

# Chapter 6 Summary of Public and Agency Involvement and Tribal Coordination

This chapter reports on the California Department of Transportation's (Caltrans) and Sonoma County Transportation Authority's (SCTA) efforts to fully identify, address and resolve project-related issues through early and continuing coordination. Early and continuing coordination with the general public, appropriate public agencies and Native American interests 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 this project have been accomplished through a variety of formal and informal methods, including project development team meetings, formal letter requests for information and coordination, interagency coordination meetings, meetings with public and resource agency staff, distribution of flyers and public notices during the studies, and public meetings. Also, a public meeting *was* conducted during the public review period for this document.

## 6.1 Early Public and Agency Consultation (Scoping) Process

Early public and agency consultation was performed through distribution of a Notice of Preparation (NOP), stakeholder interviews, and the conduct of public information meetings to present the project purpose and need, describe project alternatives and known potential impact issues, and obtain public and agency input regarding these matters or any additional alternatives or issues that should be addressed.

### 6.1.1 Notice of Preparation

A NOP to prepare an EIR was sent to all appropriate local, state, and federal agencies and other interested parties.<sup>1</sup> Appropriate agencies were those that would potentially provide a project permit or approval, or that had jurisdictional responsibility for areas or resources that might be affected by the proposed project. The NOP was distributed to California State agencies through the Office of Planning and Research. The NOP was sent separately to federal and local agencies. No letters were received in response to the NOP.

### 6.1.2 Stakeholder Interviews

As part of the initial public outreach effort and prior to any public information meetings, SCTA conducted one-on-one stakeholder interviews with local community leaders, businesses, environmentalists, and others in the project area. The goal was to identify and discuss project concerns, impacts, questions and interest in the Highway 101 HOV Lane Widening Project with local community leaders and representatives.

A comprehensive list of potential stakeholders was developed to reflect the communities and special issues within the project corridor. The list of stakeholders interviewed (see Section 6.4, Other

<sup>1</sup> Note that, because the NEPA document is not an Environmental Impact Statement (EIS), no Notice of Intent to prepare an EIS was published in the Federal Register.

Interested Parties and Stakeholders) was drawn from a diverse number of local organizations, constituency groups, and businesses within the Highway 101 HOV Lane Widening project area. This included the City of Santa Rosa, the Town of Windsor, and Sonoma County. The stakeholders were queried regarding issues including land use and planning, tourism, cultural and historic resources, agriculture and commerce, transportation planning, and emergency services delivery.

The format of the interview involved asking stakeholders a series of questions to assess their general knowledge of the project and to comment on what they saw as key project issues, benefits, and concerns. Interviews were conducted both in person and by phone and generally lasted between 30 minutes and one hour.

### **6.1.3 Community Open House (Scoping) Meeting**

A Community Open House was held for the general public on June 25, 2003, from 5:30 *p.m.* to 8:30 *p.m.* at the Town of Windsor Council Chambers, 9291 Old Redwood Highway, Windsor. Approximately 35 community members attended the meeting. The advertised purpose of the meeting was to obtain public comments regarding environmental issues, reasonable alternatives, and mitigation measures that needed to be explored in the environmental studies. The meeting described the proposed project and its purpose and need and explained the relationship of the project to the High Occupancy Vehicle (HOV) Master Plan for Highway 101 in the Bay Area.

On view at the meeting were display boards that presented the project purpose and need, the proposed project schedule, the environmental studies that would be performed, information regarding the traffic analysis, and maps of the project area and preliminary alternatives. Attendees were able to ask questions and provide comments to project staff on a one-on-one basis. In addition, there was a public information station identifying upcoming public involvement opportunities and telling people how they could stay involved in the environmental process. Comment cards were distributed for participants to complete at the meeting, and follow-up comments by email or letter were also requested. As announced at the open house, the public *had* the opportunity to review *the* EA/Draft EIR, attend a public meeting during the review period for the environmental document, and submit formal comments on the document.

### **6.1.4 Newspaper Notices and Flyers**

Approximately 1,080 flyers announcing the community open house were directly mailed to identified stakeholders and to all property owners and occupants within one-quarter mile of Highway 101 within the project limits. These areas were compared with ethnicity and income data compiled for the *Community Impact Assessment* to ensure that the mailings would address environmental justice communities (see Section 3.4.4, Environmental Justice). Stakeholders included business and community leaders, environmental organizations, trade organizations, and Native American tribal contacts. In addition, display advertisements were placed in the *Santa Rosa Press Democrat* newspaper to announce the meeting.

### 6.1.5 Early Agency Consultation

An agency meeting also was held on June 25, 2003, from 3:30 *p.m.* to 5:00 *p.m.* at the Town of Windsor Council Chambers complex. This meeting was held separately and prior to the Community Open House meeting to enable agency representatives to attend during working hours. Agency representatives were also welcome to attend the public meeting in the evening. Agencies requested to attend through the NOP process included those that would potentially grant a permit or approval to the project or whose jurisdictional responsibilities included resources or areas that would potentially be affected by the project.

Agency consultations under specific environmental laws are described in Section 6.2, Consultation and Coordination with Public Agencies.

### 6.1.6 Comments Received

Five written comments were submitted, either during or following the Community Open House meeting. Oral comments were also recorded on flip charts during the meeting. These comments are recorded in the *Highway 101 Widening Project, Steele Lane (City of Santa Rosa) to Windsor River Road (Town of Windsor), Public Meeting Summary Report* (October 2003). All comments were carefully considered in refining the project approach and environmental impact issues and studies for the project.

## 6.2 Consultation and Coordination with Public Agencies

This section reports on the status of agency consultations required by various environmental laws.

### 6.2.1 Consultations under Endangered Species Acts

Consultation with the U.S. Fish and Wildlife Service (USFWS) and National Oceanic and Atmospheric Administration Fisheries Service (NOAA Fisheries) under Section 7 of the federal Endangered Species Act and with the California Department of Fish and Game (CDFG) under the California Endangered Species Act is required if the project will have impacts to threatened, endangered or candidate biological species. Formal consultation *was* conducted with USFWS regarding potential impacts to California tiger salamander (CTS). FHWA submitted the *Corridor Biological Assessment* and proposed mitigation measures *for CTS* to USFWS on October 26, 2004. USFWS conducted a review of the potential CTS impact areas with SCTA in the field on May 25, 2004. USFWS reviewed GIS shape-file mapping of the area that would be disturbed for these projects in comparison with its developing CTS conservation strategy during July and August of 2005. *The Santa Rosa Plain Conservation Strategy was published in late 2005, and consultation proceeded according to the Strategy.* On June 1, 2006, USFWS, Caltrans, and SCTA conducted an additional field review of the potential CTS impact areas. *USFWS issued a No-jeopardy Biological Opinion on October 18, 2006, specifying project conditions and measures to avoid harm to CTS. A copy of the USFWS Biological Opinion is included in Appendix E.*

*Prior to completion of the Habitat Quality Evaluation (HQE) process for vernal pool plants, consultation was conducted with USFWS and compensation and minimization measures were developed on the basis of the 2003 preliminary presence/absence surveys in accordance with the*

*“1998 Plant Programmatic Opinion” (Service 1998) and the Santa Rosa Plain Conservation Strategy. These measures were also specified in the October 2006 USFWS No-jeopardy Biological Opinion.*

Consultation under the federal Endangered Species Act is required also with NOAA Fisheries regarding potential impacts to Central California coast coho salmon, Central California coast steelhead, and California coastal chinook salmon. A Biological Assessment for these anadromous fish species was provided to NOAA Fisheries in August, 2007 to initiate formal consultation and was also provided to USFWS and CDFG.

NOAA Fisheries reviewed the *Fish BA* and returned their No-jeopardy Biological Opinion specifying project conditions and measures to avoid harm to the steelhead, coho salmon, and chinook salmon in October 2007. Receipt of these agency determinations concludes formal consultation under the federal Endangered Species Act. No comments have been received from CDFG regarding whether USFWS and NOAA Fisheries biological opinions and proposed mitigation measures for CTS, steelhead, coho salmon, chinook salmon, and tule perch are consistent with the California Endangered Species Act.

## **6.2.2 Consultations Pursuant to Section 106 of the National Historic Preservation Act**

### **6.2.2.1 Historic Properties Coordination**

Surveys conducted within the Areas of Potential Effects (APE) for archaeological and architectural resources have identified no resources that are eligible for the National Register of Historic Places or the California Register of Historic Resources. A Historic Properties Survey Report (HPSR) was prepared and submitted to the State Historic Preservation Officer (SHPO) on October 12, 2005. The SHPO concurred in the negative eligibility findings on November 4, 2005; a copy of the SHPO’s letter is provided in Appendix E, Agency Correspondence.

### **6.2.2.2 Tribal Coordination**

The Native American Heritage Commission (NAHC) was contacted to perform a Sacred Lands file search and contacts provided by NAHC were requested to share information, express concerns, and make recommendations regarding the project. Native American consultation was conducted during 2004 over the course of several quarterly meetings with the Federated Indians of Graton Rancheria. The draft Archaeological Survey Report (ASR) was submitted for review by the Federated Indians during 2005. No ongoing concerns or issues have been identified. This concurrence concludes consultations under Section 106 unless unanticipated cultural materials are discovered during construction. In that case, Caltrans would provide for additional consultation with SHPO and other interested parties as appropriate.

### **6.3 Agencies Consulted**

The following federal, state, regional and local agencies were consulted, either as part of the early public and agency consultation process or in conjunction with environmental laws. All will receive notice of the availability of this environmental document; see Chapter 8, Distribution List.

#### **Federal Agencies**

Federal Emergency Management Agency  
Federal Railroad Administration  
Federal Transit Administration  
National Oceanic and Atmospheric Administration Fisheries Service  
U.S. Army Corps of Engineers  
U.S. Bureau of Reclamation  
U.S. Department of Agriculture, Natural Resources Conservation Services  
U.S. Department of Energy  
U.S. Department of Health and Human Services  
U.S. Department of the Interior  
U.S. Environmental Protection Agency  
U.S. Geological Survey  
U.S. Fish & Wildlife Service

#### **State Agencies**

California Air Resources Board  
California Department of Conservation  
California Department of Fish and Game  
California Native Plant Society  
California Department of Housing and Community Development  
California Department of Parks and Recreation  
California Department of Water Resources  
California Energy Commission  
California Environmental Protection Agency  
California Highway Patrol  
California Integrated Waste Management Board  
California Public Utilities Commission  
California Wildlife Federation  
Native American Heritage Commission  
Northern Regional Water Quality Control Board  
Office of Planning and Research (OPR)  
San Francisco Bay Regional Water Quality Control Board  
State Agency for Resources  
State Office of Historic Preservation  
State Lands Commission  
State Water Resources Control Board  
Department of Health Services, Director

## **Regional and Local Agencies**

Association of Bay Area Governments  
Bay Area Air Quality Management District  
City of Santa Rosa Fire District  
City of Santa Rosa, City Manager, Public Works, Community Development, and Police Departments  
City of Santa Rosa Mayor's Office  
Golden Gate Bridge, Highway and Transportation District  
Metropolitan Transportation Commission  
Santa Rosa School District  
Sonoma County County Administrator, Community Development, and Transportation and  
Public Works Departments  
Sonoma County Agricultural Preserve and Open Space District  
Sonoma County Sheriff's Department  
Sonoma County Transit  
Sonoma–Marin Area Rail Transit (SMART)  
Town of Windsor Fire Department  
Town of Windsor, Town Manager, Planning, Police, and Public Works, Water and Sewer  
Departments  
Town of Windsor School District

## **6.4 Other Interested Parties and Stakeholders**

Other interested parties and stakeholders consulted during the studies include the following:

Airport Business Park  
Coalition for Better Sonoma County  
Hispanic Chamber of Commerce  
Journey's End Mobile Home Park  
Kendall-Jackson Winery  
Lytton Band of Pomo Indians  
North Coast Builders Exchange  
Mobile Home Owners Association  
Santa Rosa Chamber of Commerce  
Santa Rosa Police Department  
Sierra Club, Redwood Chapter  
Sierra Club, Sonoma Group  
Shiloh Center  
Sonoma-Marín Greenbelt Alliance  
Sonoma County Bicycle Coalition  
Sonoma County Historical Society  
Sonoma County Manufacturing Group  
Sonoma County Business Environment Alliance  
Sonoma County Farm Bureau  
Sonoma County Land Use and Transportation Coalition  
Sustainable Sonoma County  
Windsor Chamber of Commerce  
Windsor Mobile Country Club

## 6.5 Public Review of The *Draft Environmental Document*

Copies of the *draft* environmental document were distributed as indicated in Chapter 8, Distribution List of the EA/DEIR and were made available for review at the Santa Rosa Central Library, Third & E Streets, Santa Rosa 95404, California, the Windsor Regional Library, 9291 Old Redwood Highway, Bldg. 100, Windsor 95492, California, at Caltrans District 4 offices in Oakland, and on Caltrans and SCTA's websites. The document circulated for 45 days, and a public hearing was held on January 9, 2007 at the Town of Windsor Council Chambers. Notice of the availability of the *draft* environmental document and the date, place and time for the public hearing was provided to the public through display advertisements published on December 10, 2006 and January 7, 2007 in the *Santa Rosa Press Democrat* newspaper and by direct mailings to all property owners and occupants within one-quarter mile of Highway 101 within the project limits. Approximately 15 members of the public attended the public open house/hearing and one comment (verbal) was received. All written comments received during the comment period have been responded to in writing, either by modifying the project, modifying or supplementing the analysis presented herein, making factual corrections, or explaining why the comments do not warrant modifications to the document or project; see Chapter 10, Comments and Responses.

## 6.6 Ongoing Public Involvement

### 6.6.1 Newsletters

Prior to the circulation of the draft environmental document, SCTA issued a newsletter. This newsletter was directly mailed to all names on the project mailing list and to the owners and occupants of property contiguous to the parcels on which the project is located and summarized the primary content of the environmental document for these parties. SCTA will also issue a newsletter following the release of the final environmental document, to notify interested parties of the outcome of the studies.

### 6.6.2 Project Website

SCTA maintains a Highway 101 HOV Lane Widening Project website at [www.sctainfo.org](http://www.sctainfo.org). The website offers information and graphics on the project purpose and need, alternatives, ongoing studies, emerging issues, and schedule. Information on upcoming project events such as community information meetings or the public hearing was posted to the SCTA website. Members of the community may use the website also to contact SCTA or the project team at any time with issues or concerns about the project.