

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

DEPT: Public Works *MM*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE March 26, 2013

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Adopt the Mitigated Negative Declaration Pursuant to CEQA Guidelines Section 15074(B) for the State Route 99/Hammett Road Interchange Project

STAFF RECOMMENDATIONS:

1. Acting as a responsible agency for the proposed project, adopt the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15074(B), by finding on the basis of the whole record, including the Initial Study and any comments received, that there is no substantial evidence the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects Stanislaus County's independent judgment and analysis.
2. Direct the Department of Public Works to file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code.

FISCAL IMPACT:

To date approximately \$1.43 million has been expended on this project. The Project Study Report (PSR) was funded with \$430,000 of Salida Development Fees. The Project Approval and Environmental Document (PA&ED) has been funded by \$1,000,000 of Kaiser Voluntary Funds. Once the Mitigated Negative Declaration is adopted by the County the project will await growth to drive the need for the next phase of the project which would be the Plans, Specifications, and Estimate phase (PS&E). Future phases will be funded by future revenue collected as Local Impact Fees and Regional Transportation Impact Fees.

BOARD ACTION AS FOLLOWS:

No. 2013-130

On motion of Supervisor Withrow, Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

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 the Mitigated Negative Declaration Pursuant to CEQA Guidelines Section 15074(B) for the State Route 99/Hammett Road Interchange Project

DISCUSSION:

Stanislaus County, in cooperation with Caltrans District 10, proposes to reconstruct the Highway 99 at Hammett Road interchange in the community of Salida. The County anticipates increased growth in the Salida area, which will yield higher traffic volumes on the existing facilities. The additional growth and increased traffic volumes are anticipated with future improvements to the economy. Three build alternatives and a no-build alternative were proposed and studied for this interchange. Alternative #3 was the preferred alternative and has been estimated to cost approximately \$40.5 million (in today's dollars) for construction and right of way. The project will not move into the PS&E phase until growth drives the need for the interchange improvements. It was important to complete the environmental phase of the project so that when development in this area does increase, there is an entitlement document in place to reserve the proper right of way for the interchange improvements.

The proposed interchange improvements include reconstruction of the existing interchange to provide improved operations for turning movements to and from State Route (SR) 99, as well as associated local road improvements at adjacent intersections.

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) clearance was obtained on January 7, 2013 by Caltrans. An Initial Study with Mitigated Negative Declaration/Environmental Assessment with Finding of No Significant Impact was prepared, circulated, approved, and adopted by Caltrans (California Department of Transportation).

During the review and comment period, the County acting as the responsible agency, commented on the proposed Mitigated Negative Declaration (MND) and participated in the CEQA process as required by Title 14 California Code of Regulations, Section 15096. Caltrans, the Lead Agency, adopted the Final Mitigated Negative Declaration (FMND) and a mitigation monitoring and reporting program on January 7, 2013. The County hereby incorporates by reference as though fully set forth herein Lead Agency's Resolution, including the CEQA findings and mitigation monitoring and reporting program adopted on that date as part of the record of this approval. The County has not identified any feasible alternative or additional feasible mitigation measures within its powers that would substantially lessen or avoid any significant effect the project would have on the environment under CEQA Guidelines 15041(b), 15096(g). There is no evidence or circumstances which exist that would require the preparation of additional environmental documents pursuant to CEQA Guidelines 15162. No substantial changes to the Project have been proposed which would require major revisions of the FMND due to the new significant environmental effects. Present circumstances are materially the same as at the time the Lead Agency's adoption of the FMND. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the FMND was adopted by the Lead Agency, shows that the County's actions will have one or more significant effects not discussed in the FMND or that additional mitigation measures are required. The Mitigation Monitoring and Reporting Plan adopted by the Lead Agency is fully enforceable.

Approval to Adopt the Mitigated Negative Declaration Pursuant to CEQA Guidelines Section 15074(B) for the State Route 99/Hammett Road Interchange Project

Upon the Board's finding that the project will not have a significant effect on the environment, Public Works will file a Notice of Determination in accordance with Section 21152(a) of the California Public Resources Code.

POLICY ISSUES:

The recommended actions are consistent with the Board's priorities of providing A Safe Community, A Healthy Community and A Well Planned Infrastructure System by adopting the environmental document for the interchange located at Hammett Road, which in the future will be functionally operational and safe for the traveling public.

STAFFING IMPACT:

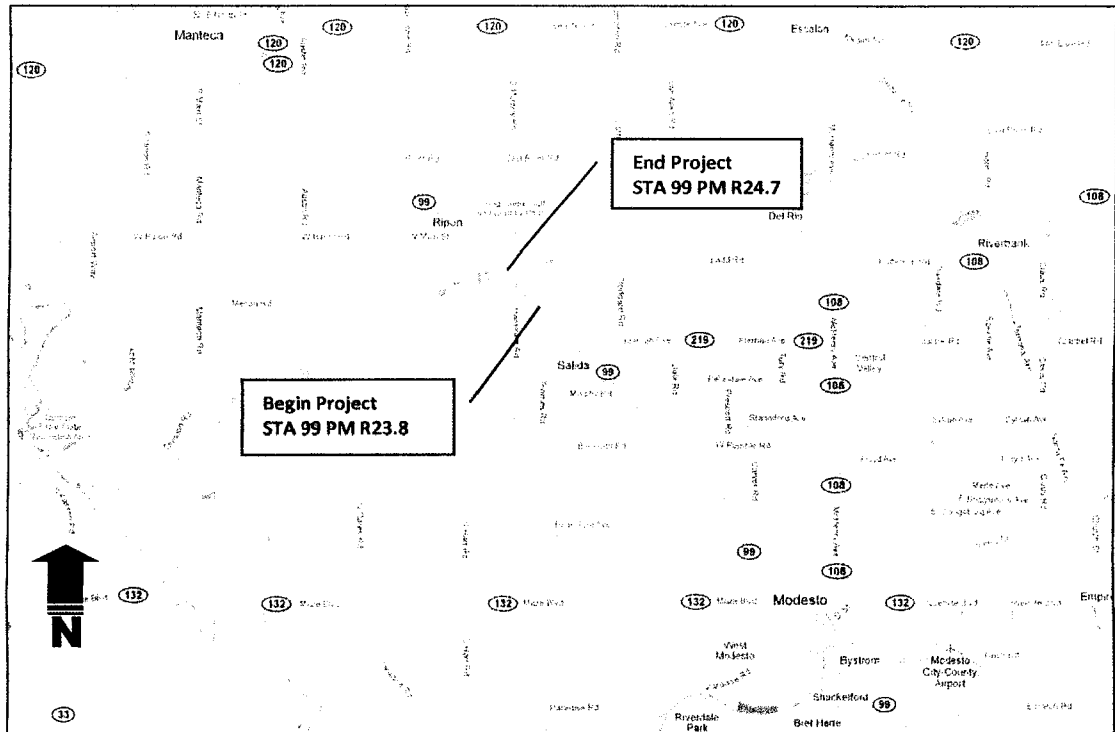
There is no staffing impact associated with this item.

CONTACT PERSON:

Chris Brady, Construction Manager - Telephone: (209) 525-4157

10-STA-99-PM R23.8/R24.7
10-SI-99 PM 0.0/0.4
EA 10-OL3200 ID 10 0000 0099
STIP RIP 025.700
Local 400.100
December 2012

Project Report Route 99/Hammett Road Interchange



On Route 99 and Hammett Road In Stanislaus County

From 0.5 miles south of Hammett Road to 0.4 miles north of Hammett Road

I have reviewed the right of way information contained in this Project Report and the R/W Data Sheet attached hereto, and find the data to be complete, current and accurate.

Nicholas Dumas
for SPIROS KARIMBAKAS
Central Region Division Chief, Right of Way

APPROVAL RECOMMENDED BY:

Christina Hibbard
CHRISTINA HIBBARD
Project Manager

APPROVED BY:

Carrie A. Bowen
CARRIE L. BOWEN
District 10 Director

1/14/13
Date

State Route 99/Hammett Road Interchange Reconstruction Project

Stanislaus County, California
10-STA-99-PM 23.8/24.7
Project ID 10-0000-0099

Initial Study with Mitigated Negative Declaration/Environmental Assessment with Finding of No Significant Impact



Prepared for the
State of California Department of Transportation

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

November 2012



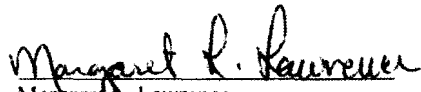
Reconstruct the Hammett Road Interchange along State Route 99 from post miles 23.8 to 24.7
between Ciccarelli Road and Pirrone Road in Stanislaus County, California.

**INITIAL STUDY
with Mitigated Negative Declaration/ Environmental Assessment
With Finding Of No Significant Impact**

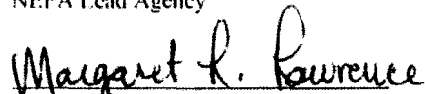
Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 U.S. Code 4332(2)(C) and 23 U.S. Code 327

THE STATE OF CALIFORNIA
Department of Transportation

1/7/2013
Date of Approval


Margaret L. Lawrence
Office of Environmental Management North
Central Region Environmental Division
California Department of Transportation
NEPA Lead Agency

1/7/2013
Date of Approval


Margaret L. Lawrence
Office of Environmental Management North
Central Region Environmental Division
California Department of Transportation
NEPA Lead Agency

The following persons may be contacted for additional information concerning this document:

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**California Department of Transportation
Finding of No Significant Impact**

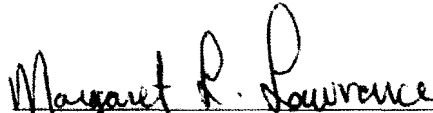
FOR

*State Route 99/Hammett Road
Interchange Reconstruction Project*

The California Department of Transportation (Caltrans) has determined that Alternative 3 (Hybrid Diamond/Partial Cloverleaf) will have no significant impact on the human environment. This Finding of No Significant Impact is based on the attached Environmental Assessment, which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. The Environmental Assessment provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the Environmental Assessment and incorporated technical reports.

The environmental review, consultation, and any other action required in accordance with applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 United States Code 327.

1/7/2013
Date


Margaret L. Lawrence
Office of Environmental Management North
Central Region Environmental Division
California Department of Transportation
NEPA Lead Agency

Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) proposes to reconstruct the existing State Route 99/Hammett Road interchange including the overcrossing, on and off-ramps, and certain roadway segments within the interchange limits.

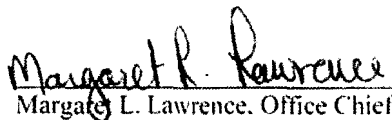
Determination

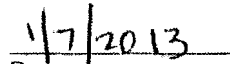
The Department has prepared an Initial Study for this project, and following public review, has determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

The proposed project would have no effect on Land Use, Growth, Farmlands/Timberlands, Relocations, Community Impacts, Environmental Justice, Coastal Zone, Cultural Resources, Hydrology and Floodplain, Wild and Scenic Rivers, Natural Communities, Wetlands and Other Waters and Plant Species.

In addition, the proposed project would have no significant effect on Parks and Recreational Services, Utilities/Emergency Services, Traffic and Transportation/Pedestrian and Bicycle Facilities, Visual/Aesthetics, Water Quality, Paleontology, and Storm Water Runoff, Geology/Soils/Seismic/Topography, Hazardous Waste/Materials, Air Quality, and Noise and Vibration with the implementation of avoidance, minimization, and/or mitigation measures.

In addition, the proposed project would have no significantly adverse effect on biological resources (animal species, threatened and endangered species and invasive species) with the implementation of avoidance, minimization, and/or mitigation measures as recommended by the U.S. Fish & Wildlife Service (e.g., preconstruction surveys, nesting setback, purchase of mitigation credits).


Margaret L. Lawrence, Office Chief
Office of Environmental Management, North
Central Region Environmental Division
California Department of Transportation


Date