

Chapter 5 Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for the proposed project have been accomplished through a variety of formal and informal methods, including: project development team meetings, interagency coordination meetings, the NEPA/Section 404 Integration process, and a variety of public meetings including a public scoping meeting, property owner meeting, public informational meetings, open houses and a public meeting following release of the Draft EIR/EIS. Project information was also provided at public events and meetings for related projects in the vicinity including the I-80 Eastbound Cordelia Truck Scales and the North Connector projects. This chapter summarizes the results of Caltrans efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

5.1 Scoping Process

NEPA requires the federal lead agency to consult with federal agencies that have jurisdiction over the proposed action by law or special expertise and solicit appropriate information from the public during EIS preparation. Scoping is the process by which the lead agency conducts these activities. This process helps determine the scope of the EIS, including the extent of the action, the range of alternatives, and the types of significant adverse effects to be evaluated. The lead agency's scoping process may include early scoping meetings that can be combined with other aspects of the federal agency planning process. As part of the scoping process, NEPA and FHWA regulations require that a Notice of Intent (NOI) to prepare an EIS be filed with the EPA and appear in the Federal Register.

CEQA specifically requires that when one or more state agencies will be a responsible or trustee agency, a notice of preparation (NOP) must be filed with the State Clearinghouse (State CEQ Guidelines Section 15082[d]). The NOP is provided to appropriate state agencies and invites them to offer comments during the scoping period, which lasts a minimum of 30 days following the filing of the NOP.

5.1.1 Notice of Intent/Notice of Preparation

The NOI for the proposed project was published in the Federal Register on May 9, 2003 and the NOP for the proposed project was published on April 28, 2003. The NOP was filed with the State Clearinghouse and sent to the appropriate elected officials, agencies, and interested parties.

5.1.2 NOP Scoping Meeting

A scoping meeting for the NOP was held on May 12, 2003 from 6 to 8:30 pm at Rodriguez High School, located at 5000 Red Top Road in Fairfield. Map and graphics were available for viewing and a formal presentation explaining the proposed project was given. Prior to scoping, an informational open house was held March 6, 2003 to provide the public with an opportunity to learn about the I-80/I-68-/I-780 Major Investment Study in advance of the May Scoping Meeting.

A number of means were used to inform the public of the scoping process and the scoping meeting. A public notice was distributed to the project mailing list, which included the property owners, elected officials, city staff, special interest organizations, and neighborhood groups. The Department and STA mailed a letter to agency representatives and elected officials, and phone calls were made to local organizations and neighborhood groups to announce the meeting.

5.2 NEPA/404 Integration

To streamline, standardize, and facilitate the integration of the NEPA and Clean Water Act, Section 404 processes, FHWA, the Department, the EPA, USACE, USFWS, and NOAA's NMFS entered into the *Memorandum of Understanding – National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Surface Transportation Projects in Arizona, California, and Nevada* (NEPA/404 MOU) in April 2006. This MOU establishes a process for early coordination among departments of transportation and federal resource agencies in defining the purpose and need, establishing the criteria for evaluating and selecting alternatives, and setting the range of alternatives to be studied for surface transportation projects.

The NEPA/404 MOU applies to federal aid surface transportation projects that have five or more acres of permanent impacts to water of the U.S. and that require a NEPA EIS. The proposed project meets those criteria and complies with the NEPA/404 MOU.

The NEPA/404 MOU process was initiated with the first checkpoint meeting held on March 15, 2007. Participants invited to this process included the Department, FHWA, NOAA's NMFS, USACE, USFWS, EPA, RWQCB, and DFG. Meeting materials and correspondence with agencies are provided in Appendix H.

The *Preliminary Delineation of Waters of the United States for the Interstate 80/Interstate 680/State Route 12 Interchange Project* was prepared and submitted to the USACE in August 2008. A field verification was conducted in January 2009 and the final verification of the revised map occurred on July 9, 2009. Figures 3.3-2a through 3.3-2d in Volume 2 of this document reflect the results of the verified map.

The first formal checkpoint conducted on March 15, 2007 was held at the Solano County Administrative offices in Fairfield. The purpose of the March 15, 2007 meeting was to present an overview of the proposed project, discuss the purpose and need, screening criteria, and preliminary alternatives, and seek input from the signatory agencies. The summary of the meeting and request for concurrence was sent to the participating agencies on March 22, 2007

and responses were received from the RWQCB and USACE (Appendix H). No negative comments or disagreement were received from the agencies.

The second formal checkpoint meeting was conducted on February 10, 2009 at the STA offices in Suisun City. The purpose of the meeting was to present an overview of project alternatives to be addressed in the environmental document, discuss the purpose and need, present expected impacts to biological and aquatic resources, and seek input from the signatory agencies. A table showing preliminary acreages of wetland impacts and expected impacts to biological resources, along with maps showing biological resources in the project vicinity were provided. A summary letter and request for concurrence was sent to the participating agencies on May 20, 2009. The EPA requested more information regarding potential impacts to the Green Valley Corporate wetlands mitigation site. Upon receipt of that information, both USACE and the EPA provided letters, dated August 6, 2009 and September 2, 2009, that enabled the project to move forward.

A third Checkpoint meeting was held among the signatory agencies on November 29, 2010, after the close of the comment period on the draft EIR/EIS and identification of Alternative C as the preferred alternative by the Project Development Team. The purpose of the third Checkpoint meeting is to seek concurrence that the preferred alternative is the least environmentally damaging practicable alternative (LEDPA) after considering the public and agency comments received on the draft EIR/EIS. A follow-up to the third Checkpoint meeting was held on February 9th, 2011. Supplemental materials to facilitate concurrence were submitted to the signatory agencies in September 2011, November 2011, and December 2011. Further follow-up meetings and conference calls were held on December 1st and 15th of 2011 and January 4, 2012 to discuss any additional supporting material needs from signatory agencies. Due to the complexity surrounding the Conceptual Mitigation Plan (CMP) for the project, the Department requested that the third Checkpoint be split into two separate actions: (1) concurrence on the LEDPA, and (2) concurrence on the CMP. The Project Development Team identified Alternative C, Phase 1 as the preferred alternative and concurrence from the signatory agencies regarding LEDPA was obtained by April 10, 2012. Agency concurrence documentation regarding LEDPA is provided in Appendix H.

In June 2012, the Department presented locations for mitigation to the signatory agencies for consideration in the CMP. The signatory agencies requested more information and details regarding the hydraulics of the mitigation locations considered. Concurrence from the signatory agencies on the CMP will be obtained prior to submittal of a US Army Corps of Engineers permit application(s).

5.3 Consultation and Coordination with Public Agencies

The following public agencies have been consulted regarding the proposed project to date. Contacts and consultation with agencies are included in Appendix H.

- U.S. Environmental Protection Agency.
- U.S. Fish and Wildlife Service.
- U.S. Department of Agriculture, Natural Resources Conservation Service.

- NOAA's National Marine Fisheries Service.
- U. S. Army Corps of Engineers.
- Yocha Dehe Wintun Nation.
- California Department of Fish and Game.
- California Department of Conservation.
- Regional Water Quality Control Board.
- Office of Historic Preservation.
- The City of Fairfield.
- Suisun City.
- Solano County.
- California Highway Patrol.
- Bay Area Air Quality Management District.

The EPA and USACE were invited to be cooperating agencies. The EPA declined, but will continue to be a Responsible Agency. USACE accepted in a letter dated December 31, 2009 (Appendix H). As a cooperating agency, USACE has participated in the preparation of this document as part of their responsibility to assist the Department in this process.

Consultation with the U.S. Fish and Wildlife Service and NOAA's NMFS is summarized in Chapter 3.3. The Department has consulted with USFWS regarding the CRLF site assessment and potential mitigation strategies and approaches. The USFWS issued a Biological Opinion on April 17, 2012 (Included in Appendix H of the Final EIR/EIS). Consultation with the USACE included field visits and verification for the wetland delineation in 2009, as well as involvement in the NEPA/404 process. The Department contacted the Office of Historic Preservation and requested concurrence with eligibility determinations made in the Historic Properties Survey Report. OHP concurred with the determinations in a letter dated March 20, 2010 (Appendix H). The PA was approved by SHPO and Caltrans HQ on November 7, 2011 and by the Caltrans District 04 Director on November 8, 2011.

Starting in 2003 Federal Highway Administration (FHWA) has been a key partner in the development and evaluation of the alternatives. The Department worked with the FHWA to gain preliminary approval on Engineering and Operational Acceptability. Further, a Draft Project Management Plan has been submitted to the FHWA.

The Department and STA have consulted with local agencies regarding pertinent issues. The CHP has been consulted regarding public safety issues. The BCDC has been consulted regarding marsh management issues. MTC has been consulted regarding air quality conformity and general transportation planning issues. The Department and STA have consulted with the City of Fairfield, Suisun City, and Solano County regarding the overall project and the needs and desires of the public they serve.

5.4 Public Participation

5.4.1 Project Outreach Meetings

There have been several previous public meetings and open houses providing information on the project including the following:

- March 2003 – Informational Open House to update the community on the status of various projects in the I-80/I-680/SR 12 interchange area. This meeting also provided details from the Major Investment Study (MIS) and the Transit Corridor Studies that STA, in conjunction with Caltrans, prepared for the I-80/680/780 freeway corridors. Approximately 100 people attended the informational open house meeting.
- May 2003 – Scoping meeting to receive input on the scope of the environmental studies. For the Interchange project, scoping was conducted to assist federal, state and local agencies involved in project in identifying a range of alternatives, potentially significant environmental effects and possible mitigation measures. There were 52 people who signed the sign-in sheet at the scoping meeting. There were 10 handwritten comments that were submitted at the meeting, and seven letters were either mailed or faxed to the STA.
- April 2007 – Property owner meeting for owners and tenants of properties and businesses in the vicinity of Alternative C (Cordelia Industrial Park). Ten people signed the sign-in sheet at the home / business-owners' meeting.
- April 2007 – Informational Open House to provide an update on the alternatives development and screening process and plan to carry two alternatives forward into detailed technical studies (Alternatives B & C). There were 81 people who signed the sign-in sheet at the Open House meeting. There were seven written comments submitted during and following the Open House. Numerous verbal comments were expressed, and are summarized in the meeting summary report.
- March 2009 – Informational Open House to present information about the Phase 1 alternatives for each Build Alternative B and C. The Phase 1 alternatives represented the fundable first phase of each of the Build Alternatives. Sixteen people signed the sign-in sheet at the informational open house meeting. One written comment was submitted during and a second submitted after the Open House. There were numerous verbal comments summarized in the meeting summary report.

5.4.2 Related Projects

Additional meetings where information about the Interchange Project was provided include the following:

- December 2006 – North Connector Project Public Hearing
- October 2007 – North Connector Project Public Hearing

- February 2008 – North Connector Project Public Hearing
- May 2008 – I-80 Eastbound Cordelia Truck Scales Relocation Project Scoping Meeting

5.4.3 Project Newsletter

As part of the public outreach, a 4-page newsletter regarding the I-80/I-680/SR12 Interchange Project was distributed with project information, updates, milestones, meeting opportunities and how to learn more about the project. The newsletter has been timed to coincide with milestones, meetings or other related project milestones and as an additional means for the public to stay informed about the project's progress. To date, seven newsletters have been distributed, conveying the following information.

- February 2004: Environmental scoping for the Interchange Project began in May 2003, and the Truck Scale Relocation Study was initiated as part of the Interchange Project to identify problem areas and possible solutions. In addition, traffic forecasting to the year 2030 will be developed using Solano County's new travel demand model and data on existing conditions.
- October 2004: Data was collected on traffic studies to help the project team evaluate operational issues, and a number of preliminary alternatives for improving the I-80/I-680/SR 12 Interchange were developed and refined based on public input and new technical information. Initial technical studies were also conducted to determine existing conditions in the project area.
- April 2006: The truck scales relocation study that recommends building replacement scales and inspection facilities was completed, and STA developed a more expansive and accountable traffic model that uses the latest land use and road network information to project traffic and travel trips through 2035. And in December of 2004, the two-lane connector from I-680 to I-80 and an additional lane on eastbound I-80 from I-680 to SR 12 east were completed.
- June 2007: In February, the Board approved \$7 million in funding for SR 12 Jameson Canyon, which also received \$74 million from the infrastructure bonds approved by voters in November 2006. I-80 HOV Lanes Project received \$56 million from voter-approved infrastructure bonds. In March, Caltrans and STA approved the CEQA document for the I-80 HOV Lanes Project, and the Board approved preparation of the Environmental Impact Report for the North Connector Project and recommended two alternatives for the I-80/I-680/SR 12 Interchange Project to be move forward to detailed environmental study.
- May 2008: On May 14, the STA Board approved the Final Environmental Impact Report for the North Connector Project, with construction scheduled to begin on the East End in 2009.
- March 2009: The truck climbing lane on westbound SR 12, extending from I-80 to west of Red Top Road, opened on Dec. 4, 2008, and allows westbound motorists to pass slower vehicles in the truck climbing lane. The construction of the 8.7-mile segment of HOV lanes between Red Top Road and Air Base Parkway are projected to decrease morning and evening commutes for carpoolers by 39 percent and 47 percent respectively, and bids for the project came in 45 percent under budget. In January 2009, Caltrans in cooperation with STA, released the Draft Environmental Impact Report for public comment for the I-80 Eastbound

Truck Scales Relocation Project, with construction expecting to start in 2011. Construction for the North Connector project began with work on the I-80 / Abernathy Road ramps.

- Summer 2010: Project update regarding status of the project and related projects. Description and map highlighting the common and unique features of the two proposed Alternatives, B and C. Announcement of the release and instructions on how to comment on the Draft EIR/EIS for the project, and notice of the public meeting.

5.4.4 Business Outreach

In Spring 2007, a property owner meeting was held to engage the owners and businesses in the vicinity of the southwest quadrant of the existing I-80/I-680 interchange where numerous potential property impacts were identified. The purpose of the meeting was to provide a project update and review maps and exhibits regarding Alternatives B and C. Property owners in the area of Alternative C were notified via mail and phone and offered an opportunity to receive additional information in the mail.

In August 2010, shortly after release of the Draft EIR/EIS, copies of the Draft EIR/EIS meeting announcement flyers, notices and posters were distributed to 35 businesses and community organizations in low-income and minority census tracts in Fairfield and Suisun City.

5.4.5 Public Meeting

A Public Open House Meeting was held on September 15, 2010 at the Solano County Administration Building from 6:00 – 8:00 PM. The meeting was conducted in an informational open-house format, to present and receive comment on the Draft EIR/EIS, including the Full-Build and Phase 1 plans for Alternatives B and C.

The meeting was noticed through a variety of ways. First, public announcements were mailed to the project mailing list containing over 5,500 entries for residents, property owners, homeowner associations, environmental organizations, business associations, elected officials, and key jurisdictional agencies with an interest in the project. This announcement was also posted to Caltrans and STA Websites. Second, display advertisements were placed in the main local newspapers including the Fairfield Daily Republic, Vacaville Reporter, Vallejo Times Herald, and the Cronicas Newspaper (a Spanish-language weekly).

Meeting attendees learned about the status of the project and findings in the Draft EIR/EIS by talking with project staff and reviewing handouts and informational exhibit boards on display. There were 26 people who signed the meeting sign-in sheets and all attendees were encouraged to submit written and verbal comments. A Court Reporter was present to record verbal comments and forms were provided for written comments. A total of seven comments, four written and three verbal, were submitted during the informational open house.

5.5 Public Comments on Draft EIR/EIS and Responses

The draft EIR/EIS was available for public review for 60 days and a public meeting was held during that time frame. Written and oral comments received on the draft EIR/EIS and the Department's responses to those comments are presented in this section. Table 5-1 contains a list of individuals, organizations, and agencies that submitted comments on the draft EIR/EIS. Letters and responses are provided in Appendix L.

Table 5-1. List of Individuals, Organizations, and Agencies Commenting on the Draft EIR/EIS

Comment Number	Commenter	Date
Agency and Individual Comment Letters		
1	Neal Johnson	08/17/10
2	Edgar V. Salire, P.E.	08/29/10
3	Lynn J. Zhang	09/07/10
4	Steven Kays	09/21/10
5	Jessica Davenport, Coastal Planner, State of California, San Francisco Bay Conservation and Development Commission	10/01/10
6	Gregor Blackburn, CFM, Branch Chief, Floodplain Management and Insurance Branch, U.S. Department of Homeland Security, FEMA	09/29/10
7	Nicole Byrd, Executive Director, Solano Land Trust	10/05/10
8	Richard Wirth, Assistant Civil Engineer, Solano Irrigation District	10/06/10
9	Justin Hopkins, E.I.T., Assistant Civil Engineer, Solano Irrigation District	10/07/10
10	John Futini	09/11/10
11	Paul Wiese, Engineering Manager, Solano County, Department of Resource Management, Public Works Engineering	10/08/10
12	Jackie Kepley	10/11/10
13	Jeff Dittmer	10/11/10
14	Dee Swanhuysen, North Bay Trail Director, Bay Area Ridge Trail Council	10/11/10
15	Andrea Meier, Sr. Regulatory Project Manager, San Francisco District, U.S. Army Corps of Engineers	10/14/10
16	Cay C. Goude, Assistant Field Supervisor, Endangered Species Program, United States Department of the Interior, Fish and Wildlife Service	10/18/10
17	George R. Hicks, Public Works Director, City of Fairfield, Public Works Department	10/11/10
18	Michael Jaeger and Bob McHugh, Jaeger McHugh & Company, LLC	10/15/10
19	Connell Dunning, Transportation Team Supervisor, Environmental Review Office, United States Environmental Protection Agency	10/18/10
20	Kim VanGundy, Fairfield-Suisun Unified School District	10/26/10
21	Brendan Thompson, Environmental Specialist, California Regional Water Quality Control Board	10/27/10
Public Meeting Comments		
22	Manoj Sahni, Comment Sheet	09/23/10
23	Woody Darnelle, SuperStore Ind. Sunnyside Farms, Comment Sheet	09/23/10
24	Lesley Brunner, HOA Green Valley Lake, Comment Sheet	09/23/10
25	Linda Mellor, Comment Sheet	09/23/10
26	Walter Permann, Oral Comment	09/23/10
27	Michelle Valine, Oral Comment	09/23/10
28	Pam Sahni, Oral Comment	09/23/10