

4.0 COMMENTS AND COORDINATION, AND PERMITS AND APPROVALS

4.1 *Comments and Coordination*

Since 1990, WSDOT and Clark County have been working closely with the public, elected officials, local agencies, tribes, and regulators. WSDOT and Clark County have provided information about the Salmon Creek Interchange Project to the public through neighborhood meetings, open house events, newsletters, the project website, the project telephone hotline, and visits to community facilities and businesses. Feedback was gathered by collecting comments at public events, the website, and from the hotline. These comments were provided to project managers that directed the project team during the development of the EA.

4.1.1 What public involvement has occurred?

Public involvement and comment opportunities that have occurred as part of the Salmon Creek Interchange Project include:

Open Houses

The project team held a public open house on June 22, 2005, as a scoping meeting for the EA. The purpose was to obtain public comments on issues and concerns to be addressed in the EA. Prior to the open house, a presentation for local agency staff provided an opportunity for comments and questions concerning the project. Public and agency comments gathered at the open house included:

- Concern about the lack of mobility in the Salmon Creek area
- Concern about wetlands, vegetation, and wildlife in the project area as a result of construction
- Concern about noise generated by traffic as a result of construction and operation of the project
- Suggestions for additional transportation improvements in the Salmon Creek area
- Concern about how project improvement investments would be protected and not be compromised by traffic generated by future development

What is scoping?

A scoping meeting is designed to:

- Inform the public and agencies of the proposed action and alternatives.
 - Serve as a forum to gather comments to help identify potential environmental effects.
 - Ensure that the environmental documents consider reasonable alternatives.
 - Help identify issues or concerns to promote a focus on items important to the local community and to agencies.
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- Concern about the inclusion improvements for disabled persons such as sidewalks and curb cut-outs

After the release of this EA, a second public open house will be held to gather public comments. Spanish/English translation services will be available at this open house.

Neighborhood Meetings

Project staff met with the Deer Run and Windmill Terrace neighborhood groups on June 1, 2005, and August 11, 2005, to gather input on project design, potential effects, and access modifications. Attendees of these meetings provided feedback to the project team about design options and expressed concern about increased traffic in the area.

Project staff also attended the neighborhood association meetings with the North Salmon Creek (February 28, 2005, February 22, 2006, and January 27, 2009), West Hazel Dell (September 20, 2006), and Fairgrounds (November 9, 2006) neighborhood associations to provide project updates and gather information. Comments gathered at these meetings were similar to those gathered at the open house.

Business and Property Owner Meetings

Project staff met with property and business owners to gather input on project design, discuss potential effects and how they could be reduced, and access modifications that may be necessary to maintain access to and from these businesses. Business owner and property owner suggestions for maintaining access to their businesses and properties were gathered and discussed at these meetings.

Government Representative Meetings

Project staff met with representatives of local and state governments, including the Board of County Commissioners, legislators, and other local boards and committees to discuss the project and gather input. Comments and suggestions from these representatives have been incorporated into the EA.

Door-to-Door Canvassing

Public involvement staff canvassed neighborhoods and businesses in the project study area to discuss the project and invite further involvement. Public comments gathered at these meetings were similar to those gathered at the open house.

Project Hotline

Members of the public were invited to contact project staff of WSDOT and Clark County by calling a central toll-free number. Calls were forwarded to individual project team members to address and responses were made by project team members.

Project Website

A project website was developed and members of the public were invited to contact project staff directly by sending email to a project email site. Emails were then forwarded to individual team members for responses and responses were provided by project team members.

Public Documentation

A variety of project-related information was developed and made available to the public throughout the development of the EA, including:

- **Newsletters:** Project staff published newsletters at key project milestones that were distributed to all addresses and property owners in and around the project study area. Key milestones included scoping and project design revisions.
- **Publications:** Project staff prepared flyers, meeting notices, and fact sheets for distribution to community members.
- **Advertisements:** Advertisements were purchased in *The Columbian* prior to major project meetings.
- **Media Releases:** Project staff distributed media releases before project meetings and when designs changed to share information about the project and encourage media coverage.

Other Outreach Efforts

County staff attended community events such as the Clark County Fair in August 2005 and 2006 to disseminate information to community members and invite further participation in the project. Static project displays were also placed at the Three Creeks Community Library in July 2006 to inform passersby about the project. In addition, project staff provided media interviews.

Where is project information available?

WSDOT and Clark County host a project website at: <http://www.wsdot.wa.gov/Projects/I5/ne134thi205/>. In addition, there is a project hotline: (877-624-7196).

Information booths were set up for this project at the Public Safety Complex Open House located near the Clark County Fairgrounds in September 2008, and at the Vancouver Red Lion Inn in June 2009. WSDOT staff was available at these information booths to answer questions.

In July 2009, WSDOT set up displays and discussed the project with the Hispanic community in the vicinity of the project at St John's Catholic Church. Spanish/English translation services were provided.

4.1.2 How have government agencies been involved?

Project staff have regularly coordinated with government agency staff regarding the potential environmental effects and required permit approvals. These meetings included the following:

- **June and August 2005:** Met with the Washington Department of Fish and Wildlife (WDFW) to discuss species present in the area and how potential project effects would be minimized
- **May 2006:** Met with C-TRAN to discuss Park-and-Ride relocation
- **August 2006:** Met with the U.S. Army Corps of Engineers and the Washington State Department of Ecology to discuss potential project effects to wetlands and how they could be addressed
- **October 2006:** Met with the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) regarding the assessment of protected species
- **February 2007:** Met with Clark County to discuss the county Wetland and Habitat Conservation Ordinances
- **2007 to 2009:** Met with NMFS several times during Section 7 Endangered Species Act consultation.
- **August 2008:** Met with the U.S. Army Corps of Engineers, Clark County, and the Washington State Department of Ecology to further discuss project effects to wetlands.
- **October 2008:** Met with Clark County for a Pre-Application Conference meeting to discuss the proposed development of the new Salmon Creek Park and Ride.

In addition, an Executive Committee, made up of members from WSDOT and Clark County provide regular input on policy matters.

4.1.3 How have Native American Tribes been involved?

The project team initiated consultation with the Cowlitz Tribe in 2005. The Confederated Tribes of Grand Ronde was contacted regarding participation in the consultation process. The Confederated Tribes of Grand Ronde determined that they would not initiate formal consultation at that time and requested to receive a copy of the EA when available. In 2008 the Cowlitz Tribe concurred with the conclusions and recommendations (no adverse effect on National Register eligible historic properties) stated in the Cultural and Historical Resources report submitted by WSDOT and Clark County. The project team will continue to coordinate with both tribes as the project progresses.

DAHP issued a letter of concurrence with the conclusions and recommendations (no adverse effect on NRHP-eligible historic properties) stated in the Cultural and Historical Resources Assessment Discipline Report submitted by WSDOT and Clark County. Letters of concurrence were received in January and July of 2009. These letters are included in Appendix D.

4.2 *Permits and Approvals*

Several consultations, approvals, and/or permits would be required prior to construction of the project. As part of the permitting process, public notice of the approvals being requested would be issued. Approvals anticipated include:

- National Environmental Policy Act (NEPA) [42 USC Section 4321]: NEPA ensures the environmental effects of any proposed decisions are fully considered and that appropriate steps are taken to mitigate potential environmental effects.
- State Environmental Policy Act (SEPA) [WAC 197-11]: SEPA requires that all state and local governmental agencies determine the environmental effects of land use decisions and promote efforts that would prevent or eliminate damage to the environment.
- Endangered Species Act (ESA) [16 USC Sections 1531-1544, 87 Stat. 884]: The ESA requires USFWS and NMFS list

endangered or threatened species, designate critical habitat, and develop and implement recovery plans. USFWS is responsible for terrestrial and freshwater species; NMFS is responsible for marine and anadromous species.

- National Historic Preservation Act (NHPA Section 106) [16 USC 470f] and Section 106 regulations [36CFR800]: Section 106 of the NHPA, as amended, requires federal agencies identify and assess the effects of federally-assisted undertakings on historic properties and consult with others to find acceptable ways to avoid or mitigate adverse effects.
- Clean Water Act (CWA), Sections 404 and 401 [CWA 33 USC 1251-1376]: The CWA implements pollution protection, wetlands protection, and dredging provisions in waters of the United States.
- National Pollutant Discharge Elimination System [NPDES Title 40 CFR Part 122]: Regulates all soil-disturbing activities where construction activity would disturb one or more acres and would result in discharge of stormwater to receiving water, and/or storm drains that discharge to a receiving water.
- Hydraulic Project Approval [HPA Chapter 77.55 RCW]: The state Hydraulic Code requires a permit for work that would use, divert, obstruct, or change the natural flow or bed of any state waters (for potential work associated with some of the proposed mitigation sites, if necessary).
- Forest Practices Act [FPA Chapter 76.09 RCW]: The Act and corresponding rules regulate forestry activities on nonfederal public and private lands, including tree removal.
- Clark County Habitat Conservation Ordinance [Clark County Code 12.40.440]: The ordinance provides standards of no net loss of habitat functions and values to conserve the functional integrity of the habitats needed to support fish and wildlife populations within designated habitat areas.
- Clark County Wetland Protection Ordinance [Clark County Code 40.450]: The ordinance provides standards for classification, protection, and mitigation of effects to

wetlands to provide no net loss in overall function within an area.

- Clark County Site Plan Review [Clark County Code 40.520.040]. A site plan review is required for all new development and modifications to existing permitted development, unless exempted in the Clark County Code. The proposed Park-and-Ride is subject to a Type II Site Plan Review process because it is a new development in the Industrial zone.
- Sole Source Aquifer review: A federal program that designates certain aquifers as the “sole or principle source” of drinking water for a given aquifer service area. Projects with designated aquifers are subject to EPA review (WSDOH, 1995).