

CHAPTER 5 - PUBLIC AND AGENCY CONSULTATION AND COORDINATION

5.1 INTRODUCTION

This chapter describes coordination efforts with the general public and appropriate public agencies during the Environmental Impact Statement (EIS) process. Public and agency consultation helped determine the scope of environmental documentation, alternatives to evaluate, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for the project were accomplished using a variety of formal and informal methods, including project development team meetings, inter-agency coordination meetings, public meetings, focus groups, and one-on-one meetings. This chapter summarizes the results of these efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

The Federal Highway Administration (FHWA), Utah Department of Transportation (UDOT), and Tooele County are the joint lead agencies for this project. They began the National Environmental Policy Act (NEPA) process in May 2007 as an Environmental Assessment (EA). As part of the NEPA process, scoping meetings were conducted, environmental field work was conducted, and alternatives were developed. As the project progressed, the environmental analysis suggested that the potential impacts would warrant a higher level of environmental documentation. In December 2007 FHWA, UDOT, and Tooele County decided that the level of NEPA documentation for this project should be an EIS.

The public as well as federal, state, and local agencies have been and will continue to be invited to participate in the project environmental review process to ensure that a full range of alternatives are considered and that all pertinent environmental issues and resources are evaluated. The participation process affords opportunities to provide comments on the purpose and need for the project, potential alternatives, and social, economic, and environmental issues of concern.

5.2 AGENCY COORDINATION

5.2.1 Coordination Plan

Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU, 23 USC §139) provides procedures for implementing NEPA for transportation projects, and for implementing the regulations of the Council on Environmental Quality (CEQ), 40 CFR parts 1500 through 1508. An objective of SAFETEA-LU is to involve the public and appropriate federal, state, and local agencies in the environmental review process and to move the process along expeditiously.

The purpose of the coordination plan is to facilitate and document the joint lead agencies' structured interaction with the public and other agencies and to inform the public and other agencies of how the coordination will be accomplished. The plan is continually updated with current project information. The project schedule outlined in this coordination plan is required by FHWA and must be provided to all participating agencies, UDOT, Tooele County, and is available to the public upon request.

5.2.2 Joint Lead Agencies

The joint lead agencies for the Midvalley Highway project are FHWA, UDOT, and Tooele County. Their responsibilities include supervising the preparation of the EIS in accordance with NEPA. In addition, SAFETEA-LU Guidance also specifies that lead agencies must:

- provide increased oversight in managing the process and resolving issues;
- identify and involve participating agencies;
- develop coordination plans;
- provide opportunities for public and participating agency involvement in defining the purpose and need and determining the range of alternatives; and
- collaborate with participating agencies in determining methodologies and the level of detail for the analysis of alternatives.

Section 5.3 describes how the joint lead agencies provided opportunities for public and agency involvement and collaborated with agencies regarding analytic methodologies.

5.2.3 Cooperating and Participating Agencies

A cooperating agency is any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. Under some conditions, a state or local agency or Native American tribe may, by agreement with the lead agencies, also become a cooperating agency. Cooperating agencies share responsibility for developing information and environmental analyses related to their respective areas of expertise. Cooperating agencies are, by definition, also participating agencies. As such, cooperating agencies share the responsibilities of SAFETEA-LU participating agencies, including responsibility to participate in the NEPA process at the earliest possible time and to participate in the scoping process.

The Army Corps of Engineers is the only agency that accepted an invitation to be a cooperating agency. However, they have stated that they want a limited role based on staff shortages and availability (see Appendix A). The U.S. Department of Defense was invited but did not accept cooperating agency status. They have, however, provided comments. These agencies met with the project team on a regular basis during the development of the EIS, including development of purpose and need, alternatives identification and evaluation, alternatives refinement, impacts evaluation, and mitigation.

Participating agencies, as defined by SAFETEA-LU, are those with an interest in the project. Participating agencies are responsible for identifying, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts. A participating agency's role is to:

- participate in the scoping process;
- provide meaningful and early input on defining the project "purpose and need;"
- assist in determining the range of alternatives to be considered, and the methodologies and level of detail required in the alternatives analysis;
- participate in coordination meetings and joint field reviews as appropriate;

- review and comment in a timely manner on the pre-draft or pre-final environmental documents;
- provide meaningful and timely input on unresolved issues; and
- participate in meetings to resolve issues that could delay completion of the environmental review process or result in denial of approvals required for project under applicable laws.

Agencies that accepted participating agency status for this project are:

- Erda Planning Commission;
- U.S. Environmental Protection Agency (EPA), Region 8;
- Grantsville City;
- Tooele City; and
- U.S. Fish and Wildlife Service, Utah Field Office.

These agencies met with the project team on a regular basis during the development of the EIS, including development of Purpose and Need, alternatives identification, alternatives refinement, and impacts evaluation.

Other agencies contacted regarding this project that have declined participating agency status are listed in the coordination plan.

5.2.4 Agency Coordination During Scoping

An agency scoping meeting was held June 13, 2007, at the Fire Fighters Museum, Deseret Peak Recreational Complex in Tooele County. Agencies were invited to the scoping meeting by letter. The meeting was an open house format where attendees could ask questions of the project team. The following state and local agencies provided scoping comments:

- State of Utah Department of Environmental Quality: Solid & Hazardous Waste;
- State of Utah School and Institutional Trust Lands Administration;
- State of Utah Department of Environmental Quality: Division of Drinking Water;
- State of Utah Department of Community and Culture: Historic Preservation Office;
- Tooele Valley Airport; and
- Erda Township Planning Commission.

The following issues were raised by these agencies:

- U.S. Fish and Wildlife Service: habitat fragmentation and habitat loss; noise; increased highway mortality rate for wildlife.
- Utah Department of Environmental Quality, Division of Drinking Water: protection of drinking water sources
- Utah Department of Historic Preservation: participation in Section 106 review process.

- U.S. Department of Defense: Proximity to the entrance of the Tooele Army Depot and their water tanks.
- Tooele City: Planned and approved development impacts.
- State of Utah School and Institutional Trust Lands Administration: Water test plumes groundwater monitoring wells, fair market compensation.
- Erda Township: disruption of operation and preservation of unique agricultural lands

5.2.5 Agency Coordination During Development of Purpose and Need and Alternatives

An agency meeting was held on May 29, 2008 to review the project purpose and need and review alternatives development and screening criteria. Major issues addressed in the comments include:

- Request for more alternatives for an interchange at I-80;
- Potential for induced growth in Rush Valley;
- Water test plumes and groundwater monitoring wells;
- Limits of the proposed alignment;
- Project phasing;
- Traffic congestion in Tooele City;
- Longevity of environmental clearances

5.3 LOCAL GOVERNMENT

The Midvalley Highway passes through one rural planning organization and several distinct municipalities. Coordination with these government jurisdictions was conducted throughout the EIS process. Municipalities were invited to be participating agencies and were invited to participate in the NEPA process.

The Midvalley Highway EIS team consulted with Wasatch Front Regional Council (WFRC), the local metropolitan planning organization for Tooele County. WFRC was also involved in development of the purpose and need documented in Chapter 1, and in alternatives identification, alternatives screening, and alternatives refinement as documented in Chapter 2 – Alternatives Considered. Coordination with WFRC staff continued throughout the development of this EIS. Project team staff brought issues to the WFRC as needed.

5.3.1 Municipal Work Group

A Municipal Work Group comprised of representative stakeholders from area communities was brought together for the public scoping period through the first alternatives public meeting. As local governments and key stakeholder groups took a more active role in alternatives development and refinement, the Municipal Work Group was determined unnecessary, as these stakeholders were already receiving project information and providing comment. The Municipal Work Group met twice before the NEPA process was converted to an EIS. The rigorous public involvement process associated with SAFETEA-LU essentially eliminated the need for the Municipal Working

Group. Members of the group continue to be involved in the project via public meetings, email updates and ongoing coordination with joint lead, cooperating or participating agency members.

5.4 PUBLIC CONSULTATION AND COORDINATION

5.4.1 Scoping

This section describes the public outreach conducted during the scoping period and summarizes the resulting comments from the general public.

Notice of Intent

The Midvalley Highway EIS process began on March 3, 2008 with the publication of a Notice of Intent to prepare an EIS in the Federal Register (Appendix A).

Public Scoping Meeting

Scoping is the process of providing an early opportunity for the public and agencies to identify potential issues and alternatives to be addressed in the EIS. Based on previous studies and planning documents, the EIS team compiled a preliminary list of needs, alternatives and potential impacts to present for public response.

The scoping period for the Midvalley Highway project began with a public scoping meeting held June 13, 2007, in Tooele County at the Desert Peak Recreational Complex Firefighter's Museum. The public was notified of the opportunity to participate in the meeting by direct mail, local media, and a project website. The project mailing list included all property owners adjacent to potential alignments. In addition to this list, letters were sent to city staff, elected officials, resource agencies, and transportation and planning boards in the project study area. A media release was sent to the local newspaper, the Tooele Transcript Bulletin. The project website also provided detailed information about the public scoping meeting.

During the public scoping period, presentations were made to the project Municipal Working Group and the city councils of Tooele City and Grantsville. These meetings occurred June, July and August 2007 respectively. Other informal meetings were convened with large property owners such as staff of the Miller Motorsports Park and LDS Church Property Management. Scoping comments were received from June 13 through July 13, 2007. The following section summarizes the comments received during the Scoping period.

5.4.2 Scoping Results

A total of 26 people attended the scoping meeting. The project team received a total of 13 comments from the public during the scoping phase of the project.

The comments were summarized for the project team using categories that address key areas of concern. The comment summary below was compiled from a combination of written comments and verbal comments collected by the project team (Table 5-1).

TABLE 5-1, SUMMARY OF COMMENTS RECEIVED DURING SCOPING

Category of Comments	Comments Received
Purpose and Need	<ul style="list-style-type: none"> - Include mass transit - Address traffic management - Address growth - Support for a potential new roadway
Alternatives	<ul style="list-style-type: none"> - Tunnel to Magna - 1200 West - Sheep Lane - Alignment adjacent to SR-112 - Connect Midvalley Highway to SR-36 - Look at the old railroad track as an alignment - Have alignment go further west to Mormon Trail - Master plan realignment of SR-138 with Adobe Cutoff Interchange - 2400 North - Place a new north-south corridor at the edge of current growth
Environmental	<ul style="list-style-type: none"> - Wetlands - Threatened and endangered species - Wildlife - Water quality
Land Use	<ul style="list-style-type: none"> - Concern about potential disruption of agricultural areas in Erda Township - Concern that although a house can be replaced, a farm will need to relocate outside the valley - Concern with encroachment on the airport perimeter - Consider potential for trails

5.4.3 Alternatives Development and Screening

Alternatives development and screening is the process of creating preliminary engineering and environmental fieldwork for analysis to begin on potential alignments. Based on previous studies and planning documents, the joint lead agencies compiled a preliminary list of roadway alignments based on known or previously studied wetland sensitive areas, avoiding culturally sensitive and residential impacts and working within current land use plans. This section describes the public outreach conducted during the alternatives development phase and summarizes the resulting comments from the public. For the full methodology on the screening of alternatives, see Chapter 2 – Alternatives Considered.

5.4.4 Public Meeting 1 on Alternatives

The alternatives public meeting was held September 27, 2007, at the Tooele County Complex Emergency Services Department. The intent of this meeting was for stakeholders to provide input on the alternatives development process and the alternatives moving forward. Comments on alternatives were accepted on an ongoing basis until the official public hearing.

Postcards were sent to a GIS-generated database mailing list for all bordering property owners along three alignments: Sheep Lane, Sheep Lane East and 1200 West. Letters were sent to city staff, elected officials, resource agencies and transportation and planning boards within the project study area. More than 1,000 postcards and letters

were sent. A media release was sent to the local paper, *The Tooele Transcript Bulletin*. An email update was sent to all members of an email database. The project website was updated two weeks prior to the meeting. A total of 28 attendees signed in at the public meeting and 15 comments were received. The comments have been summarized into general categories and are shown in Table 5-2.

TABLE 5-2, SUMMARY OF COMMENTS RECEIVED FROM THE ALTERNATIVES PUBLIC MEETING
(SEPTEMBER 27, 2007)

Category of Comments	Comments Received
Alternatives	<ul style="list-style-type: none"> - Support for Sheep Lane - Support for a west alignment - Concern for loss of access or roadway bisecting landowner's land - Support for need for additional corridor - Interest in reducing traffic congestion on SR-36 - Concern for impact of an east alignment on the Golden Garden subdivision
Roadway Type	<ul style="list-style-type: none"> - Support for highway
Environmental	<ul style="list-style-type: none"> - Concern with noise impacts and interest in sound walls
Water Quality	<ul style="list-style-type: none"> - Concern for potential impacts to groundwater monitoring wells installed by U.S. Army Corps of Engineers; - Concern with impact to water wells on private property.
Land Use	<ul style="list-style-type: none"> - Concern for impacts to agricultural areas - Concern for roadway bisecting Erda
Cost	<ul style="list-style-type: none"> - Suggestion that developers pay for sound walls and frontage roads for access
Other	<ul style="list-style-type: none"> - Concern for impact to property values - Suggestion to preserve ROW for future transit system - Concern for impact to residents and businesses in project study area

5.4.5 Public Meeting 2 on Alternatives

A second Alternatives Public Meeting was held October 16, 2008, at the Tooele County Health Department. This meeting was an opportunity for stakeholders to provide input on the alternatives development process and the refined alternatives. Comments on refined alternatives were accepted on an ongoing basis until the public meeting.

Letters were sent to adjacent property owners, city staff, elected officials, resource agencies and transportation and planning boards within the project study area. More than 5,000 letters were sent. A media release was sent to the local newspaper, the Tooele Transcript Bulletin, and they conducted an interview that was published two days before the meeting. An email update was sent to all members of the project email database. A vinyl sign measuring four feet by eight feet with meeting information and the project website was placed on the roadside of SR-36 seven days prior to the meeting. Meeting information and the website address were also placed on the Tooele City variable message board at the corner of Main Street and Vine Street two weeks prior to the meeting. A total of 95 attendees signed in at the public meeting, and 30 comments were received. The comments have been summarized into general categories and are shown in Table 5-3.

TABLE 5-3, SUMMARY OF COMMENTS RECEIVED FROM THE SECOND ALTERNATIVES PUBLIC MEETING
(OCTOBER 16, 2008)

Category of Comments	Comments Received
Alternatives	<ul style="list-style-type: none"> - Support for Sheep Lane alignment - Concern for proximity of new roadway to homes and yards - Concern for compatibility of the road work with existing land uses - Concern about loss of access and bisecting landowner's land - Concern about increased traffic volumes and semi-truck turning radius into the Utah Industrial Depot - Support for elevated interchanges - Question the need for a freeway - Support for a multi-lane highway - Support for the east alignment - Suggestion to have major intersections in proximity to major destinations like Desert Peaks and Miller Motorsports Park - Dislike for an arterial section - Question about alternatives development based on previous studies - Concern for perceived significant change in plans since previous planning studies - Suggestion to move road south to avoid existing homes
Environmental	<ul style="list-style-type: none"> - Concern for identification and protection of agricultural land - Concern about increased noise - Question whether sound walls will be part of the project - Concern with noise impacts to Golden Garden subdivision - Concern with noise impacts to animals near 1200 South
Rural Feel	<ul style="list-style-type: none"> - Concern that new roadway will change the rural character of the area - Concern with potential noise and light impacts of a new highway
Water Quality	<ul style="list-style-type: none"> - Concern with potential impacts to groundwater monitoring wells installed by U.S. Army Corps of Engineers - Concern with impact to water wells on private property
Land Use	<ul style="list-style-type: none"> - Concern about disruption to agricultural areas in Erda
Other	<ul style="list-style-type: none"> - Residents open to relocation - Concern with impacts to property values - Request to relieve truck traffic off SR-36 - Concern with proximity of proposed roadway to homes - Concern with construction timing; request to build before major congestion occurs

5.4.6 Community Impacts Assessment

Overview

The Community Impacts Analysis meeting was held with members of the business community and municipalities on January 17, 2008. Attendees indicated that the Midvalley Highway may have many benefits, including community growth, business development and access and mobility improvements, as well as reduction of congestion. The Midvalley Highway is seen as an opportunity for new business, increased tourism, improved and/or preserved aesthetics, quality planning and for preservation of open space. Attendees expressed concern about quality of life issues regarding open space

and agricultural lands. In addition, the greater community (county, city and area towns) has an interest in preserving Erda.

5.4.7 Dan Jones Telephone Survey and Focus Groups

Dan Jones & Associates Inc., conducted qualitative research of a representative sampling of Tooele County residents to obtain feedback on some specific transportation options for a Midvalley Highway corridor. The sample size for the telephone survey was 600 phone numbers.

Two focus groups were also conducted. These studies were designed to explore how selected residents in the project study area feel about transportation. Because these are targeted focus groups, results are not necessarily applicable across the project study area.

These research efforts found that people generally want a new roadway in the Tooele Valley area. They believe a new roadway will give them better access to goods and services, provide an alternate route, accommodate future growth and would help attract new business and employment. However, they do not believe the population will grow to the projected levels that were presented to them. In general, study participants felt that improving access to I-80 can be accomplished with many benefits; however, they were also aware of the need to reduce negative impacts to wetlands, farmlands and the visual character of the valley.

5.5 SUMMARY OF COORDINATION

The public and agency coordination for the Midvalley Highway project included a number of mailings, meetings, and other efforts by the joint lead agencies. In addition, a project website has been updated throughout the project and can be accessed at www.midvalleyhighway.com. Table 5-4 summarizes the dates and meetings held as part of the Midvalley Highway project.

TABLE 5-4, SUMMARY OF PROJECT MEETINGS

Meeting Date	Agency/Group
5/7/2007	Tooele County Coordination
5/14/2007	Tooele City Scoping Meeting
5/14/2007	Grantsville City Scoping Meeting
5/15/2007	Larry Miller Group Scoping Meeting
5/22/2007	Utah Industrial Depot Scoping Meeting
5/23/2007	Tooele County Planning Coordination
5/30/2007	Tooele Army Depot Scoping Meeting
6/13/2007	Agency Coordination
6/13/2007	Public Scoping Meeting
8/1/2007	Land Use Coordination with Tooele County
9/20/2007	Army Depot Coordination
9/26/2007	Army Depot Coordination
9/27/2007	Alternatives Public Meeting
10/17/2007	Army Corps of Engineers Coordination

TABLE 5-4, SUMMARY OF PROJECT MEETINGS

Meeting Date	Agency/Group
1/2/2008	Farm Service Coordination Meeting
1/17/2008	Community Impact Analysis Meeting
2/2/2008	Tooele Airport Meeting
2/5/2008	Tooele City Coordination Meeting
5/15/2008	Tooele County Planning Meeting
5/28/2008	Agency Coordination Meeting
5/29/2008	Agency Coordination Meeting
6/4/2008	Charlie Warr Site Visit
9/10/2008	Tooele City Redevelopment Agency
10/16/2008	Alternatives Public Meeting
11/19/2008	Tooele Army Depot Coordination
12/3/2008	US Fish and Wildlife Service Coordination Meeting
1/28/2009	Agricultural Lands Discussion
2/27/2009	LDS Church/APA Meeting
3/30/2009	County Commissioners Meeting
4/20/2009	County Commissioners Meeting
5/27/2009	County Commissioners Meeting
6/15/2009	Alignments Meeting
7/1/2009	Warr Property Owner Discussion
7/29/2009	Erda Neighborhood Meeting
8/19/2009	Project Open House