

# Appendix H

## Coordination Plan, Tribal Consultation Plan, Public Involvement Plan







Mukilteo Multimodal Project  
**Coordination Plan**  
January 2012



**Washington State  
Department of Transportation**





# Contents

<b>Introduction</b> .....	4
<b>Project Background and Description</b> .....	4
<b>Project Team Structure</b> .....	7
<b>Agency Consultation</b> .....	8
<b>Public Involvement/Community Outreach</b> .....	13
<b>Environmental Justice</b> .....	15
<b>Issue Identification and Resolution</b> .....	16

## **Introduction**

This document is an update to the Coordination Plan that was published in March 2006 and last updated in March 2010. The purpose of this plan is to guide the Washington State Department of Transportation Ferries Division/Washington State Ferries (WSDOT) Mukilteo Project team through the agency and public involvement activities for the Mukilteo Multimodal Project. The plan outlines activities covered during the joint National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) environmental review process, beginning with scoping and ending with a NEPA determination in the form of a Record of Decision from the Federal Transit Administration (FTA). The Public Involvement Plan, an addendum to this plan, includes specific public involvement activities for each phase of the project.

The plan is designed to solicit early and continued feedback from agencies and the public to ensure that input will be incorporated into the decision making process for this project. The document is intended to be a living document, capable of reacting to feedback and project changes as needed.

Since the 2006 Coordination Plan was published, funding and constructability issues associated with previously identified alternatives have led FTA and WSDOT to reconsider the range of alternatives considered for the project. After a nearly three year hiatus, FTA and WSDOT reinitiated the environmental process in 2010.

This plan complies with the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) signed into law on August 10, 2005, Section 6002 as a plan for public coordination (SAFETEA-LU Section 6002: Section 139(g)(1)). This plan also mentions the agency coordination required by federal regulations outlined in Section 4(f)/Section 6(f) and Section 106.

For further information about this plan or to be placed on the project mailing list, please contact Hadley Rodero at (206) 462-6354 or e-mail at roderoh@wsdot.wa.gov.

## **Project Background and Description**

### **Project background**

WSDOT has operated a ferry route between Mukilteo and Clinton (on south Whidbey Island) since 1951. It is a component of State Route (SR) 525, the major transportation corridor between Island County (Whidbey Island) and the Seattle-Everett metropolitan area. The ferry route carried over four million passengers and over two million vehicles in 2009. In terms of vehicle traffic, it is the busiest route in the Washington State Ferries system; in addition, it has the third largest annual ridership. The existing terminal in Mukilteo is old and needs major repairs. Improvements are needed to operate the terminal safely and efficiently, and to meet future ridership forecasts and security requirements.

WSDOT and FTA are evaluating a new multimodal terminal in Mukilteo. Benefits of the new terminal would include:

- Improved ferry operations, including the efficiency of vehicle and walk-on passenger loading and unloading
- Improved safety for passengers
- Better and safer access for pedestrians and bicycles
- Convenient transit connections
- Improved multimodal connections

The project is undergoing an environmental review process in accordance with NEPA and SEPA. WSDOT plans to start construction in 2015 and complete the project in 2019.

WSDOT has secured approximately \$63 million in funding for the project from state and federal sources. At this time the estimated costs associated with the full project are greater than current funding, and therefore the project may be phased.

### **Coordinated environmental review process**

The Mukilteo Multimodal Project has and continues to undergo environmental review in accordance with NEPA, following FTA regulations and policies, including the new SAFETEA-LU requirements in Section 6002, Efficient Environmental Reviews for Project Decision-Making. The environmental review process has also been designed to be consistent with SEPA. The project initially began a NEPA Environmental Assessment in 2004. Early in 2006, upon completion of environmental discipline studies, FTA and WSDOT determined that the effects posed by the proposed action upon natural and cultural resources would benefit from more detailed analysis in an EIS. FTA issued a notice of intent to prepare an EIS for the project in February 2006. In 2007, funding and constructability issues associated with previously identified alternatives led FTA and WSDOT to reconsider the range of alternatives considered for the project. After a nearly three year hiatus, FTA and WSDOT reinitiated the environmental process in 2010. The project's schedule includes a Draft EIS with public hearings and comment in early 2012, and a Final EIS in mid 2013.

### Agency Participation

NEPA and SAFETEA-LU emphasize the importance of agency coordination early in the NEPA process. Three categories of interagency participation have been delineated to facilitate this cooperation. FTA invited federal agencies and Tribes, and WSDOT invited state and local agencies, as appropriate, to participate as cooperating or participating agencies at the beginning of the environmental review process.

### *Lead Agency*

FTA is the NEPA lead agency supervising the preparation of the EIS by WSDOT. WSDOT is the SEPA lead agency.

### *Cooperating Agency*

Cooperating agencies are any other tribal government, federal, state, or local public agencies with jurisdiction or special expertise with respect to any environmental issues which should be addressed in the EIS. Such agencies have been invited to serve as cooperating agencies.

### *Participating Agency*

Participating agencies, according to SAFETEA-LU Section 6002: Section 139(d), are those Federal and non-Federal agencies that may have an interest in the project. Such agencies have been invited to participate in the environmental review process. Because Cooperating Agencies are by definition Participating Agencies but with a higher degree of responsibility and involvement in the environmental review process, references below to Participating Agencies include Cooperating Agencies.

### Mukilteo Multimodal Project EIS Process

The Mukilteo Multimodal Project EIS will be a combined document under NEPA and SEPA. The EIS process will proceed consistent with 23CFR771, Environmental Impact and Related Procedures for the Department of Transportation, and SAFETEA-LU as well as Chapter 197.11 of the Washington Administrative Code.

### *Project Initiation*

As required by SAFETEA-LU Section 6002: Section 139(e), WSDOT notified the Secretary of the U.S. Department of Transportation of the type of work, termini, length and general location of the proposed project as well as anticipated Federal approvals required.

### *EIS Process*

Pursuant to 23CFR771, FTA and WSDOT are completing the following steps as part of the EIS process:

- Publishing a Notice of Intent in the Federal Register
- Developing a project Purpose and Need Statement
- Scoping, which identifies the range of alternatives and impacts and significant issues to be addressed in the EIS
- Developing Draft Environmental Impact Statement
- Conducting coordination with cooperating and participating agencies and Tribes
- Issuing the Draft EIS and conduct the Draft EIS comment period
- Issuing the Final Environmental Impact Statement, including responses to public comments on the Draft EIS

As required by SAFETEA-LU Section 6002: Section 139(f), FTA and WSDOT have and will continue to provide opportunity, as early as practicable, for comment by participating agencies and the public on the purpose and need for the project and the range of alternatives to be considered.

### *Record of Decision*

After publication of the Final EIS, the FTA is expected to issue a Record of Decision, which will present FTA's specific project environmental decisions and approvals and itemize any mitigation measures incorporated into the project.

## **Project Team Structure**

Three primary groups make up the Mukilteo Multimodal Project team:

- FTA
- WSDOT Ferries Division/Washington State Ferries
- Project consultants

### FTA

FTA has lead Federal agency status for the project. The FTA contact is Dan Drais, Environmental Protection Specialist.

### WSDOT Ferries Division

Although FTA is the lead Federal agency for the project, WSDOT staff is in charge of project management and guides the project team. They authorize, review and approve consultant work and provide recommendations to WSDOT executives. The following WSDOT staff members are involved with the facilitation and review of the project:

- Project director – Nicole McIntosh
- Geotechnical designer – Don Chadbourne
- Structures designer – Tom Bertucci
- Environmental manager – Paul Krueger
- Tribal liaison – Phillip Narte

### Project consultants

The consultant team supports WSDOT staff as part of developing the EIS. Team meetings are held biweekly. Additional meetings are scheduled as needed. Project consultants include:

#### *Axis Environmental*

Permitting strategist/tribal outreach coordinator – Sasha Visconty

#### *BergerABAM*

Design team lead – Jilma Jimenez

#### *Jacobs*

Project coordinator – Edd Thomas

#### *Parametrix*

Environmental documentation – Daryl Wendle

#### *PRR*

Communications lead/public involvement – Hadley Rodero

#### *Tetra Tech*

Project engineer/project manager – Sandy Glover

## Agency Consultation

Agency consultation is led by FTA with WSDOT to include an early and continuous exchange of information with the appropriate agencies. The intent of coordination is to work cooperatively to identify and resolve issues that could delay completion of the environmental review process or could result in denial of any approvals required for the project.

### Lead Agencies

As project lead agencies, FTA and WSDOT are responsible for preparing the EIS. In addition, pursuant to SAFTEA-LU Section 6002, lead agencies must identify and involve participating agencies, develop coordination plans, provide opportunities for public and participating agency involvement in defining the purpose and need and determining the range of alternatives; and collaborate with participating agencies in determining methodologies and the level of detail for the analysis of alternatives. In addition, lead agencies must provide increased oversight in managing the process and resolving issues.

### Affected Agencies – cooperating agencies and participating agencies

FTA and WSDOT invited affected agencies to become Cooperating or Participating agencies as appropriate as early as practicable in the environmental review process (SAFTEA-LU Section 6002: Section 139(d)(2)). Those federal agencies invited to become Cooperating agencies that declined this role became Participating agencies unless that agency informed FTA or WSDOT by the established deadline that the invited agency has no jurisdiction or authority with respect to the project, has no expertise or information relevant to the project, and does not intend to submit comments on the project. State and local agencies were to respond in writing in the affirmative by the invitation deadline in order to be considered a Participating Agency. Upon re-initiation of the NEPA/SEPA process in 2010, FTA and WSDOT invited affected agencies to reconfirm or change their status as Cooperating or Participating agencies.

The following federal, state, and local agencies were identified as affected agencies based on the natural, cultural, and socioeconomic resources in the project area and agency jurisdiction and expertise. Table 1 lists the Cooperating and Participating Agencies.

<b>Cooperating Agencies</b>
City of Everett
City of Mukilteo
Community Transit
Port of Everett
Samish Indian Nation
Snohomish County
Sound Transit
Stillaguamish Tribe
Suquamish Tribe
Tulalip Tribes
U.S. Air Force
U.S. Army Corps of Engineers

<b>Participating Agencies</b>
Federal Highway Administration
Island County
National Park Service
Puget Sound Regional Council
U.S. Coast Guard
U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
Washington State Department of Archaeology and Historic Preservation
Washington Department of Ecology
Washington Department of Fish and Wildlife

**Table 1: Cooperating and Participating Agencies**

Agency Coordination Goals

**Goal A:** Ensure the open exchange of information, ideas and concerns between FTA, WSDOT, and the Cooperating and Participating Agencies about the project, its potential impacts, design development, and appropriate mitigation.

*Objective* – Engage affected agencies regarding the scoping of effects to be evaluated, alternatives to be considered, design development, mitigation measures, and project purpose and need.

*Objective* – Communicate how resource agency comments and concerns were considered in the project development.

**Goal B:** Avoid substantial design changes during permit review.

*Objective* – Address resource agency feedback and concerns during project development, design, and mitigation through early and continuous communication throughout the process.

**Goal C:** Maintain constructive interagency relationships that promote coordinated transportation partnerships.

*Objective* – Understand resource agency permit responsibilities to promote effective interagency communication.

*Objective* – Use the Mukilteo Multimodal Project to build on relationships between WSDOT and resource agencies with whom WSDOT is or will be engaged in consultation for future projects.

Agency Coordination Approach

Agency consultation will be led by each agency’s respective project members, and will involve an early and continuous exchange of information with the appropriate agencies. These efforts will be monitored and integrated into this plan as necessary. Regular communication will be established to ensure that these efforts are captured within the overall public involvement documentation.

The general approach to agency coordination for the Mukilteo Multimodal Project is outlined below.

- Identify affected and interested agencies

- Make official contact with affected agencies to invite their participation as Cooperating Agencies and provide general project information (see attached agency contact list)
- Invite those agencies with interest to become Participating Agencies
- Hold an agency scoping meeting for the EIS. Request comments on scoping, project purpose and need, and project alternatives. Announce the scoping meeting and the comment period in the Federal Register.
- Coordinate with Cooperating and Participating Agencies on EIS analysis methodology as appropriate.
- Meet with representatives of Cooperating and Participating agencies as needed to review issues throughout EIS and project development.
- Provide a preliminary review copy of the Draft EIS for Cooperating Agency review and comment.
- Seek to resolve major issues as early as practical in the environmental review process and during all phases of project development prior to permit submittals
- Document official communications and agreements with resource agencies.
- Provide copies of Draft EIS, along with Executive Summaries, technical reports and drawings, for continued review and comment by Cooperating Agencies during the official comment period and at public hearings.

#### Milestones of Agency Coordination

At each of the major project milestones, the lead agencies have and will continue to coordinate with the affected agencies as follows:

- NEPA Scoping: Affected agencies were contacted in 2006 and invited to become Participating or Cooperating agencies; they were also invited to an agency scoping meeting in March 2006 at which FTA and WSDOT sought agency involvement on the project's purpose and need, and the range of alternatives, impacts, and significant issues to be considered (SAFETEA-LU Section 6002: Section 139(f)(1-2) and (4)). The 2006 scoping meeting was held within the 30-day scoping comment period during which comments were submitted to WSDOT. With re-initiation of the NEPA/SEPA process in 2010, agencies were invited to confirm or change their status as Participating or Cooperating agencies. FTA and WSDOT again sought agency involvement on the revised project purpose and need, and the range of alternatives, impacts, and significant issues to be considered.
- Finalized scope of the EIS based on scoping period comments from agencies and the public.
- Documented agency and public comments in a final Scoping Report.
- Analysis of resource methodologies: FTA and WSDOT provided proposed analysis methodologies to Cooperating and Participating Agencies, per individual agency request, for a 30-day review period on the methodologies and level of detail (SAFETEA-LU Section 6002: Section 139(4)(C)).
- Information provided by agencies: Cooperating and Participating agencies have been helpful in providing data, identifying resources, and determining regulatory compliance requirements. Agencies will continue to provide information and evaluations through the completion of the EIS.

- Section 4(f)/6(f), and Section 106 letters of preliminary views and concurrences: FTA will coordinate with the State Historic Preservation Officer regarding the presence and eligibility of cultural resources, in compliance with Section 106. Also, WSDOT will consult with jurisdictions where public parks and recreational resources are potentially impacted by the project.
- Draft EIS: FTA and WSDOT will issue the Draft EIS. Cooperating agencies received a preliminary Draft EIS for a 30-day review period prior to publication of the document. WSDOT worked with FTA to address comments received from these agencies on the preliminary draft. The Draft EIS is distributed to all cooperating and participating agencies.
- A 45-day EIS comment period follows publication of the Draft EIS. Since the Mukilteo Multimodal Project EIS is a NEPA and SEPA EIS, the notice of availability will be published both in the Federal Register and SEPA Register, and other notices and advertisements will be placed in accordance with NEPA and SEPA requirements.
- WSDOT will identify a preferred alternative based on the Draft EIS, the public and agency comments received during the Draft EIS comment period, and other agency input. The preferred alternative is expected to be included in the Final EIS.
- Final EIS: The Final EIS will include responses to all agency and public comments received on the Draft EIS and will be sent to the distribution list. A notice of availability will be published in the Federal Register and SEPA Register.
- After publication of the Final EIS, the FTA and WSDOT will select the alternative to be built.
- Record of Decision (ROD): After the 30-day no action period has elapsed since the issuance of the Final EIS, FTA will issue a ROD containing its specific environmental decisions and approvals on the project and itemizing any mitigation measures incorporated into the project per 40 CFR 1505.2. It will incorporate any comments received on the Final EIS and responses to those comments. The ROD will be distributed to affected agencies, and a Notice of Final Federal Agency Action will be published in the Federal Register.
- Begin Final Design and Project Construction: WSDOT will continue to coordinate with affected agencies throughout final design and construction to obtain permits and other approvals.

### Tribes

In addition to reaching out to individual Tribal members and the Tribes as stakeholders in this project, FTA and WSDOT have additional government-to-government responsibilities to consult with the Tribes, Tribal Communities and Nations that may be affected by the project. The Centennial Accord, adopted in 1989, is an agreement between federally recognized Indian Tribes of Washington and the State of Washington to work together to improve the government-to-government relationships between the Tribes and the State. Additionally, the Presidential Executive Memorandum dated September 23, 2004, requires federal agencies like the FTA to operate within a government-to-government relationship with federally recognized tribal governments. Moreover, Section 106 of the National Historic Preservation Act requires that federal

agencies consult with Indian Tribes (as well as the State Historic Preservation Officer) regarding potential effects on historic properties.

FTA and WSDOT are committed to government-to-government consultation with Tribes on projects that may affect tribal rights and resources. In accordance with WSDOT's Centennial Accord Plan, the Presidential Executive Memorandum and Section 106, the Mukilteo Multimodal project team will engage in early and continuous consultation with affected Tribes throughout the project. Because government-to-government consultation with Tribes is generally distinct from public involvement, and because it arises from unique commitments and obligations as discussed above, Tribal consultation for this project will be conducted under a separate plan, the *Mukilteo Multimodal Ferry Terminal Project, Government-to-Government Tribal Consultation Plan* (January, 2011), rather than under this *Coordination Plan*.

FTA will manage tribal consultation in coordination with David Moseley (Assistant Secretary for Washington State Ferries), although many team members may assist in the on-going government-to-government dialogue depending on their particular area of expertise. Regular communication will be established within the project team to ensure that information is coordinated internally and integrated into the government-to-government dialogue with the Tribes. Consultation efforts and results will be recorded in the overall project documentation.

Federally recognized Tribes who are signatory to the Point Elliot Treaty of 1855, and ratified in 1859 listed below, are engaged in either Section 106 consultation or government-to-government activities with the project. All of the Tribes listed have been invited as participating agencies to the project.

1. Lummi Nation (Usual and Accustomed Area)
2. Tulalip Tribes (Usual and Accustomed Area)
3. Swinomish Tribal Community (Usual and Accustomed Area)
4. Suquamish Tribe (Usual and Accustomed Area)
5. Nooksack Tribe
6. Samish Tribe
7. Sauk-Suiattle Tribe
8. Snoqualmie Tribe
9. Stillaguamish Tribe
10. Upper Skagit Tribe

Non-federally recognized Tribes are also invited to participate as Section 106 consulting parties. They are as follows:

1. Duwamish Tribe
2. Snohomish Tribe of Indians

## **Public Involvement/Community Outreach**

### **Public involvement approach**

Public involvement/community outreach is the act of engaging, involving and informing agencies, key stakeholders, community members and the general public about the planning, design and development of the Mukilteo Multimodal Project. This section and the Public Involvement Plan (PIP) addendum are intended to demonstrate a consistent level of public participation throughout the project's different phases, milestones and decisions. For more information about specific public involvement goals, strategies, and tools, please see the Public Involvement Plan.

WSDOT and FTA believe in building relationships with both the general public and with communities. WSDOT and FTA will hold public meetings and hearings in the project area and offer multiple ways for people to participate in the project. The project will include a variety of tools and materials so the public can easily access project information.

Community members, organizations and businesses will have opportunities to learn about the Mukilteo Multimodal Project throughout the different phases of design and development. They will be asked to provide input on the project's purpose and need, range of alternatives and impacts to be considered, and design options. In addition, the public will have multiple opportunities to discuss broad or specific project details with the project team. The input received from the public will be considered at key decision points.

### **Key milestones**

Public involvement activities will correspond with major project milestones and will be coordinated with the FTA, as well as agencies in the vicinity of the Mukilteo Multimodal Project such as Port of Everett, City of Mukilteo, City of Everett, Community Transit, Everett Transit, and Island Transit. Public meetings and materials for the Mukilteo Multimodal Project will include surrounding project information when possible.

Key project milestones and opportunities for public involvement include:

- NEPA EA Scoping
- Alternative Screening
- Environmental Analysis
- NEPA EIS Scoping
- Public comments on the project Purpose and Need and project Alternatives
- Draft EIS publication and circulation
- Final EIS issuance and circulation
- ROD issuance

Table 2 includes a list of project milestones and associated public involvement activities and tools.

<b>Milestone Timeline of Activities</b>								
<b>Season/Year</b>	<b>Project Milestone</b>	<b>Public Outreach Tools</b>						
		<b>Stakeholder Briefings</b>	<b>Public Meetings</b>	<b>Email</b>	<b>Handouts</b>	<b>Database and comment form</b>	<b>Website</b>	<b>News Release</b>
Fall 2004	NEPA EA Scoping	✓	✓	✓	✓	✓	✓	✓
Winter/Spring 2006	NEPA EIS Scoping	✓	✓	✓	✓	✓	✓	✓
Summer/Fall 2010	Additional NEPA EIS Scoping	✓	✓	✓	✓	✓	✓	✓
Winter 2012	Draft EIS Publication	✓	✓	✓	✓	✓	✓	✓
Spring 2013	Final EIS issuance	✓		✓	✓	✓	✓	✓
June 2013	ROD issuance	✓		✓		✓	✓	✓

Table 2: Milestone timeline of activities

See the PIP for a full plan of public involvement opportunities and activities.

### **Public involvement tools**

A variety of tools will be employed to involve the public and share information including public hearings, meetings, project briefings, informational materials, media relations, and online tools.

Public meetings, open houses, online meetings, and other events offer hands-on opportunities to engage citizens in learning about the Mukilteo Multimodal Project, identifying community issues, and reviewing design options.

Project materials such as updates or fact sheets allow WSDOT to keep the general public informed about the project’s status, schedule and upcoming involvement opportunities. On-going communication tools including electronic updates, stakeholder briefings, media relations, web updates and notices will be used throughout the project development process as needed. All printed materials and the website will have a consistent look and feel to increase the public's recognition of the project.

The public will be encouraged to provide feedback via the website, e-mail, mail and comment forms. Feedback will be collected and responded to as appropriate.

Please see the PIP for a full summary of public involvement tools that will be used throughout the project.

## **Environmental Justice**

The principles embodied in Title VI of the Civil Rights Act of 1964 are reinforced in Presidential Executive Order 12898, issued by President Clinton in 1994, and subsequent federal guidance to ensure that environmental justice is made a part of each federal agency's mission. Executive Order 12898 provides that "each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations." In the accompanying memorandum, President Clinton urged federal agencies to incorporate environmental justice principles into analyses prepared under the National Environmental Policy Act (NEPA) and emphasized the importance of public participation in the NEPA process.

In response to Executive Order 12898, the U.S. Department of Transportation issued the DOT Order, which outlines how environmental justice analyses should be performed and how transportation project decisions should be made to avoid disproportionately high and adverse effects on minority and low-income populations. The DOT Order requires agencies to do two things: (1) explicitly consider human health and environmental effects related to transportation projects that may have a disproportionately high and adverse effect on minority or low-income populations; and (2) implement procedures to provide "meaningful opportunities for public involvement" by members of those populations during project planning and development (DOT Order § 5(b)(1)).

To determine the percentage of minority and low-income populations living in the vicinity of the Mukilteo Multimodal Project, WSDOT consulted Mukilteo city planners early in the project development process. They did not identify significantly high minority or low-income populations residing in the study area. During the NEPA/SEPA process WSDOT and FTA will reevaluate the race and income characteristics of the population in the project area to determine if any previously unidentified minority or low-income populations are present.

Project materials will be available for translation when requested and will include approved American with Disabilities Act and Title VI statements. Meetings will be held in accessible buildings and sign-language interpreters will be provided upon request.

## **Issue Identification and Resolution**

Through public interaction activities defined in this plan and the PIP, FTA, WSDOT, and cooperating and participating agencies are provided the opportunity for early and on-going identification of environmental or socioeconomic issues that could substantially delay or prevent project approval. WSDOT or the Washington State Governor may request the FTA to convene issue resolution meetings. If resolution of issues cannot be achieved, FTA must notify the Governor, Congress, and the Council on Environmental Quality (CEQ). FTA would publish any unresolved issues in the Federal Register. (SAFETEA-LU Section 6002: Section 139(h))

**MUKILTEO MULTIMODAL FERRY  
TERMINAL PROJECT  
GOVERNMENT-TO-GOVERNMENT  
TRIBAL CONSULTATION PLAN**

**This page intentionally left blank.**

# TABLE OF CONTENTS

---

<b>1. INTRODUCTION .....</b>	<b>1</b>
<b>2. OVERVIEW.....</b>	<b>1</b>
2.1 Project Team Structure.....	1
2.2 Legal Guidance .....	1
<b>3. GOALS AND OBJECTIVES .....</b>	<b>2</b>
<b>4. CONSULTATION APPROACH .....</b>	<b>3</b>

**This page intentionally left blank.**

# 1. Introduction

---

The following plan will guide the Mukilteo Multimodal project through government-to-government tribal consultation during the period of scoping through NEPA determination. An addendum to this plan, to be produced at a later date will include specific tribal consultation activities during permitting and construction of the project.

This plan is designed to encourage early and continued feedback from, and involvement by, tribes potentially affected by the Mukilteo Multimodal project, and to ensure that their input will be incorporated into the decision making process. The processes and commitments outlined below apply to all interaction between the Mukilteo Multimodal project and tribes. Although tribal coordination and government-to-government tribal consultation is being undertaken as a distinct outreach effort, tribal involvement will also occur during agency coordination and public involvement.

## 2. Overview

---

### 2.1 Project Team Structure

The Federal Transit Administration (FTA) is the federal lead agency for this project. Washington State Department of Transportation (WSDOT) is the project sponsor. FTA retains responsibility for compliance with consultation requirements. Any contact with the tribes will be initiated by FTA, or at their request through the WSDOT. FTA is the lead for meetings and negotiations for the tribal consultation process under the National Environmental Policy Act (NEPA).

The Mukilteo Multimodal project has had a designated tribal liaison for this project. The WSDOT HQ Tribal Liaison will assist FTA and WSF Tribal Liaison in tribal coordination efforts as necessary. With the concurrence of FTA, other WSDOT team members may participate in the on-going government-to-government dialogue. Consultants will not participate in any government-to-government dialogue. Consultants will assist in preparing for meetings with the tribes, but all contact will be through FTA or their WSDOT staff designee, if appropriate, on the project. Communication with tribes will be coordinated through the FTA and the Mukilteo Multimodal Tribal Liaison to ensure that information is managed internally and integrated into the government-to-government dialogue with the tribes. All tribal consultation and the results from these efforts will be documented in the project's administrative record.

### 2.2 Legal Guidance

The FTA will engage in early and continuous consultation with affect tribes throughout the process in accordance with the following documents and regulations:

- **Government-to-Government Relationship with Tribal Governments**, a Presidential Memorandum dated September 23, 2004, requires that federal agencies operate within a government-to-government relationship with federally recognized tribal governments.

- **Section 106 of the National Historic Preservation Act** requires that federal agencies consult with Indian tribes and the State Historic Preservation Officer regarding potential effects on historic properties prior to making decisions that could affect those properties. Through Section 106, the federal leads initiate consultation, identify resources, determine the effect of the project, avoid, minimize, and then mitigate any impacts.
- **The National Environmental Policy Act (NEPA)** calls for federal agencies to invite the participation of any affected Native American tribe in the environmental review process.
- **The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)**, the recent transportation bill reauthorization, requires that federal agencies coordinate with tribal governments by inviting them to be “participating agencies.” Participating agency status provides tribal governments an additional method to engage in the environmental review process, but it does not supersede government-to-government or Section 106 consultation. As a participating agency the tribes are afforded an opportunity to comment at specific project milestones outlined in SAFETEA-LU, although these same opportunities would be given through the consultation process.

### 3. Goals and Objectives

---

Goals for the tribal consultation process and objectives for meeting them are listed below.

- Goal: Honor the commitment of FTA to engage in effective government-to-government consultation consistent with the aforementioned regulations.
  - Objective: Ensure FTA, Mukilteo Multimodal staff and tribes engage in an open exchange of information about the project, its potential impacts, and appropriate mitigation.
- Goal: Design and develop the Mukilteo Multimodal project, including appropriate mitigation, if applicable, in a manner that protects cultural and natural resources.
  - Objective: Reach agreement in accordance with the NEPA process that is compatible with the mutual interests of the tribes, FTA, and WSDOT.
  - Objective: Address potential impacts to cultural resources, including those of particular tribal interest, through appropriate pre-construction surveys and analysis.
  - Objective: Modify the existing “Inadvertent Discovery Plan” to describe the protocols to be taken in the event of an unanticipated cultural or archaeological discovery during future ground disturbing work.
- Goal: Address tribal feedback and concerns in project planning, design and mitigation.
  - Objective: Engage tribes in project decision-making, including decisions regarding environmental review, schedule, scoping of effects to be evaluated, alternatives to be considered, and project design and mitigation.
- Goal: Coordinate communications between the project team and tribes.

- Objective: Establish a process for FTA and the project team to receive and respond to tribal input.
- Objective: Ensure all communication between the project team and tribes is coordinated with the FTA and Mukilteo Multimodal Tribal Liaison.
- Goal: Create durable intergovernmental relationships that promote coordinated transportation partnerships.
  - Objective: Build constructive relationships between FTA, WSDOT and affected tribes with whom FTA and WSDOT are or will be engaged in consultations for other projects.

## 4. Consultation Approach

---

The general approach to government-to-government consultation for the Mukilteo Multimodal project is as follows:

- *Identify potentially interested tribes.* The Mukilteo Multimodal project team, in consultation with FTA and WSDOT headquarters staff, will assess the following factors that may indicate a tribe's interest in the project (completed):
  - Potential for the tribe to have culturally or historically significant property or items in the area of the project (this is a large number of tribes due to the signing of the Point Elliot Treaty)
  - Potential for the tribe to have a resource or cultural interest in the area of the project
  - The tribe's jurisdiction and control of land that may be affected by the project
  - Expressed interest through "consultation area maps" a tribe has provided to WSDOT
- *Invite potentially interested tribes to formally consult on the project.* The FTA, working with the Mukilteo Multimodal Tribal Liaison, will formally contact potentially affected tribes to determine whether they are interested in further contact with the project team. (completed)
- *Engage in both formal and technical consultation with tribal staff.* At the request of the tribes, the FTA will formally meet with cultural and natural resource committees, and could involve Mukilteo Multimodal technical staff in working group meetings concerning applicable issues (e.g., identification of fish and wildlife habitat).
  - At the request of interested tribes, FTA and the project team will meet with the Tribal Council at major project milestones.
  - Technical staff will be invited to all working group meetings that the tribe may have an interest or expertise in.
  - The consultation process will integrate both formal and informal contact with the Tribal Council and tribal staff, respectively.

- *Meet with representatives of interested tribes to review broad issues.* FTA and the Mukilteo Multimodal staff will meet with interested tribes early in the environmental review process in order to establish the following information:
  - An understanding of the aspects of the Mukilteo Multimodal project that are likely to interest the tribes
  - Preliminary information about the potential for the project to affect tribal land, historical or cultural resources, fishing and other aquatic resources, or any other issues of tribal concern
- *Seek to resolve issues in parallel with project planning and permitting activities.* FTA and the Mukilteo Multimodal staff will keep the interested tribes fully informed throughout the project environmental process. In acknowledgement that Mukilteo Multimodal project must afford the interested tribes with more than the opportunity to participate as members of the general public in the planning and permitting process, FTA and the Mukilteo Multimodal project staff will take the following actions to ensure there is effective government-to-government consultation:
  - Seek tribal input regarding alternatives and opportunities to avoid, reduce, or otherwise mitigate the effects of the Mukilteo Multimodal project on tribal interests.
  - Seek tribal comment throughout the project's environmental review, permitting and regulatory review processes.

The project team identified thirteen tribal communities that were original signatories to the Point Elliott Treaty. In addition to 11 federally recognized tribes, there are two non-federally recognized tribal entities (the Duwamish and the Snohomish Tribes) that are descended from signatory tribes. Outreach to these two tribes was distinct from government-to-government consultation, and was intended to satisfy NHPA Section 106 provisions (relating to historic and cultural properties) that encourage the participation of potentially interested communities; however, both have not shown an interest in the project to date.

The Nooksack Tribe of Indians informed the project team on October 25, 2010 that the project is outside of their area of interest.

The remaining potentially interested tribes and initially identified tribal contacts are as follows:

Federally Recognized Tribes

Lummi Tribe of the Lummi Reservation  
2616 Kwina Road  
Bellingham, WA 98226

The Honorable Cliff Cultee, Chair  
Lena Tso, THPO  
Kelly Easter, Cultural Resources  
Merle Jefferson, Natural Resources  
Elden Hillaire, Natural Resources

Muckleshoot Indian Tribe of the Muckleshoot  
Reservation  
39015 172<sup>nd</sup> Ave SE  
Auburn, WA 98092

The Honorable Virginia Cross  
Laura Murphy, Cultural Resources  
Karen Walter, Natural Resources  
Glen St. Amant, Fisheries Manager

Samish Indian Tribe  
PO Box 217  
Anacortes, WA 98221

The Honorable Tom Wooten, Chair  
Jackie Ferry, Cultural Resources  
Ted Gage, Planning Director

Sauk-Suiattle Indian Tribe of Washington  
5318 Chief Brown Lane  
Darrington, WA 98241

The Honorable Janice Mabee, Chair  
Norma Joseph, Cultural Resources  
Richard Wolten, Natural Resources

Snoqualmie Tribe  
8130 Railroad Avenue, Suite 103  
P O Box 969  
Snoqualmie 98065

The Honorable Shelley Burch, Chair  
Ray Mullen, Cultural Resources  
Cindy Spiry, Natural Resources

Stillaguamish Tribe of Washington  
PO Box 277  
Arlington, WA 98223

The Honorable Shawn Yanity, Chair  
Lora Pennington, Cultural Resources  
Pat Stevenson, Natural Resources

Suquamish Indian Tribe of the Port Madison  
Reservation  
P.O. Box 498  
Suquamish, WA 98392-0498

The Honorable Leonard Forsman, Chair  
Dennis Lewarch, THPO  
Michelle Hanson, Tribal Attorney  
Tom Ostrom, Natural Resources

Swinomish Indians of the Swinomish  
Reservation  
11404 Moorage Way  
LaConner, WA 98257

The Honorable Brian Cladoosby, Chair  
Larry Campbell, Cultural Resources  
Stan Walsh, Natural Resources  
Lorraine Loomis, Fisheries Director

Tulalip Tribes of the Tulalip Reservation  
6406 Marine Drive  
Tulalip, WA 98271

The Honorable Melvin Sheldon, Jr. Chair  
Richard Young, Environmental Programs  
Hank Gobin, Cultural Resources  
Daryl Williams, Environmental Liaison  
George White, Public Affairs

Upper Skagit Indian Tribe of Washington  
25944 Community Plaza  
Sedro-Woolley, WA 98284

The Honorable Jennifer Washington, Chair  
Scott Schuyler, Cultural Resources

The following table identifies key points in the review process where FTA and the Mukilteo Multimodal project team will be seeking tribal review and input. During this consultation, we will strive to resolve tribal concerns as we move through the NEPA process.

<b>Event</b>	<b>Approximate Timeframe</b>	<b>Consultation Activity</b>	<b>Desired Outcome</b>
Purpose and Need	March 2010	Share detailed information regarding purpose and need (meetings)	Feedback identifying issues associated with purpose and need
Alternatives screening	March-October 2010	Share detailed information regarding alternatives and screening (meetings)	Feedback identifying issues associated with alternatives
Preparation of draft discipline reports	December 2009 – January 2011	Solicit review and comment on selected discipline reports (meetings and document review)	Early identification of issues associated with environmental analysis
Preparation of draft EIS	October 2010 – August 2011	Solicit review and comment on first draft EIS (meetings and document review)	Discussion of any significant issues associated with environmental analysis and potential mitigation
Selection of locally preferred alternative	November 2011	Discuss selection of preferred alternative and mitigation (meetings)	Agreement on concept and approach for preferred alternative and potential mitigation
Preparation of Final EIS	December 2011 – October 2012	Solicit review and comment on second draft EIS (meetings and document review)	Resolution of issues identified in earlier review activities
FEIS/ROD	November – December 2012	Discuss results of environmental review and final resolution of Section 106/4(f) issues (meetings)	Agreement on project's concept and approach as set forth in the environmental review decision document; agreement on approach and timeline for resolving treaty rights issues
PSE	2013-2015	To be determined	To be addressed in amendment to consultation plan
Construction	2015-2019	To be determined	To be addressed in amendment to consultation plan

**This page intentionally left blank.**

**Washington State Department of Transportation –  
Ferries Division  
Mukilteo Multimodal Project**

**Communications Strategy and Public Involvement  
Plan – EIS Phase**

Addendum to the Mukilteo Multimodal Coordination Plan

Prepared by:  
PRR

**Updated January 2, 2013**



## **Table of Contents**

---

<b>Background .....</b>	<b>3</b>
<b>Regulatory Requirements for Public Involvement.....</b>	<b>4</b>
<b>Public Involvement Goals and Objectives.....</b>	<b>4</b>
<b>Guiding Principles .....</b>	<b>5</b>
<b>Key Messages .....</b>	<b>6</b>
<b>Risks .....</b>	<b>10</b>
<b>Audiences and Stakeholders.....</b>	<b>11</b>
<b>Public Involvement Approach and Milestone Schedule .....</b>	<b>11</b>
<b>Public Involvement Tools .....</b>	<b>13</b>
<b>Next Steps .....</b>	<b>14</b>
<b>Appendix 1: Public Involvement for the Mukilteo Multimodal Project 2004-2007.....</b>	<b>16</b>

## Background

This Public Involvement Plan (PIP) provides the strategic framework for communications and public involvement activities during the Environmental Impact Statement (EIS) process for the Mukilteo Multimodal Project. As an addendum to the updated public and agency Coordination Plan (March 2010), the PIP outlines the Washington State Department of Transportation Ferries Division's (WSF) public involvement communications goals, key messages, public involvement milestones, and stakeholders. The PIP also identifies tools and tactics to engage the public and solicit feedback, including those specifically required by the National Environmental Policy Act (NEPA) and the State Environmental Policy Act (SEPA). While recognizing that there are many audiences interested in the Mukilteo Multimodal Project, this PIP focuses on communications with the public, community groups, elected officials and other stakeholders.

The Mukilteo/Clinton ferry route is part of State Route (SR) 525, the major transportation corridor connecting Whidbey Island to the Seattle-Everett metropolitan area. It is WSF's busiest route for vehicle traffic and has the second highest annual ridership, serving more than four million riders in 2011.

The Mukilteo terminal has not had significant improvements since the early 1980s and components of the facility are aging. The current configuration of the terminal contributes to safety concerns, traffic congestion, and vehicle/pedestrian conflicts. The new terminal will improve operations and transit connections.

The environmental review process for the Mukilteo Multimodal Project began with a NEPA Environmental Assessment (EA) in 2004. Early in 2006, upon completion of environmental discipline studies, FTA and WSF determined that the potential impacts to natural and cultural resources would benefit from more detailed analysis in an Environmental Impact Statement (EIS). FTA issued a notice of intent to prepare an EIS for the project in February 2006. In 2007 the project was put on hold due to funding and constructability issues associated with the previously identified alternatives.

WSF and FTA reinitiated the NEPA/SEPA environmental process in February 2010.

## Project Timeline

- **February 2010** – Reinitiate the NEPA/SEPA process
- **Spring 2010** – Revise the project purpose and need statement
- **Fall 2010** – NEPA/SEPA EIS Scoping process
- **Spring-Fall 2011** – Prepare Draft EIS
- **Winter 2012** – Draft EIS public hearings and comment period
- **Spring 2012** – Identify Preferred Alternative
- **Summer 2012 to Winter 2013** – Prepare Final EIS
- **Spring 2013** – Publish Final EIS
- **Summer 2013** – Issue Record of Decision (ROD); begin final project design
- **2015** – Begin construction

- **2019** – Project complete

## **Regulatory Requirements for Public Involvement**

WSDOT and FTA have an extensive communications program to involve public, agencies, and tribes in developing this EIS in accordance with NEPA, SEPA, Section 106 of the National Historic Preservation Act, WSDOT Executive Order E1025.01, the WSDOT Centennial Accord Plan and the federal Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).

### ***NEPA/SEPA***

During the public scoping process and upon issuance of the Draft EIS, WSF met requirements for public outreach under NEPA and SEPA. General public involvement for the 2010 scoping period included:

- Targeted stakeholder outreach including briefings and interviews
- Four widely advertised in-person public meetings
- One online open house to reach residents who were unable or preferred not to attend a meeting in person
- An online comment tool that provided an easy and informative electronic method of learning about the concepts and submitting comments
- Notices and information on the project posted on the project website ([www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/](http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/))

Public information and involvement opportunities during the Draft EIS phase included:

- A 45-day comment period initiated with the public release of the Draft EIS and public notices
- Two widely advertised public hearings in Mukilteo and Clinton that were attended by approximately 175 people
- The project website, which served as an online resource with frequent updates, an online comment form, a project library of information and the full Draft EIS document

WSF and FTA anticipate releasing the Final EIS in the spring of 2013, which will address all public, agency, and tribal comments. A Record of Decision is anticipated in summer 2013, which will allow WSF to move forward with final design and construction, once funding becomes available.

### ***SAFETEA-LU Requirements***

The Coordination Plan outlines WSF's plan for public, tribal and agency coordination under SAFETEA-LU.

## **Public Involvement Goals and Objectives**

WSF and FTA are committed to providing an open public involvement process with ample opportunities to inform and involve the public in the Mukilteo Multimodal Project. Stakeholders will have opportunities to interact with and receive responses from project team members on issues of interest or concern throughout each phase of the project.

The following goals and objectives will help guide the public involvement and communications strategy. These goals were developed in accordance with WSDOT's communications plan.

- Goal A:** Promote an understanding of the purpose and need for the project and the process leading to the final decisions.  
*Objective* – Ensure that comprehensive information about the project and the decision process is available to the public and the media.  
*Objective* – Explain the cultural significance and concurrent tribal decision-process in a clear and sensitive manner.  
*Objective* – Deliver honest and consistent messaging to the public.
- Goal B:** Involve the community and other stakeholders early in and throughout the process  
*Objective* – Involve new and existing stakeholders by providing a range of public input opportunities early and often.  
*Objective* – Provide continued communication and feedback to the public throughout the process.  
*Objective* – Engage typically underserved populations (low-income, minority, and limited-English proficient) early in the public involvement process by providing involvement opportunities designed to meet the unique needs of these groups.  
*Objective* – Meet all NEPA Environmental Justice (EJ) and Title VI limited-English proficiency (LEP) requirements.  
*Objective* – Publicize programs and activities through multiple and diverse communications vehicles and hold meetings in ADA- and transit-accessible facilities.  
*Objective* – Notify affected communities of public involvement opportunities early and through a variety of advertising mediums and formats.  
*Objective* – Facilitate constructive dialogue between WSF, FTA, and key stakeholders.
- Goal C:** Ensure that public input is incorporated into the decision-making process.  
*Objective* – Provide involvement opportunities in conjunction with key project milestones and prior to decision-making.  
*Objective* – Solicit meaningful input from affected communities on the range of alternatives and potential impacts.  
*Objective* – Identify and resolve challenges in a timely manner.  
*Objective* – Respond to public comments in a timely and thorough manner.  
*Objective* – Report back to the community on how their feedback has been considered and incorporated into the decision-making process.

## Guiding Principles

The following principles will guide WSF in its public involvement activities throughout all phases of the project.

- **No surprises.** WSF is the first and best source of information about our agency, whether the news is good, bad, or indifferent. Always provide honest, timely information to the public and the media.
- **Lead with the web.** Keep the web updated with the most current project information.
- **Enlist the media as a project partner.** The media can help get the word out on what's new with the Mukilteo project. Talk about the need for the Mukilteo Multimodal Project and how people can get involved during each phase.

- **Keep the Legislature in the know.** Educate and inform legislators and their staff about the project.
- **Use existing relationships.** Build on the project's long history of engaging the community. Continue to keep local officials, community members, and others informed and engaged and enlist them in reaching out to their communities and constituents.
- **Leverage other WSF communications efforts.** Capitalize on ongoing WSF efforts that will bring greater exposure to the Mukilteo project.
- **Manage expectations.** Educate the public about project alternatives without overselling the project benefits or the merits of a single alternative.
- **Use plain talk, graphics, and new media.** Tell the Mukilteo Ferry Terminal story so people understand. All project messages need to be consistent with WSF's systemwide messaging, WSDOT's communications standards and plain talk initiatives.
- **Measure and use data to tell the story.** Use Washington State Transportation Commission survey data, ridership forecasts, origin and destination patterns, and other data to support project information. Update numbers frequently to provide the latest possible information.
- **Use innovative and effective outreach tactics.** Make every effort to go above and beyond required NEPA public involvement. Be creative in finding effective ways to engage stakeholders.

## Key Messages

These answers to important questions will be revised and refined as the project continues and project outreach evolves.

### Why is WSF considering rebuilding or relocating the Mukilteo ferry terminal?

- The existing Mukilteo terminal is aging and needs major repairs to operate the terminal safely and efficiently. The current terminal configuration worsens congestion and has led to steady increases in vehicle/pedestrian conflicts.
- This route is a significant commuter route and has WSF's second highest annual ridership, serving more than four million total riders in 2011. The current facilities are inadequate to handle this volume of traffic, creating operational and safety problems and negative impacts to Mukilteo's downtown waterfront.
- The WSF 2009 Long-Range Plan forecasts a 73 percent increase in annual passengers by 2030. Since vehicle traffic is limited by the size of the vessel, creating a terminal with multimodal characteristics is critical to meeting future passenger growth. It would also make it easier for passengers to access trains and buses.

### What has WSF done so far in the EIS process?

- During the scoping phase of the NEPA/SEPA process, WSF and FTA gathered and considered input from the public, tribes, and other government agencies to determine the adequacy of the draft statement of purpose and need, and to evaluate the range of reasonable alternatives for analysis in the Draft EIS.
- WSF and FTA released a Draft EIS for public comment in January 2012 and provided a 45-day comment period, which ended on March 12, 2012.
- WSF selected the Elliott Point 2 Alternative as its Preferred Alternative in May 2012 based on comments from the public, agencies and tribes, which considered the alternative's ability to meet the purpose and need of the project while providing the best balance of environmental benefits compared to impacts.
- Selecting a Preferred Alternative is a required part of the process of preparing a Final EIS.
- As it develops the Final EIS and proceeds with project design, WSF will continue to refine EP2. Refinements will focus on improving environmental performance, operations and other benefits, and they will include suggestions from public comments, agency partners, and tribes.
- WSF and FTA are developing the Final EIS, which will be released in early-2013.

### **What is a Preferred Alternative?**

- The Preferred Alternative is the alternative that best meets the project's purpose and need, and is developed with full consideration of the social economic, environmental, technical and other factors affected by the action. As federal co-lead of the project, FTA will not identify a Preferred Alternative until the Final EIS is published.
- All four alternatives will continue to be studied in the Final EIS, but the Preferred Alternative will be developed in more detail than the other alternatives.

### **Will WSF make any changes to the Preferred Alternative?**

- WSF will continue to refine the Preferred Alternative as it proceeds with design and environmental review.
- These refinements will help avoid environmental effects, meet the project's purpose and need, and best meet WSF's operational needs.
- The overall footprint of the Preferred Alternative and its major elements will remain very similar to how the Elliot Point 2 Alternative appeared in the Draft EIS.

### **What has changed since earlier phases of the project and why did WSF conduct additional scoping meetings in 2011?**

- The project was put on hold in 2007 due to funding and constructability issues associated with the previously identified alternatives.
- In 2009, WSF released its Long-Range Plan, which presents a vision for the future of the ferry system that maintains current levels of service and includes limited terminal improvements.
- In light of the funding and constructability issues and to reflect the Long-Range Plan, WSF and FTA re-initiated the environmental review process for the Mukilteo project in 2010. The process should be complete in 2013, with construction starting as early as 2015.

### **How would the new terminal benefit customers and communities?**

The new terminal will:

- Offer better and safer access for pedestrians, vehicles and bicycles.
- Improve the efficiency and reliability of ferry operations, including vehicle and passenger loading and unloading.
- Improve transit connections for riders who travel without a car and help ensure reliable multimodal connections.

### **Are Indian tribes and nations involved in this project? What is the process for coordinating with tribes?**

- Out of respect for the tribes, WSF and FTA will continue to examine a full range of project alternatives to evaluate the potential for avoiding and minimizing impacts to this culturally significant site.
- FTA is the lead agency for consulting with interested tribes and nations in compliance with Section 106 of the National Historic Preservation Act (NHPA) and other federal laws. WSF's Tribal Liaison has been assisting FTA in coordination and communication with tribes to ensure a strong communication effort.
- FTA has a government-to-government relationship with Indian tribes. This special relationship is affirmed in treaties, Supreme Court decisions, and Executive Orders. Section 106 of the NHPA requires that FTA and WSF consult with tribes for undertakings that may affect properties considered to have traditional religious and cultural significance.
- WSF and FTA are consulting with 11 tribes to ensure the project recognizes the rich cultural history of the project area. Most recently, WSF hired an architect to incorporate tribal feedback and culturally-relevant design elements into the project.

### **Why is the site significant to Indian tribes and nations?**

- Tribes have clearly emphasized the great cultural and historic importance of the Mukilteo waterfront area. The Elliot Point area has been used by Native Americans for at least 1,000 years.
- The project area was the site for the signing of the Point Elliott Treaty of 1855. The Treaty recognized the tribes as sovereign nations, ceded to the United States much of the Native American land in the Puget Sound region, and in exchange reserved tribes' rights to hunt, fish and gather.
- The project area includes several important historic and archaeological sites, including a buried shell midden created by Native American peoples, with deposits dating back over 1,000 years.

### **How is this project funded?**

- The State Legislature has so far identified \$102.2 million for the project, including a mix of state funds and federal funds it could direct to the project.
- To date, WSF has secured \$29 million in federal planning and design grants, and current federal funding will allow WSF to complete the Final EIS. The project may apply for additional federal funds once the EIS process is complete. Because of its multimodal emphasis, the project is thought to be highly competitive for securing additional federal funding.

### How much will each of the alternatives cost?

- WSF developed cost estimates for each of the project alternatives. Each estimate includes costs for construction, right-of-way acquisition and improvements, and engineering.
- WSF is currently developing a cost estimate for the Preferred Alternative that will include the changes made to Elliot Point 2.

<b>Mukilteo Multimodal Project Alternative</b>	<b>Estimated Cost Range (in 2015 dollars)</b>
No Build	\$60-65 million*
Existing Site Improvements	\$130-140 million
Elliot Point 1	\$150-165 million
Elliot Point 2	\$120-130 million

\*Does not include overhead loading

### What is the likelihood that funding for construction will be secured?

- It is necessary to complete the environmental process so the project is ready to proceed to final design and construction when funds become available. It is not uncommon for WSDOT/WSF to proceed with planning for unfunded capital projects.
- The environmental process is almost entirely federally funded; once FTA issues a ROD, the project will be eligible to compete for additional federal funds and its multimodal emphasis gives it a strong chance of succeeding.

### What is being studied in the EIS?

- The Draft SEPA/NEPA EIS analyzed impacts for each project alternative in regard to a variety of environmental, social, and community resources. Examples include: transportation, ecosystems, cultural resources, hazardous materials, noise, air, energy, social and community resources, geology and soils, water resources, visual, land use and economics, and climate.
- The Final EIS includes an evaluation of the four project alternatives, with a focus on the Preferred Alternative. It also includes updated information on the project alternatives and new analysis that was not included in the Draft EIS.

### What is happening with the Mukilteo Tank Farm property?

- The Mukilteo Tank Farm property, on which the Preferred Alternative would be built, is currently owned by the U.S. Air Force. The Air Force is in the process of transferring the land to the Port of Everett. A final EA was released by the Air Force in October 2012.
- The Air Force property disposition is a separate action by a separate federal agency. Its environmental process and timeline are not connected to the Mukilteo Multimodal Project.

- Once the Mukilteo Multimodal Project receives a ROD, WSF will proceed with property acquisition and could enter into an agreement with the Port of Everett to use the tank farm property for a new ferry terminal, if a tank farm alternative is selected to proceed.

## Risks

The following are public involvement and stakeholder risks and proposed mitigation. WSF will develop strategies to address these concerns and will work to ensure the risks do not negatively impact the project goals and objectives.

### **Public and Stakeholder Communications Risks**

**Risk:** Lack of organizational focus to support and guide this project. WSF's organizational focus is on replacing the aging fleet and delivering new vessels.

#### **Proposed Mitigation:**

- Emphasize the purpose and need for the project in all project communications, both internal and external.
- Incorporate systemwide messaging in public outreach materials and show how the Mukilteo project fits into other WSF initiatives as part of the agency's Long-Range Plan.

**Risk:** Conflicting interests among stakeholders, including the tribes, agencies, business owners, political leaders, and the public may prevent consensus around a feasible alternative.

#### **Proposed Mitigation:**

- Conduct early outreach to educate stakeholders about the alternatives under consideration and identify and clearly understand their issues and concerns.
- Develop displays and handouts that illustrate stakeholders' varying interests and outline the challenges and opportunities.
- Facilitate constructive dialogue between stakeholders to encourage mutual understanding of different perspectives, issues, and concerns.
- Provide workshops for stakeholders to work together on resolving issues and coming to consensus.
- Explain the cultural significance and concurrent tribal decision process in a clear and sensitive manner.

**Risk:** Lack of legislative support for the project could lead to additional project delays. Changes in leadership (due to elections or other events) may result in a shift in project support and focus.

#### **Proposed Mitigation:**

- Schedule legislative briefings throughout the environmental process to ensure key legislators are informed and involved in the process.
- Identify key leaders to serve as project champions to garner attention and support for the project.
- Develop executive briefing materials that highlight key findings, themes from public comments, and recommendations on the feasibility of relocating the Mukilteo terminal.

**Risk:** Tribal opposition to the Preferred Alternative

#### **Proposed Mitigation:**

- Maintain ongoing communications during EIS process to make sure that tribal concerns and issues are adequately addressed.

- Develop a negotiation process that allows for direct communications and negotiation with tribal decision makers.
- Make sure that tribes have all the information they need in developing their positions about the alternatives.

## **Audiences and Stakeholders**

WSF will continue to actively engage stakeholders including ferry riders, community groups, agencies, tribes, elected officials, business and property owners and interested individuals.

### **Legislative Coordination**

WSF reports to interested federal and state legislators on an ongoing basis, providing information about project milestones and the project status. Presentations and other materials include the latest project information and are made available electronically before all legislative updates. Briefings are coordinated in concert with WSDOT Government Relations.

WSF delivered the Mukilteo Multimodal Project Legislative Report to the Washington State Legislature in January 2011. This report was required by the 2009 state legislative mandate to answer the question of whether relocating the terminal is feasible. The report was based on the Mukilteo Multimodal Project Scoping Report and summarized key findings, public outreach, and recommendations.

WSF submitted a report to the legislature by December 31, 2012 on the status of the Final EIS.

## **Public Involvement Approach and Milestone Schedule**

The following section outlines public involvement for the Mukilteo Multimodal Project to date and upcoming public involvement milestones.

### Public Involvement Corresponds with Project Milestones

The public involvement activities have been and will continue to coincide with major project milestones. For a description of public involvement efforts from 2004-2007, see Appendix 1 – History of Public Involvement for the Mukilteo Multimodal Project.

Milestone Timeline of Activities								
Season/Year	Project Milestone	Public Outreach Tools						
		Stakeholder Briefings	Public Meetings	Email	Handouts	Comment database and/or web comment tool	Website	News Release
Fall 2004	NEPA EA Scoping	✓	✓	✓	✓	✓	✓	✓
Winter/Spring 2006	NEPA EIS Scoping	✓	✓	✓	✓	✓	✓	✓
Summer/Fall 2010	Additional NEPA EIS Scoping	✓	✓	✓	✓	✓	✓	✓
Winter 2012	Draft EIS Publication	✓	✓	✓	✓	✓	✓	✓
Spring 2013	Final EIS issuance	✓	✓	✓	✓		✓	✓
Summer 2013	ROD issuance	✓		✓	✓		✓	✓

### Scoping

WSF held public scoping meetings in October 2010 to formally reintroduce the project and provide opportunities for members of the public to comment on the revised purpose and need and the broader range of alternatives under consideration. Following a 30-day public comment period, the project team prepared a Scoping Report (January 2011) outlining the scoping process and summarizing the public involvement efforts conducted during this phase. The Scoping Report was posted on the project website. WSA and FTA considered scoping comments as they narrowed the range of project alternatives and developed the Draft EIS.

## **Draft EIS**

Following the release of the Draft EIS (January 2012), FTA published a Notice of Availability. WSF and FTA held public hearings in Mukilteo and Clinton. The hearings included an informal open house, an overview presentation, and a formal hearing for public comment. During the hearing portion of the meeting, a court reporter recorded all public comments.

The 45-day Draft EIS public comment period ended on March 12, 2012. WSF and FTA received 154 comments, including 138 comments from the public and 16 letters from agencies and tribes. Most of the comments focused on support or opposition to one or more alternatives, but many commenters also noted environmental issues, transportation and traffic impacts, parking, and cost and funding. Elliot Point 2 received the most support and the least opposition.

Following the 45-day public comment period, the project team prepared a Draft EIS Public Involvement and Comment Summary Report outlining the public involvement process and summarizing the public involvement efforts conducted during this phase.

## **Final EIS**

FTA and WSF will notify the public when the Final EIS is available. At that time they will also hold a project update open house to share the latest project information. This public meeting will be an opportunity to:

- Update the community on the EIS process, including information contained in the Final EIS.
- Maintain project momentum since it will be more than a year since the last public meetings.
- Share the latest project design information and gather input on design trade-offs and Context Sensitive Design elements.
- Provide a look ahead to the next steps for the project including the ROD and ongoing design and preliminary engineering work.

The Final EIS will be posted on the project website and all public information will be available in the project library.

## **Design**

In accordance with the Secretary of Transportation's Executive Order on Context Sensitive Solutions (E 1028.02, dated March 17, 2011), WSF will engage the community in the design, planning and eventual construction of the new Mukilteo terminal.

## **Public Involvement Tools**

In addition to public meetings and community briefings, WSF uses the following communications tools and tactics to involve the public and key stakeholders in the environmental review process. Offering a wide variety of public involvement and communications opportunities encourages groups and individuals with varying levels of interests and diverse objectives to understand the significant issues and participate in the decision-making process.

## **Project Website**

The project website ([www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/](http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/)) provides up-to-date information and announcements about upcoming project milestones and public involvement opportunities, as well as contact information for key Mukilteo Multimodal Project staff. An online project library serves as a resource for all past project related materials, including displays, fact sheets, meeting summaries and other important project documents. WSF updates the website frequently.

## **Information Materials**

### ***Key Messages/FAQs***

The key messages/FAQ's document addresses key issues and concerns. It is used by project staff to respond to questions and to develop consistent project messaging and materials.

### ***Fact Sheet***

The fact sheet provides a brief project overview, descriptions of each alternative, ways to provide comment, and upcoming public involvement opportunities.

### ***"Guide to the EIS"***

This document serves as an overview of each phase of the environmental review process. The first version included specific information about the public scoping phase. The second edition was released in early 2012 and included specific information about the Draft EIS phase.

### ***Video***

WSF released a video in February 2012 to support the release of the Draft EIS. The video describes the project, the environmental review process, and provides a description of the four project alternatives evaluated in the Draft EIS.

## **Google Map Comment Tool**

WSF developed a web-based interactive comment tool using the Google map interface. The tool was used during the scoping comment period to gather input on the wide range of alternatives. A database recorded the comments and was monitored in real time by the project team.

## **Community Resources**

WSF uses existing community resources to share project information and encourage participation in the environmental process by reaching people via communications sources that they monitor frequently. These resources include: community newsletters, blogs, Facebook pages for organizations in the project area, community websites and WSDOT's social media resources.

## **Next Steps**

The Final EIS is scheduled to be released in Spring 2013. Once the Final EIS is published, FTA and WSDOT will issue a Notice of Availability in the Federal Register and the SEPA register, and they will send notices to project stakeholders, including all parties commenting on the Draft EIS. The Final EIS will be available for at least 30 days before FTA issues a Record of

Decision. A Record of Decision is anticipated in summer 2013, allowing WSF to move forward with securing funding and constructing the project. Following the ROD, WSF would begin the final design and permitting phases of the project. Construction is anticipated to begin in 2015.

## **Appendix 1**

### **Public Involvement for the Mukilteo Multimodal Project 2004-2007**

#### *EA Scoping - 2004*

WSF held two public EA scoping open houses during the fall of 2004. Outreach during this phase focused on providing the public and media with project background information and an opportunity for input on the scope of the analysis to be conducted under the EA. WSF mailed a newsletter to contacts in the project database that introduced the project and announced the opportunity to comment and the first public meetings. WSF also distributed e-mail notices to the Mukilteo-Clinton route list and notices on the vessels, at the terminals, and at libraries and other community facilities. WSF placed advertisements in local newspapers within the project area and sent news releases prior to the meetings.

At the meeting, interested parties and the public commented on concept alternatives, potential impacts and benefits. Comments were also submitted by mail and e-mail. WSF summarized meeting comments and shared them with the project team.

WSF mailed a second newsletter following the EA scoping period. It provided a summary of the comments from the EA scoping period and the first public meetings as well as a project update. It also explained how the feedback is being incorporated into the design and the environmental documentation. WSF continued to offer stakeholder briefings, web updates, and other on-going communication tools throughout this period. Comments were incorporated into the decision process.

#### *NEPA EIS Scoping - 2006*

WSF and FTA held public meetings on March 21 and 22, 2006. These meetings followed the publication on February 17, 2006 of the Notice of Intent (NOI) to prepare an EIS. The purpose of the meetings was to allow interested parties the opportunity to provide information about potential significant social, economic, or environmental issues related to the alternatives being evaluated under the EIS within a 30-day period stated in the NOI. Through agency, tribal and public comment, the NEPA EIS scoping also offered an opportunity to contribute to the development of the project purpose and need, and the determination of the range of alternatives.

WSF mailed a postcard announcing the meetings, placed advertisements in local newspapers, and distributed news releases. WSF also e-mailed notices to the Mukilteo-Clinton route list and distributed notices on the vessels, at the terminals, and at libraries and other community facilities.

FTA and WSF held an agency scoping meeting for the EIS on March 21, 2006. The meeting gave public agencies the opportunity to provide input on the range of alternatives, help identify potential impacts of the alternatives being considered and potential areas of mitigation, and continue the working relationship established with the initial EA. Public agencies were also invited to comment on the project Purpose and Need statement.