



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SEATTLE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 3755
SEATTLE, WASHINGTON 98124-3755

RECEIVED
MAY 15 2003
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MAY 13 2003

Regulatory Branch

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Washington Department of Transportation
Mr. Jeff Sawyer
Olympic Region
Post Office Box 47440
Olympia, Washington 98504-7440

Reference: Tier II DEIS Comments
SR 167 Puyallup to SR 509

Dear Gentlemen:

Thank you for the opportunity to review the Tier II Draft Environmental Impact Statement for the extension of SR 167 from Puyallup to SR 509. As a cooperating agency listed on the DEIS, we have a number of concerns. Our primary concerns are discussed below while other concerns are summarized by page number in the attachment.

Section 404(b)(1) of the Clean Water Act prohibits the discharge of dredged or fill material into waters of the United States unless the proposed discharge is the least environmentally damaging practicable alternative capable of achieving the proposal's purpose. In this case, the "discharges" being evaluated under Section 404 are primarily wetland fills and stream relocations. For non-water dependent activities, such as new roadways, associated with fills in special aquatic sites, practicable alternatives that do not involve fill in these sites are presumed to be available, unless clearly demonstrated otherwise. An additional presumption is that when a fill is proposed in a special aquatic site, all practicable alternatives that do not require fill in these sites are presumed to have less adverse impact on the aquatic ecosystem, unless clearly demonstrated otherwise.

The Tier II DEIS presents substantial new information about the proposed project. The Tier I EIS, in which the various agencies concurred with "Alternative 2" as the preferred corridor alignment, presented approximately 8 acres of wetland impacts. The Tier II document describes over 30 acres of potential impact. This is substantial new information under the Signatory Agency Committee (SAC) Agreement and could lead to a revisitation of previous concurrence points.

The SAC Agreement requires WSDOT to provide the information necessary to identify the least environmentally damaging practicable alternative early in the joint NEPA/SEPA

F01-001

F01-002

RESPONSE F01-001

A Section 404(b)(1) Analysis has been completed for this project and is included as chapter 4 in the FEIS. The 404(b)(1) analysis demonstrates that "Alternative 2" from the Tier I FEIS is the least environmentally damaging practicable alternative (LEDPA). An analysis of Tier I versus Tier II wetland impacts is provided in section 4.1.3 of the FEIS. This information was reviewed by your agency during SAC Concurrence Point 3. We appreciate your concurrence response of September 14, 2004 indicating that many of your concerns with regard to the Draft Environmental Impact Statement (DEIS) have been addressed. Specifically, you indicated that concerns about the increase in wetland impact between the Tier I and the Tier II analyses have been addressed in a logical and creative fashion.

RESPONSE F01-002

A Section 404(b)(1) Analysis has been completed for this project and is included as chapter 4 in the FEIS. The 404(b)(1) analysis demonstrates that "Alternative 2" from the Tier I FEIS is the least environmentally damaging practicable alternative (LEDPA). Through collaboration with your agency, the project re-examined wetland impacts associated with the corridor determination from Tier I. This analysis is provided in section 4.1.3.

process. Since the Tier I document described alternatives that show less impact (14 to 16 acres) than the current Tier II corridor (over 30 acres), there are off-site alternatives that would meet the 404 (b)(1) requirement to select the least environmentally damaging practicable alternative. There is no explanation in this DEIS of why the “preferred” alternative corridor alignment, now with over 30 acres of wetland impacts, is the least environmentally damaging practicable alternative. The range of alternatives appears to be inadequate since all of the alternatives presented are much more environmentally damaging than those discussed in the Tier I EIS. Therefore, we may not be able approve the current configuration based on the information supplied in this document.

The on-site alternatives presented in the Tier II DEIS only vary in their impacts by about an acre out of 30 acres. The bulk of the impacts appear to be related to the mainline portion of the proposed roadway and there are no alternatives presented for this portion of the project. In addition, a cursory review of some of the drawings in the DEIS show opportunities for avoidance that are not explored in the document leading the reader to believe that even within this corridor there may be other less damaging alternatives that are not presented. The document does not adequately evaluate alternatives under the 404 (b)(1) guidelines.

The SAC Agreement also emphasizes a preference for alternatives that avoid adverse impacts to wetlands. The document also does not present information on how impacts were avoided. Section 404 (b)(1) requires an analysis of how impacts have been avoided or minimized and reduced. Appropriate measures to minimize impacts do not include compensatory mitigation. Mitigation comes last after all possible impacts have been first avoided and then minimized. Compliance with the required 404 (b)(1) analysis of alternatives is more substantive than simply disclosing impacts and presenting a compensatory mitigation plan.

A second area of concern is related to potential floodplain impacts. The floodplain maps in the document are very helpful and we appreciate the recalculation of potential flood hazards based on current watershed conditions to show flood prone areas. However, Executive Order 11988 on Floodplain Management issued May 24, 1977, states that the Corps should “avoid direct or indirect support of floodplain development wherever there is a practicable alternative.” As noted above, the DEIS does not demonstrate that there are no practicable alternatives. Both direct and indirect impacts to the floodplain will need to be addressed more thoroughly. The new roadway will affect, in part, the density, distribution, scope, duration, and/or timing of the growth and development in the floodplain and thus has indirect impacts on the floodplain. In addition, E.O. 11988 states that if floodplain impacts cannot be avoided, then compensatory floodplain storage is required. Proposals for avoiding, minimizing and mitigating for floodplain impacts are not adequately discussed in the document.

The third area of primary concern is related to compensatory mitigation for wetland impacts. The project proponent is proposing to concentrate all of the compensatory mitigation in a single off-site location along the Puyallup River. The document is misleading when it repeatedly refers to a 256-acre mitigation site when only 50 acres of wetland compensation is proposed. We agree that there can be some benefits from concentrating compensatory mitigation into a large site. Long-term management and viability might be greater with one large site.

RESPONSE F01-003

F01-002

A Section 404(b)(1) Analysis has been completed for this project and is included as chapter 4 in the FEIS. The 404(b)(1) analysis demonstrates that “Alternative 2” from the Tier I FEIS is the least environmentally damaging practicable alternative (LEDPA). Mainline avoidance and minimization efforts are described in section 4.2.2. FHWA and WSDOT will also continue to evaluate potential opportunities to incorporate additional avoidance and minimization measures during final design.

F01-003

RESPONSE F01-004

F01-004

A Section 404(b)(1) Analysis has been completed for this project and is included as chapter 4 in the FEIS. The 404(b)(1) analysis demonstrates that “Alternative 2” from the Tier I FEIS is the least environmentally damaging practicable alternative (LEDPA). On March 7, 2005, your agency concurred that the preferred build alternative is the Least Environmentally Damaging and Practicable Alternative (LEDPA) with clarification that although the level of detail provided is appropriate for the NEPA process, this information will need to be developed to a much greater degree of specificity by the time permits are applied for. FHWA and WSDOT will also continue to evaluate potential opportunities to incorporate additional avoidance and minimization measures during final design.

F01-005

RESPONSE F01-005

F01-006

Floodplain impacts, including indirect and cumulative impacts, have been clarified in sections 3.2.6 & 3.2.7. Embankments and structures will be designed, to the extent practicable, to pass maximum flood flows. If necessary, additional flood storage will be provided. A final mitigation plan addressing floodplain mitigation measures will be developed prior to construction. In addition, the proposed RRP would remove existing obstructions such as buildings, embankments, and roadways, and reestablish a more natural condition for the floodplain as well as the existing wetlands. Compensatory mitigation for wetlands would also be provided by creating new wetlands in the project area. Existing and new mitigation areas would include buffers and connection to other wetlands and upland habitats through the new floodplain area developed in the Stormwater Management Plan which will be developed in the Design phase of the project.

However, the large areas associated with the relocations of Hylebos Creek and the Surprise Lake Drain would appear to provide better opportunities for compensatory mitigation closer to the location of the actual impacts.

The DEIS also inadequately describes impacts to wetlands functions and does not show how the proposed mitigation site will compensate for those impacts. Impacts should be described by wetland type, functions, and subbasin. Then mitigation can be developed that more directly addresses the impacts. It is not clear how the proposed site, which is separated from the Puyallup River by a roadway and the rest of the valley's natural systems by an elevated railroad line, would provide adequate compensation for functions or improve conditions for fish and wildlife. The document does not explain how the proposed mitigation site, which is described as having sandy soils and limited water, might be converted into a successful wetland area.

Thank you for the opportunity to review this document. As a cooperating agency we would like to see this document provide enough information for our permit review process. If you have any questions, please feel free to contact Ms. Kate Stenberg at (206) 764-6912.

Sincerely,

Michelle Walker, Chief
South Application Review Section

Attachment

- cc: Elaine Somers, USEPA
- Nancy Brennan-Dubbs, USFWS
- Mike Grady, NMFS
- Sharon Love, FHWA
- Cynthia Pratt, WDFW
- Therese Swanson, Ecology
- Phil KauzLoric, WSDOT

RESPONSE F01-006

F01-006

A Conceptual Mitigation Plan has been developed for this project, identifying several potential wetland mitigation sites (see FEIS section 3.3.7). WSDOT worked extensively with the COE during August and September 2004 to reach mutual concurrence on a Conceptual Mitigation Plan. It was noted that the final plan will need more detail before the COE 404 permit is approved.

F01-007

In March 2005, the COE and WSDOT reached agreement to support a watershed approach to identifying sites for compensatory mitigation (Regulatory Guidance Letter 02-2). Accordingly, the final wetland mitigation plan will maintain a watershed focus. The considered wetland mitigation site(s) will be within the Puyallup River watershed (WRIA 10) and will be selected to prioritize, if possible, locations within the project area ("on-site") and within the specific sub-watershed(s) where substantial impacts to wetlands may occur.

The potential Mitigation sites identified in the Conceptual Mitigation Plan are currently being evaluated as to their positive and negative effects on wildlife and fish, not only at the Puyallup River, but at Hylebos and Wapato Creeks. The final mitigation sites will be selected when the final design is nearly complete and it is known what wetlands are actually affected and what mitigation is required. It is intended that wetlands that best meet the goals and objectives of improving the project area, and that can be connected and supported by the future Stormwater Management Plan, would be those included in the project (see Figure 3.3-1).

RESPONSE F01-007

Since the DEIS was distributed, FHWA and WSDOT have conducted additional analyses of potential project impacts to water resources and wetlands. These impacts were analyzed per sub-basin, and sections 3.2 and 3.3 of the FEIS have been updated to include this information. Before initiating permitting or preparing a final wetland mitigation plan, FHWA and WSDOT intend to reevaluate all wetlands affected by this project, including revisiting wetland delineation and categorizations over 3 years old. This will include an assessment of wetlands within the RRP and the final wetland mitigation site(s). The COE will be invited, upon confirmation of anticipated wetland impacts prior to construction, to review the final wetland delineation and categorization in the field.

As indicated in the Conceptual Mitigation Plan and in section 3.3.7 of the FEIS, several potential wetland mitigation sites have now been identified for the project. In coordination with stakeholder agencies, WSDOT will select one or more of the considered mitigation site(s) to best compensate for unavoidable impacts to wetlands after the Tier II Record of Decision (ROD) is issued.

ATTACHMENT 1

Tier II DEIS SR 167 Puyallup to SR509
Additional comments

Page:

S-9: The project will have secondary or indirect impacts. The document is incorrect in stating that there are no secondary impacts and the analysis of these impacts is incomplete. For example, the new road will affect, in part, the density, distribution, scope, duration, and/or timing of new growth and development in the affected area and, thus, will affect things like the floodplain. As another example, the roadway will directly result in the loss of farmland and some farm operations (the document notes several farmers who believe the roadway will impact their operations such that they will quit farming) and it will make access more difficult for remaining farms. This will lead to a decline in the demand for farm support services which could lead to those services relocating outside of the area, making it more difficult for remaining farmers to operate, and so on, into a declining spiral of secondary effects.

S-15: Impacts to fish and wildlife are never limited to displacement. If an area is no longer suitable for a particular species, whether due to direct loss of cover by paving or indirect effects of "increased noise and activity levels" then that area is no longer suitable for that species and the total available habitat has been decreased by that amount. When the total available habitat is reduced the population also declines. Please disclose all of the impacts.

S-16: If the proposed design with the roadway being placed on fill rather than a bridge structure would impede wildlife movement in an east-west direction, then perhaps other alternatives should be considered.

S-17: The map on this page does not show chinook habitat. Chinook do occur in the area. Perhaps this oversight is due to the color choices for the map. The legend shows chinook habitat should be yellow which probably doesn't show up on the yellow map background.

S-17: Are the potential negative impacts of debris from bridge demolition entering the water mentioned on this page also covered under water quality impacts?

S-23: The document incorrectly characterizes cumulative impacts. An analysis of cumulative impacts is not done by comparing the impacts of the project to everything else that has or will happen in an area. Cumulative impacts are, instead, the addition of the impacts of the project to other reasonably foreseeable actions. A very small incremental impact may still be significant if past actions have pushed a system to a threshold point. For example, the loss of the last connection for chinook salmon migration may be a very small incremental impact and yet be a significant cumulative impact.

RESPONSE F01-008

Indirect impacts have been clarified in the FEIS. Resources that were expected to experience substantial cumulative change were identified as critical resources and those sections in the FEIS were updated to include both an indirect and cumulative impact analysis. Critical resources for the project are water resources (section 3.2); wetlands (section 3.3); wildlife, fisheries, and threatened and endangered species (section 3.4); land use, socioeconomics, and environmental justice (section 3.11); farmland (section 3.12); and cultural resources (section 3.16).

RESPONSE F01-009

The impacts to fish and wildlife have been clarified in the FEIS. For more information, please see section 3.4.3 for construction impacts, section 3.4.4 for operation impacts, 3.4.7 for indirect impacts, and 3.4.8 for cumulative impacts.

RESPONSE F01-010

The addition of low-cost wildlife crossings and the use of over-sized culverts or clear-spanning structures will be considered at appropriate locations.

RESPONSE F01-011

The FEIS no longer contains a figure showing Chinook habitat. Information on impacts to Chinook habitat is discussed in section 3.4 of the FEIS.

RESPONSE F01-012

Potential water quality impacts from demolition of the bridges are discussed in section 3.2.4 of the FEIS.

RESPONSE F01-013

The cumulative impact section was developed following discussions and meetings with several agencies. The agencies involved were EPA, FHWA, NOAA Fisheries and USFWS. Cumulative impacts for the critical resources have been clarified (see response to comment F01-008, above). In addition, section 3.17 now contains a summary of cumulative impacts including the Net Environmental Benefits Analysis done for the RRP.

F01-008

F01-009

F01-010

F01-011

F01-012

F01-013

1-6: Specific mitigation measures required in the Tier I ROD should be enumerated here and distinguished from the Tier II mitigation measures. What were these “specific mitigation measures”?

1-7: As a cooperating agency, this document must meet the Corps requirements for 404(b)(1) analysis and review of public interest factors. The list of issues to be covered in this EIS, therefore, must also include floodplain hazards and floodplain values. These topics are covered later in the document, but they should also be enumerated in the list on this page.

3-3: The summary table of water resource impacts seems incomplete. In later sections, the document describes a wide variety of significant impacts including relocation of stream channels, replacement and addition of culverts, and construction and demolition of bridges that are not highlighted in this introductory summary.

3-8: Farmers with fragmented fields are much more likely to give up farming. A surface street connection does not mean that farm machinery will be able to mix with modern traffic. A surface street connection is also not necessarily as accessible or as quick as the current situation. Additional time to move equipment or restrictions on moving equipment will add to other incentives to cease farming operations. The statement that the mainline would not create a barrier to the movement of farm equipment does not appear to be correct.

3-28: The text discusses several stream crossings required by the various 54th Ave. interchange options and yet the table (3.2-3) shows no impact to water resources. Please include a discussion of both the in-water work and any indirect impacts to the water resources.

3-29: Table 3.2-4 contains a row titled “stream channel relocation.” Is this the amount of existing stream channel that will be lost or the amount of new channel that will be created? If it is the amount that will be created, how much will be lost? The text discussion of the stream channel relocations is unclear. Please include details about the amount of impact, the amount of restoration, the functions that will be impacted or restored, the location of the impacts and restoration work, etc.

3-32: The text of the document seems to imply that the project will establish wildlife corridors that link to existing upland habitats. Where are these corridors located? Where are the upland habitats located? How is the connection made? Are any of these areas protected by any public or non-profit entity in perpetuity? Is there documentation for the functionality of these connections? Some large parcels of the upper Hylebos watershed are protected. How do these currently protected lands relate to this connectivity issue? Simply showing undeveloped forestlands is misleading as these may not be long-term connections.

RESPONSE F01-014

The specific mitigation measures required in the Tier I Record of Decision (ROD) are included in Table 1-2 of the FEIS. This table discusses the mitigation commitments made during the Tier I process. The project commitments are included in Appendix F of the FEIS.

RESPONSE F01-015

Floodplain issues are included in chapter 3.2. The list on page FEIS 1-15 is revised to read “Water Resources (Waterways, Hydrology, Water Quality, Hydrogeology, and Floodplains).

RESPONSE F01-016

Table 3.0-1, the matrix of environmental effects, has been reformatted and updated.

RESPONSE F01-017

The project will bisect three parcels currently being farmed; any impact to equipment access will be mitigated per section 3.12.6 of the FEIS.

RESPONSE F01-018

Only one ditch crossing is required in the 54th Street Loop Ramp option. section 3.2.4, 54th Avenue East Interchange, has been clarified to reflect the crossing for the purpose of comparison.

RESPONSE F01-019

Stream fill impacts and the proposal to relocate Hylebos Creek and Surprise Lake Drain are described in the SR 167 Conceptual Mitigation Plan and section 3.2 of the FEIS.

RESPONSE F01-020

The proposed RRP would reestablish a more natural condition for the floodplain surrounding the project corridor by removing obstructions, such as buildings, embankments and roadways. Compensatory mitigation areas for wetlands will also be provided, including buffers. The new expanded floodplain areas and wetlands including buffers would provide more open space areas that would offer connectivity to exiting wildlife habitats. The Hylebos Watershed, including upland habitats, would be connected through the expanded floodplain areas included in the RRP. Due to their use for flood protection, these areas would be protected from being developed for perpetuity. Please see revised figure 3.4-12 showing wildlife connectivity.

F01-014

F01-015

F01-016

F01-017

F01-018

F01-019

F01-020

3-33: In any locations where you can predict that there will be regulated impacts, such as new stream crossings or the filling of ditches and drainage courses, please provide as much information as possible to assess alternatives and impacts, and to assist with future permit review.

F01-021

3-33: Would the crossing of the Fife Ditch for the 54th Ave. interchange be completely outside of the ordinary high water mark? In-stream work and impacts to aquatic resources are not necessarily the same thing. Please make sure that the text and tables clearly reflect which type of impact is being discussed.

F01-022

3-39: Under roadway crossings for wildlife linkages are mentioned several times in the text. Where are these located? What are the habitats on either side of the roadway? What do these connections link? What species would be served? What impacts are they mitigating? The document needs more detail on these issues.

F01-023

3-41: The text states that the floodplain impacts in the vicinity of the 54th Ave. interchange are “minimal”. Please define “minimal”. The document must add up all of the impacts for the total project. Individual increments cannot be omitted because they are “minimal”.

F01-024

3-44 – 45: Federal regulations require that impacts are first avoided and then minimized, perhaps by redesign of the project. The last step, if there are still some impacts, is to propose compensatory mitigation. Please clearly describe the steps taken to avoid and then minimize impacts in this document.

F01-025

3-45: Section 404 of the Clean Water Act requires permitted projects to also be in compliance with other federal laws. The Corps will be coordinating with EPA to determine whether the project is in compliance with the Federal Safe Drinking Water Act.

F01-026

3-46: While revegetated roof systems are a way to manage stormwater runoff, they are probably not a very practical method of mitigating stormwater runoff from a highway project. It is not clear why they are mentioned in the document.

F01-027

3-64: The DEIS incorrectly describes how prior converted wetlands and farmed wetlands are defined and treated. This section needs to be corrected. The Corps does not regulate prior converted wetlands even if they are being taken out of farming uses. The Corps does regulate farmed wetlands when they are being converted to non-agricultural uses. We would not assert jurisdiction over prior converted wetlands and the text needs to be corrected on this point. However, if WSDOT chooses to combine all of the wetland areas together for ease of analysis and to simplify communication and management in the field, the Corps does not object.

F01-028

3-66: “Ditches” that relocate or divert water flows from pre-existing natural channels may fall within the jurisdiction of the Corps. These areas need to be re-evaluated to

F01-029

Since the DEIS, the Wildlife Connectivity analysis has been moved from the Water Resources section to Section 3.4 Wildlife, Fish, and Threatened and Endangered Species. The text has been expanded to explain the potential for the RRP to provide protection and restoration of a fairly large contiguous block of land (189 acres) in the urbanized Puyallup Valley. Please see Section 3.4.3 and revised figure 3.4-12 showing where the upland habitats are located. Additionally, WSDOT and FHWA have been working with groups such as the Friends of Hylebos Wetlands, NOAA Fisheries, Department of Fish and Wildlife, Department of Ecology, and US Fish and Wildlife in proposing areas to connect wildlife in the Hylebos watershed and Wapato watersheds.

RESPONSE F01-021

Instream work, including removal of undersized crossings and construction of new crossings, has been clarified in sections 3.2.4 and 3.4.3 of the FEIS.

RESPONSE F01-022

It is anticipated that the crossing at Fife Ditch will be a clear span above the ordinary high water mark. The new stream crossing will be designed to result in no long-term impact to water quality. Please see section 3.2.4, 54th Avenue East Interchange for information about the stream crossing of Fife Ditch.

RESPONSE F01-023

The addition of low-cost wildlife crossings and the use of over-sized culverts or clear-spanning structures will be considered at appropriate locations. The habitats on either side of the roadway will vary from wetland, riparian and upland habitats to grassy roadside areas. The species served by the wildlife crossings will also vary depending on the size and location of the crossings. Some will only be able to accommodate smaller animals such as raccoons. Others will be large enough to accommodate larger wildlife such as deer. Specific designs for the crossings are not yet available. Please see revised figure 3.4-12 for additional spatial information regarding wildlife connectivity.

RESPONSE F01-024

Floodplain impacts, including indirect and cumulative impacts, have been clarified in sections 3.2.5 through 3.2.7 of the FEIS.

RESPONSE F01-025

Steps taken to avoid and then minimize impacts to wetlands, streams, and floodplains have been clarified in sections 3.2 and 3.3 of the FEIS. A Conceptual Mitigation Plan has been reviewed by your agency. A final mitigation plan addressing wetland, stream mitigation measures will be developed prior to construction. FHWA and WSDOT will also continue to evaluate potential opportunities to incorporate additional avoidance and minimization measures during final design.

determine whether they should be included in the tabulation of jurisdictional waters under the Clean Water Act.

3-67: The text states that there are several isolated wetlands in the project area. The determination of isolated wetlands has become more complicated recently, and ultimately will need to be made by the Corps. It is unclear in the text how this term is being used in the document and whether these wetlands are included in the total impacts described.

3-69: The difference between prior converted and farmed wetlands is not defined in the text and there is incorrect information about how these areas are regulated. Are the designations in Table 3.3-1 correct?

3-73: The description of the Hylebos Creek relocation and riparian restoration plan is confusing and incomplete. What is the area of impact to the existing creek? How much stream channel will be created? How much riparian buffer will be created? How much wetland area will be created? Restored? Enhanced? Again, the text appears to mis-use the term "prior converted" wetlands. Are these really prior converted wetlands or are they farmed wetlands. How will the restoration plan enhance prior converted wetlands? Simply ceasing farming operations will not allow them to revert to wetlands since the hydrologic regime of prior converted wetlands has been significantly altered. How will the restoration plan restore wetland hydrology to these areas?

3-77: How will the proposed wetland mitigation site improve fish habitat since it is separated from the Puyallup River by a road? The proposed site is described in the text as having sandy soils and limited water. What features indicate that wetland creation in this site might be successful? The proposed mitigation site is also separated from other habitat features in the landscape such as wetlands, streams and forested areas. How will this mitigation site function given its isolation?

3-78: While the Corps is supportive of innovative watershed approaches to compensatory mitigation it is still important to analyze wetland impacts by sub-basin. While there may be significant off-site mitigation opportunities, as a first step, wetland mitigation should occur within the sub-basin where impacts occur. Additional documentation will be needed to explain the need to look at off-site mitigation locations.

3-79: The text is correct that federal regulations prohibit wetland fill unless there is no practicable alternative. This document does not provide sufficient information to show that there is no practicable alternative.

3-81: The use of a line called "jurisdictional boundary" on all of the wetland drawings is confusing. Another term like "incorporated limits" or "county and city boundaries" might be less confusing.

3-105: Great blue herons are territorial feeders. Replacing a variety of scattered wetlands with one large wetland mitigation site will likely negatively impact this species.

RESPONSE F01-026

We have coordinated with all other federal, state and local agencies (including the EPA) responsible for implementing regulations to ensure the project is in compliance with the Federal Safe Drinking Water Act. The comments from these agencies in this regard have been incorporated into this FEIS.

RESPONSE F01-027

Vegetated roof systems are no longer considered as an option to manage stormwater runoff from the proposed facilities.

RESPONSE F01-028

The discussion on regulation of prior converted wetlands is clarified in the introductory portion of section 3.3 (under Regulatory Authority).

RESPONSE F01-029

All "ditches" that are part of the existing system or added to the project will be surveyed and revaluated prior to final design. Those that are determined to fall within the jurisdiction of the Corps will be fully delineated and included in the tabulation of wetlands to be submitted to the Corps for authorization in the 404 permit and the final Wetland Mitigation Plan.

RESPONSE F01-030

In the DEIS, isolated wetland was used in the context of hydrologic isolation. It is not intended to convey jurisdictional determination, just an observation of the hydrologic connectivity of the wetlands in question. The COE is responsible for determining wetland isolation in light of the Solid Waste Agency of Northern Cook County (SWANCC) decision. Accordingly, wetlands considered to be hydrologically isolated were still included in the wetland impact calculations in section 3.3.

RESPONSE F01-031

A description of the difference between prior converted wetlands and farmland wetlands has been added to the introductory portion of section 3.3 (under Regulatory Authority). In addition, the wetlands analysis has been reformatted such that the existing wetland classes and rating are listed per sub-basin, with the added clarification regarding prior converted or farmed wetlands present in the study area (see Tables 3.3-1 through 3.3-3).

RESPONSE F01-032

In collaboration with stakeholders such as your agency, the Riparian Restoration Proposal (RRP) has been further described in sections 3.2, 3.3, 3.4, and 3.17 of the FEIS. Future design of the RRP will be coordinated with your agency and other stakeholders through the RRP Technical Advisory Group.

F01-029

F01-030

F01-031

F01-032

F01-033

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F01-037