U.S. Department of Transportation
Federal Transit Administration

REGION X, Alaska, Idaho, Oregon, Washington

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Washington State
Department of Transportation

WSDOT Ferries Division (WSF)
2901 3rd Avenue, Suite 500
Seattle, WA 98121-3014

206-515-3400
TTY: 1-800-833-6388
www.wsdot.wa.gov/ferries

Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 26, 2010

The Honorable Virginia Cross
Muckleshoot Indian Tribe
39015 172nd Avenue SE
Auburn, WA 98082

RE: Mukilteo Multimodal Project
Section 106 Consultation

Dear Chairwoman Cross:

The Federal Transit Administration (FTA) and the Washington State Department of Transportation, Ferries Division (WSF) are currently preparing a joint National Environmental Policy Act (NEPA) and State Environmental Policy Act (SEPA) Environmental Impact Statement (EIS) for the Mukilteo Multimodal Project. Recognizing the government-to-government relationship that FTA has with the tribe, and as the responsible Federal agency for Section 106 of the National Historic Preservation Act of 1966 per 36 CFR 800.2(c)(4), we write to inform you of this undertaking and request consultation).

When FTA is the sole Federal agency for US Department of Transportation (USDOT) funds provided to a WSDOT project, authority to conduct consultations and tasks to comply with Section 106 remains the responsibility of FTA. The FTA does not delegate this authority to the WSDOT as does the Federal Highway Administration. WSDOT may participate in Section 106 tribal consultations to the extent desired by the tribe and FTA.

As a part of the Section 106 consultation, FTA will provide three opportunities in the coming months for tribal engagement. First, FTA and WSF would like to meet with each of the Point Elliott Treaty Tribes individually, at a location of tribal convenience, to discuss this project. Phillip Narte, WSF Tribal Liaison, will be contacting you shortly with potential dates for this Muckleshoot Tribal briefing. In addition, FTA and WSF will hold an Agency and Tribal Scoping meeting on September 29. Finally, FTA and WSF will invite all of the Point Elliott Treaty Tribes to a Tribal Leadership Summit sometime this fall. Details on the Scoping Meeting and the Tribal Leadership Summit are still being worked out, and information will be forthcoming.

In addition to Section 106, another provision of federal lawestablishes an enhanced environmental review process for certain FTA projects, increasing the transparency of the process, as well as opportunities for

participation. These requirements apply to the Mukilteo Multimodal project. Therefore, the lead agencies must identify as early as practicable any other Federal and non-Federal agencies that may have an interest in the project, and invite them to become Cooperating or Participating Agencies in the environmental review process.

FTA and WSF have identified your tribe as one that may have an interest in this project because of the potential in the project area for historic and cultural resources eligible for listing in the National Register of Historic Places. Accordingly, we invite you to become actively involved as a Cooperating Agency in the environmental review process for the project. This designation does not imply that the tribe supports the project.

As a Cooperating Agency, your tribe's involvement would focus on those areas under its special expertise that need to be addressed to satisfy your concerns. No direct writing or analysis will be required of your tribe for the document's preparation. However, we do hope that you will tell us if, at any point in the process, your needs are not being met.

If you agree to continue as or become a Cooperating Agency, we will take the following actions to maximize intergovernmental cooperation:

- Invite you to agency coordination meetings and joint field reviews
- Consult with you on any relevant technical studies that will be required for the project
- Provide you with study results, meeting minutes, and project information
- Invite you to agency and public involvement activities
- Provide a review copy of the draft technical studies of your interest for comment with a request for your expedited response
- Provide a review copy of the Draft EIS and Final EIS for comment (with a 30- day response request)

FTA intends to use the Final EIS as the basis for the Record of Decision (ROD) that will become the administrative decision document. We expect the documents to address your concerns related to the selection of an alternative, environmental consequences and mitigation.

Should you decline participation as a Cooperating Agency, FTA invites you to act as a Participating Agency to the project. In this capacity, your responsibilities would be to review and comment on the development of and preliminary versions and contents of the EIS.

If you accept this invitation to be a Participating Agency, your tribe will be able to:

- Provide meaningful and early input on the project's purpose and need, the range of alternatives to be considered, and the methodologies and the level of detail required in the alternatives analysis
- Participate in coordination meetings and joint field reviews, as appropriate
- Review and comment on the pre-draft or pre-final environmental documents to reflect the views and concerns of your tribe on the adequacy of the document, alternatives considered, and the anticipated impacts and mitigation

Participating Agencies are should identify, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project. Declining our invitation to be a Participating Agency does not diminish the tribe's right to meaningful government-to-government consultation.

If your tribe elects to participate in the project as a Cooperating Agency or Participating Agency, **please forward your response to us in writing by surface mail by September 29, 2010**. If your tribe does not wish to be involved in this project, the law directs us to get that decision confirmed by you in writing. A

reply sheet and a pre-addressed envelope are enclosed to ease your reply. Please also indicate on the reply sheet which documents (in addition to the EIS) your tribe would be interested in reviewing.

For your review and comment, we have attached the Tribal Consultation Plan, the project's Purpose and Need statement, and a graphic explaining the deficiencies of the existing facility. We have additional project information that we would like to share with you at the Muckleshoot Tribal briefing.

We look forward to your participation in this project. If you have any questions, please contact Jennifer Horwitz, FTA Environmental Manager, at 206.220.7515 or via email at Jennifer.horwitz.CTR@dot.gov. You may also contact Phillip Narte, WSF Tribal Liaison, 206.389.8563 or via email at nartep@wsdot.wa.gov.

Sincerely,

Richard F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures

cc: Laura Murphy, Cultural Resources, Muckleshoot Indian Tribe, w/attachments
Karen Walter, Natural Resources, Muckleshoot Indian Tribe, w/attachments
Dr. Allyson Brooks, SHPO, Department of Archaeology and Historic Preservation, w/attachments
Scott Williams, Cultural Resources Office, w/ attachments
Megan Cotton, WSDOT Tribal Liaison, w/ attachments
Project File

U.S. Department of Transportation
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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 26, 2010

The Honorable Melvin Sheldon, Jr.
Tulalip Tribes
6406 Marine Drive Northwest
Tulalip, WA 98271

Re: Mukilteo Multimodal Project
Section 106 Consultation and Tribal Outreach

Dear Chairman Sheldon:

As you may recall, in early 2006 the Federal Transit Administration (FTA) and the Washington State Department of Transportation, Ferries Division (WSF) initiated evaluation of the Mukilteo Multimodal Project. In mid-2007, the project was put on hold. In February of this year the project was reinitiated, and an informal meeting was held on February 10, 2010 to advise interested parties that we were re-initiating project review and development. The goal of the proposed project is to improve the transportation service provided by the Mukilteo Ferry Terminal in providing safe, reliable and effective service for general purpose transportation, transit, high occupancy vehicles (HOV), pedestrians and bicyclists.

FTA and WSF are committed to working with the Point Elliott Treaty Tribes in the development of this project. To facilitate this coordination, we would like to meet with each tribe individually. Over the past six months, we have been able to meet with five of the Point Elliott Treaty Tribes. We're currently trying to schedule meetings with the remaining tribes. The purpose of this letter is to request a meeting with you and the Tulalip Tribes Board of Directors to discuss the Mukilteo Multimodal Project.

We appreciate very much the time that Daryl Williams of your staff has dedicated to this project, and we hope that he will be able to continue to be involved with the project as it moves through the Section 106 process. Given the Tulalip Tribes' historical connection in the project area and the Tribes' previously voiced concerns, we would very much like to meet with you and your Board in person.

Phillip Narte will be contacting you shortly to try to schedule this meeting. If you would like to speak with either one of us directly, we encourage you to do so using the contact information above. If you have general project questions, Phillip Narte (WSF 206.389.8563) and Jennifer Horwitz (FTA 206.220.7515) are available to assist you.

We look forward to meeting with you.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Workshop Agendas

cc: Hank Gobin, Tulalip Tribes, Cultural Resources, w/attachments
Richard Young, Tulalip Tribes, Environmental Programs, w/attachments
Daryl Williams, Tulalip Tribes, Environmental Liaison, w/attachments
George White, Tulalip Tribes, Public Affairs, w/attachments
Dr. Allyson Brooks, SHPO, Department of Archaeology and Historic Preservation, w/attachments
Scott Williams, Cultural Resources Office, w/o attachments
Megan Cotton, WSDOT Tribal Liaison, w/o attachments
Paul Krueger, WSDOT
Michelle Paxson, WSDOT

Board of Directors:
Mel Sheldon - Chairman
Marlin J. Fryberg, Jr., *Sxwilus* - Vice Chairman
Chuck James - Treasurer
Marie Zackuse - Secretary
Glen Gobin, *ti čəčx̌* - Board Member
Don Hatch Jr., *SPAT-UB-KUD* - Board Member
Mark Hatch, *dx̌ʷsšayil* - Board Member
Shelly L. Lacy, *cisanlaɬ* - General Manager

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Phone (360) 716-4000
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The Tulalip Tribes are the successors in interest to the Snohomish, Snoqualmie and Skykomish tribes and other tribes and bands signatory to the Treaty of Point Elliot.

November 19, 2010

Jennifer Horwitz
FTA
915 Second Avenue
Federal Bldg, Suite 3142
Seattle, WA 98174-1002

Paul Krueger
WSDOT Ferries Division (WSF)
2901 Third Avenue, Suite 500
Seattle, WA 98121-3014

RE: Mukilteo Ferry Terminal NEPA/SEPA Scoping Comments.

Dear Ms. Horwitz and Mr. Krueger:

Thank you for hosting the scoping meeting for governmental entities only and the following meeting with the Point Elliot Treaty Tribes.

Background
The Tulalip Tribes is a federally recognized Indian Tribe with rights reserved under the Treaty of Point Elliot signed in 1855. The Tulalip Tribes is the successor in interest of the aboriginal Snohomish, Skykomish, Snoqualmie, and other allied tribes and bands signatory to the treaty. *See U.S. v. Washington*, 459 F. Supp. at 1039. 1058-1060. (W.D. Wash. 1985). These Tribes were assigned to the Tulalip Reservation after it was established under the treaty. The Snohomish tribe is the predominant tribe at Tulalip.

The Treaty of Point Elliott was negotiated and signed in the general area of the existing Mukilteo ferry terminal and some of the proposed new terminal sites. The Treaty reserved certain rights for the Tribes including the rights to harvest fish, including shellfish, in tribal "usual and accustomed" fishing areas. The Tulalip Tribes usual and accustomed treaty fishing areas include the shorelines and waters of the proposed Mukilteo ferry terminal project. The Mukilteo shoreline is within the aboriginal territory of the Snohomish tribe which had a year round village in the area, as is evidenced by the large shell midden identified in the archeological report for this project. The Possession Sound/Port Gardner area is and has been a primary fishing area for the Snohomish/Tulalip Tribes for thousands of years. The Tribes harvest Chinook, Chum, Coho, Pink and Steelhead Salmon along the Mukilteo shoreline. The tribes also harvest clams, crabs and shrimp in that area.

The existing Mukilteo terminal was built without consultation with the Tulalip Tribes and has been negatively impacting tribal fisheries and fish habitat ever since, without any mitigation to the Tribe for those impacts.

Cultural and Archeological

As you know, the Mukilteo water front is an area of great cultural and historical importance for the Tulalip Tribes and its members. As stated above, the waterfront area was occupied year around by the aboriginal Snohomish Tribe and was the location of the encampment where the Treaty of Point Elliot was negotiated and signed. The archeological work that was completed by Northwest Archaeology & Associates for the Washington State Department of Transportation, has documented a large shell midden along most of the Mukilteo water front from Lighthouse Park through most of the Mukilteo Tank Farm property. The midden establishes Tribal use and occupation at this site for at least 1000 years. A midden of this size suggests burial remains may also be in the vicinity.

These sites are eligible for listing on the National Registry of Historic Places. Any NEPA evaluation of this project purporting to encompass National Historic Preservation Act Section 106 compliance must thoroughly evaluate any potential for adverse impacts to Tribal cultural and historic resources on the site, as well as adverse impacts to the cultural and traditional values of this important historical area. Tulalip is opposed to any construction activities that may disturb any of the cultural resources, archeological artifacts or human remains on the site.

Tribal Fishing

Under the Treaty of Point Elliot, the Tulalip Tribes have reserved rights to harvest fish, including shellfish, in their usual and accustomed fishing areas. The marine areas around Mukilteo and all of the proposed sites for a new ferry terminal are in the Tulalip Tribes treaty protected usual and accustomed fishing areas.

The right to take fish at all usual and accustomed fishing places has a geographic aspect and a fair share aspect. It is not permissible under the treaty to eliminate portions of treaty fishing areas or restrict treaty fishing access. The project must be evaluated to ensure no impermissible diminution or restriction of treaty fishing access occurs. *See* *Muckleshoot v. Hall*, 698 F. Supp. 1504 (W.D. Wash 1988)

The marine areas in front of the old Mukilteo Tank farm east to Everett, due to the land forms, are protected from the high winds from the south common during the fall and winter seasons. For safety reasons the fishermen with the smaller boats tend to hug the shoreline in this area during storm events while fishing. The Tulalip Tribes fishing fleet uses various types of salmon fishing gear including beach seine, drift gillnet, round haul, setnet and sports gear. The fleet also uses crab and shrimp pots and diving gear for geoduck harvests. The near-shore of the proposed site is also accessed for squid and inter-tidal resources such as hard-shell clams and sand shrimp.

Beach seines are still used, primarily along the Tulalip Reservation shoreline. A seine net is towed out from shore by boat and back to the shore again in sort of a 'U' shape. Then the net is hand pulled to shore capturing fish in the process.

Drift gillnets are the primary part of the Tulalip fishing fleet. The fishermen set out a gillnet, up to1980 feet in length for the larger boats and 1200 feet for the smaller skiffs, from their boats and drift with the currents. When the fish hit the net, they get their gills caught on the fine

monofilament webbing. After the boat has drifted though the drift cell, the fisherman will pull the fish out of the nets as they pull the net back on to the boat. Docks, piers, anchor buoys and other objects fixed near shore, are obstacles that the fishermen need to avoid while drifting with their nets set out near shore. While drifting with their nets set out, the fishermen have very limited abilities to navigate around obstacles. Any fixed obstacle in the water can force the fishermen to avoid fishing in a sizable area. The route that the ferry vessels follow, also interfere with tribal fishing opportunities.

Round Haul is basically a small purse seine operation. The fishermen set out a seine net in open water and loop around to bring the outer end of the net back on board the boat. The net has loops along the bottom with a purse line running through them. When the fishermen bring the end of the net back on board, they pull the purse line to seal the bottom of the net to prevent fish from escaping under the net. Then they pull the net back on board and pull the fish out in the process. The fishermen need a fair amount of open water to operate in and they are also drifting with the currents as they pull in the nets. Again fixed obstacles in the water can prevent fisherman from using sizable areas of marine waters to fish in. The route that the ferry vessels follow, also interfere fishing opportunities.

Setnets have in recent years become a large part of the Tribes fisheries. With the decline in returning fish populations, fishermen have been looking at ways to reduce their operational costs. Setnets can be used from smaller boats and require less fuel usage than the other types of fishing. The setnets are gillnets up to 600 feet long that are anchored to shore extended out by boat and then anchored at the outer end. The fishermen check their nets several times during the day, removing the fish from the nets as they check it. This type of fishing is used in parts of Port Gardner including Mukilteo.

Sports gear is also used by Tulalip fisherman. Although not used for commercial fisheries, several Tulalip fishermen like to use sport gear to harvest fish for subsistence purposes in their usual and accustomed fishing areas.

Fish Habitat

The Mukilteo shoreline is near the mouth of the Snohomish River. A substantial portion of the anadromous fish produced by the Snohomish river system migrate along the Mukilteo shoreline heading out to the ocean as juveniles and returning to the river as adults. The shoreline along Mukilteo is a spawning area for surf smelt and sandlance. The eelgrass growing along the shoreline is used for herring spawn. The shoreline area is known to be an important area for juvenile Dungeness crab and also produces and rears clams and shrimp that the Tribes harvest.

Inherent in the rights reserved by the Tribes in the treaty, is a promise to protect habitat upon which the treaty fishing rights depend. The NEPA process must fully evaluate potential adverse impacts to treaty fisheries habitat.

Overhead structures impact how fish migrate along the shoreline the shoreline is already severely impacted by the railroad and additional obstacles may inhibit juvenile salmon abilities to migrate along the nearshore environment in the area putting further stresses on ESA listed salmon species. Research conducted by the Tulalip Tribes has shown that juvenile Chinook salmon make use of small streams between Everett & Mukilteo as rearing and refuge habitat. If the ferry dock is located near the mouth of Japanese Gulch the prop wash and overwater structures may inhibit juvenile

salmon access and migration to and from the stream. The proposed site designs, besides not addressing cultural concerns also do not address the historic loss of habitat and restoration of these beach forms, specifically the pocket estuary previously located at the site. Evaluation of terminal designs should include whether a particular site design precludes future restoration which is the case in several of the options. The ferries also stir up the water column and can scour the bottom sediments with their prop wash, which could affect eelgrass beds located near the Mount Baker Terminal and substrate composition. The Tribes appreciate that the Washington State Ferries is offering to remove the old federal government creosote piling pier, if the ferry terminal is relocated to the Mukilteo Tank Farm property.

Stormwater from the vehicle parking and staging areas for the ferry terminals can carry anti-freeze, petroleum products and heavy metals to marine waters negatively affecting fish and their habitats. The stormwater needs to be properly managed and treated to minimize impacts to the water quality of Puget Sound and the fish that live there.

Purpose and Need/Alternatives

The purpose and need statement for this proposed project is narrowly drawn and prevents consideration of other reasonable alternatives, including the no action alternative.

"The purpose and need statement serves as the cornerstone for the alternatives analysis… ." *Guidance on "Purpose and Need"*, U.S. Dept. of Transportation (memo from Mary E. Peters, Administrator, FHA, and Jennifer L. Dorn, Administrator, FTA, July 23, 2003). The requirement for a purpose and need statement, is to "briefly specify the underlying purpose and need to which the agency is responding in proposing the alternatives including the proposed action." 40 C.F.R. §1502.13. "[E]very effort should be made to develop a concise purpose and need statement that focuses on the primary transportation challenges to be addressed." USDOT 2003 Guidance Memo, supra. However, the statement cannot be drawn so narrowly that reasonable project alternatives are excluded from consideration. Alaska Wilderness Recreation and Tourism Association v. Morrison, 67 F.3d 723 (9th Cir.1995).

We have several concerns. First, the purpose and need statement is too narrowly drawn. It should be written in a way that allows for a re-evaluation of the public need for the Clinton / Mukilteo ferry service, and the associated costs to the State of Washington. The current cost for maintaining and operating the system may not be sustainable considering the States current funding situation and near term budget projections. The alternatives should be expanded to include an alternative for discontinuing the ferry service and an alternative for a passenger only ferry service.

Passenger only service would allow for use of smaller boats and could eliminate the need for a large staging area at the terminal. It would require a larger parking area which could be off site with bus service and greatly promote use of mass transit. People are still able to drive of the Island at Deception Pass when they need to use their vehicles on the mainland.

The Elliot Point Concept – Option 1 would cause the least amount of impacts to the archeological site of the 3 Elliott Point concepts for moving the ferry terminal. But all of the concepts for moving the terminal in the Mukilteo area would have a negative impact on the archeological resources and the cultural significance of the site.

The Mt. Baker Terminal option would also have about the same impacts as the Point Elliot Option 1 to archeological and cultural resources.

The concepts for moving the terminal to the City of Edmonds and the Port of Everett would add significant impacts to tribal fishing due to the increased length of the ferry routes and the frequency that the vessels would travel between terminals.

We would need to do a better evaluation of the available data to determine which sites would have the least impact on fish habitat. Some of the potential terminal options may also preclude future restoration efforts for restoring fish habitats, particularly day-lighting streams and re-creating pocket estuaries behind the railroad tracks in the old Mukilteo Tank Farm area.

Second, there is no continuity between this purpose and need statement, and the purpose and need statement that was developed for the proposed land transfer of the U.S. Air Force's tank farm facility. We commented to the USAF that their proposed land transfer EA failed to take into account certain connected actions, including the proposed expansion of the ferry system proposed here by WSF and FTA. There are continuing concerns between the USAF and the Tulalip Tribes over the terms and conditions of the land transfer, including whether the tank farm site will be subject to deed restrictions that would preclude disturbance of traditional cultural properties. We have commented several times, including within the past few months, that when analyzing a proposal and its alternatives, the agencies must consider connected, similar, and cumulative actions, and incorporate these actions into the description of the proposal and alternatives. Clearly, the proposed land transfer and proposed multimodal development activities are connected actions. Despite the fact that several of the design concepts proposed by FTA / WSF assume some use of the tank farm site, there is no mention of the proposed land transfer or anticipated development restrictions on the tank farm site.

We have additional concerns over the agencies' definition and use of the screening criteria. In our view, they were defined in such a way that some reasonable alternatives will not receive full study. For example, the "no build" alternative has for practical purposes already been eliminated, because the screening criteria have been written and applied in such a way that this particular alternative has already received a poor rating. The criteria are heavily weighted toward reducing terrestrial use conflicts – that is, perceived conflicts among bicycle, pedestrian and vehicle users. Nowhere in the criteria, however, is there any screening for conflicts with tribal fishing vessel traffic, or with interference with treaty fishing rights. Overwater structures, such as parking structures, and piers and dolphins, as well as ferry vessel crossings, significantly affect the exercise of treaty fishing rights. Since the screening criteria will be used to focus or delimit the areas of study in the EIS, those screening criteria should be written and applied to account for all potential conflicts, including conflicts between ferry operations and the exercise of treaty fishing rights.

Tribal Consultation Plan

We appreciate the lead agencies' preparation of a tribal consultation plan. There are significant problems with the plan, however, that we must bring to your attention.

A "Tribal Consultation Plan" appears in the online library for this project. That Plan was apparently developed to conform to agency guidance found in the "Tribal Consultation Plan" developed on a national level by the U.S. Department of Transportation. The USDOT national plan was in turn

developed under the guidance and direction of the Presidential Memorandum on Tribal Consultations, dated November 2009. The general goals and actions described in section 5 of the USDOT national plan are as follows:

> The USDOT will continue to support the fundamental principles of self-government, self-determination, and tribal sovereignty specified in Executive Order 13175. The USDOT will implement this plan to establish meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, and to strengthen the government-to-government relationship between the United States and American Indians, Alaska Natives, and Indian tribal governments.

"Tribes" are defined in the USDOT national plan, and in the Presidential Memorandum, and in Executive Order 13175, as Indian tribes that have received formal recognition by the Secretary of Interior. Unfortunately, however, in the Plan developed for this project, the agencies have extended consultation opportunities to non-federally recognized groups asserting tribal status.

The Tulalip Tribes has a strong objection to including non-federally recognized groups at the table, when planning for the development of marine shoreline within the Tulalip Tribes' U&A. This is particularly true considering that the agency proposes to take action at the Point Elliott treaty site, within the primary fishing grounds of the Tulalip Tribes (as the legal successor to the Snohomish and other treaty signatory tribes), located so close to the Tulalip Reservation. We ask that the agencies clarify the Plan to better define the roles of federally recognized Tribes, in contrast to any involvement in this project by those who assert tribal affiliation but who lack federal recognition.

NEPA Cooperating/Participating Agency Status

The Tulalip Tribes has been invited to become a cooperating or participating agency for this project, consistent with the provisions of the SAFETEA-LU transportation bill. That bill, and the Tribal Consultation Plan, provides federally recognized tribal governments with an additional method to engage in the environmental review process, but it does not supersede government-to government or Section 106 consultation.

We would like to accept your invitation, and to continue discussions with you, to determine the potential scope of the Tulalip Tribes' involvement with this proposed project, as a NEPA cooperating agency.

Thank you for the opportunity to comment. If you have any further questions please call Daryl Williams at 360-716-4632 or e-mail to dwilliams@tulaliptribes-nsn.gov.

Sincerely,
THE TULALIP TRIBES OF WASHINGTON

Melvin Sheldon Jr

Melvin Sheldon, Jr.,
Chairman

Tulalip Tribes
(name of tribe)

- ☒ **will act as a Cooperating Agency** for the Mukilteo Multimodal Project
- ☐ **will act as a Participating Agency** for the Mukilteo Multimodal Project
- ☐ **will not be involved** in the Mukilteo Multimodal Project
  - ☐ please **keep us on** the project mailing list
  - ☐ please **take us off** the project mailing list

If your tribe will be acting as a cooperating or participating agency for the project, please indicate which of the following supporting documents (in addition to the EIS) your tribe would like to review.

- ☐ Transportation Discipline Report
- ☒ Ecosystems Discipline Report
- ☒ Cultural Resources Discipline Report
- ☐ Noise Discipline Report
- ☒ Hazardous Materials Discipline Report
- ☒ Environmental Justice Memo
- ☒ Section 4(f) Evaluation

Signature: Daryl Williams Date: 11-19-2010

Printed name and title: Daryl Williams
Environmental Liaison

Please return this form in the enclosed envelope to:

Federal Transit Administration, Region X
ATTN: Jennifer Horwitz
915 Second Avenue
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Seattle, WA 98174-1002

U.S. Department of Transportation
Federal Transit Administration

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Cliff Cultee
Lummi Tribe of the Lummi Reservation
2616 Kwina Road
Bellingham, WA 98226

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairman Cultee:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with the Lummi Nation, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Lena Tso, Lummi Nation THPO

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

U.S. Department of Transportation
Federal Transit Administration

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www.wsdot.wa.gov/ferries

Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Virginia Cross
Muckleshoot Indian Tribe of the Muckleshoot Reservation
39015 172nd Ave SE
Auburn, WA 98092

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairwoman Cross:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with most of the tribes interested in this project (we have unfortunately not succeeded in arranging a meeting with your tribe), we think you will likely be most interested in the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Laura Murphy, Muckleshoot, Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Tom Wooten
Samish Indian Tribe, Washington
PO Box 217
Anacortes, WA 98221

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairman Wooten:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with the Samish Tribe, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Jackie Ferry, Samish Tribe, Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Janice Mabee
Sauk-Suiattle Indian Tribe of Washington
5318 Chief Brown Lane
Darrington, WA 98241

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairwoman Mabee:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with most of the tribes interested in this project (we have unfortunately not succeeded in arranging a meeting with your tribe), we think you will likely be most interested in the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Norma Joseph, Suak-Suiattle, Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Shelley Burch
Snoqualmie Tribe, Washington
8130 Railroad Ave, Ste 103
P O Box 969, Snoqualmie 98065

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairwoman Burch:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with the Snoqualmie Tribe, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Ray Mullen, Snoqualmie Tribe, Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Shawn Yanity
Stillaguamish Tribe of Washington
PO Box 277
Arlington, WA 98223

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairman Yanity:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with the Stillaguamish Tribe, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Lora Pennington, Stillaguamish Tribe Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Leonard Forsman
Suquamish Tribe of the Port Madison Reservation
PO Box 498
Suquamish, WA 98392-0498

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairman Forsman:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

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Based upon our recent conversations and meetings with the Suquamish Tribe, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Dennis Lewarch, Suquamish Tribe THPO

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Brian Cladoosby
Swinomish Indians of the Swinomish Reservation
11430 Moorage Way
La Conner, WA 98257

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairman Cladoosby:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

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Based upon our recent conversations and meetings with the Swinomish Tribe, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

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FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Larry Campbell, Swinomish Tribe Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

U.S. Department of Transportation
Federal Transit Administration

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Washington State Department of Transportation

WSDOT Ferries Division (WSF)
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Seattle, WA 98121-3014

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TTY: 1-800-833-6388
www.wsdot.wa.gov/ferries

Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Melvin Sheldon, Jr.
Tulalip Tribes of the Tulalip Reservation
6406 Marine Drive
Tulalip, Washington 98271

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairman Sheldon:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with the Tulalip Tribes, we would like to call your attention especially to the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Hank Gobin, Tulalip Tribes, Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

U.S. Department of Transportation
Federal Transit Administration

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Paula J. Hammond, P.E.
Secretary of Transportation

David H. Moseley
Assistant Secretary for
Washington State Ferries

August 3, 2011

The Honorable Jennifer Washington
Upper Skagit Indian Tribe of Washington
25944 Community Plaza
Sedro Woolley, WA 98284

RE: Mukilteo Multimodal Project
Cultural Resources Discipline, Request for Comment

Dear Chairwoman Washington:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the updated Cultural Resources Discipline Report (dated July 20, 2011). (Please don't be taken aback by its size; the majority of the document consists of supporting materials.) We ask that you review the report and provide comments regarding the cultural resources identified and the recommendations of potential effect presented in the report by September 10, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). Each of these resources has been determined eligible, or has been recommended as eligible, for the National Register of Historic Places (NRHP). The report also assesses nine structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP.

Based upon our recent conversations and meetings with most of the tribes interested in this project (we have unfortunately not succeeded in arranging a meeting with your tribe), we think you will likely be most interested in the sections of the report that present information about the Point Elliott Treaty Site (pp. 111-145, 151-155) and the Mukilteo Shoreline Site (pp. 40-94, 158-160). We certainly also welcome your comments on all other sections and elements of the report.

Although still early in design, the project team is striving to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site. However, even if that is possible, the report identifies potential paving over the site, and the potential to affect previously disturbed portions of it. In addition, there are likely direct impacts to the Old Mukilteo Townsite or the Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF are very interested in your comments regarding the potential effects to the resources identified within the project area of potential effects, as well as your comments on the nature and content of the sites identified. Importantly, we also need your input and comments on the religious or cultural significance or value of any of the sites and/or the nature and significant elements of any traditional cultural properties located there.

WSF Tribal Liaison Phillip Narte will be contacting your tribe's cultural resource representatives in the next few days to offer an informal meeting to discuss the report. We anticipate that this meeting would be at the staff level and would not include executives. However, if a different arrangement is preferred, please let us know.

If you have questions, please contact Jennifer Horwitz of FTA (206.220.7515; jennifer.horwitz.ctr@dot.gov). You may also contact Phillip Narte, WSF Tribal Liaison (206.389.8563; nartep@wsdot.wa.gov) or WSDOT Archaeologist Michael Chidley (206.440.4525; chidlm@wsdot.wa.gov). You can also find additional information about the project at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator
Federal Transit Administration

David H. Moseley
Assistant Secretary for
Washington State Ferries

Enclosures: Cultural Resources Discipline Report

cc w/enclosures: Scott Schuyler, Upper Skagit, Cultural Resources

cc w/o enclosures: Dr. Allyson Brooks, State Historic Preservation Officer
Scott Williams, WSDOT Cultural Resources Office
Megan Cotton, WSDOT Tribal Liaison

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

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Alaska, Idaho, Oregon,
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August 11, 2011

Dr. Allyson Brooks
State Historic Preservation Officer
Department of Archaeology and Historic Preservation
1063 S. Capital Way, Suite 106
Olympia, WA 98504-8343

RE: Mukilteo Multimodal Project
Cultural Resources Discipline Report, Determinations of NRHP Eligibility
Request for Concurence
DAHP Log #: 121603-01-FTA

Dear Dr. Brooks:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Snohomish County. Enclosed please find a copy of the Mukilteo Multimodal Project Environmental Impact Statement Cultural Resources Discipline Report, Mukilteo, Snohomish County, Washington (July 2011), completed by Northwest Archaeological Associates and SWCA Environmental Consultants. We ask that you review the report and comment on the cultural resources identified and the recommendations of potential effect by September 15, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: Point Elliott Treaty Site (45SN108), Mukilteo Shoreline Site (45SN393), Old Mukilteo Townsite (45SN404), Japanese Gulch Site (45SN398), and Mukilteo Light Station (45SN123). In compliance with Section 106 of the NHPA, we request your concurrence on FTA's determinations of National Register eligibility for these five properties. Based on our evaluation and, in some cases, prior assessments and determinations, FTA has determined that each of those properties is eligible for National Register listing, per the criteria of significance identified for each property in the report.

The report also reiterates prior assessments on nine buildings and structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which are recommended not eligible for the NRHP. Additional correspondence regarding those resources and determinations of eligibility will follow shortly, consistent with recent conversations between DAHP and WSDOT staff.

Although still early in design, the project is seeking to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site (45SN393). However, even if that is possible, the current project alternatives include potentially paving over 45SN393, and also potentially impacting previously disturbed portions of that site. In addition, there could be direct impacts to the Old Mukilteo Townsite and Japanese Gulch Site, depending upon the selected alternative.

FTA and WSF invite your comments on the evaluation of the archaeological sites present within the project's area of potential effects, and request your concurrence with the recommended determinations of eligibility for the historic properties identified. We would be pleased to meet with you if you would like to discuss the report and its findings, our tribal consultation efforts or the project in general.

If you have any questions, please contact me at 206.220.4465 or via email at daniel.drais@dot.gov. You may also contact Michael Chidley, WSDOT Archaeologist (206.440.4525; chidlem@wsdot.wa.gov). Additional information about the project may be found at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to talking to you in the near future.

Sincerely,

Daniel G. Drais
Environmental Protection Specialist
Federal Transit Administration

Enclosure: Cultural Resources Discipline Report (disk)

cc (by email, w/o encl.):
Matthew Sterner, DAHP
David Moseley, Assistant Secretary for WSF, WSDOT
Scott Williams, Cultural Resources Manager WSDOT

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

REGION X
Alaska, Idaho, Oregon,
Washington

915 Second Avenue
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206-220-7959(fax)

August 30, 2011

Allyson Brooks, Ph.D.
State Historic Preservation Officer
Department of Archaeology and Historic Preservation
1063 S. Capital Way, Suite 106
Olympia, WA 98504-8343

RE: Mukilteo Multimodal Project
Cultural Resources Discipline Report, Determinations of NRHP Eligibility
DAHP Log #: 121603-01-FTA

Dear Dr. Brooks:

The Federal Transit Administration (FTA), in cooperation with the Washington State Department of Transportation Ferries Division (WSF), is continuing consultation regarding the Mukilteo Multimodal Project in Mukilteo, Snohomish County, WA. Enclosed please find a copy of the *Mukilteo Multimodal Project Environmental Impact Statement Cultural Resources Discipline Report, Mukilteo, Snohomish County, Washington* (July 2011), completed by Northwest Archaeological Associates and SWCA Environmental Consultants. We invite you to review the report and provide comments regarding the cultural resources it identifies and the recommendations of potential effect. We would appreciate a reply, if possible, by September 29, 2011.

The report identifies several archaeological and historic sites within the project's area of potential effects: the Point Elliott Treaty Site (45SN108), the Mukilteo Shoreline Site (45SN393), the Old Mukilteo Townsite (45SN404), the Japanese Gulch Site (45SN398), and the Mukilteo Light Station (45SN123). In compliance with Section 106 of the NHPA, we request your concurrence on FTA's determinations of NRHP eligibility for these five properties. Based on our evaluation and, in some cases, prior assessments and determinations, FTA has determined that each of those properties is eligible for National Register listing.

The report also reiterates prior assessments on nine buildings and structures in the project area, including the Mukilteo Ferry Terminal and the Mukilteo Explosive Loading Terminal, all of which FTA recommends not eligible for the NRHP. Additional correspondence regarding those resources and determinations of eligibility will follow shortly.

Although still early in design, the project is seeking to avoid all direct impacts to intact portions of the Mukilteo Shoreline Site (45SN393). However, even if that is possible, the current project alternatives include the possibility for paving over 45SN393, and the potential to impact previously disturbed

portions of that site. In addition, there could be direct impacts to the Old Mukilteo Townsite and Japanese Gulch Site, depending upon the alternative selected.

Please let us know if you would like to meet to discuss the report, its findings, our ongoing tribal consultation efforts, or the project in general.

If you have any questions, please contact Daniel Drais, FTA Environmental Protection Specialist, at 206.220.4465 or daniel.drais@dot.gov, or Michael Chidley, WSDOT Archaeologist, 206.440.4525 or chidlem@wsdot.wa.gov. Additional information can be found on the project website at http://www.wsdot.wa.gov/projects/ferries/mukilteoterminal/multimodal/.

Thank you for your interest in and assistance with this project. We look forward to hearing from you in the near future.

Sincerely,

R.F. Krochalis
Regional Administrator

Enclosure: Cultural Resources Discipline Report (Disk)

cc (without encl.):
Matthew Sterner, DAHP
David Moseley, WSF
Scott Williams, WSDOT

STATE OF WASHINGTON

DEPARTMENT OF ARCHAEOLOGY & HISTORIC PRESERVATION

1063 S. Capitol Way, Suite 106 • Olympia, Washington 98501
Mailing address: PO Box 48343 • Olympia, Washington 98504-8343
(360) 586-3065 • Fax Number (360) 586-3067 • Website: www.dahp.wa.gov

September 14, 2011

Mr. Richard F. Krochalis
Regional Administrator
Federal Transit Administration
915 Second Avenue
Federal Building, Suite 3142
Seattle, Washington 98174-1002

In future correspondence please refer to:
Log: 040110-29-FTA
Property: Mukilteo Multimodal Project II
Re: Determined Eligible

Dear Mr. Krochalis:

Thank you for contacting our office and providing a copy of the report entitled, Environmental Impact Statement (EIS), Cultural Resources Discipline Report, Mukilteo, Snohomish County, Washington, prepared by Miss et al. I have reviewed the materials you provided to our office and have some comments both on the report as well as on your determinations of eligibility for the archaeological sites described in the report. I would first like to draw attention to the change in the Department of Archaeology and Historic Preservation (DAHP) log number. The DAHP log number referenced on your cover letter (121603-01-FTA) has been superseded by the number that appears at the top of this correspondence. With your request to reinitiate of the Section 106 review process last March, we defined the undertaking as "new" and assigned a new DAHP tracking log number. Please use this new number in all future correspondence to help us in maintaining separation between the "old" and "new" undertakings.

Overall, I have no substantive comments on the discipline report sent in support of the EIS. The distillation of numerous previous reports and the extensive new research included in this volume is thorough, professional, and well presented. The only significant comment that I have questions the inclusion of location data and the site form for 45SN575, the Japanese Gulch Community site. The presentation of this data suggests a natural association between 45SN575 and those sites on the north side of the Burlington Northern Railroad tracks, yet no discussion of the site's relevance is presented in the body of the document. Since the location and archaeological investigation of this site has not previously been disclosed to our agency, some discussion of the site's importance and relevance to the discussion of the current undertaking is appropriate.

In your correspondence, you request concurrence on your determinations of National Register of Historic Places (NRHP) eligibility for four archaeological and one built environment resources. The single built-environment resource, the Mukilteo Light Station (45SN123), has already been listed on the NRHP and

requires no further discussion. Three of the archaeological sites, the Mukilteo Shoreline Site (45SN393), the Old Mukilteo Townsite (45SN404), and the Japanese Gulch Site (45SN398), have all been previously submitted to DAHP for eligibility and have been concurred upon as eligible. However, the discipline report incorrectly (pages 155 and 156) presents the NRHP criteria under which two of these sites were determined eligible and concurred upon by DAHP. It is correct that the Mukilteo Shoreline Site (45SN393) was determined eligible under criterion D only. However, the Old Mukilteo Townsite (45SN404) and the Japanese Gulch Site (45SN398) were determined eligible for the NRHP under criteria A and D. While the individual criteria under which each site was determined eligible were not explicitly stated in the Sterner 2011 letter (referenced in the discipline report), these justifications accompanied the original eligibility determination submittal and are part of the DAHP record. Since the original eligibility determinations were well reasoned and presented, I am not eager to revisit eligibility criteria at this time.

Regarding the eligibility of the final site, the Point Elliott Treaty Site (45SN108), we concur with your professional opinion that the site is eligible for listing in the NRHP under criteria A, B, and D.

We will await further information on the nine historic properties in the project area, including the Mukilteo Ferry Terminal and the Explosives Loading Terminal.

I would appreciate receiving any correspondence or comments from concerned tribes or other parties that you receive as you consult under the requirements of 36CFR800.4(a)(4) and the survey report when it is available.

These comments are based on the information available at the time of this review and on behalf of the State Historic Preservation Officer pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations 36CFR800.

Thank you for the opportunity to review and comment. Should you have any questions, please feel free to contact me.

Sincerely,

Matthew Sterner, M.A.
Transportation Archaeologist
(360) 586-3082
matthew.sterner@dahp.wa.gov

PLANNING AND COMMUNITY DEVELOPMENT

Allan Giffen
Director

September 21, 2011
Mr. Paul Krueger, Project Environmental Manager
999 Third Avenue, Suite 2424
MS: NB 82-230
Seattle, WA 98104

RE: Preliminary Alternatives, Mukilteo Multimodal Project

Dear Mr. Krueger:

The City of Everett appreciates your invitation to a meeting held recently at the Port of Everett offices to discuss the preliminary alternatives prior to the issuance of a Draft Environmental Impact Statement (DEIS) for the Mukilteo Multimodal Project. We would like to offer comments specifically related to the alternative labeled Elliot Point 1, and recommend that the plan be revised to address the City of Everett's concerns related to public access prior to issuance of the DEIS.

Based on the recent meeting at the Port, it is our understanding that Elliot Point 1 is the preferred alternative. As depicted in the graphics on the WSDOT website for this alternative, the plan does not provide adequate public access to the Edgewater beach area located east of the project site. A portion of the project site is located within the City of Everett, and will be required to obtain a Shoreline Substantial Development Permit from the City of Everett. A part of the proposed project is located on property for which the City of Everett has previously issued a shoreline substantial development permit to the Port of Everett for the Mount Baker Terminal rail-barge pier. This shoreline permit required public access, including public parking, for access to the beach. The proposed Elliot Point 1 alternative has eliminated this public parking and has provided only for parking by Port of Everett employees who work at the rail barge pier. The City will require that the Elliot Point 1 Mukilteo Multimodal project provide public access in accordance with the public access required by shoreline permit SMA #04-005 issued to the Port of Everett (copy enclosed), including public parking.

The Meeting Summary from the Project Workshop Agency and Tribal Meeting dated June 10, 2010 contains numerous comments provided by staff from the Port of Everett, City of Everett and City of Mukilteo indicating the importance of maintaining public access to Edgewater beach. Unfortunately, the proposed plan does not incorporate the improvements needed to maintain

adequate public access. The proposed alternative severely restricts the public access that has been provided by approval of shoreline permit SMA #04-005. The fact that public access improvements have not yet been constructed is due to circumstances beyond the control of the permit applicant (Port of Everett). The Port has not gained ownership of the property for a variety of reasons. However, their obligation to construct the public access improvements has not been removed, and the proposed Elliot Point 1 alternative cannot remove this requirement.

The City of Everett respectfully requests that WSDOT revise this alternative to fully incorporate the public access requirements of shoreline permit SMA #04-005 as part of the project design before releasing the DEIS. WSDOT should coordinate plans with the Port of Everett to address its public access responsibilities for this project and ensure that there is no adverse impact to the ability of the public to gain access to the shoreline, including improvements within the City of Mukilteo that enable the public to access the shoreline within the City of Everett.

We would be pleased to meet with you and the project design team, and staff from the City of Mukilteo and Port of Everett to discuss public access in greater detail. Please contact Gerry Ervine, Land Use Planning Manager for the City of Everett, at (425) 257-7146 to schedule a meeting.

Sincerely,

Allan Giffen, Director
City of Everett
Planning and Community Development

Cc: Pat McClain, City of Everett Government Affairs
John Klekotka, Port of Everett
Heather McCartney, City of Mukilteo
Gerry Ervine, City of Everett Land Use Manager

Washington State Department of Transportation

Paula J. Hammond, P.E.
Secretary of Transportation

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David H. Moseley
Assistant Secretary for
Washington State Ferries

October 19, 2011

Mr. Alan Giffen, Director
City of Everett, Planning and Community Development
2930 Wetmore Avenue, Suite 8-A
Everett, WA 98201

RE: Preliminary Alternatives, Mukilteo Multimodal Project

Dear Mr. Giffen:

Thank you for your recent letter with comments regarding the Mukilteo Multimodal Project alternative known as Elliot Point 1.

First, I'd like to clarify that WSDOT Ferries Division does not yet have a preferred alternative for this project. WSDOT plans to identify a preferred alternative early next year, after the public comment period on the Draft Environmental Impact Statement (EIS). However, the Port of Everett and City of Mukilteo have publicly expressed a preference for the Elliot Point 1 alternative.

We appreciate the clarification regarding how the Elliot Point 1 Alternative could impact the ability of the Port of Everett to fulfill City of Everett shoreline permit conditions for the Mount Baker Terminal.

The EIS analysis has been revised to be consistent with your statements about the importance of maintaining adequate parking and open public access to the Edgewater Beach area at the Port of Everett Mount Baker Terminal. In several areas, including land use and Section 4(f), the Draft EIS now notes that the original design for Elliot Point 1 would impact the Port's permit and the important functions of the public shoreline access area.

Based on your feedback, we are evaluating potential design changes that will retain the public access features, including parking, intended for this location under shoreline permit SMA #04-005.

Once we have developed one or more options for retaining the public access features of the Mount Baker Terminal, we will arrange another meeting to review them. Our goal is to have at least one viable option we can describe in the Draft EIS as a mitigation measure for the impact the Elliot Point 1 alternative would have on public access.

If you have any questions prior to the meeting, please feel free to contact me at 206-805-2892 or paul.krueger@wsdot.wa.gov.

Sincerely,

Paul Krueger

Paul Krueger
Project Environmental Manager
Mukilteo Multimodal Project
Washington State Department of Transportation

PK:pk

cc: Pat McClain, City of Everett Government Affairs
John Klekotka, Port of Everett
Heather McCartney, City of Mukilteo
Gerry Ervine, City of Everett Land Use Manager