APR 1 1 2003

Tahoma Audubon Center OLYMPIC REGION

2917 Morrison Pond Road, University Place, WA 98466

April 14, 2003

Jeff Sawyer
Department of Transportation
5720 Capitol BLVD.
Tumwater, WA 98501

Re: SR 167 Draft Environmental Impact Statement

Dear Mr. Sawyer,

On behalf of the Tahoma Audubon Society and our 1700 members in Pierce County I would like to comment on the Draft Environmental Impact Statement for the proposed SR 167 Project. The Audubon Society has concerns that the EIS has not adequately provided mitigation for the following areas:

1) agriculture preservation,
2) Multimodel transportation and
3) Endangered Species.

1. Loss of Agriculture.

Farmland Protection Policy Act (7 USC 4201-4209) is intended to minimize the extent to which federal activities contribute to the conversion of farmland to Non-agricultural uses. The cumulative impacts of this projects will put the nails in the coffin of agricultural production in the project area eliminating up to 186 acres of the 279 acres available.

Currently agriculture production in the county is $80 million business annually which ranks 14 of the state's 39 counties. The county produces 50 percent of the nations rhubarb production. and leads the state in producing lettuce cabbage, radishes and green onions. This highway project will be built on some of the finest agricultural soils in the state. G02-001

The EIS documents the decline in agriculture over the last 5 years but it fails to show the role the project will have in the cumulative impact. It also fails to design for less impact. The alignment of the highway divides farmers fields, the freeway overpasses shadow vital growing areas and add considerably to the surface water volume in the creeks.

Valley Avenue Interchange and Freeman Road alignment will effect 115 acres of the 279 total acres farmed in the project area. Depending on final design the effect of divided farm lands and design options. This adds significantly to the total of 161 to 186 acres the project will convert to transportation uses. This is a very high impact on the total 279 acres currently in farming.. G02-002

Eliminating the Valley Avenue Interchange saves the project millions of dollars, reduces impacts on wildlife and preserves valley agriculture. A further re-alignment of the highway further west of the proposed alignment would reduce the amount of divided farmland.

RESPONSE G02-001

Section 3.11, land use, socioeconomics, and environmental justice and section 3.12, farmland, has been expanded to include an indirect and cumulative impact analysis.

RESPONSE G02-002

Section 2.4.4 of the FEIS includes an evaluation of eliminating the Valley Avenue interchange and determines such an option does not meet the purpose and need of the project.

SR-167 DEIS review page 2

The map on page 3-257 shows actively farmed areas. A re-alignment of the project to travel parallel to 70th Ave E and north of Valley Avenue would lessen the impact on divided farmlands considerably. G02-003

Although much of the project area is in the Fife and Puyallup Urban Growth Boundaries, both cities encourage and support agriculture uses. In fact County-Wide Planning Policies required that cities and the county the protect farming uses as part of the Growth Management Act. The road project threatens the 279 acres in the project area as the single largest cumulative impact. G02-004

Continuing farming in this area makes a significant contribution to the local economy without requiring tax payers to support a $1.6 billion investment in infrastructure. G02-005

2. Multimodel Transportation.

Purpose and need for the project calls for "multimodal local and port freight movement and passenger movement between" Puyallup and Port of Tacoma. The projects achieves this goal by providing "new travel corridor for *'experienced'* bicycle riders. This should be re-written to read "*suicidal*" cyclist who would dare to risk riding among heavy truck traffic.

In addition, access to the Puyallup Recreational Center is blocked by the proposed highway with the EIS declaring arbitrarily that "demand is insignificant to justify a new crossing."

The proposed project is not multimodel. The trail provided in the Fife Hylebos Creek area is recreational in nature and does not provide adequate transportation parallel to the proposed highway. While other states use their Federal allocation for bicycle trails to build and support urban bike trails, WSDOT continues to use their bike path funds for widening highway shoulders. This is not safe, nor is it multimodel. It is a joke. G02-006

The project should be re-designed to includes a separate bike path that connects existing bike facilities in Puyallup with the bike lane at the Port of Tacoma. Such a bike path could use widened shoulders on Freeman road (a designated bike route). This would provide adequate mitigation for the increased truck and commercial travel the proposed highway will have on the few "*experienced*" bicycle riders currently traveling through the area.

Build it and they will come. Few bicyclist dared to use state road 162 between Sumner and orting. Once the bike trail was established, on a Sunday afternoon it contains more people than the parallel highway route.

3. Endangered Species.

A detailed analysis of the impacts of the proposed highway on Hylebos Creek and the details of proper mitigation will be provided by *Friends of the Hylebos Creek*. Tahoma Audubon endorses their proposals. Here we will focus on Wapato Creek.

Mitigation measures calls for first avoiding impacts where possible, then minimizing impacts before compensation for unavoidable impacts. Again, eliminating the Valley Avenue Interchange is the best alternative to avoiding impacts on endangered species and the G02-007

RESPONSE G02-003

Realigning the project to travel parallel 70th Street would further impact other environmental areas that must be taken into account.

RESPONSE G02-004

Most of the land in the project area within the jurisdiction of the cities of Fife and Puyallup is zoned commercial, industrial, or residential. There is no longer any land zoned for farming within the project area; please see figure 3.11-2 in the FEIS. The Farmland section of the FEIS has been updated to include a discussion on cumulative impacts; please see section 3.12.5 of the FEIS. Please also see response to comment G02-005 below.

RESPONSE G02-005

The majority of the land being farmed within the project area is in the city limits of the City of Fife. The city has determined that the highest and best use of the property located within the project area is industrial use and has zoned the land as such. The city feels that this designation is a large part of its growth, tax base, and allure for development will contribute more to the economy. The city has already implemented infrastructure improvements (municipal sewers) that have made it hard to raise crops profitably in a growing urban area where property taxes have risen dramatically. Much of the land under cultivation is either up for sale or has been sold for development over the past years. The city expects that the land will convert to urban use over 20 years.

RESPONSE G02-006

There will be access to the Puyallup Recreation Center. The Urban Option for the SR 161/SR 167 interchange includes an overcrossing east of the Recreation Center. The City of Fife has a proposed bike route along Freeman Road.

RESPONSE G02-007

The Valley Avenue Interchange Option is the environmentally preferred option that has the least overall impact to adjacent properties. This was determined by comparing the environmental impacts associated with the options while also assessing which options could best meet the project's Purpose and Need.

continuation of farming in this area. All of the alternatives for Valley Avenue and Freeman Interchanges are unacceptable.

The US Fish and Wildlife Service, the Environmental Protection Agency and the state Department of Fish and Wildlife were correct in requiring a build alternative that did not include an interchange at Valley Avenue. The expected growth in truck traffic occurs *because of the interchange*, not because local cities currently have plans to develop the area. A close look at the evaluation of this area for agriculture and wildlife shows that it should be preserved by *avoiding impacts* and saving taxpayers millions of dollars in construction costs. G02-007

At the point at which Wapato Creek meanders through these agriculture lands is the location where one creek crossing is turned into a major surface water facility that will add 49 acres of impervious surface with 47% of it discharging into Wapato Creek Watershed. The Valley Avenue Realignment option also requires two new creeks crossing. How is this justified as minimum impact?

Under provision of the Endangered Species Act such impacts are considered a "taking" of habitat under the 4(d) rule. Page 3-111 adequately lists the effected salmon and Bull Trout that are protected and affected. Mitigation for the proposed highway should include adding riparian cover by adding plantings along the creek to provide shading and resolve temperature problems that limit spawning. Best available science calls for a 200 foot buffer along the creek to protect this stream. G02-008

Prior to the construction of the Fred Meyer facility in the headwaters, the creek never ran dry during the summer drought. In fact farmers used it for irrigation. Adequate mitigation would include improving fish passage by removing restrictive culverts etc. Adding further impervious surfaces from highway construction will greatly degrade this environment. Eliminating Valley Avenue Interchange is these best solution to minimizing impacts and protecting endangered species.. G02-009

Summary:

As always, these Environmental Impact Statements go to extremes to carefully document the extensive damaged that such a massive project will have on the wildlife, the environment and the existing way of life. Included here is a careful collection of applicable regulations that if followed avoid this excessive damage. What is missing is the will to eliminate the damaging Valley Avenue Interchange, the will to provide a bike lane to fulfill the multimodel requirements of the purpose, and the will to provide for the long-term survival of the endangered species.

When the project is valued using a highway planners priorities (page 3-357) of "accessibility, mobility, travel time, fuel saving," the EIS may justify the huge commitment of resources to construct and operate this project. However, for the cost of $1.6 billion or greater, the destruction of endangered species and local farming seems a high price to pay to further their demise. In the next 20 years the seven to 10 billion people due to arrive on the planet may in fact consider local food supply more significant than travel time and fuel savings between Puyallup and the Port of Tacoma.

Sincerely,

Kit Kirkland

RESPONSE G02-008

Section 7 consultation has been initiated with the U.S. Fish and Wildlife Service and NOAA National Marine Fisheries Service (NOAA Fisheries). The project's commitments to the necessary performance measures, and terms and conditions of the Biological Opinion issued by the Services, will be included in the federal Record of Decision regarding the project.

RESPONSE G02-009

A number of poorly functioning culverts and other stream crossings are identified that will either be eliminated or modified to improve fish passage, see section 3.4 of the FEIS. Impacts to both low- and high-flow conditions from the addition of impervious surface area are discussed in section 3.2.5 of the FEIS. However, it is not possible to eliminate the Valley Avenue Interchange and still meet the project's defined purpose and need.

-----Original Message-----
From: Campbell, Neal
Sent: Saturday, April 12, 2003 2:40 PM
To: Bennett, Rae; Bhalla, Harjit
Subject: FW: SR 167 Draft EIS, Tier II, February 2003

-----Original Message-----
From: Bob Myrick [mailto:bobmyrick@msn.com]
Sent: Saturday, April 12, 2003 10:15 AM
To: Neil J. Campbell
Cc: Anne Heller-Seago; Bill LaBorde; Bob Vogel; Bob Warfield; bpugh; BUGTRAIL; Carla Gramlich; Chuck Morrison; Kirk Kirkland; kkingsol; Lois Stark; Milton Loflin; mdalin; NedrowT; Richard Patrick; ralphdena; Russ Matthews; FLINT, Bryan; steve_brown2; Steve Sugg; wbaarsma
Subject: SR 167 Draft EIS, Tier II, February 2003

Please accept the following comments and suggestions on behalf of the Tacoma Wheelmen's Bicycle Club. We are trying to help your project be successful and consistent with our goal of promoting cycling for recreation, health and transportation. Where possible, your project should enhance non-motorized transportation in a safe and convenient manner. Cyclists and walkers reduce congestion and don't contribute to air and water pollution. A well planned non-motorized system will help mitigate your project's impact on the human and natural environment.

For your background information, we are very concerned because we have a number of WSDOT projects in Taco ma where the final result has gone awry and been less than satisfactory as follows:

1. The SR16 trail promised to Tacoma in 1974 was never built.. Even today, there are no
sidewalks under the freeway on Pine Street and missing sidewalks on Union Avenue.
The trail will finally be built in conjunction with the current widening of SR16.

2. In Sumner, WSDOT and the Transportation Improvement Board financed Fryar Avenue
arterial construction. Bike lanes were anticipated in the funding applications, but Sumner decided to leave them out and the State agencies were not aware of the deletions until we brought the matter to their attention.

3. In Tacoma, the SR509 construction has a fine, wide shoulder for bicycle travel, but
Tacoma deleted any widened travel lanes or shoulders on the State financed Marine
View Drive continuation and we now have un-used sidewalks in an industrial area.

4. The new pedestrian bridge over I-5 at the Tacoma Mall is a great bridge, but Tacoma
or WSDOT didn't build the approaches properly to facilitate bike travel.

G03-001

RESPONSE G03-001

As you noted the SR 16 Trail will be completed during the ongoing expansion and modification to SR 16. The design of the bike and pedestrian path on the new Tacoma-Narrows Bridge as well as the on- and off-ramp configurations at 36th Street in Gig Harbor took into consideration your concerns. This is a strong indication of our willingness to work with you on Bicycle issues. WSDOT does not have authority to alter the desires of local jurisdictions which may have decided not to participate in some of the other projects you listed. Funding is also a constraint. We added several Trail improvements to the SR 167 project. These improvements are described in section 3.15 of the FEIS.

5. The new Narrows' Bridge construction included a severely inadequate tunnel segment
for cyclists. Thru only happenstance, we were able to work with WSDOT for a better,
much less expensive alternative, but there is still not a good connection between the
new Cushman Trail and the SR16 Trail.

Because of this past history, we are very anxious to stay involved thru the design and construction process. We have several transportation professionals in our club who would be happy to participate in the design review. Our preference for this project would be a completely separated trail from Meridian to SR509 with a connection to the new Interurban Trail in Milton. This trail could also connect to Puyallup's existing river trail and continue to Seattle thru Sumner. It would also connect to the Foothills' Trail running to Orting, Buckley, Enumclaw and Mt. Rainier. Then, Pierce County's proposal to build a river trail from Puyallup to Tacoma could be re-evaluated as to need. This trail proposal has been troubled by being too close to the river(Shoreline Management Act), by having to cross over or under several major railroad tracks, and by the Puyallup Tribe not embracing the idea. Tacoma has not proceeded in a timely manner with construction of a Federally funded trail segment along the river. The new SR 167 trail might be integrated with your wet land mitigation requirements and allow walkers and cyclists to view wildlife in the area. Our second choice is your proposal to travel on the freeway from Meridian to 20th Street East and then go onto a separated trail to connect with Milton's Interurban Trail and SR509. We would expect that many cyclists would continue to use the existing local streets because of the freeway noise and generally un-pleasant riding conditions. Your non-motorized proposal is pictured on page 3-309 and we are concerned that a smooth, safe transition should be made on Meridian so that we can access Valley Avenue East, North Levy Road and Puyallup's River Trail. When we leave the freeway at 20th Str eet East, the same concern arises as to connecting with the local roads, Milton's Interurban Trail and SR509. G03-002

I hope that you will consider our ideas and continue to work with Pierce County, local affected communities, the Puyallup Tribe and our club to produce a great project that meets all our needs and enhances the local environment.

RESPONSE G03-002

This analysis is limited to the study area within the corridor and is not intended to analyze improvements to all routes within the local area network. WSDOT and FHWA intend to accommodate non-motorized transportation modes in the study project area using best practice design.

-----Original Message-----
From: Bob Myrick
To: aseago@harbornet.com; LaBorde@transportationchoices.org; rvogel@co.pierce.wa.us; BUGTRAIL@aol.com; campben@WSDOT.WA.GOV; cgramlich@att.com; suave51@juno.com; jladenb@co.pierce.wa.us; jshiu@cityoftacoma.org; KirkKirkland@compuserve.com; kkingsol@cityoftacoma.org; loiss@tacomaparks.com; lme12@quest.net; NedrowT@WSDOT.WA.GOV; ralphdena@earthlink.net; keeperowl@nventure.com; SpokeandSprocket@yahoogroups.com; steve.brown2@weyerhaeuser.com; ssugg@ci.university-place.wa.us
Sent: 3/27/2003 7:54 PM
Subject: SR167 and Bicycles

Hello from New Zealand. I am the Community and Governmental Affairs Director for the Tacoma Wheelmen's Bicycle Club. I understand that comments are being taken on the EIS for the project. Our Club wants to make sure the DOT works with local jurisdictions to insure that a safe bicycle route is provided thru this subject area. We understand that travelling on the proposed SR167 may be hazardous for bicyclists and therefore, we understand that DOT may be obligated to provide a safer alternative route thru the area. We look forward to continue working with DOT to assure that a safer route is provided. G03-003

RESPONSE G03-003

There will continue to be access to the existing bicycle and pedestrian facilities. In addition, the City of Fife has several planned bicycle routes along local roads.