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 will be 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, 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

In May, 2003, a Notice of Preparation (NOP) to prepare an EIR was sent to all appropriate local, state, and federal agencies and other interested parties.[1] 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.

[1] 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.

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 Interested Parties and Stakeholders) was drawn from a diverse number of local organizations, constituency groups, and businesses within the proposed project area. This included the cities of Petaluma, Cotati, and Rohnert Park 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 24, 2003, from 5:30 to 8:30 at Cotati City Hall, 201 Sierra Avenue, Cotati. Approximately 60 (58) 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 will have the opportunity to review this 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 1,000 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, newspaper ads were placed in the *Santa Rosa Press Democrat* and *The Community Voice* newspapers to announce the meeting.

6.1.5 Early Agency Consultation

An agency meeting also was held on June 24, 2003, from 3:30 to 5:00 p.m. at Cotati City Hall. 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

Approximately 20 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, Old Redwood Highway (Petaluma) To Rohnert Park Expressway (Rohnert Park), Public Meeting Summary Report* (October, 2003). All comments received 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 the 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 is being conducted with USFWS regarding potential impacts to California Tiger Salamander. FHWA submitted the Corridor Biological Assessment and proposed mitigation measures for California Tiger Salamander (CTS) to USFWS on October 25, 2004. The Natural Environment Study/Biological Assessment (NES/BA) was submitted on June 14, 2005. CDFG was also provided a copy of the NES/BA and the Corridor Biological Assessment regarding impacts to CTS. USFWS conducted a review of the potential CTS impact areas with SCTA in the field on May 25, 2004.

Consultation under the federal Endangered Species Act is required also with NOAA Fisheries regarding potential impacts to steelhead and coho salmon. The Biological Assessment for these anadromous fish species (Fish BA) will be provided to NOAA Fisheries to initiate formal consultation and will also be provided to USFWS and CDFG. CDFG will likely also review the NES/BA and this environmental document regarding potential impacts to tule perch.

It is anticipated that USFWS and NOAA Fisheries will review these documents and return their no-jeopardy biological opinions specifying project conditions and measures to avoid harm to the CTS and steelhead and coho salmon. It is anticipated that CDFG will review these documents and the impact areas in the field and will return its determination that the NES/BA, Fish BA and USFWS and NOAA Fisheries biological opinions and proposed mitigation measures for CTS, steelhead, coho salmon, and tule perch are consistent with the California Endangered Species Act. Receipt of these agency determinations would conclude formal consultation under the federal and state Endangered Species Acts.

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 September 12, 2005. The SHPO concurred in the negative eligibility findings on October 21, 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 notify FHWA to 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 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 Native Plant Society
California Wildlife Federation
California Highway Patrol
San Francisco Bay Regional Water Quality Control Board
State Office of Historic Preservation
Regional Water Quality Control Board
California Environmental Protection Agency
Office of Planning and Research (OPR)
Department of Water Resources
State Lands Commission
Department of Parks and Recreation
Department of Conservation
State Resources Agency
Energy Commission
State Department of Housing and Community Development
Department of Fish and Game
State Water Resources Control Board
Integrated Waste Management Board
State Air Resources Board,
Department of Health Services, Director
Public Utilities Commission
Native American Heritage Commission

Regional and Local Agencies

Association of Bay Area Governments
Bay Area Air Quality Management District
City of Cotati, City Manager, Public Works, and Planning and Building Departments
Cotati and Rohnert Park School District
Metropolitan Transportation Commission
City of Santa Rosa Mayor's Office
Penngrove Area Planning Advisory Committee
City of Petaluma, City Manager, Community Development and Public Facilities and Services Departments
Petaluma City School District
City of Rohnert Park City Manager, Planning, and Engineering Departments
Sonoma County County Administrator, Community Development, and Transportation and Public Works Departments

Sonoma County Transit
Sonoma–Marin Area Rail Transit (SMART)
South Sonoma County Resource Conservation District

6.4 Other Interested Parties and Stakeholders

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

Sonoma-Marin Greenbelt Alliance
Rohnert Park Police Department
Leisure Lake Mobile Home Park
Sonoma County Manufacturing Group
Sonoma County Historical Society
Hispanic Chamber of Commerce
Sonoma County Business Environment Alliance
Rancho Adobe Fire District (County)
Sonoma County Farm Bureau
West Side Residents' Association, Cotati
Sierra Club, Sonoma Group
Sustainable Sonoma County
Sonoma County Land Use and Transportation Coalition
North Coast Builders Exchange

6.5 Public Review of This Environmental Document

Copies of this environmental document will be distributed as indicated in Chapter 8, Distribution List. The document will also be made available for review at the Rohnert Park-Cotati Regional Public Library, at SCTA offices in Santa Rosa, at Caltrans District 4 offices in Oakland, and on Caltrans and SCTA's websites. This document will circulate for 45 days, during which a public hearing will be held. Notice of the availability of this environmental document and the date, place and time for the public hearing will be provided to the public through print ads published in the *Santa Rosa Press Democrat* and *The Community Voice* newspapers and by direct mailings to all property owners and occupants within one-quarter mile of Highway 101 within the project limits. All written comments received during the comment period will be 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.

6.6 Ongoing Public Involvement

6.6.1 Newsletters

It is anticipated that SCTA will issue a newsletter prior to the circulation of the draft environmental document. The newsletter will be directly mailed to all names on the project mailing list and will summarize the primary content of the environmental document for interested parties. SCTA may 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.sonoma101.org. The website offers updated 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 is 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.