

5. COMMENTS AND RESPONSES

Chapter 5 of the Final SEIS contains comments received on the Draft SEIS and responses to the comments. A total of 31 comments were received on the Draft SEIS during the comment period. Of the 31 comments, eight were from persons that commented in writing or verbally at the public hearing held on Saturday, February 8, 2020, at the Brinnon School in Brinnon, WA.

Each comment and the transcript of the public hearing are included in this section of the Final SEIS. Comment letters/numbers appear in the margins of the letters/transcript commentary and are cross-referenced to the corresponding responses. Responses are provided by comment number after the bracketed comments. Expressions of opinions, subjective statements, legal arguments, and positions for or against the Proposed Action and Alternatives are acknowledged without further response.

The comments are coded according to categories listed below:

- A – Agency comment
- T – Tribal comment
- O – Organization comment
- P – Public citizen comment

COMMENT LETTER A1

Name	Comment
A1-1	<p>Eric Kuzma</p> <p>Thank you for the opportunity to comment on the Duckabush River Estuary Restoration Project being pursued by WDFW and others. Based upon the information presented it appears as though the project will primarily entail removing two obsolete WSDOT bridges along US101 and the associated causeway fill, replacing them with a 2,100 linear foot bridge located further upstream. The project will include channel excavation and restoration work. It will also include the realignment of the Duckabush Road intersection in order to "square it up" with the proposed US101 alignment.</p>
A1-2	<p>We suggest that a left turn lane on US 101 at Duckabush Road be considered in the design. While it may not currently meet warrants for one, the right time to do it would be as part of this larger construction project. In association with the Duckabush Road-US101 intersection realignment, the current plans indicate that the initial segment of Duckabush Road will be converted to a bridge. If so, we would like clarification as to who would own and be responsible for the intersection and maintenance of this structure. Since it would be integral to the new US101 bridge, we believe that it should remain with WSDOT, and that County responsibility and right-of-way for Duckabush Road would begin westerly of the new bridge terminus. We believe that the proposed bridge or box culvert intended to replace the existing Pierce Creek culvert under Shorewood Road would be appropriate at that location. On Exhibit 'B', 'Typical Bridge Section' (D), a total (inside face of curb) width of 32 ft. is specified together with a shoulder width of 3 ft. Based upon AASHTO and WSDOT design guidelines it appears as though 11 ft. is an allowable lane width and 5 ft. would appear to be the appropriate shoulder width. We note that (2) 11 ft. lanes and (2) 5 ft. shoulders would add up to 32 ft., but question why a 3 ft. wide shoulder was specified? Thank you for the opportunity to comment. Please continue to coordinate with our office as plans for this project develop.</p>

COMMENT LETTER T1



PORT GAMBLE S'KLALLAM TRIBE
 NATURAL RESOURCES DEPARTMENT
 31912 Little Boston Rd. NE – Kingston, WA 98346

Port Gamble S'Klallam Tribe
 Natural Resources Department
 31912 Little Boston RD NE
 Kingston, WA 98346

February 18, 2020

Lisa Wood
 SEPA/NEPA Coordinator
 WDFW Habitat Program, Protection Division
 P.O. Box 43200
 Olympia, WA 98504-3200

Re: Duckabush Estuary Project Comments

To Whom It May Concern:

T1-1

The Port Gamble S'Klallam Tribe (PGST) appreciates being included in the design phase of the Duckabush Estuary Project and would like to provide the following comments to the Draft SEIS. As has been partially captured in the Draft SEIS, the Duckabush River estuary, and watershed at large, support natural resources of vital commercial, subsistence, and ceremonial value to the Tribe. It is therefore of the utmost importance that this project is planned and implemented in such a way that there is a net benefit to those natural resources that rely on the river, and that the *Project Goals and Objectives* laid out in section 2.1 are realized.

T1-2

Parking and Access: Specific parking areas for public access to WDFW lands have not been identified in the Draft SEIS, only that parking “would be provided in the vicinity” and that “the existing gravel parking lot on the northwest side of Highway 101 is likely to be modified into a smaller parking lot although a final location had not been confirmed”. Considering the scope of the project and its potential impact to tribal shellfishing rights, the Tribe is uncomfortable with that level of ambiguity and would like parking areas incorporated upfront into the project design. Ensuring adequate parking and sufficient access to the tidelands is especially important considering the constraints inherent to an elevated roadway, particularly one being “designed to discourage parking on the shoulder of the highway” (tribal harvesters sometimes access the tidelands now by parking on the shoulder of the highway).

When considering public parking and access, please keep in mind that commercial shellfish harvesters’ access requirements are different than those of the general public. Tribal harvesters typically carry 80 to 100 pound bags of shellfish from the tidelands to their vehicles during commercial harvests, and most can only do so over distances of roughly a half-mile or less.

Phone: (360) 297-4792 Fax: (360) 297-4791

COMMENT LETTER T1



PORT GAMBLE S'KLALLAM TRIBE
 NATURAL RESOURCES DEPARTMENT
 31912 Little Boston Rd. NE – Kingston, WA 98346

- T1-2 | Based on the public comments included in Appendix A, the public shares the Tribe's concerns about access and parking (see comments 47, 48 and 53).
- Mitigation for Loss of Treaty Harvest Opportunity During Construction If Access is Precluded:*** If construction of the Duckabush Estuary Project will preclude reasonable parking and access to the tidelands for a period of time in excess of three contiguous months (not including the conditional closure May 1 to October 31), mitigation measures for lost treaty harvest opportunity should be provided. Mitigation could involve the redistribution of shellfish quota from nearby public tidelands (i.e. Triton Cove, Dosewallips, and/or Quilcene) or the purchase of shellfish seed for distribution to same.
- T1-3 | ***Mitigation for Loss of Treaty Harvest Opportunity If Construction Directly Damages Tidelands or Shellfish Beds:*** If the tidelands or shellfish beds are directly harmed as a result of the Duckabush Estuary Project, above and beyond that anticipated in the Draft SEIS, mitigation measures for lost treaty harvest opportunity should be provided. This provision would take effect if actions designed to minimize impacts to shellfish resources during construction (i.e. silt curtains, timing of construction work) are not followed or prove insufficient. Mitigation could take the same form as that from lost treaty harvest opportunity due to obstructed access during construction (see above). However, if construction results in unanticipated damage to the Duckabush tidelands such that it becomes unsuitable for shellfish survival, growth and recruitment, measures to repair the tidelands should be taken. This suggested mitigation measure would not apply if natural processes (i.e. channel migration, flooding), not linked to construction activities, result in damage to the tidelands or shellfish beds.
- T1-4 | ***Additional Shellfish Survey Data:*** Additional shellfish survey data from the Duckabush tidelands is available, including Manila clam and native littleneck clam population estimates from 2014-2019 and Pacific oyster population estimates from 2002-2019. The Tribe can furnish this data if it would be useful for inclusion in the SEIS or elsewhere.
- Thank you again for the opportunity to comment on this project and please continue to include the Port Gamble S'Klallam Tribe in all phases of this collaborative effort.

Sincerely,

Jason Haveman
 Shellfish Biologist, Port Gamble S'Klallam Tribe
 Office: (360) 297-6283 | jasonh@pgst.nsn.us

Phone: (360) 297-4792 Fax: (360) 297-4791

COMMENT LETTER T2



POINT NO POINT TREATY COUNCIL

Port Gamble S'Klallam * Jamestown S'Klallam

February 19, 2020

Lisa Wood, SEPA/NEPA Coordinator
 WDFW Habitat Program, Protection Division
 PO Box 43200
 Olympia, WA 98504-3200

RE: Duckabush Estuary Restoration Project

Dear Ms. Wood,

T2-1 Thank you for meeting with us on Nov 20, 2019 and for soliciting comments on the SEPA Draft Supplemental Environmental Impact Statement (SDEIS) for the Duckabush Estuary Restoration Project. The Point No Point Treaty Council (PNPTC) is a tribal organization that provides fisheries support services to the Jamestown S'Klallam and Port Gamble S'Klallam Tribes. Both Tribes have Usual and Accustomed (U&A) fishing and historic hunting areas in Hood Canal and the Strait of Juan de Fuca. The S'Klallam have treaty protected rights in this region and this proposed project lies within this area. The Tribes rely on the healthy habitat conditions that sustain critical finfish, shellfish and wildlife populations which support activities that are fundamental to the economies and cultures of our tribal communities. The PNPTC is largely supportive of the Duckabush Estuary Restoration Project. However, we want to emphasize the importance of your continued consultation with the Tribes throughout the implementation of the project. As the design and detailed construction plans and modeling efforts come available, please assure that there is ample opportunity for tribal review and incorporation of suggested needs, especially in regards to shellfish and salmonid habitat needs.

Below, we briefly reviewed some concerns for WDFW and partners to consider:

T2-2 The SDEIS should provide additional information about the impact to tribal fishers by including more detail on construction design and plans for incorporating tribal consultation prior to final design features being employed. Below are some of our recommendations:

- T2-3 a) **Tribal Review:** The SDEIS should consider including S'Klallam review of channel migration zone modeling and effects on shellfish beaches, identifying which beds will be most affected.
- T2-3 b) **Ensure public access:** Access points to the beach need to be incorporated into the bridge/restoration design, so that tribal fishers continue to be able to access critical shellfish beaches.
- T2-4 c) **Construction Window:** The draft SDEIS should employ a construction window that avoids periods of salmonid spawning and rearing salmonid activities. The SDEIS should avoid all ESA-listed and non-listed species, including but not limited to summer chum, fall chum, Chinook, steelhead and forage fish species of in-water work windows. PNPTC strongly

COMMENT LETTER T2

Page 2 of 2

- T2-4 | recommends applying an in-water work window that is the least impacting to these species, and concentrating the most impacting in-water construction during periods when these species are least likely to be present in the area (both adult and juvenile). Experts recommend avoiding construction from August through early March.
- T2-5 | **d) Impacts to Finfish and Shellfish:** Provide pre- and post-construction monitoring protocols to track changes of fisheries resources as restoration actions are being completed.
- T2-6 | **e) Wildlife considerations:** Consider elk habitat. Elk spend most of their time adjacent to 101 in March-April and July-September. Loud noise disturbance should be avoided especially during calving season (March-April). Ensure site hydrology maintains grassy meadows that are native grass-dominated.
- T2-7 | **f) Climate change considerations:** Please include potential climate change impacts to the proposed study, especially in regards to natural resources.
- T2-7 | We largely support projects that aim to restore estuaries back to their natural functions. It is our hope that we can continue to work together in striving towards healthy habitats and ecosystem recovery. We also support additional comments put forth by the Port Gamble S’Klallam and Jamestown S’Klallam tribes. Again, thank you for the opportunity to comment on the Supplemental DEIS for this project. Should you have any questions regarding these comments, feel free to contact me at 360-297-6534.

Sincerely,



Cynthia A. Rossi
Habitat Protection Program Manager, PNPTC

COMMENT LETTER O1

	Name	Comment
O1-1	Dennis Harman	I would like to say first that I have been asking for a comment area on notifications of upcoming action by WDFW for some time. WILL THESE COMMENTS BE VISIBLE TO THE PUBLIC????? WILL WE BE ABLE TO SEE WHAT THE PUBLIC REACTION IS??? it is most important for us to see this!!!!
O1-2		I am for rehabilitation and reclamation of areas damaged by State projects, like Highway construction. etc...first and foremost..this needs to be done immediately... FIRST!!! With public fishing access provided where it is feasible...BUT NOT PRIVATE PROPERTIES UNLESS THEY ALLOW RECREATIONAL FISHING ACCESS WHERE THE WORK WAS DONE... THEY CANNOT ENJOY THE REHABILITATION FOR THEMSELVES ALONE... On public land, WDFW needs to insure at all times that access is provided to Pedestrian entrance>>>we cannot repair private land for the land oners enjoyment only...you are using wdfw funds provided by THE FISHERMAN OF WASHINGTON STATE... THANK YOU FOR THE OPPORTUNITY TO COMMENT.. Dennis Harman...Reel River Fishers Adcocacy Group

COMMENT LETTERS P1, P2, P3, P4

	Name	Comment
P1-1	Colby Mackley	Please comment as to the Historical significance of the bridges that were beautifully crafted by skilled tradesman of an important era of American History. I would like to see WA State SHPO comment further as to the regard of their significance. Thank you for you efforts.
P2-1	Jeff Sxchafer	im almost 72,lived here all my life,why fix some thing that isn't broke,leave the land alone,put more fish back,100 years from now,there wont be any more fish
P3-1	James Michael	This is a fantastic project with multiple benefits. Transportation, water quality and fish and wildlife. I fully support this effort and hope to see it implemented soon.
P4-1	Reid Johnson	<p>I support the goals of the project outlined in the Duckabush Estuary Restoration DSEIS.</p> <p>I am concerned, however, about the lack of details describing environmental mitigation plans during construction presented in this EIS. In particular, there is virtually nothing detailing how effects on migrating salmon will be minimized. Restoring salmon within the Duckabush watershed is one of the primary goals, yet the only sentence in the DSEIS I can find addressing the impact on salmon during construction is: "The NEPA EIS provides best management practices to avoid potential impacts to fish species during construction."</p> <p>Appendix A of the DSEIS notes similar concerns by members of the public as represented by comment 24: "How will the salmon run be addressed with the silt and sludge generated by [the] excavation and construction?" The Responses to these concerns cite "best management practices" and NEPA EIS chapters 5.7.2 and 6.1.1.12, which only list general goals in bullet form for the projects in the three different locations. This is not close to an adequate response.</p>
P4-2		<p>It seems to me that the DSEIS is the time to provide specifics for the Duckabush project. For example, will some of the work (exactly what) be limited to certain (exactly when) times of the year when the different species of salmon are not running. What about the juveniles? What about other fish, waterfowl, etc that live or depend upon the estuary.</p> <p>I hope to see a detailed plan in the next phase.</p> <p>Reid Johnson rcjohnson@mednet.ucla.edu</p> <p>Local Address (south side of Duckabush estuary) 221 Canal Lane Brinnon, WA 98320</p>

COMMENT LETTER P5, P6

	Name	Comment
P5-1	Michael Sprouffske	While I am all for this project I have some concerns with this alignment. You are moving it upriver several hundred feet which places the highway and noise, that much closer to the houses and recreation properties in the Olympic Canal Tracts (OCT). I want to encourage the partners in this project to plant a buffer of native trees that that will grow to a height that will provide a noise buffer. Maybe a mixture of Blue Spruce, Grand Fir and Cottonwood.
P5-2		Will the State pay the annual dues for the lots it acquires from OCT?
P5-3		Will there be any change in the river channel that is going to adversely affect the shellfish and tidelands of OCT?
P6-1	Micheal McFarlane	<p>As a property owner on the Duckabush River, I support the proposed Duckabush Estuary Restoration Project in full. My support largely follows the reasons stated in the project proposal. I have observed the problems that currently exist near the mouth of the Duckabush, and this project addresses many of them. My reasons for support are stated here:</p> <ol style="list-style-type: none"> 1. If nothing else, the aging Duckabush River bridge needs to be replaced like several others on Highway 101 along Hood Canal. The current bridge is narrow and is a safety concern where traffic often includes large trucks. 2. The dike-like earthwork of the approaches to the current bridges have a damming effect on the river during high flows. During seasonal floods, especially when peak flow occurs in conjunction with high tides, there is now insufficient capacity for water to freely flow out. The earthworks are partly to blame for serious flooding that has occurred along lower areas of the river. The more open design being proposed would let the water flow out more freely and not back up. 3. The proposed bridge structure would allow a more natural form of the estuary to reestablish. This includes the development of marshlands and a better distributary form for the river delta. This is a benefit to both wildlife and the reduction of flooding potential. 4. The reestablishment of the estuary would help a wide diversity of wildlife on the estuary. In addition, salmon and steelhead would will benefit from better ingress and egress to/from the river, and their fry/parr/smolt would have better habitat in which to stage their departure to fully marine waters.

COMMENT LETTER P7

Name	Comment
P7-1	<p>Fredrick Fischer</p> <p>As a preface to my comments on the Draft SEIS for the Duckabush Estuary Restoration Project, I want to share an underlying observation about the process for public transparency and full disclosure. As one of the private property owners (Parcel ID 981301412) identified in Appendix C (Section 2.0 and Exhibit B, 1.2.1) of the July 2016 NEPA EIS, it seems I should have been apprised of this project activity in that time period. I was also not notified of the public scoping meeting held in Brinnon on July 13, 2019 with its corresponding 30-day comment period. I received first knowledge of this project with a letter from the Washington State Department of Transportation (DOT) dated September 11, 2019 regarding prospective survey activity. I also received the Fall 2019 Project Newsletter (the second newsletter) in a November mailing from the Department of Fish and Wildlife. My first opportunity for direct participation was with a post card invitation postmarked January 30, 2020, to attend the public hearing and open house in Brinnon on February 8, 2020 where project representatives were available to respond to questions.</p>
P7-2	<p>Regarding the Draft SEIS, I have the following comments that are primarily linked to property issues.</p> <p>Section 1.9 Schedule and Phasing includes specific reference to the Preconstruction Engineering and Design (PED) phase. Section 2.6.3 Additional Project Information addresses proposed action including Section 2.6.3.1 Property Acquisition Information with another reference to PED phase evaluation. However, comment 66 in Table A-1 of Appendix A of the Draft SEIS raises the issue of eminent domain that is also mentioned in Section 14.0 of Appendix C (dated January 2016) of the NEPA EIS. The 2016 discussion includes a reference to the power of eminent domain under the legislative provisions of RCW 77.12.037 and, if essential, the need to engage early in the process to initiate the required legislative actions enabling the exercise of this power, as needed. The discussion about anticipated real estate interests in 2.6.3.1 should include the possibility of “eminent domain.” (As an aside, the RCW cited uses the term “power of condemnation.”) If state legal staff anticipates the need for any further legislative authority to support the project, the Draft SEIS should be expanded to accelerate this particular issue given the lead time needed to prepare for the 105-day regular session of the Legislature starting in January 2021.</p>

COMMENT LETTER P7

P7-3

Section 3.3 Transportation addresses regional and local issues and Section 3.3.2.2 Proposed Action provides more information and details. The last paragraph of this section describes private property driveways that connect to Duckabush Road just west of the Highway 101 intersection that may be temporarily impacted by construction. This paragraph needs to be expanded to include the private property driveway off Highway 101 that serves Parcel ID 981301412, south of the Duckabush River and part of the Olympic Canal Tracts. In the DOT letter that I received in September, it is designated 10 in the parcel map attachment. This private property driveway allows direct access from the shoulder of Highway 101 up the existing slope to the lower elevation and flatter portion of the parcel. This improvement is decades old and memorialized with posts in the ground along the 92 foot portion of boundary line beside the highway. (See attached photo.) This driveway and slope both appear to be at risk of loss with the Project Acres estimate of 0.27 in Appendix C of the NEPA EIS (Section 2.0 and the real estate map at Exhibit B, 1.2.1). There are a number of companion ownership issues (including “eminent domain”) that will need to be addressed in the PED phase. With changes made to this section of the Draft SEIS, the last sentence of the first paragraph in Section 1.4.2 Human Environment may need revision too.

Thank you for the opportunity to submit these comments – Frederick S. Fischer.



PUBLIC MEETING ON 2/8/2020



- COURT REPORTING
- LEGAL VIDEOGRAPHY
- VIDEOCONFERENCING
- TRIAL PRESENTATION
- MOCK JURY SERVICES
- LEGAL TRANSCRIPTION
- COPYING AND SCANNING
- LANGUAGE INTERPRETERS



NAEGELI
DEPOSITION & TRIAL

CELEBRATING
40
YEARS IN BUSINESS

(800) 528-3335
NAEGELIUSA.COM

DUCKABUSH ESTUARY RESTORATION

PUBLIC HEARING AND OPEN HOUSE

**HELD ON
SATURDAY, FEBRUARY 8, 2020
10:00 A.M.**

**BRINNON ELEMENTARY SCHOOL
46 SCHOOLHOUSE ROAD
BRINNON, WASHINGTON 98320**

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DUCKABUSH ESTUARY RESTORATION
PUBLIC HEARING AND OPEN HOUSE
HELD ON
SATURDAY, FEBRUARY 8, 2020
10:00 A.M.

P8-1

MR. PETTIJEAN: Hello. My name is Gordon Pettijean, and I have a property on, I suppose, just Allen Creek. I need to report that this year there were no salmon returning to the creek.

P9-1

MR. BEMENT: My name is Barry Bement, B-e-m-e-n-t. I live at 30 Elk Court East. And at -- I'm up on a hill. At the bottom of the hill or the edge of the hill, there's a trail that goes down to the Fish and Game parking lot. This parking lot is a major trail for the herd of elk, the Duckabush elk herd. So they go through that parking lot, up the trail, past my house, and then they disperse off into the canal tracts, or wherever they go up in there. So that's a major trail that I'd like for you to keep in mind that there's elk there, and that's one of their major routes to get up and down out of the river. My other concern is, as a part of the canal tracts, we have millions of oysters that we manage ourselves. This state has some kind of program where they shut off the state beaches on May 2nd. Whether they've tested it or not, they just decided that May 2nd is

P9-2

NAEGELI  **(800)528-3335**
DEPOSITION & TRIAL **NAEGELIUSA.COM**

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 3

P9-2

1 the only good day to shut off state access to the beaches,
 2 which I think is ridiculous, because it's not based on
 3 science whatsoever. So we have our own oysters tested every
 4 week or two. So we were able to keep our beach open all
 5 last year. There was like a one-week period, maybe two
 6 weeks, where we had to close it. Otherwise, our oysters
 7 were clean and healthy for everybody to eat. My main concern
 8 is once you start all this excavation, if we start getting
 9 silt and mud in our oysters, then I will go ahead and
 10 organize a crew, and we will stop you from doing any more
 11 construction. It's called standing in front of bulldozers
 12 in, you know, like Tiananmen Square. It's extremely
 13 important that you take extreme measure not to get any silt
 14 on our oysters. It's taken many years since the 60's for
 15 the canal tracts to develop one of the best oyster beaches
 16 in the Hood Canal, and we would not stand for you guys to
 17 destroy it.

18 **THE REPORTER:** All right, sir. Start whenever
 19 you're ready.

P10-1

20 **MR. MYHRE:** I live down in Robinson Road. And, of
 21 course, we have wells down there that people live on the
 22 road. And my question is: Will there be any kind of a
 23 study or indication of what impact would have on the ground
 24 water coming down the Duckabush for our wells?

P11-1

25 **MR. WICKHAM:** So I'm Richard Wickham, and I live

NAEGELI  **(800)528-3335**
 DEPOSITION & TRIAL **NAEGELIUSA.COM**

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 4

P11-1

1 down -- I've got property at the Duckabush, and I live down
2 at 313788 Highway 101, four miles south of the Duckabush
3 Estuary. My concerns are it seems like a done deal already,
4 but that's -- that's a moot point, whether it is or not. Is
5 the new bridge is replacing two shorter bridges, and the --
6 from the looks of it, it's going to be over a thousand feet
7 long. And it's going to be built of pilings or piles that
8 go down into the estuary. And during an earthquake event,
9 how is it going to hold up if they're decommissioning taking
10 out the viaduct in Seattle because there's -- it was built
11 in '54. Why -- who's to say what this thing won't suffer
12 similar -- similar problems in an earthquake? I know they're
13 going to build it to 2020 or '22 standards when they build
14 it, but it seems like, from the intel from the core
15 drillers, there's no bottom. They couldn't find the bottom
16 on the Duckabush. They didn't hit hard ground. So that's
17 one concern. The other is if we are increasing the height of
18 the water level, sea levels of the earth through climate
19 change, the estuary is going to move up in a couple hundred
20 years and won't be where it is now. It's going to move up
21 the river. So taking out the causeway will be a moot point,
22 because the estuary is moved. And another thing is when they
23 go to replace the thousand-foot-long bridge, which's going
24 to have a lifespan of what, 80 years or a hundred years,
25 think of the problems it's going to take to build a

NAEGELI  **(800)528-3335**
DEPOSITION & TRIAL **NAEGELIUSA.COM**

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 5

P11-1

1 diversionary road, which is one of the reasons they want to
2 build the elevated new road anyhow rather than build two --
3 to replace the two existing short bridges, they have to
4 build diversion -- traffic diversion temporary bridges. So
5 I'm just thinking, do you think in the future maybe it's not
6 the best plan, but -- for now. And then there's no --
7 there's no guarantee it's going to cause any more salmon to
8 be spawned than there is now. There's no proof that it's
9 going to create a lasting effect. Sure, it's going to
10 enhance the delta, the estuary. And that's pretty much all
11 -- as a use of the Duckabush, though, it's going to -- a
12 realignment of the Duckabush is another problem that I see.
13 The new bridge is going to be higher. And then aesthetics,
14 it's not going to look nearly as nice as the causeway which
15 has trees and shrubs on it. So those are my main concerns
16 of what -- what the future holds for this project. Thank
17 you.

P11-2

(WHEREUPON, the hearing concluded at 1 p.m.)

PUBLIC MEETING ON 2/8/2020

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

I, Angel Hernandez, do hereby certify that I reported all proceedings adduced in the foregoing matter and that the foregoing transcript pages constitutes a full, true and accurate record of said proceedings to the best of my ability.

I further certify that I am neither related to counsel or any party to the proceedings nor have any interest in the outcome of the proceedings.

IN WITNESS HEREOF, I have hereunto set my hand this 20th day of February, 2020.



Angel Hernandez

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 7

1	Barry 2:11	coming 3:24	Duckabush 2:1
1 5:18	based 3:2	concern	2:16 3:24
10:00 2:5	beach 3:4	2:21 3:7	4:1 4:2 4:16
101 4:2	beaches	4:17	5:11 5:12
	2:24 3:1	concerns	during 4:8
	3:15	4:3 5:15	
2	Bement 2:11	concluded	<u>E</u>
2020 2:4 4:13	B-e-m-e-n-t	5:18	earth 4:18
22 4:13	2:11	construction	earthquake
2nd 2:24 2:25	BEMENT 2:11	3:11	4:8 4:12
	best 3:15 5:6	core 4:14	East 2:12
3	bottom 2:13	couple 4:19	eat 3:7
30 2:12	4:15 4:15	course 3:21	edge 2:13
313788 4:2	bridge 4:5	Court 2:12	effect 5:9
	4:23 5:13	create 5:9	elevated 5:2
5	bridges 4:5	creek 2:9	elk 2:12 2:15
54 4:11	5:3 5:4	2:10	2:16 2:20
6	build 4:13	crew 3:10	enhance 5:10
60's 3:14	4:13 4:25		estuary 2:1
8	5:2 5:2 5:4	<u>D</u>	4:3 4:8 4:19
8 2:4	built 4:7	day 3:1	4:22 5:10
80 4:24	4:10	deal 4:3	event 4:8
	bulldozers	decided 2:25	everybody 3:7
A	3:11	decommissioni	excavation
A.M 2:5	<u>C</u>	ng 4:9	3:8
able 3:4	canal 2:18	delta 5:10	existing 5:3
access 3:1	2:22 3:15	destroy 3:17	extreme 3:13
aesthetics	3:16	develop 3:15	extremely
5:13	cause 5:7	disperse 2:17	3:12
ahead 3:9	causeway 4:21	diversion 5:4	
Allen 2:8	5:14	5:4	<u>F</u>
already 4:3	change 4:19	diversionary	FEBRUARY 2:4
anyhow 5:2	clean 3:7	5:1	feet 4:6
	climate 4:18	done 4:3	Fish 2:14
B	close 3:6	drillers 4:15	front 3:11

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 8

future 5:5 5:16	<hr/> I <hr/> I'd 2:19	miles 4:2 2:8	
<hr/> G <hr/> Game 2:14	I'm 2:12 3:25 5:5	millions 2:22	piles 4:7
getting 3:8	impact 3:23	mind 2:19	pilings 4:7
Gordon 2:7	important 3:13	moot 4:4 4:21	plan 5:6
ground 3:23 4:16	increasing 4:17	move 4:19 4:20	point 4:4 4:21
guarantee 5:7	indication 3:23	moved 4:22	pretty 5:10
guys 3:16	intel 4:14	mud 3:9	problem 5:12
<hr/> H <hr/> hard 4:16	I've 4:1	MYHRE 3:20	problems 4:12 4:25
healthy 3:7	<hr/> L <hr/> last 3:5	<hr/> N <hr/> nearly 5:14	program 2:23
hearing 2:2 5:18	lasting 5:9	nice 5:14	project 5:16
height 4:17	level 4:18	<hr/> O <hr/> one-week 3:5	proof 5:8
HELD 2:3	levels 4:18	open 2:2 3:4	property 2:8 4:1
Hello 2:7	lifespan 4:24	organize 3:10	PUBLIC 2:2
herd 2:15 2:16	live 2:12 3:20 3:21 3:25 4:1	Otherwise 3:6	<hr/> Q <hr/> question 3:22
higher 5:13	long 4:7	ourselves 2:23	<hr/> R <hr/> rather 5:2
Highway 4:2	lot 2:14 2:15 2:16	oyster 3:15	ready 3:19
hill 2:12 2:13 2:13	<hr/> M <hr/> main 3:7 5:15	oysters 2:22 3:3 3:6 3:9 3:14	realignment 5:12
hit 4:16	major 2:15 2:19 2:20	<hr/> P <hr/> p.m 5:18	reasons 5:1
hold 4:9	manage 2:23	parking 2:14 2:15 2:16	replace 4:23 5:3
holds 5:16	May 2:24 2:25	past 2:17	replacing 4:5
Hood 3:16	maybe 3:5 5:5	people 3:21	report 2:9
house 2:2 2:17	measure 3:13	period 3:5	REPORTER 3:18
hundred 4:19 4:24		Pettijean 2:7	RESTORATION 2:1
			returning 2:10



(800)528-3335
 NAEGELIUSA.COM

PUBLIC MEETING ON 2/8/2020

Environmental Impact Public Meeting February 8, 2020 NDT Assgn # 24634-5 Page 9

<p>Richard 3:25</p> <p>ridiculous 3:2</p> <p>river 2:21 4:21</p> <p>road 3:20 3:22 5:1 5:2</p> <p>Robinson 3:20</p> <p>routes 2:20</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>salmon 2:9 5:7</p> <p>SATURDAY 2:4</p> <p>science 3:3</p> <p>sea 4:18</p> <p>Seattle 4:10</p> <p>seems 4:3 4:14</p> <p>short 5:3</p> <p>shorter 4:5</p> <p>shrubs 5:15</p> <p>shut 2:24 3:1</p> <p>silt 3:9 3:13</p> <p>similar 4:12 4:12</p> <p>sir 3:18</p> <p>south 4:2</p> <p>spawned 5:8</p> <p>Square 3:12</p> <p>stand 3:16</p> <p>standards 4:13</p> <p>standing 3:11</p>	<p>start 3:8 3:8 3:18</p> <p>state 2:23 2:24 3:1</p> <p>stop 3:10</p> <p>suffer 4:11</p> <p>suppose 2:8</p> <p>Sure 5:9</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>taking 4:9 4:21</p> <p>temporary 5:4</p> <p>tested 2:25 3:3</p> <p>Thank 5:16</p> <p>there's 2:13 2:20 4:10 4:15 5:6 5:7 5:8</p> <p>they're 4:9 4:12</p> <p>they've 2:25</p> <p>thousand 4:6</p> <p>thousand- foot-long 4:23</p> <p>Tiananmen 3:12</p> <p>tracts 2:18 2:22 3:15</p> <p>traffic 5:4</p> <p>trail 2:14 2:15 2:17 2:19</p> <p>trees 5:15</p>	<hr/> <p style="text-align: center;">V</p> <hr/> <p>viaduct 4:10</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>water 3:24 4:18</p> <p>week 3:4</p> <p>weeks 3:6</p> <p>wells 3:21 3:24</p> <p>whatsoever 3:3</p> <p>whenever 3:18</p> <p>WHEREUPON 5:18</p> <p>wherever 2:18</p> <p>whether 2:24 4:4</p> <p>which's 4:23</p> <p>who's 4:11</p> <p>Wickham 3:25 3:25</p>	
---	--	--	--


(800)528-3335
 NAEGELIUSA.COM

COMMENT LETTER P12



Duckabush Estuary Restoration Project

Draft Supplemental Environmental Impact Statement Comment Form

Comments must be received by February 20, 2020 at 5 p.m.

Name: Dele Gunnesser	Address: 40630 N US Hwy 101 Lilliana, Wa. 98555
Email Address:	
Comment: <div style="text-align: center; font-family: cursive;"> <p>Great Meeting - Thanks</p> <p>Do this again, when the final design has been approved, money provided, before construction begins</p> </div>	

(Continue on the back of this sheet)

P12-1

Mail completed comment form to:
 Lisa Wood, SEPA/NEPA Coordinator
 Habitat Program, Protection Division
 P.O. Box 43200
 Olympia, WA 98504-3200

Alternate submittal methods:
 Email: SEPADesk2@dfw.wa.gov
 Online: wdfw.wa.gov/Duckabush

COMMENT LETTER P13



Duckabush Estuary Restoration Project

Draft Supplemental Environmental Impact Statement Comment Form

Comments must be received by February 20, 2020 at 5 p.m.

Name: Vicki & Ed Jones	Address: 3223 Duckabush Rd. Box 505 T5 11110042A-98320
Email Address: Jones@dundis.net	

Comment:

Will there be a left hand turn lane off 101 on to The Duckabush Rd - many residents over the years - would be a good idea!

(Continue on the back of this sheet)

P13-1

Mail completed comment form to:
 Lisa Wood, SEPA/NEPA Coordinator
 Habitat Program, Protection Division
 P.O. Box 43200
 Olympia, WA 98504-3200

Alternate submittal methods:
 Email: SEPADesk2@dfw.wa.gov
 Online: wdfw.wa.gov/Duckabush

COMMENT LETTER P14



Duckabush Estuary Restoration Project

Draft Supplemental Environmental Impact Statement Comment Form

Comments must be received by February 20, 2020 at 5 p.m.

Name: <i>Mickey Canada</i>	Address: <i>881 Duckabush Rd</i>
Email Address: <i>MlCanada1953@Gmail.com</i>	
Comment: <p><i>1) There are many people that stop to take pictures of the mountains that walk the current levee & bridges to get the perfect picture. Please allow for parking & walking on the upstream side of the road way.</i></p> <p><i>2) In future meeting please include Corcoran Engineers staff as it pertains to construction methods of the bridge I would find that interesting</i></p>	

(Continue on the back of this sheet)

P14-1

Mail completed comment form to:
 Lisa Wood, SEPA/NEPA Coordinator
 Habitat Program, Protection Division
 P.O. Box 43200
 Olympia, WA 98504-3200

Alternate submittal methods:
 Email: SEPADesk2@dfw.wa.gov
 Online: wdfw.wa.gov/Duckabush

COMMENT LETTER P15



Duckabush Estuary Restoration Project

Draft Supplemental Environmental Impact Statement Comment Form

Comments must be received by February 20, 2020 at 5 p.m.

Name: <i>Judy A. HAZLEY</i>	Address: <i>851 DUCKABUSH</i>
Email Address:	<i>MAILING #550937th AVE SE LACEY, WA 98503</i>
Comment: <div style="text-align: center;"> <p><i>MY CONCERN IS FOR OUR BEACH W/OYSTERS & CLAMS & DOWN RIVER AFFECTS ON SEAMOUNT ESTATES BEACH.</i></p> <p><i>APPROXIMATELY HOW LONG WILL THIS TAKE & WHEN WILL IT BEGIN?</i></p> </div>	
(Continue on the back of this sheet)	

P15-1

Mail completed comment form to:
 Lisa Wood, SEPA/NEPA Coordinator
 Habitat Program, Protection Division
 P.O. Box 43200
 Olympia, WA 98504-3200

Alternate submittal methods:
 Email: SEPADesk2@dfw.wa.gov
 Online: wdfw.wa.gov/Duckabush

COMMENT LETTER P16



Duckabush Estuary Restoration Project Draft Supplemental Environmental Impact Statement Comment Form

Comments must be received by February 20, 2020 at 5 p.m.

1/2

Name: JOSEPH S. SUEWING DIANE K. SUEWING	Address: 99 HOLCOMB RD. KELSO, WA 98626
Email Address: (PHONE: 360-423-9033)	
Comment: FEB. 16, 2020 WE ATTENDED YOUR MEETING ON 2-8-2020 AT THE BRINNON SCHOOL. WE HAD CONVERSATIONS WITH STAFF PRESENT, INCLUDING BILL ELLIOTT, PROJECT ENGINEER, ABOUT OUR CONCERNS ABOUT LANDSLIDES CAUSED BY HWY. 101 CONSTRUCTION. WE WERE TOLD TO RE-SUBMIT OUR CONCERNS. WE OWN LOTS #10 & #11 ON MOUNTAIN TRAIN COURT AND THEY ABOUT HWY. 101 ON THE EAST SIDE.	

P16-1

Mail completed comment form to:
Lisa Wood, SEPA/NEPA Coordinator
Habitat Program, Protection Division
P.O. Box 43200
Olympia, WA 98504-3200

Alternate submittal methods:
Email: SEPADesk2@dfw.wa.gov
Online: wdfw.wa.gov/Duckabush

OVER →

RECEIVED
FEB 24 2020
HABITAT PROGRAM

COMMENT LETTER P16



Duckabush Estuary Restoration Project

Draft Supplemental Environmental Impact Statement Comment Form

2-16-2020

2/2

Comment:

WE WANT THIS ISSUE TO REMAIN HIGH ON YOUR AGENDA AS YOU MOVE FORWARD WITH YOUR DESIGN.

WE WOULD LIKE TO BE NOTIFIED OF YOUR MITIGATION PLANS FOR POSSIBLE LANDSLIDE & SLIPPAGE ALONG OUR BOUNDARY WITH HWY. 101

* PLEASE REFERENCE OUR SUBMITTAL OF 7-22-2019 FOR DETAILS.

ALSO, I HAVE CIRCLED OUR PROPERTY ON THE ATTACHED PHOTO.

Joseph S. Swelling
Diane Kay Swelling

(Attach additional pages if you need more space.)

P16-1

COMMENT LETTER P16

Duckabush Estuary Restoration



Washington Department of FISH and WILDLIFE

2-16-2020

SUEWING SUBMITTAL



COMMENT LETTER P16



Duckabush Estuary Restoration Project

Supplemental Environmental Impact Statement (SEIS)

Public Hearing and Open House Handout

Project Background

Washington Department of Fish and Wildlife (WDFW), in partnership with the U.S. Army Corps of Engineers and the Hood Canal Salmon Enhancement Group (HCSEG), is proposing a restoration project on the Duckabush River estuary. The project would reconnect the Duckabush River to neighboring floodplains and wetlands by removing highway fill, modifying local roads and, elevating Highway 101 onto a bridge spanning the Duckabush River estuary.

The Duckabush River estuary is currently impacted by fill, dikes, and road infrastructure, which blocks water channels and limits natural habitat for fish and wildlife, including endangered salmon species.

For more project information visit: wdfw.wa.gov/Duckabush

What is a Supplemental Environmental Impact Statement and how do I comment?

A Supplemental Environmental Impact Statement (SEIS) is a document that adds to a previously published EIS to identify possible environmental impacts and avoidance, minimization, and mitigation options. WDFW selected four elements of the environment for analysis in the Draft SEIS based on interest during a public scoping process: water; plants and animals; transportation; and noise. Review of this draft by the public and decision-makers allows the opportunity to provide input into the final SEIS. A final SEIS will be issued in mid-2020 that will include responses to comments received on this draft SEIS.

The comment period is open for 30 days and will conclude at **5 p.m. on February 20, 2020**. You can provide comments at today's meeting. Comments may also be submitted any time during the comment period using one of the following methods.

- Online: wdfw.wa.gov/Duckabush
- Email: SEPADesk2@dfw.wa.gov
- By mail to the SEPA Responsible Official:

Lisa Wood, SEPA/NEPA Coordinator
WDFW Habitat Program, Protection Division
P.O. Box 43200
Olympia, WA 98504-3200

Contact us with any questions:
Theresa Mitchell (360) 902-2750 | theresa.mitchell@dfw.wa.gov
Seth Ballhorn (360) 791-4987 | seth.ballhorn@dfw.wa.gov

COMMENT LETTER P16



Duckabush Estuary Restoration Project

Supplemental Environmental Impact Statement

Comment Form

Comments must be received by July 26, 2019 at 5 p.m.

1/2

Name: JOSEPH S. SUEWING DIANE K. SUEWING	Address: 99 HOLCOMB RD. KELSO, WA 98626
Email Address: —	

Comment: JULY 22, 2019

PLEASE SEE THE ATTACHED PLOT PLAN FROM THE OLYMPIC CANAL TRACTS.

WE OWN LOTS #10 + #11 ON THE CUL-DE-SAC OF MOUNTAIN TRAIL COURT (*).

OUR EAST LINES ARE COMMON WITH HWY. U.S. 101 AS SHOWN.

WITH REFERENCE TO THE 'DUCKABUSH ESTUARY RESTORATION PROJECT' CONCEPTUAL PROJ. DESIGN, WE ARE CONCERNED ABOUT POSSIBLE LANDSLIDES BECAUSE OF CONSTRUCTION ACTIVITIES BELOW OUR PROPERTY.

(Continue on the back of this sheet)

Mail completed comment form to:
 Lisa Wood, SEPA/NEPA Coordinator
 Habitat Program, Protection Division
 P.O. Box 43200
 Olympia, WA 98504-3200

Alternate submittal methods:
 Email: SEPADesk2@dfw.wa.gov
 Online: www.bit.ly/DuckabushEstuary

CONT'D. →

COMMENT LETTER P16



Duckabush Estuary Restoration Project
Supplemental Environmental Impact Statement
Comment Form

2/2

Comment:

TELEPHONE: 360-423-9033.
WE WOULD LIKE TO KNOW WHAT
THE PLANS ARE FOR MITIGATION
OF LANDSLIDES CAUSED BY THE
RELOCATION CONSTRUCTION OF
HWY. 101.

Sincerely,
Joseph S. Sue Weig
Diane Kay Sue Weig

(Attach additional pages if you need more space.)

COMMENT LETTER P16



COMMENT LETTER P16



5.2 RESPONSES TO THE COMMENTS ON THE DRAFT SEIS

5.2.1 Responses to Agency Comments

Response A1-1

Thank you for your comments. Refer to the WSDOT *US 101 Duckabush Estuary Restoration Bridge Replacements Type, Size and Location (TS&L) Report* (WSDOT 2020) in Appendix C of this Final SEIS for updated bridge design.

Response A1-2

The intersection at Duckabush Road and US 101 is no longer proposed to be elevated on a bridge. Current designs indicate the intersection will remain on fill but may be realigned or elevated to meet highway design criteria. O&M requirements for Duckabush Road will remain with the County. WSDOT will evaluate the need for a left turn lane as part of the design process. Refer to the WSDOT *US 101 Duckabush Estuary Restoration Bridge Replacements Type, Size and Location (TS&L) Report* (WSDOT 2020) in Appendix C of this Final SEIS for additional information.

5.2.2 Responses to Tribal Comments

Response T1-1

Thank you for your comments. The goals and objectives of the project are to provide a net benefit to those natural resources that rely on the Duckabush Estuary. WDFW and USACE will work with the local tribes as the project progresses to help realize the project goals and objectives laid out in Section 2.1 of this Final SEIS.

Response T1-2

Parking/access is a known need that will continue to be examined during design to identify opportunities to meet these needs. The new alignment location for the highway identified in WSDOT's Type, Size, and Location report (see Appendix C of this Final SEIS document) will allow for more of the existing WDFW parking area to be retained for parking/access purposes than shown in the conceptual design. Parking and access will be maintained in the project vicinity and WDFW and USACE are committed to exploring options for parking at both ends of the bridge. Section 3.3.2 of this Final SEIS discusses public access.

Response T1-3

Potential mitigation for impacts on shellfish are discussed in Section 3.2.3 of this Final SEIS. Work would be performed to minimize risk to shellfish productivity and harvest opportunities. Timing options for construction will take this into consideration. During construction, work would occur during allowable in-water work periods and low tides to minimize effects of turbidity. Modeling is underway to confirm understanding of water, sediment, and shellfish interactions.

WDFW may implement the following BMPs to reduce potential impacts on shellfish:

- Complete as much construction as possible at times when the work area is not inundated by water, either by limiting construction timing (e.g., to summer low-flow months) or otherwise

isolating work areas from inundation (e.g., cofferdams). Summer low-flow periods are generally consistent with the allowable in-water work windows for the area defined in WAC 220-660.

- Use silt curtains and other sediment containment techniques to minimize the potential for elevated suspended and bedload sediment inputs.
- Explore alternative recreational and tribal commercial strategies to offset potential short-term reductions in shellfish production at the site. These could include improved site access to harvest.

Response T1-4

Thank you for offering additional shellfish and oyster data. WDFW and USACE will coordinate with local tribes to review the additional information and consider it as part of the project review. Additional information on tribal clam and oyster population data has been added to Table 3-1 and as Table 3-1A in this Final SEIS.

Response T2-1

Thank you for your comments.

Response T2-2

As the Duckabush Estuary Restoration Project is a federally led project, the USACE is leading tribal consultation. The USACE sent letters to local tribes on March 4, 2020, offering to conduct meetings in the spring after initial modeling results are available. See Section 1.4, Section 2.5, and Section 5.5 of the NEPA EIS for additional information. WDFW and USACE are committed to ensuring that collaboration with tribes continues to occur throughout the design and construction phases.

Response T2-3

See Response T1-1.

Response T2-4

Project activities will follow appropriate in-water work windows as noted in Section 5.7.1 of the NEPA EIS document: "In-water work would occur during designated periods consistent with recommended periods established by WDFW and approved by NMFS and USFWS." Work windows established by WDFW are specified in WAC 220-660.

Response T2-5

A monitoring plan framework is provided in the NEPA EIS, Appendix E (Monitoring and Adaptive Management), Annex C. The monitoring plan will be updated as project design evolves and proposed monitoring will relate to the project's process-based goals. WDFW is supportive of other interested parties conducting monitoring of interest to them and is open to collaboration on developing monitoring protocol and monitoring of pre- and post-project conditions.

Response T2-6

Grassy meadows on Parcels 981002227 and 981002228 (owned by the local homeowners' association) are outside of the conceptual project footprint and expected to remain. Wetland areas owned by WDFW will see transition consistent with the project purpose as increased tidal prism allows re-establishment of natural estuarine vegetation gradation from freshwater-dominated to saltwater dominated species. Access to the area by elk and other wildlife is not expected to change in the long term. The elevated highway design will allow wildlife to cross beneath the estuary-spanning highway and may result in fewer vehicle-wildlife interactions on Highway 101. Construction BMPs and adherence to noise standards would be implemented during construction. Noise impacts are discussed in Section 3.4 of this Final SEIS document.

Response T2-7

Climate change and sea level rise analyses will be integrated into the restoration design. A discussion on sea level rise can be found in the NEPA EIS, Appendix B Sections 1-2.1.9, 1-2.2.4, and 1-6.1.1. WDFW and USACE will also refer to recently published guidance about climate change and sea level rise considerations related to nearshore restoration as the project design progresses.

5.2.3 Responses to Organization Comments**Response O1-1**

Yes, all Duckabush project SEPA documents, including comments received on the Draft SEIS and responses to those comments, are visible to the public on WDFW's SEPA webpage (wdfw.wa.gov/licenses/environmental/sepa) and will also be linked to the Duckabush Estuary Restoration Project webpage (wdfw.wa.gov/duckabush). Comment responses are included in this chapter. Scoping comments are included in Appendix A of the Draft and Final SEIS. Changes to the text of the Final SEIS have been made based on comments, if appropriate.

Response O1-2

Most of this project is proposed on publicly owned lands. Public access to the restored estuary will be included as part of the design, and parking will be maintained in the project vicinity. The exact location for parking and access is dependent on final highway location and design. Refer to Response T1-2 for additional information about parking and access.

5.2.4 Responses to Public Citizen Comments**Response P1-1**

Thank you for your comment. The federal lead for the project (USACE) has prepared a National Historic Preservation Act Section 106 Programmatic Agreement (PA) outlining the process that will be followed related to cultural and historic resources (see NEPA EIS, Appendix D). The State Historic Preservation Office (SHPO) is a signatory to the PA. WDFW and WSDOT are invited signatories to the PA and will follow the language in the agreement. Substantive requirements of the State of Washington's Governor's Executive Order (GEO) 05-05 will be met through the federal Section 106 process. Significance of the existing Highway 101 bridges is captured in work done by WSDOT to prepare a Historic Property Inventory for each bridge and submitted to the SHPO in June 2017. Additionally, a

historic context report and ethnographic context report are in progress and will be completed as part of the Section 106 process.

Response P2-1

Thank you for your comment. Scientific evaluation of the condition of Puget Sound's saltwater shorelines indicates that river estuaries and their associated tidal wetlands are significantly altered from historic conditions (a loss of 56 percent) and no longer able to provide food and shelter to species as they did historically. This project proposes to regain lost estuarine habitat features important to a variety of fish and wildlife species, including salmon. Additional information can be found in Chapter 2 of the NEPA EIS and in the document, "Implications of Observed Anthropogenic Change to the Nearshore Ecosystems in Puget Sound" as well as other technical documents produced by PSNERP.

Response P3-1

Thank you for your comment.

Response P4-1

Thank you for your comments. At this early stage in the design process, many of the details about construction methods and sequencing are still being developed. Once these details are finalized, USACE and WDFW will seek a water quality certification from Ecology. The certification will include conditions and criteria that will include mitigation to minimize impacts to water quality and are protective of aquatic species. Based on currently known information, BMPs presented in the NEPA EIS will be used to avoid water quality impacts to salmonids, including Hood Canal summer chum, which are known to spawn extremely low in the rivers near the estuary. Coordination with state and tribal biologists will continue throughout design. Additional information about environmental compliance with the Endangered Species Act and Section 401 of the Clean Water Act, among others, can be found in the NEPA EIS Appendix J. Public communication about project status and features will continue throughout the project life-cycle to share information as it evolves.

Response P4-2

In addition to BMPs that will protect sensitive salmonid species, the project will also adhere to in-water work windows as noted in Section 5.7.1 of the NEPA EIS document: "*In-water work would occur during designated periods consistent with recommended periods established by WDFW and approved by NMFS and USFWS.*" Work windows established by WDFW are specified in WAC 220-660.

Response P5-1

Thank you for your comments. Please refer to the WSDOT *US 101 Duckabush Estuary Restoration Bridge Replacements Type, Size and Location (TS&L) Report* (WSDOT 2020) in Appendix C of this Final SEIS for updated information on the proposed highway location, which is closer to the current highway alignment than presented in the Draft SEIS document.

Noise limits established by FHWA regulations (23 CFR Part 772) and WSDOT Noise Policies and Procedures (WSDOT 2011) will be followed. None of the receptors in the model were predicted to exceed or approach the NAC established by the FHWA, and no sensitive receptors would experience a "substantial increase" of more than 10 dBA, as defined by FHWA and WSDOT.

Vegetation growth in the estuary will be defined by species' tolerance to saltwater conditions and will reach maturity over a period of time. Mature vegetation may provide natural noise attenuation. See the NEPA EIS, page 221, for information on how replanting of disturbed areas would occur following construction. Any replantings would need to be appropriate for the salinity conditions of the location. Additional information is provided in the NEPA EIS, Appendix B, Section 1-6.1.2.

Response P5-2

Dues arrangements would be part of the documentation between the property owner and the homeowners' association. Property acquisition information can be found in Section 2.6.3.1 of this Final SEIS.

Response P5-3

Shellfish production in the Duckabush Estuary would likely be reduced in the short term compared to existing conditions due to the restoration of multiple channels to deliver freshwater to different parts of the estuary and the active adjustments. As the post-project conditions reach equilibrium, habitats will shift in response. See potential impacts to bivalves in Section 3.2.2.2 of this Final SEIS document.

Response P6-1

Thank you for your comments.

Response P7-1

Thank you for your comments. The State of Washington has elected to supplement the federal NEPA documentation to incorporate additional analysis and to allow the public additional opportunity to comment on the project. Over 500 households in the project vicinity were sent postcards via the U.S. mail in June 2019 notifying of the SEPA scoping period and public meeting. Addresses were obtained from publicly available information from the Jefferson County Tax Assessor's Office. The same list (updated with corrected addresses from previously returned postcards) was used in January 2020 for postcard notification of the Draft SEIS comment period and public meeting. Notification for both comment periods was also made via email distribution (to those who had opted-in), paid Facebook advertisements, locally placed posters, the WDFW project webpage, and a paid legal notice in the *Peninsula Daily News*. WDFW has confirmed this commenter is on the postcard mailing list. Concerns related to the federal NEPA process can be directed to the federal project lead (USACE).

Response P7-2

Affected landowners can expect contact from project partners once project design is further along and a better understanding of real estate needs is known.

Response P7-3

Edits have been made to document to reflect that some parcels adjacent to the state highway may have existing formal or informal access points.

Response P8-1

Thank you for your comment.

Response P9-1

Thank you for your comments. See Response T2-6.

Response P9-2

See Response T1-3.

Response P10-1

Thank you for your comment. Saltwater intrusion to groundwater wells is not expected to be a problem that would result from the implementation of the Duckabush Project. Hydraulic flow of water coming from the mountains would continue at the same rate whether or not the project is implemented. Water is discussed in Section 3.1 of this Final SEIS document. A list of additional studies needed to complete design includes hydraulic modeling and can be found in the NEPA EIS, Appendix B, Section 1-21.

Response P11-1

Thank you for your comments Please refer to the WSDOT *US 101 Duckabush Estuary Restoration Bridge Replacements Type, Size and Location (TS&L) Report* (WSDOT 2020) in Appendix C of this Final SEIS for updated information about the conceptual design, including a preliminary analysis of soil conditions and bridge design.

A discussion of sea level rise can be found in the NEPA EIS, Appendix B Sections 1-2.1.9, 1-2.2.4, and 1-6.1.1. NEPA EIS Appendix B, Section 1-4.1.7 discusses earthquake studies for the project. Seismic design for deep foundations and bridge abutments will be performed in accordance with WSDOT requirements and seismic design specifications.

Response P11-2

Please refer to the WSDOT *US 101 Duckabush Estuary Restoration Bridge Replacements Type, Size and Location (TS&L) Report* (WSDOT 2020) in Appendix C of this Final SEIS for updated information about the conceptual design, including revised bridge elevations.

Removal of existing vegetation will be limited to that necessary to complete the project. Vegetation growth in the estuary will be defined by species' tolerance to saltwater conditions and will reach maturity over a period of time. See the NEPA EIS, page 221 for information on how replanting of disturbed areas would occur following construction. Any replantings would need to be appropriate for the salinity conditions of the location. Additional information is provided in the NEPA EIS, Appendix B.

Response P12-1

Thank you for your comment. Project partners are committed to keeping the public engaged throughout the process. Interested parties can also opt-in to the project email distribution list for updates.

Response P13-1

Thank you for your comment. WSDOT will evaluate this as part of their design efforts.

Response P14-1

Thank you for your comments. Please refer to the WSDOT *US 101 Duckabush Estuary Restoration Bridge Replacements Type, Size and Location (TS&L) Report* (WSDOT 2020) in Appendix C of this Final SEIS for additional information on the updated bridge design, including currently proposed lane and shoulder widths. The bridge does not include additional width for parking or sidewalks; however, wider lanes and shoulders than current conditions will accommodate pedestrian usage. See Response T1-2 for information on parking and access.

Response P15-1

Thank you for your comments. Seamount Estates Beach it is not likely to experience any impacts to shellfish production as a result of the project due to its distance from the project location.

The timeline of the project is dependent on receipt of state and federal funding. The design phase is currently scheduled to be completed by late 2022. Construction would follow and is likely to take 2 to 3 years to complete.

Response P16-1

Thank you for your comments. Geotechnical information for the project area can be found in the NEPA EIS, Appendix B, Section 1-4. A list of additional studies needed to complete the design includes geotechnical investigations and can be found in the NEPA EIS, Appendix B, Section 1-21. WDFW and WSDOT will conduct public outreach and coordinate with individual landowners as the project design is refined. The project partners are committed to continued engagement with landowners and the public throughout the design process.