

Chapter 5 **Summary of Public/Agency Involvement Process/Tribal Coordination**

5.1 Public/Agency Involvement Process

Coordination and consultation with various federal, State, and local agencies; elected officials; community organizations; Native American tribes; and other individuals from the neighborhoods and communities within the corridor were conducted through a variety of means, including public agency coordination, consultation, and the public scoping process.

5.1.1 Notice of Intent/Notice of Preparation

NEPA specifically requires the federal lead agency to consult with federal agencies that have jurisdiction over the proposed action by law or special expertise. The lead agency must also 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 the alternatives, and the types of adverse effects to be evaluated. The lead agency's scoping process may include early scoping meetings that can be incorporated with other aspects of the federal agency planning process. As part of the scoping process, NEPA requires that a Notice of Intent (NOI) to prepare an EIS be filed with the Environmental Protection Agency (EPA) and appear in the Federal Register.

CEQA also 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 (CEQA 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. A NOP for the project was received by the State Clearinghouse on July 17, 2000. The State Clearinghouse number for the project is 2000072051.

The NOI for the project was published in the Federal Register on August 4, 2000, and the NOP was released on July 14, 2000.

Public agencies formally or informally contacted and consulted during the preparation of this environmental document are listed below. These agencies received notification of the proposed EIR/EIS and the public scoping meeting.

- Office of State Senator Maurice Johannessen
- Office of Assembly Member Helen Thomson
- California Department of Transportation
- California State Highway Patrol

- Metropolitan Transportation Commission
- County of Solano
- Solano County Board of Supervisors
- City of Fairfield
- City of Rio Vista
- City of Suisun City
- City of Vacaville
- Solano Bicycle Advisory Committee
- Highway 12 Association

5.1.2 Public Outreach Activities

5.1.2.1 Summary of Public Outreach

A public scoping meeting for the project was held on August 9, 2000, at the Suisun City Hall, at 701 Civic Center Boulevard in Suisun City. Maps and graphics were available for viewing and there was a formal presentation of the project.

5.1.2.2 Summary of Major Concerns

The major concerns expressed by the public at these meetings include:

- Potential traffic impacts on Cordelia Road, Pennsylvania Avenue, and Lopes Road leading to I-680
- Comments focusing on potential erosion and stormwater pollution;
- Concerns regarding how SR 12 will carry extra volume of traffic;
- Concern that the project may affect drinking water in Putah Creek;
- Suggestions to limit truck access and extend truck limitations from Leisure Town Road to Vanden Road and Walters Road;
- Suggestion to build a sound wall on Walters Road designed so sound waves are redirected to Jepson Parkway instead of surrounding homes (angle upper quarter of road toward the roadway) to prevent sound from rolling over the wall;
- Suggestion to design project to avoid and minimize impacts on Contra Costa goldfields, vernal pool fairy shrimp, and vernal pool tadpole shrimp and vernal pool, wetland, and riparian habitats and their associated wildlife species;
- Concern that use of Air Base Parkway would create a dangerous lane-changing problem;
- Suggestions for the Parkway to be placed parallel to Air Base Parkway with the use of the Peabody signal to cross it;

- Suggestions that houses that create a “kink” in the County portion of the Parkway should be removed so the Parkway can continue unimpeded along the railroad tracks;
- Suggestion to prevent residential growth east of the Parkway in the County section; and
- Concerns over impacts on historic old town Cordelia from future traffic worsening traffic conditions on Cordelia Road.

5.1.3 NEPA 404 MOU Integration

Alternatives screening for the project was conducted pursuant to 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 Integration MOU) established in 1993. This MOU established 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 Jepson Parkway Project NEPA-404 MOU process was initiated in September 2000. Participants in the process are listed in Table 5-1.

**Table 5-1
NEPA-404 MOU Participants**

Agency	Role
Federal Highway Administration (FHWA)	MOU signatory and National Environmental Policy Act (NEPA) Lead Agency
US Fish and Wildlife Service (USFWS)	MOU signatory
National Marine Fisheries Service (NMFS)	MOU signatory
US Army Corps of Engineers (USACE)	MOU signatory
US Environmental Protection Agency (EPA)	MOU signatory
California Department of Transportation (Caltrans)	Local Programs Administrator for FHWA
California Department of Fish and Game (DFG)	Permitting agency
San Francisco Bay Regional Water Quality Control Board (RWQCB)	Permitting agency
Solano County	California Environmental Quality Act (CEQA) Responsible Agency
Solano Transportation Authority (STA)	CEQA Lead Agency and project sponsor
City of Fairfield	CEQA Responsible Agency
City of Suisun City	CEQA Responsible Agency
City of Vacaville	CEQA Responsible Agency

Note that several of the participants were not NEPA-404 MOU signatories. STA, Caltrans, and FHWA agreed that early involvement of all interested federal and State agencies would provide an important preview for non-signatory agencies that may be participating in the EIR/EIS process. The NEPA-404 participants conducted a series of meetings at which a project purpose and need statement was drafted

and adopted, criteria for screening alternatives and for selecting the preferred alternative were established, a set of preliminary alternatives to be considered was defined, and an alternatives screening process was established. NEPA-404 signatories provided written concurrence on the project purpose and need, criteria for alternative selection, range of alternatives to be included in the screening process, and alternatives to be studied in the EIR/EIS. This coordination among agencies meets the integration requirements under NEPA.

5.2 Tribal Coordination

The National Historic Preservation Act (NHPA) Section 106 (36 CFR 800) regulations require that the agency official make a reasonable and good faith effort to identify any Indian tribes that might attach religious and cultural significance to historic properties in the area of potential effects (APE) and invite them to be consulting parties. Any such Indian tribes that request in writing to be a consulting party shall be a consulting party (36 CFR 800.3).

The agency official is also responsible for gathering information from any Indian tribe identified pursuant to 36 CFR 800.3(f) to assist in identifying properties, including those not located on tribal lands, that may be of religious or cultural significance to them and may be eligible for the National Register of Historic Places (NRHP), recognizing that an Indian tribe maybe reluctant to divulge specific information regarding the location, nature, and activities associated with such sites. The agency official should address concerns raised about confidentiality pursuant to 36 CFR 800.11(c).

As described in section 3.8, Cultural Resources, the Native American Heritage Commission (NAHC) was contacted for information regarding important religious and cultural sites that might be located in the corridor. A letter received from the NAHC in September 2001 indicated that there are no sacred Native American sites or cultural resources in the corridor. There was no response from Native American individuals contacted in September 2001. After subsequent contact on November 25, 2002, by telephone, Kesner Flores (Wintun) communicated that he knows of no problems or issues regarding Native American sites or remains in the current corridor.¹

¹ Flores, Kesner. Cortina Band of Indians and the Wintun Environmental Protection Agency. November 25, 2002—telephone conversation. Fitzgerald, R. T., T. L. Jones, and A. Schroth.