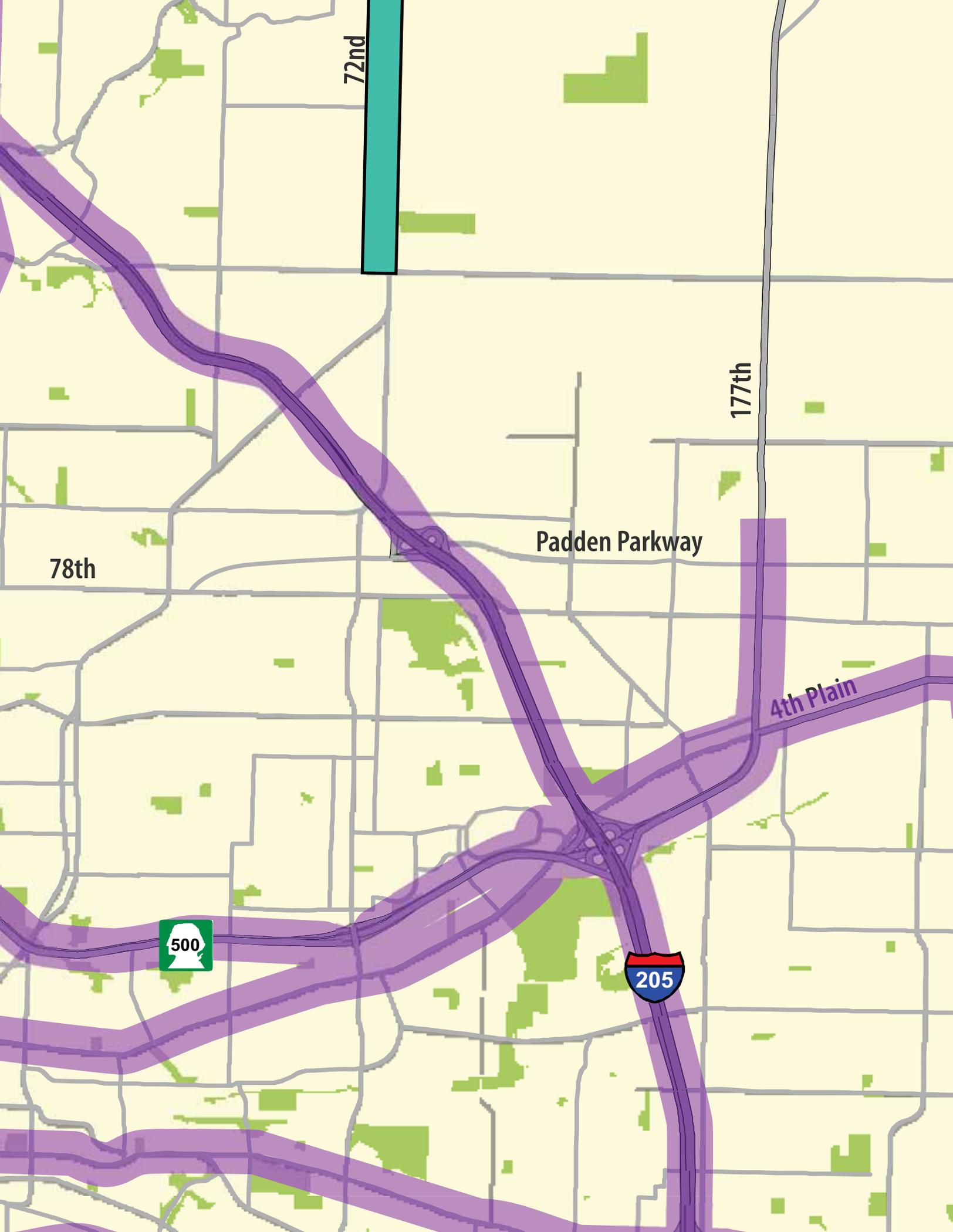


Appendix I: Other Background Research and Technical Memos

High Capacity Transit Study

The High Capacity Transit Study is a partnership between the Southwest Washington Regional Transportation Council (RTC) and local jurisdictions and agencies to study Clark County's future high capacity transit (HCT) options. RTC and study partners will gather input on a wide range of potential HCT modes and travel corridors from county residents, elected officials, community groups, and other transportation agencies. These ideas are crucial for identifying the most promising travel corridors and types of transit to connect the community with efficient and reliable HCT services. The study's outcomes will provide county decision-makers with the knowledge they will need to provide additional transportation options that connect county residents with where they need and want to go.

The HCT study has narrowed the list of potential corridors. At Visioning Study Steering Committee meetings, there was interest in seeing how the candidate Visioning Study new regional corridors coincided with candidate HCT corridors. The result is shown on the map on the next page.



72nd

177th

78th

Padden Parkway

4th Plain

500

205

Ridgefield Wildlife Refuge

The Westside corridor options have potential impacts to the Ridgefield Wildlife Refuge. In particular, Option West 1 (A through C) could impact the Ridgefield Wildlife Refuge. Exhibit 1 shows the alignments of the west corridors as well as the Ridgefield Wildlife Refuge which is hatched in orange.

It is important to note that there is existing SR 501 right-of-way which is owned by WSDOT. The SR 501 right-of-way extends from Vancouver Lake north to the southern portion of the Ridgefield Wildlife Refuge. Exhibit 1 also shows the SR 501 right-of-way alignment.

As illustrated in the exhibit, Option West 1 follows the SR 501 right-of-way alignment; whereas suboptions 1B and 1C were developed to avoid potential impacts to the Refuge.

A case history research was conducted to investigate the case history regarding the construction of roadway corridors through National Wildlife Refuges. This research was used to evaluate the feasibility of planning the SR 501 corridor (Option West 1) through the Ridgefield National Wildlife Refuge. The following information was collected as part of the research program.

Review of Federal Acts

Statutory #1

The federal regulations regarding the use and management of National Wildlife Refuges are found in 50 CFR Part 35¹ (Wilderness Preservation and Management). The sections specific to new road construction are found in 50 CFR Part 35.5; those portions that apply to new transportation corridors are underlined:

§ 35.5 Commercial enterprises, roads, motor vehicles, motorized equipment, motorboats, aircraft, mechanical transport, structures, and installations.

Except as specifically provided and subject to existing private rights, there shall be no commercial enterprise and no permanent road within a wilderness unit, and except as necessary to meet minimum requirements for the administration of the area (including measures required in emergencies involving the health and safety of persons within the area), there shall be no temporary road, no use of motor vehicles, motorized equipment or motorboats, no landing of aircraft, no other form of mechanized transport, and no structure or installation within any such area.

¹ <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=4dbd820bef37c14adb2361ddf36b5166&rgn=div5&view=text&node=50:6.0.1.2.17&idno=50>

(a) The Director may authorize occupancy and use of a national wildlife refuge by officers, employees, agencies, and agents of Federal, State, and county governments to carry out the purposes of the Wilderness Act and the Act establishing the wilderness and will prescribe conditions under which motorized equipment, mechanical transport, aircraft, motorboats, installations, or structures may be used to meet the minimum requirements for authorized activities to protect and administer the wilderness. The Director may also prescribe the conditions under which such equipment, transport, aircraft, installations, or structures may be used in emergencies involving the health and safety of persons, damage to property, violations of civil and criminal law, or other purposes.

(b) The Director may permit, subject to such restrictions as he deems desirable, the landing of aircraft and the use of motorized equipment at places within a wilderness where such uses were established prior to the date the wilderness was designated by Act of Congress as a unit of the National Wilderness Preservation System.

Analysis

It does not appear that an SR 501 Corridor through the Ridgefield Wildlife Refuge would meet the minimum requirements for the administration of the wilderness area as the SR 501 corridor would be just passing through the Ridgefield Wildlife Refuge on its way to Ridgefield from Vancouver. Even if WSDOT had corridor easements in the Ridgefield Wildlife Refuge lands prior to its establishment as a wilderness, Congress would have had to designate them as a distinct unit; no record of this congressional designation could be located.

Statutory #2

The federal regulations regarding the construction of federal government roads within refuges for the purposes of administering the wilderness were codified in the Transportation Equity Act for the 21st Century (TEA-21). The Federal Highway Administration (FHWA) and the U.S. Fish and Wildlife Service (USFWS) developed an Interagency Agreement Relating to Public Roads On the National Wildlife Refuge System². This agreement documents the processes and responsibilities of each agency in meeting the requirements of Title 23, United States Code (23 U.S.C.) relating to public roads in the National Wildlife Refuge System. One important point is that term 'refuge road' means a public road that provides access to or within a unit of the National Wildlife Refuge System and for which title and maintenance responsibility is vested in the United States Government.

Analysis

It does not appear that an SR 501 Corridor through the Ridgefield Wildlife Refuge would meet the definition of a 'refuge road' as is would not be under the ownership and control of the federal government and would not meet the minimum requirement for the administration of the wilderness area.

² <http://www.fhwa.dot.gov/agreements/documents/hfile1agr.htm>

Case Study Research

Case studies from other states were also examined where highways/roadways impacted wildlife areas. Below are two case studies that were examined:

Case Study #1

A minor highway bypass in Iowa³ is proposed to impact 1.86 acres of the Ashton Pits Wildlife Area (this is a state wildlife area that was purchased/developed with Federal Funds). The Iowa DOT had to mitigate this impact by providing 42.36 acres of replacement land for the Wildlife Area (this is a mitigation rate of about 23-to-1).

Analysis

The required compensatory mitigation level seen in at this project in Iowa would have a severe financial impact on any proposed SR 501 Corridor through the refuge. The hundreds of acres of right-of-way easement would result in thousands of acres of compensatory mitigation of replacement land. The current cost of compensatory wetland mitigation in Washington State is approximately \$0.5 million per acre.

Case Study #2

There is also a very controversial project in Alaska that would build a new road through the Izembek National Wildlife Refuge⁴. The project proponents are trying to pass legislation through Congress to allow this road to be built. It is being opposed by many environmental groups.

Analysis

Any proposed SR 501 Corridor through the refuge would generate a similar degree of public controversy and opposition.

Summary

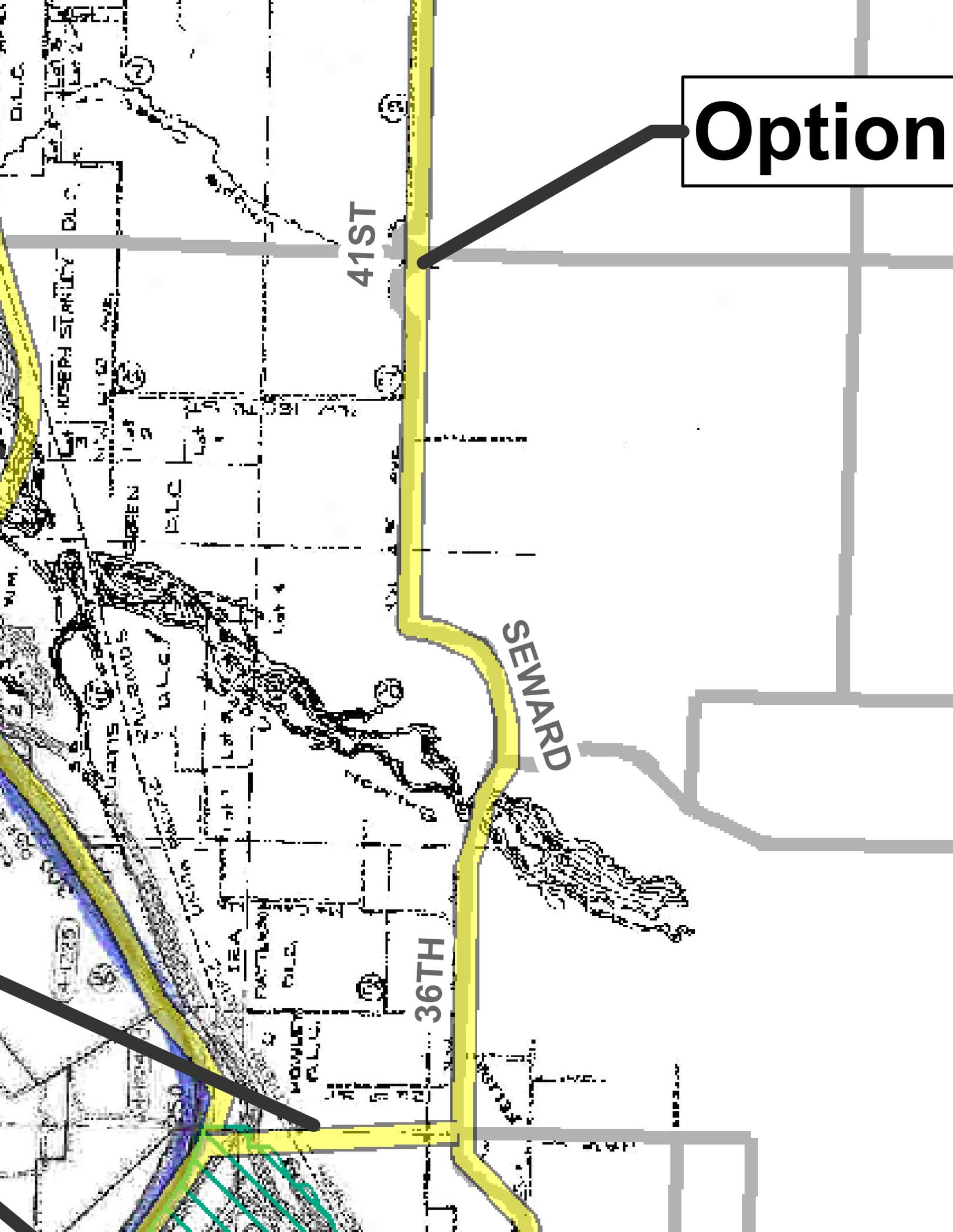
In summary, through this review process, there were no examples of where a new roadway corridor had been built through a Wildlife refuge other than for access to the refuge itself. The review of the federal acts also indicated that any impacts to the Refuge would likely trigger a review under the National Environmental Policy Act.

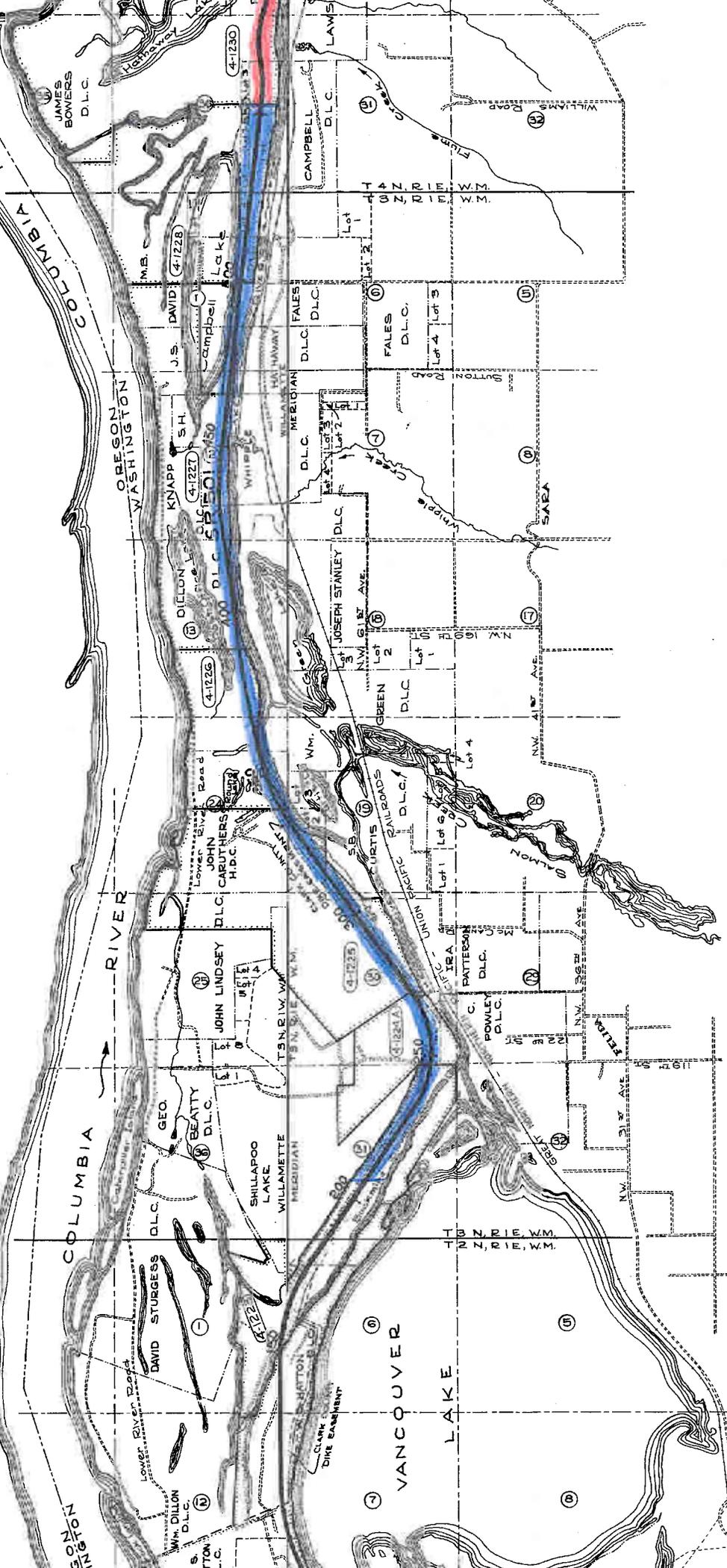
The following maps show the potential corridor alignments in conjunction with the Ridgefield Wildlife Refuge and Vancouver Lake State Park. Also included are maps from the 1960's showing the existing but unbuilt SR 501 right-of-way, and how the West Option corridors follow this right-of-way.

³ <http://www.fws.gov/midwest/nepa/AshtonPitsNEPA/>

⁴ <http://www.wilderness.org/NewsRoom/EditorialIzembek.cfm>

Option





TOTAL PARCEL DETAIL & VICINITY MAP

Total Length of Project = 12.510 Miles

PROPERTY OWNED BUT NOT CONSTRUCTED

PROPERTY NOT OWNED

W-2

Lake River

36TH

Vancouver
Lake

