Survey Report. OHP concurred with the recommendations in a letter dated March 20, 2010 (Appendix H).

Starting in 2003 Federal Highway Administration (FHWA) has been a key partner in the development and evaluation of the alternatives. The Department will work with FHWA to gain Engineering and Operational Acceptability once a Preferred Alternative has been identified.

The Department and STA have consulted with local agencies regarding pertinent issues. The CHP has been consulted regarding public safety issues. The BCDC has been consulted regarding marsh management issues. MTC has been consulted regarding air quality conformity and general transportation planning issues. The Department and STA have consulted with the City of Fairfield, Suisun City, and Solano County regarding the overall project and the needs and desires of the public they serve.

5.4 Public Participation

5.4.1 Project Outreach Meetings

There have been several previous public meetings and open houses providing information on the project including the following:

- March 2003 – Informational Open House to update the community on the status of various projects in the I-80/I-680/SR 12 interchange area. This meeting also provided details from the Major Investment Study (MIS) and the Transit Corridor Studies that STA, in conjunction with Caltrans, prepared for the I-80/680/780 freeway corridors. Approximately 100 people attended the informational open house meeting.
- May 2003 – Scoping meeting to receive input on the scope of the environmental studies. For the Interchange project, scoping was conducted to assist federal, state and local agencies involved in project in identifying a range of alternatives, potentially significant environmental effects and possible mitigation measures. There were 52 people who signed the sign-in sheet at the scoping meeting. There were 10 handwritten comments that were submitted at the meeting, and seven letters were either mailed or faxed to the STA.
- April 2007 – Property owner meeting for owners and tenants of properties and businesses in the vicinity of Alternative C (Cordelia Industrial Park). Ten people signed the sign-in sheet at the home / business-owners' meeting.
- April 2007 – Informational Open House to provide an update on the alternatives development and screening process and plan to carry two alternatives forward into detailed technical studies (Alternatives B & C). There were 81 people who signed the sign-in sheet at the Open House meeting. There were seven written comments submitted during and

following the Open House. Numerous verbal comments were expressed, and are summarized in the meeting summary report.

- March 2009 – Informational Open House to present information about the Phase 1 alternatives for each Build Alternative B and C. The Phase 1 alternatives represented the fundable first phase of each of the Build Alternatives. Sixteen people signed the sign-in sheet at the informational open house meeting. One written comment was submitted during and a second submitted after the Open House. There were numerous verbal comments, summarized in the meeting summary report.

5.4.2 Related Projects

Additional meetings where information about the Interchange Project was provided include the following:

- December 2006 – North Connector Project Public Hearing
- October 2007 – North Connector Project Public Hearing
- February 2008 – North Connector Project Public Hearing
- May 2008 – I-80 Eastbound Cordelia Truck Scales Relocation Project Scoping Meeting

5.4.3 Project Newsletter

As part of the public outreach, a 4-page newsletter regarding the I-80/I-680/SR12 Interchange Project was distributed with project information, updates, milestones, meeting opportunities and how to learn more about the project. The newsletter has been timed to coincide with milestones, meetings or other related project milestones and as an additional means for the public to stay informed about the project's progress. To date, six newsletters have been distributed, conveying the following information.

- February 2004: Environmental scoping for the Interchange Project began in May 2003, and the Truck Scale Relocation Study was initiated as part of the Interchange Project to identify problem areas and possible solutions. In addition, traffic forecasting to the year 2030 will be developed using Solano County's new travel demand model and data on existing conditions.
- October 2004: Data was collected on traffic studies to help the project team evaluate operational issues, and a number of preliminary alternatives for improving the I-80/I-680/SR 12 Interchange were developed and refined based on public input and new technical information. Initial technical studies were also conducted to determine existing conditions in the project area.
- April 2006: The truck scales relocation study that recommends building replacement scales and inspection facilities was completed, and STA developed a more expansive and accountable traffic model that uses the latest land use and road network information to project traffic and travel trips through 2035. And in December of 2004, the two-lane connector from I-680 to I-80 and an additional lane on eastbound I-80 from I-680 to SR 12 east were completed.

- June 2007: In February, the Board approved \$7 million in funding for SR 12 Jameson Canyon, which also received \$74 million from the infrastructure bonds approved by voters in November 2006. I-80 HOV Lanes Project received \$56 million from voter-approved infrastructure bonds. In March, Caltrans and STA approved the CEQA document for the I-80 HOV Lanes Project, and the Board approved preparation of the Environmental Impact Report for the North Connector Project and recommended two alternatives for the I-80/I-680/SR 12 Interchange Project to be move forward to detailed environmental study.
- May 2008: On May 14, the STA Board approved the Final Environmental Impact Report for the North Connector Project, with construction scheduled to begin on the East End in 2009.
- March 2009: The truck climbing lane on westbound SR 12, extending from I-80 to west of Red Top Road, opened on Dec. 4, 2008, and allows westbound motorists to pass slower vehicles in the truck climbing lane. The construction of the 8.7-mile segment of HOV lanes between Red Top Road and Air Base Parkway are projected to decrease morning and evening commutes for carpoolers by 39 percent and 47 percent respectively, and bids for the project came in 45 percent under budget. In January 2009, Caltrans in cooperation with STA, released the Draft Environmental Impact Report for public comment for the I-80 Eastbound Truck Scales Relocation Project, with construction expecting to start in 2011. Construction for the North Connector project began with work on the I-80 / Abernathy Road ramps.