

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
ACTION AGENDA SUMMARY

DEPT: Public Works *AKH*

BOARD AGENDA # \*C-2

Urgent  Routine

AGENDA DATE January 27, 2009

CEO Concurs with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Adopt an Addendum to the Adopted Mitigated Negative Declaration for the Stanislaus County Ladd Road/McHenry Avenue Intersection Operational Improvement Project (Ladd/McHenry Intersection Project)

STAFF RECOMMENDATIONS:

Adopt the Addendum to the Adopted Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164 that the minor technical changes or modifications to the project description do not result in any new significant impacts or a substantial increase in the severity of the previously identified significant impacts.

FISCAL IMPACT:

The adoption of the Addendum to the Adopted Mitigated Negative Declaration will result in near term additional costs estimated at approximately \$94,000 for purchase of additional right-of-way (ROW), but is expected to provide a long term project cost reduction for the ultimate widening of McHenry Avenue. The total estimated cost of the Ladd/McHenry Intersection Project is \$2,389,700 and is funded 100% with Regional Transportation Impact Fees (RTIF).

BOARD ACTION AS FOLLOWS:

No. 2009-79

On motion of Supervisor Monteith, Seconded by Supervisor Grover  
and approved by the following vote,  
Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini  
Noes: Supervisors: None  
Excused or Absent: Supervisors: None  
Abstaining: Supervisor: None

- 1) X Approved as recommended
- 2) \_\_\_\_\_ Denied
- 3) \_\_\_\_\_ Approved as amended
- 4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Adopt an Addendum to the Adopted Mitigated Negative Declaration for the Stanislaus County Ladd Road/McHenry Avenue Intersection Operational Improvement Project  
(Ladd/McHenry Intersection Project)

DISCUSSION:

On July 24, 2007, Stanislaus County (County) adopted a Mitigated Negative Declaration for the Ladd/McHenry Intersection Project. The Mitigated Negative Declaration evaluated the impacts of replacing stop signs with a traffic signal system at the intersection of Ladd Road and McHenry Avenue to improve intersection operations and safety.

The Ladd/McHenry Intersection Project requires the relocation of utility poles. The pole relocation can be accomplished within the existing ROW at the expense of the utility company per the County franchise agreement. However, the future McHenry Widening Project will require that the poles be relocated again at the expense of the County. Thus, the Department recommends the purchase of the ultimate ROW now and relocation of the poles in their location within the ultimate McHenry ROW, as determined by the utility company. This recommendation is expected to save the County the cost of a second pole relocation, estimated at a total cost of \$90,000.

McHenry Avenue is situated within an existing 50-foot wide ROW corridor, north of the Ladd Road intersection. The utility poles are located approximately 6 feet from the edge of pavement. The Del Rio Heights subdivision is located approximately 0.5 mile north of the intersection on the west side of McHenry Avenue. When the subdivision was developed in 1993, an additional 30 feet of ROW was dedicated (for a total 80-foot ROW) and frontage improvements were constructed that included utility relocation and the widening of McHenry Avenue to its ultimate width along the subdivision's eastern edge.

The Public Works Department intends to acquire additional ROW from the northern limit of the Ladd/McHenry Intersection Project to the southern boundary of the Del Rio Heights subdivision. The additional ROW would allow for the utility poles to be relocated once and would reduce costs on the subsequent McHenry Avenue Widening Project. This would require acquisition of an approximately 30-foot x 1,334-foot strip of additional ROW along the western side of McHenry Avenue. The expanded project area encompasses an additional 0.92 acres, an increase of approximately 5% over the area considered under the Adopted Mitigated Negative Declaration.

The attached *Conclusion to Prepare an Addendum to An Adopted Negative Declaration*, prepared by Sycamore Environmental Consultants, Inc., includes the revised Project Description and Environmental Analysis and the findings that the Adopted Negative Declaration for the Ladd Road/McHenry Avenue Intersection Operational Improvement Project and adopted mitigation and monitoring are still adequate and appropriate for the proposed Project. Adoption of an Addendum to an Adopted Mitigated Negative Declaration does not require public notice.

Approval to Adopt an Addendum to the Adopted Mitigated Negative Declaration for the Stanislaus County Ladd Road/McHenry Avenue Intersection Operational Improvement Project  
(Ladd/McHenry Intersection Project)

Exhibit 1 shows the existing McHenry Avenue ROW north of the Ladd/McHenry Intersection Project to the southern boundary of the Del Rio subdivision, the proposed ROW acquisition area, and location of existing utility poles.

**POLICY ISSUES:**

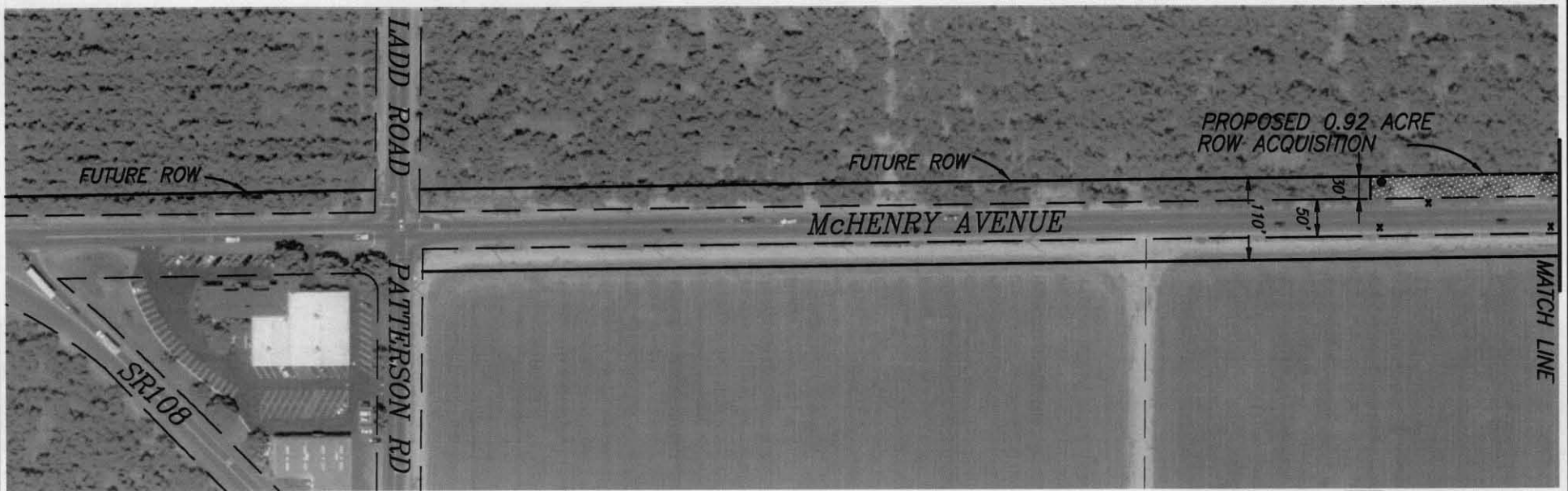
The Board should consider if the recommended actions are consistent with its priorities of providing a safe community, a healthy community and a well-planned infrastructure system.

**STAFFING IMPACT:**

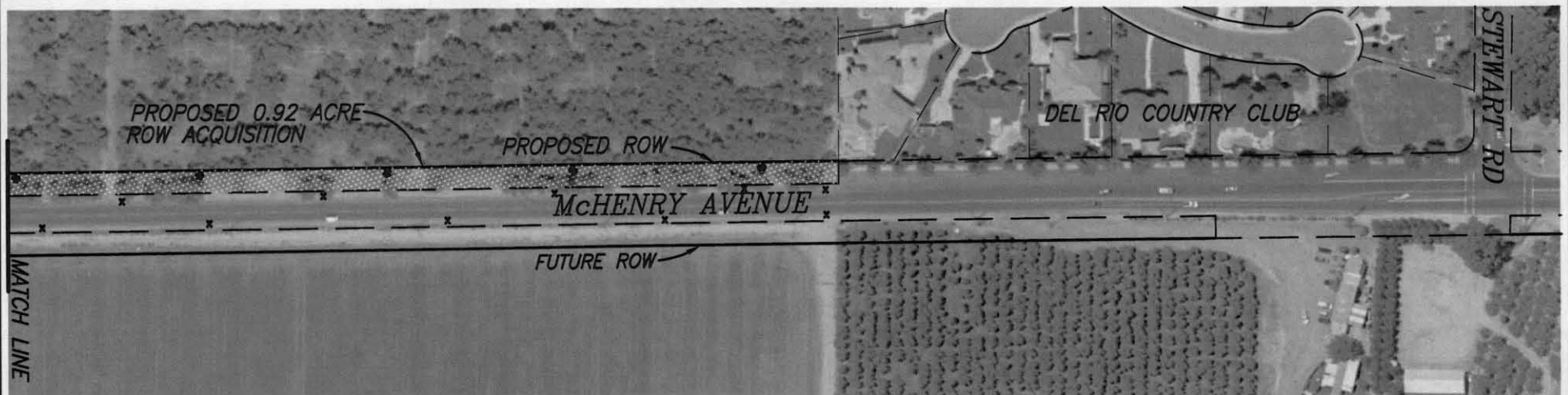
There is no staffing impact associated with this item.

AY:sr

L:\roads\9709-ladd road at mchenry ave\design division\boarditems\mndboarditem1-27-09



SCALE: 1" = 200'



NOTE: POLE RELOCATIONS ARE APPROXIMATE. ACTUAL LOCATION TBD BY UTILITY COMPANY

- PROPOSED POLE RELOCATION
- PROPOSED ROW
- ▨ PROPOSED ACQUISITION
- x EXISTING POLE LOCATION
- EXISTING ROW


**STANISLAUS COUNTY**  
 DEPARTMENT OF PUBLIC WORKS  
 ENGINEERING AND OPERATIONS DIVISION  
 1716 MORGAN ROAD - MODESTO, CA 95358

**ROW ACQUISITION**  
 McHENRY AVE  
 MODESTO, CALIFORNIA

DRAWN BY: AJM
DATE: 1/8/2009
SHEET: 1 OF 1
FILE: MCHENRY&LADD.DWG

## **CONCLUSION TO PREPARE AN ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION**



### **BACKGROUND/ LOCATION:**

In April 2007, Stanislaus County adopted a Mitigated Negative Declaration for the Ladd Road/ McHenry Avenue Intersection Operational Improvement Project. The Mitigated Negative Declaration evaluated the impacts of replacing stop signs with a traffic signal system at the intersection of Ladd Road and McHenry Avenue to improve intersection operations and safety. The project area encompassed 18 acres, which included the Ladd/ McHenry intersection, roadway approaches to the intersection, right-of-way (ROW) acquisition and overhead utility line relocation. The northern part of the Project Study Area extended to about 1,300 feet north of the Ladd Road intersection.

The Ladd/ McHenry Avenue intersection project requires the relocation of utility poles within the existing ROW. The utility companies are responsible for the cost of relocating the utility poles. The County has determined the width of the ultimate ROW and road typical for McHenry Avenue. If the utility poles are relocated by the utility companies within the existing ROW limits, the County would be responsible for the cost of

relocating the utility poles in the future when McHenry Avenue is widened to its ultimate width.

North of the Ladd Road intersection, McHenry Avenue is situated within an existing 50-foot wide ROW corridor. The utility poles are located approximately 6 feet from the edge of pavement. The Del Rio Heights subdivision is located approximately 0.5 mile north of the intersection on the west side of McHenry Avenue. When the subdivision was developed in 1993, an additional 30 feet of ROW was dedicated (for a total 80-foot ROW) and frontage improvements were constructed that included utility relocation and the widening of McHenry Avenue to its ultimate width along the subdivision's eastern edge.

The Public Works Department intends to acquire additional ROW from the northern limit of the Ladd Road/ McHenry Avenue project to the southern boundary of the Del Rio Heights subdivision. The additional ROW would allow for the utility poles to be relocated once and would reduce costs on the subsequent McHenry Avenue widening project. This would require acquisition of an approximately 30-foot x 1,334-foot strip of additional ROW along the western side of McHenry Avenue. This expanded project area encompasses an additional 0.92 acres, an increase of approximately 5% over the area considered under the Adopted Mitigated Negative Declaration.

As a separate project, Stanislaus County will widen McHenry Avenue between the northern limits of the Ladd Road intersection improvement project and Hogue Road, a distance of approximately 5,900 feet. Initially, the McHenry Avenue Widening project involves the construction of five lanes, four traveled lanes and one continuous left turn/median lane. Funds have not yet been allocated for construction of this project and no timeline for starting and/ or completion of this work has been established. The County has completed several environmental studies that cover the additional ROW acquisition for the Ladd Road/ McHenry Avenue project.

Under the California Environmental Quality Act (CEQA), an Addendum to an Adopted Mitigated Negative Declaration is needed if minor technical changes or modifications to the proposed project occur (CEQA Guidelines § 15164). An addendum is appropriate if these minor technical changes or modifications do not result in any new significant impacts or a substantial increase in the severity of previously identified significant impacts.

This Mitigated Negative Declaration Addendum demonstrates that the environmental analysis, identification of project-related impacts, and mitigation requirements identified in the Ladd Road/ McHenry Avenue Intersection Operational Improvements project Mitigated Negative Declaration remain substantively unchanged by the situation described herein, and supports the finding that the proposed project does not raise any new issues and does not exceed the level of impacts identified in the previous Mitigated Negative Declaration.

The County determined that an Addendum is appropriate in that none of the following findings necessary to prepare a Subsequent Negative Declaration have been made pursuant to CEQA Guidelines Section 15162:

1. No substantial changes are proposed to the project, which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

*Only minor revisions to the project description are needed to update the adopted Mitigated Negative Declaration. The project description must be revised to encompass the additional ROW acquisition and continuation of the utility relocation as noted above. Biological and Cultural Resource studies for the McHenry Avenue Widening project were reviewed during the preparation of this Addendum.*

*Specific sections of the Initial Study requiring revision include Agricultural Resources, Air Quality, Biological Resources, and Cultural Resources. The revised sections are included with this Addendum. The analysis in the revised sections demonstrates that the additional ROW acquisition and the relocation of utility poles within the acquired ROW will not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

2. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

*Since the project was approved in April 2007, Senate Bill 97 was enacted amending the CEQA statute to require consideration of Greenhouse Gas emissions (GHG) and the effects of projects on such emissions. The Air Quality Section of the Initial Study was revised to include a discussion of the project's impact on GHG emissions. The analysis in the revised sections demonstrates that the project will not result in new significant environmental effects to Air Quality.*

3. No new information of substantial importance has been found that shows any of the following:

- a. The project will have one or more significant effects not discussed in the previous Negative Declaration;

*Potential environmental impacts resulting from the intersection improvement project were identified and mitigated to a less than significant level. The additional ROW acquisition proposed under this*

*addendum would not result in additional significant effects not previously identified and mitigated.*

- b. Significant effects previously examined will be substantially more severe than shown in the previous Negative Declaration and EIRs;

*The project as revised under this addendum will not result in impacts that are more severe than those that were considered and mitigated for under the original Mitigated Negative Declaration. The activities considered with this Addendum are a continuation of the same activities that were evaluated in the original Mitigated Negative Declaration for the intersection project. Based on an evaluation of the revised project, the environmental impacts previously identified in the Mitigated Negative Declaration will not rise to a level of significance and no additional mitigation would be required.*

- c. Mitigation measures or alternatives previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative;

*No mitigation measures were previously found to be infeasible. The mitigation measures originally adopted are effective and applicable to the proposed project.*

- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR or Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

*No additional impacts were identified from the expanded project and consequently, no new mitigation measures would be required.*

### **PROJECT DESCRIPTION:**

This project would replace stop signs with a traffic signal system at the intersection of Ladd Road and McHenry Avenue (Ladd/ McHenry Intersection), thereby improving intersection operations and safety. The project area consists of approximately ~~18~~ 19 acres, which includes the Ladd/ McHenry intersection, roadway approaches to the intersection, and additional right of way that would be acquired. The project site is approximately ~~3,035~~ 4,389 feet north to south along McHenry Avenue and approximately 1,170 feet east to west along Ladd Road. The State Route 108 (SR 108) diagonal connector is approximately 800 feet long and intersects with McHenry Avenue approximately 550 feet south of the Ladd/ McHenry intersection and intersects with Ladd Road-Patterson Road approximately 600 feet of the Ladd/ McHenry Road intersection.



The intersection would be widened to provide two through lanes on each McHenry Avenue approach. An exclusive right-turn lane would be provided on the westbound approach, and right turns would be combined with a through lane for the north-, south-, and east-bound approaches. A separate single left-turn lane would be provided on all four approaches to the Ladd/ McHenry intersection. Road widening for the added lanes would be done primarily on the north side of Ladd Road and the west side of McHenry Avenue to avoid impacting the existing furniture store on the southeast corner of the intersection. Continued access in and out of the furniture store at the southeast corner of the Ladd/ McHenry intersection would be provided, but may be modified as necessary to accommodate the planned roadway widening.

Roadway retention/ infiltration ditches would be constructed adjacent to the roadway shoulders along the west side of McHenry Avenue south of the intersection, and along both sides of McHenry Avenue north of the intersection. Retention/ infiltration trenches would be installed along both sides of Ladd Road west of McHenry Avenue and along the north side of Ladd Road from the intersection to the Patterson Road/ SR 108 diagonal connector intersection. These ditches would be supplemented with subsurface horizontal or vertical infiltration facilities such as French drains or rock wells as needed. All improvements would be tapered so as to have no impact on the existing intersection at the northeast end of the SR 108 diagonal connector road with Ladd Road-Patterson Road. However, McHenry Avenue would be widened at the southwest end of the SR 108 diagonal connector. This would require an encroachment permit from Caltrans for the construction of the portion of the project that would encroach into the State ROW for SR108. All roads would retain their current status for operations and maintenance.

The widening of McHenry Avenue would require modification of the Dr. Moore Lateral canal crossing. The existing headwall on the west side of McHenry Avenue would be removed and reconstructed farther to the west, and the 48-inch reinforced concrete pipe under McHenry Avenue would be extended to the new headwall. The 36-inch irrigation pipe running northward from the Dr. Moore Lateral would be relocated farther to the west. A private irrigation pipe running southward from the Dr. Moore Lateral would also be relocated further the west.

Overhead electrical and telephone lines would be relocated as necessary to provide space for the planned roadway widenings and roadside ditches *including the west side of McHenry Avenue north to the Del Rio Heights Subdivision*. Intersection street lighting will be incorporated into the project and will include standard shielded street lighting fixtures that direct lighting downward towards the roadway so as no to create substantial glare in the surrounding area. Signs will be installed along the approaches to the intersection alerting drivers to the traffic signal.

The project is separate from, but intended to coordinate with a future Caltrans project that would signalize both intersections at the ends of the SR 108 diagonal connector road southeast of the Ladd/ McHenry intersection. The Stanislaus County project would widen the west side of SR 108 at McHenry Avenue (south of the SR 108 diagonal connector/ McHenry intersection), and the future Caltrans project would widen SR 108

on the east side.

*The project is also separate from the McHenry Avenue Widening project between the northern limits of the Ladd/McHenry Intersection improvement project and Hogue Road, a distance of approximately 5,900 feet. Initially, the McHenry Avenue Widening project involves the construction of five lanes, four traveled lanes and one continuous left turn/median lane.*

## **ENVIRONMENTAL ANALYSIS**

**II. Agricultural Resources:** The determination of no impact under Agricultural Resources remains the same. However the following section has been modified to address the expanded breadth of the project:

*a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The Farmland Mapping and Monitoring Program (FMMP) designates the project site and surrounding lands as Prime Farmland. These lands are currently used for field crops and orchards. The proposed project would permanently convert approximately 4.13 5.05 acres of Prime Farmland to non-agricultural use. This conversion would occur in long linear areas along existing roadways and would not affect overall production. There are currently 256,525 of Prime Farmland in agricultural production within the County and the proposed project would convert less than one percent of this farmland to non-agricultural use. The proposed widening would not require a General Plan amendment and the existing farmlands adjacent to the project site would remain in agricultural production. The proposed project would improve safety at the intersection and would result in a less-than-significant impact on the conversion of Prime Farmland within the County.

*c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?*

Approximately 4.13 5.05 acres of agricultural land would be converted to non-agricultural use as a result of the proposed project. However, the proposed roadway expansion would be limited in nature, and would not result in the conversion of surrounding agricultural lands to non-agricultural use.

**III. Air Quality:** The determination of no impact under Air Quality remains the same. However the following section has been modified to address the enactment of, Senate Bill 97 amending the CEQA statute to require consideration of Greenhouse Gas emissions (GHG) and the effects of projects on such emissions.

Assembly Bill 32 adopted in 2006 established the Global Warming Solutions Act of 2006 which requires the State to reduce greenhouse gases (GHGs) by approximately 25 percent by 2020. GHGs are thought by some to contribute to global warming/climate change and associated environmental impacts. The major GHGs that are released from human

activity include carbon dioxide, methane, and nitrous oxide. The primary sources of GHGs are vehicles (including planes and trains), energy plants, and industrial and agricultural activities (such as dairies and hog farms). GHG emissions from the project would be produced from the materials used in the new signalization project as well as construction-related vehicle emissions.

As this is a recent requirement, information and thresholds are not yet established locally or by the State to determine the incremental impact of a project on climate change, or on the State's target of 25% emission reduction. The State's current strategies for reducing greenhouse gas emissions include the following:

- Reduce emissions generated by vehicles.
- Reduce emissions by reducing diesel vehicle idling.
- Reduce hydrofluorocarbons.
- Promote alternative fuels with lower emissions.
- Promote hydrogen as alternative fuel.
- Increase recycling.
- Plant trees.
- Build energy efficient buildings.
- Purchase energy efficient appliances.
- Promote jobs/housing balance to reduce commute length.
- Purchase renewable energy.

The proposed project would improve existing intersection operations resulting in a reduction in the amount of idling time for autos utilizing the intersection. Furthermore, the proposed improvements would not generate trips, and would not create a permanent increase in traffic on the existing street system, or result in a substantial increase in vehicle trips on surrounding roadways. Consequently, the project would result in no development beyond that already considered in 2005 when the Circulation/ Air Quality Element was updated. So, while the project would have an incremental contribution within the context of the County and region, the individual impact is considered less than significant.

**IV. Biological Resources:** The determination of no impact under b, e, f, and g; less than significant under Section c; and potentially significant unless mitigation incorporated under Sections a and d remains the same for Biological Resources. A Biological Resources Evaluation prepared for the proposed McHenry Avenue Widening Phase I Ladd Road to Hogue Road is included as Appendix A of this report. No additional impacts were identified and no additional mitigation will be required.

**V. Cultural Resources:** The determination of less than significant under Section a and potentially significant unless mitigation incorporated under Sections b, c and d remains the same for Cultural Resources. An Historical Resources Survey Report prepared for the "McHenry Road Widening-Phase I Ladd Road to Hogue Road", is included as Appendix B of this report. No additional impacts were identified and no additional mitigation will be required.

**CONCLUSION:**

Pursuant to Title 14, California Code of Regulations, Section 15162, the Environmental Coordinator has determined that there are no substantial changes in the project or in the circumstances under which the project is to be undertaken and that the project involves no new significant impacts that were not considered in the previous Initial Study. However, minor technical changes and/or additions to the original Initial Study are necessary; therefore, this addendum to the adopted Initial Study has been prepared pursuant to Title 14, California Code of Regulations, Section 15164(a). No further Environmental Documents are required.

**RECOMMENDED FINDINGS:**

That the previous Mitigated Negative Declaration prepared for the Ladd Road/ McHenry Avenue Intersection Operational Improvement Project, with this Addendum, is still adequate and appropriate for the proposed project. That the previously adopted Mitigation Monitoring is applicable to the revised project.