

7.0 COORDINATION AND CONSULTATION

Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users created a new Section 139 of Title 23 of the USC mandating, among other requirements, that the lead agency must establish a plan for coordinating public and agency participation in and comment on the environmental review process for a project or category of projects. Stakeholders and public agencies, including those with permitting authority for the project, have been engaged throughout the project's Phase 1 Feasibility Study and the Phase 2 Environmental Process, as indicated below.

During Phase 1, stakeholder meetings were conducted to identify project-related environmental and community issues raised by local agencies and community organizations, as well as regional, state, and federal agencies. A summary of the Phase 1 meetings with public agencies is presented in Table 7-1. Maps of the project area and alternative ferry terminal sites, Project Description Fact Sheets, and a list of potential Issues and Concerns were developed for these meetings. In addition, meetings were arranged with local businesses that could be directly affected by project implementation.

The issues and concerns raised at the stakeholder meetings were then summarized in the Phase 1 report (Berkeley/Albany Ferry Terminal Study, Site Alternatives Analysis, July 2006) and reiterated as oral comments from the agencies and community groups to the WTA Board at the July 26, 2006, meeting. In addition, in September 2005, the Cities of Albany and Berkeley passed resolutions advocating the study and implementation of ferry service in their cities (URS, 2006).

During Phase 2, the Environmental Process was initiated by the publication of the NOI in the Federal Register on February 12, 2007, and the issuance of the NOP, submitted to the State Clearinghouse (refer to Appendix B). The NOI and NOP announced that FTA and WTA were preparing an EIS/EIR for the project alternatives. The announcement described the project background and alternatives considered and explained the Scoping process, including the location of three public meetings, to receive comments on the issues to be addressed in the EIS/EIR. In addition, FTA sent a letter, included in Appendix B, to public agencies announcing the Scoping meetings and inviting the agencies to participate in the Environmental Process. The recipients of the FTA letter are identified in Table 7-2.

Additional information about the Scoping process was publicized through a press release to more than 60 local media outlets and a legal notice published in local newspapers (presented in Appendix B).

On March 2, 2007, in advance of the three public Scoping meetings, WTA conducted a meeting with the Cities of Berkeley and Albany to discuss landside circulation issues and to identify a common approach for analyzing the effects of the project on the local transportation network. On March 7, the first Scoping meeting was held in Berkeley, targeting public agencies having an interest in the project. Evening Scoping meetings were subsequently held in Berkeley and

**Table 7-1
Phase 1 Stakeholder Meetings**

Meeting Date	Meeting Location	Agencies and Organizations Attending
February 9, 2006	Berkeley City Hall	City of Berkeley and City of Albany Staff
February 20, 2006	FTA Regional Office, San Francisco	FTA – Region 9
March 20, 2006	Berkeley Marina Harbormaster Office	East Bay Regional Parks District, Berkeley Shorebird Nature Center, Berkeley Marina Harbormaster, AC Transit, Assoc of Bay Area Governments Bay Trail Project, Berkeley Waterfront Commission
March 22, 2006	Berkeley Marina Harbormaster Office	Golden Gate Audubon, Sierra Club, CESP
March 22, 2006	Berkeley City Hall	Mayor Bates
April 6, 2006	Albany City Hall	Mayor Maris, Albany Waterfront Commission, and Albany Planning and Building Staff
April 20, 2006	Albany City Hall	Mayor Maris and Albany Waterfront Commission
May 5, 2006	URS Corporation, San Francisco	Bay Conservation Development Commission, Army Corps of Engineers, National Oceanic and Atmospheric Fisheries, California Department of Fish and Game

**Table 7-2
Recipients of the FTA Participating Agency Letter**

Name	Organization
Jim Townsend	Eastshore State Park, State Department of Parks and Recreation
Larry Tong	East Bay Regional Parks District
Brian Wiese	East Bay Regional Parks District
Laura Thompson	Bay Trail Project
Lee Huo	Bay Trail Project
Jim Gleich	AC Transit
Nathan Landau	AC Transit
Gary Adams	Caltrans District 4
Alix Bockleman	Metropolitan Transportation Commission (MTC)
Carter Mau	BART
Mark D'Avignon	U.S. Army Corps of Engineers (USACE)
Rob Lawrence	U.S. Army Corps of Engineers (USACE)
Bruce Wolfe	Regional Water Quality Control Board (RWQCB)
William C. Norton	Bay Area Air Quality District (BAAQMD)
Gary Stern	National Oceanographic and Atmospheric Administration (NOAA) Fisheries - National Marine Fisheries Service (NMFS)
Will Travis	Bay Conservation and Development District (BCDC)
Brenda Goeden	Bay Conservation and Development District (BCDC)
Nancy Smith	California State Lands Commission
George Issac	California Department of Fish and Game (CDFG)
Ryan Olah	U.S. Fish and Wildlife Services (FWS)
Peter Hillier	City of Berkeley Office of Transportation
Ann Chancy	City of Albany Community Development Department
Ms. Nandini Shridhar	Caltrans District 4
Mr. Tim Sable	Caltrans Office of Transit and Community Planning
Mr. Rod Chisholm	Chief of Planning Branch, SF District, U.S. Army Corps of Engineers (USACE)
Mr. Randy Lee	Regional Water Quality Control Board (RWQCB)
James R. Bybee	Northern California Habitat Manager National Oceanographic and Atmospheric Administration Fisheries-National Marine Fisheries Service (NMFS)
Mr. Steve McAdam	Bay Conservation and Development District (BCDC)
Mr. David Kranking, Commander USCG	US Coast Guard, Marine Safety Office, SF Bay
Mr. Al Storm	California Department of Fish and Game (CDFG)
Kathleen Dadey	U.S. Environmental Protection Agency (EPA)

Albany on the evenings of March 8 and March 15, 2007, respectively. A summary of the comments received during Scoping is presented in Table 7-3. Comment letters from public agencies and community organizations are presented in Appendix B. The complete summary of the Scoping process, including materials produced for the Scoping meetings and the press release, is provided in the Scoping Report, available on the WETA website.

Consultation with public agencies has been on-going since the completion of Scoping. Discussions with the California Parks Department and Bay Area Conservation and Development Commission occurred after Scoping was completed in March and May 2007. Subsequently, the Cultural Resource APE and technical report were submitted by FTA to SHPO in September 2007 and April 2008, respectively (cover letters are included in Appendix D). In April 2008, FTA also arranged a meeting with NOAA NMFS to discuss biological resource issues identified in the EIS/EIR (correspondence and a summary of NOAA NMFS comments are included in Appendix C). Comments from this meeting have been addressed in this EIS/EIR. In addition, in June 2008, letters were sent to USFWS, CDFG, U.S. EPA, and USACE requesting the opportunity to discuss potential adverse impacts resulting from project implementation (Appendix C). Response letters from these agencies are included in Appendix C. Contact with the Cities of Berkeley and Albany and local businesses has continued during this period.

Agency consultation and approvals required are summarized in Table 7-4.

**Table 7-3
Summary of Scoping Comments (Continued)**

Last Name	First Name	Agency, Organization, or Self	Title	Letter Title	Date	Aesthetics	Access	Air Quality	Alt Eval	Biology/Habitat	Business Impacts	Costs	Impact	Geology	Materials	Historic	Land Use	Noise	Recreation	Ridership	Relief	Service	Site Preference	Travel/Traffic	Water Quality	Other					
GROUP 2: Written and Oral Comments Received During Interagency March 7 Scoping Meeting																															
La Clair	Joe	BCDC			3/7/07	1				1									1								2				
Shafer	Cyndy	California State Parks, Diablo Vista District	Environmental Scientist		3/7/07					1																					
Bachman	Steve	Parks and Recreation, Diablo Vista District	Associate Park & Recreation Specialist		3/7/07														2												
Humphrey	Scott	Coast Guard Vessel Traffic Service Center			3/7/07														1								1				
						0	1	0	0	2	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	3	0				
GROUP 3: Written and Oral Comments Received During March 8 Scoping Meeting																															
Poisson	Neil	Doubletree Berkeley Marina	General Manager		3/8/07	1				1																	1				
Mitchell	Merrille	Self			3/8/07		1																								
Bennett	Edward	Citizens for Eastshore Parks			3/8/07					1																1	1				
Blackwell	Marjorie	Golden Gate Audubon Society	President		3/8/07					1																					
Smalley	Jacqui	Golden Gate Audubon Society	Vice President		3/8/07					1									1												
Bachman	Steve	Parks and Recreation, Diablo Vista District	Associate Park & Recreation Specialist		3/8/07					1									1												
Onqurth	Steve	Self			3/8/07					1																2					
Kamen	Paul	Berkeley Waterfront Commission			3/8/07								1	2											1	1	1				
La Force	Norman	Sierra Club	Chair		3/8/07													1	1					2							
McBride	John	West Berkeley PAC	Chair		3/8/07													1								1					
Levy	Clara	Self			3/8/07																				1	1					
Savidge	Mike	Golden Gate National Recreation Area			3/8/07																					1					
Williams	Sennet	Self			3/8/07																					1	1				
Holan	Jerri	Self			3/8/07																					2	1				
Hartman	Robert	Golden Gate Fields and Berkeley Convention and Visitors Bureau	Manager (Golden Gate Fields), Executive Board Member (Berkeley Convention & Visitors Bureau)		3/8/07																						1				
Berwin	Mary Ann	Self			3/8/07			2																		2					
Levy	Clara	BEST			3/8/07																					1					
Anonymous					3/8/07																						1				
						1	2	1	0	4	3	2	0	0	0	0	2	0	3	0	0	0	0	0	9	10	3	2			
GROUP 4: Written and Oral Comments Received During March 15 Scoping Meeting																															
Larson	Clay	Self			3/15/07	1				1								1								1					
Keppel	Wima	Self			3/15/07			1																		1	2				
Diehl	Kathy	Self			3/15/07			1		1																1					
Outis	Robert	Self			3/15/07					1																					
Okawachi	Jewel	Self			3/15/07					1																					
Cheasty	Robert	Citizens for Eastshore Parks			3/15/07					3								1								2	2				
La Force	Norman	Sierra Club	Chair		3/15/07					1								2		1					1	1					
Jordan	Preston	Self			3/15/07							2									2					2	1				
Parker	Brian	City of Albany Waterfront Committee			3/15/07							1	1					1								1					
Moffat	Susan	Self			3/15/07														1	3	1					1	1				
Maass	Peter	Albany Planning and Zoning Commission			3/15/07															1						1					
Goldberg	Tracey	Self			3/15/07																										
Herman	Gene	Progressive Democrats East Bay, United Seniors of Oakland and Alameda County, Sierra Club			3/15/07			1		1															1	3	1				
Dann	William	Albany Shoreline, Albany Waterfront			3/15/07																					2	3				
So	Eddy	Self			3/15/07																					1	2				
Maris	Allen	Self			3/15/07																						3				
Jones	Patricia	Self			3/15/07			1		2										1						2					
Jordan	Preston	EBBC, Albany Strollers and Rollers			3/15/07							2																			
TOTAL						1	8	8	7	6	29	5	12	6	1	3	1	22	1	36	13	5	0	4	2	1	3	9	18	7	0

**Table 7-4
Agency Approval or Permits Required**

Agency	Approval or Permit
City of Berkeley	Design Review, Utility, and Use Permits
City of Albany	Design Review, Utility, and Use Permits
U.S. Army Corps of Engineers Dredge Material Management Office	Dredge Permit, Consolidated Section 10/Section 404 Dredge and Dredge Disposal
San Francisco Bay Conservation and Development Commission (BCDC)	BCDC Permit, Approval for Waterfront Usage Consistency/ Fill in the Bay, authorization for temporary use of the Bay Trail right-of-way for construction purposes.
National Oceanic and Atmospheric Administrating National Marine Fisheries Service	Incidental Take Permit, Consultation on Eelgrass and National Oyster Issues.
Eastshore State Park District and California State Parks Department of Parks and Recreation	Dredging Approval, Permit to Allow Direct Use of Aquatic Parklands for Alternatives C and D
Regional Water Quality Control Board	General Construction Activity Stormwater Permit, Section 401 Water Quality Certification
Bay Area Air Quality Management District	Conformity Determination