

# Confluence Parkway Land Exchange Agreement and 4(f) Determination



Erik Wahlquist, Justin Erickson  
Presented to the Board of Commissioners  
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# Why We're Here

- Background
- Chelan PUD 4(f) responsibilities
- Land Exchange Agreement
  - Review of terms, section analysis/summary
- Staff recommendation and next steps
- City of Wenatchee comments
- Public comments

*No Action Requested Today*

# Background – PUD Review

- District has been participating with the City in review/analysis of Confluence Parkway for many years
- Formal role and responsibilities outlined in a Memorandum of Understanding with the City (2020)
- The District is a “cooperating agency” for the Confluence Parkway Environmental Review process (NEPA – National Environmental Policy Act)
- The District is an “official with jurisdiction” under Section 4(f) (U.S. Department of Transportation Act of 1966)

# Section 4(f) Responsibilities

- Section 4(f) requirements stipulate that the Federal Highway Administration (FHWA) and other department of transportation agencies cannot approve the use of land from publicly owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:
  - There is no feasible and prudent avoidance alternative to the use of land; and the action includes all possible planning to minimize harm to the property resulting from such use; OR
  - The FHWA determines that the use of the property will have a de minimis impact.

# Section 4(f) District Lands

- Wenatchee Confluence State Park
- Horan Natural Area (part of Wenatchee Confluence State Park)
- Apple Capital Loop Trail (those portions within our Parks)
- Walla Walla Point Park

# District Role in 4(f) Process

- The least overall harm is determined by balancing multiple factors, including the views of officials with jurisdiction over each Section 4(f) property
- District's role is to evaluate and provide comments related to 4(f) evaluation and if the least overall harm standard has been met
- The District and City have been working on a Land Exchange Agreement given the overlapping federal requirements, the complexity of the project, and our mutual desire to mitigate impacts
- Anticipated that the District will make two FERC filings to facilitate the project, the first of which will amend our Rock Island License

## CONFLUENCE PARKWAY – BOARD DISCUSSION (2022)

Meeting Date	Details/Topics Covered
2/7	City presentation to Board
3/30	PUD-sponsored public open houses and site tours
4/4	Q&A follow-up with Board
4/18	Outreach update (public outreach and survey results)
5/2	Noise impact review
5/16	Q&A follow-up, review State Park matters
6/6	Q&A follow-up, noise discussion (May 26 site visit with noise expert)
6/20	Noise study timing, update on schedule
7/5	Noise study presentation
7/18	General status update
8/1	Sound wall graphic, continued noise discussion
9/6	Discuss Category A issue (letter to City in support of FHWA review)
10/17	Schedule update, NEPA focus
11/7	Update, land exchange agreement noted
12/19	Update on City's NEPA Open House (held 12/13)

# Land Exchange Agreement

## Sectional Analysis/Summary

- Overview of all 16 Sections
- Key provisions:

-State Park Housing Relocation	-Art/Aesthetics
-Noise Mitigation	-Landscaping Plan (berms, etc.)
-Water Well Relocation	-Maintenance of Loop Trail (PUD); New Pedestrian Bridge (City)
-Existing Pedestrian Bridge Decommissioning	-Public Education/Interpretive Features
-Utility Relocation	-Property Clean Up
-Exchange Property	-Operation and Maintenance of Trail



# Staff Recommendation and Next Steps

- Recommendation to approve the Land Exchange Agreement (pending final exhibits/review)
- Resolution presented on March 20 for Board consideration
- If Land Exchange Agreement approved, District will submit 4(f) letter to City/FHWA within 10 days of approval
- FHWA will issue environmental determination – anticipated Spring 2023
- District staff will be an active participant throughout the design and construction process and will make necessary FERC filings

# City of Wenatchee Comments



# Public Comments



# APPENDIX

# Project Resources and Information

*(City of Wenatchee unless noted)*

- [Environmental Assessment Information](#)
- [Trail Alignment – Visual Representation](#)
- [Chelan PUD Noise Study and Presentation](#) (PUD)
- [Sound Wall and Berm Graphic - City](#)
- [Chelan PUD Survey Results](#) (PUD)
- [City Presentation to PUD Board of Commissioners](#)
- [Proposed Mitigation for 4\(f\) Properties](#)
- [Confluence Parkway Detailed Alignment](#)