

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

DEPT: Public Works

BOARD AGENDA #: *C-1

AGENDA DATE: November 7, 2017

SUBJECT:

Approval to Adopt a Mitigated Negative Declaration for the McHenry Avenue Widening Project in Stanislaus County

BOARD ACTION AS FOLLOWS:

No. 2017-645

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

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended


2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM

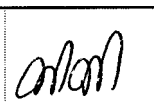
DEPT: Public Works

Urgent

Routine

BOARD AGENDA #: *C-1

AGENDA DATE: November 7, 2017



CEO CONCURRENCE:

4/5 Vote Required: Yes No

SUBJECT:

Approval to Adopt a Mitigated Negative Declaration for the McHenry Avenue Widening Project in Stanislaus County

STAFF RECOMMENDATIONS:

1. Adopt the Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15074(B), by finding that on the basis of the whole record, including the Initial Study and any comments received, 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 with the Stanislaus County Clerk Recorder's office pursuant to Public Resources Code Section 21152 and CEQA Guidelines Section 15075.

DISCUSSION:

The purpose of the McHenry Avenue Widening Project is to improve the corridor to accommodate north/south interregional traffic between the cities of Modesto and Escalon and to State Highway 108 (McHenry Avenue/Ladd Road). This project will improve regional circulation, relieve existing traffic congestion, reduce traffic delays, accommodate future traffic, improve safety, promote non-motorized modes of transportation, and allow for goods movement and job development for existing and future development. The recent average daily traffic counts (ADTs) on McHenry Avenue is approximately 13,000 vehicles per day which is approaching the capacity for the existing two-lane rural roadway.

The project is located between the cities of Modesto and Escalon. Project limits are from Ladd Road to the south abutment of the McHenry Avenue Bridge over the Stanislaus River. Project improvements include widening McHenry Avenue, which is designated as a Minor Arterial road, with two through lanes in each direction and a dual left-turn median.

Public Works staff recommends that the Board adopt the Mitigated Negative Declaration pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15074(B), by finding that on the basis of the whole record, including the Initial Study and any comments received, 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

Approval to Adopt a Mitigated Negative Declaration for the McHenry Avenue Widening Project in Stanislaus County

independent judgment and analysis. A detailed list of mitigated measures can be found in Section 2.0 of the Initial Study/Mitigated Negative Declaration (ISMND).

Pursuant to CEQA, a Notice of Availability of Initial Study and a Notice of Intent to Adopt a Negative Mitigated Declaration were published in the Modesto Bee newspaper on August 15, 2017 and circulated to various agencies and to the public. Public circulation of the environmental document for the Project occurred from August 15, 2017 to September 15, 2017. Additionally, a public meeting was held on August 29, 2017 providing the opportunity for public comment and participation. All comments have been incorporated into the ISMND as Appendix H. Any additions or corrections to the ISMND subsequent to public comments have been addressed within the document.

Upon adoption of the Mitigated Negative Declaration and Caltrans' approval of the National Environmental Policy Act compliance, Public Works will continue with the final design of the project. Construction is anticipated to begin in the spring of 2020.

POLICY ISSUE:

Per CEQA Guidelines Section 15074(B), the Board of Supervisors is required to adopt the Initial Study/Mitigated Negative Declaration prior to filing a Notice of Determination.

FISCAL IMPACT:

The cost to file the Initial Study/Mitigated Negative Declaration is \$2,267 (\$2,217 filing, \$50 administrative fee). Fees will be paid through the Regional Surface Transportation Program (RSTP) and are included in the Fiscal Year 2017-2018 Public Works Road Projects Budget.

Cost of recommended action:		\$ 2,267
Source(s) of Funding:		
RSTP	\$ 2,267	
Funding Total:		<u>2,267</u>
Net Cost to County General Fund		<u><u>\$ -</u></u>

Fiscal Year:	2017-2018
Budget Adjustment/Appropriations needed:	No

BOARD OF SUPERVISORS' PRIORITY:

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 widening an existing corridor to enhance safety and improve traffic flow for the traveling public.

STAFFING IMPACT:

Existing Public Works staff is overseeing this project.

Approval to Adopt a Mitigated Negative Declaration for the McHenry Avenue Widening Project
in Stanislaus County

CONTACT PERSON:

Matt Machado, Public Works Director

Telephone: (209) 525-4153

ATTACHMENT(S):

1. Initial Study Mitigated Negative Declaration

**INITIAL STUDY WITH
MITIGATED NEGATIVE DECLARATION
MCHENRY AVENUE WIDENING PROJECT
STANISLAUS COUNTY, CALIFORNIA**



Prepared for:



Stanislaus County
1716 Morgan Road
Modesto, CA 95358

Prepared by:

Dokken Engineering
110 Blue Ravine Road, Suite 200
Folsom, California 95630

October 2017

For individuals with sensory disabilities, this document is available in Braille, large print, on audiocassette, or computer disk. To obtain a copy in one of these alternate formats, please call or write to Stanislaus County, Attn: Matt Machado, Director of Public Works, Stanislaus County, 1716 Morgan Road, Modesto, CA. Phone No. (209) 525-4153

Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

PROJECT DESCRIPTION

The County of Stanislaus proposes to widen the existing two-lane McHenry Avenue to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane) from the intersection of Ladd/Patterson Road to 0.25 mile south of the intersection with East River Road. This project will not include widening or structural improvements to the McHenry Avenue Bridge over the Stanislaus River (Bridge No. 38C-0032). As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area. The project will also include a drainage basin for stormwater runoff, as well as striping for four lanes and a center turn lane throughout the entirety of the project from the intersection of Ladd/Patterson Road and McHenry Avenue, to the intersection of East River Road and McHenry Avenue. Striping for a left turn only (southbound) lane at the entrance to Hogue Road will also be incorporated into the project.

The McHenry Avenue Widening Project is part of Stanislaus County’s plan to improve and accommodate the north to south interregional traffic between the cities of Modesto, Escalon, and to State Highway 108 by widening McHenry Avenue in its entirety from Ladd Road to East River Road. As part of this plan, the overarching project was cleared under CEQA in different segments. The following projects have been completed, or will be completed, as part of the overall McHenry Avenue widening goal:

PROJECT	LOCATION	STATUS	CONSTRUCTION START DATE
1. McHenry Avenue Solar Farm	Intersection of Ladd Road and McHenry Road to 2,640 feet north.	Environmental clearance obtained in 2011 (EIR). Road was previously widened. ROW was obtained through McHenry Solar Farm.	Completed
2. McHenry Avenue Corridor Improvement Project	200 feet south of Jones Road in San Joaquin County, to 1,700 feet south of East River Road in Stanislaus County (includes replacement of Stanislaus River Bridge)	Environmental clearance obtained (MND/EA) in 2013.	2017
3. McHenry Avenue Phase I Widening Project	2,634 feet north of Ladd Road and extends to 665 feet north of Hogue Road	Environmental clearance obtained (MND) in 2015.	2020
4. McHenry Avenue Widening Project	Intersection of Hogue Road and McHenry Avenue to East River Road.	Initiating PA/ED (Current Project).	2020

The McHenry Avenue Widening project (4) will be the last segment necessary in order to complete the corridor improvement project. In an effort to provide clarity and unify the project as a whole,

this document provides CEQA environmental analysis for the entirety of the project between Ladd Road and East River Road.

DETERMINATION

The County has prepared an Initial Study for this Project and has determined from this study that the Project would not have a significant effect on the environment for the following reasons:

The Project would have no impact on land use and planning, mineral resources, population and housing, and recreation.

The Project would have less than significant impact on agriculture and forest resources, geology and soils, and utilities and services.

The Project would have less than significant impact with mitigation incorporated on aesthetics, air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation/traffic, tribal cultural resources, and mandatory findings of significance.

Matt Machado
Director
Department of Public Works
Stanislaus County

Date

EXECUTIVE SUMMARY

The County of Stanislaus proposes to widen the existing two-lane McHenry Avenue to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane) from the intersection of Ladd/Patterson Road to 0.25 mile south of the intersection with East River Road. This project will not include widening or structural improvements to the McHenry Avenue Bridge over the Stanislaus River (Bridge No. 38C-0032). As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area. The project will also include a drainage basin for stormwater runoff, as well as striping for four lanes and a center turn lane throughout the entirety of the project from the intersection of Ladd/Patterson Road and McHenry Avenue, to the intersection of East River Road and McHenry Avenue. Striping for a left turn only (southbound) lane at the entrance to Hogue Road will also be incorporated into the project.

Table 1 provides a summary of potential impacts to environmental resources from the Project.

This environmental document is prepared in conformance with the requirements of the California Environmental Quality Act (CEQA) Public Resources Code 21000-21178. The County is the Lead Agency for CEQA implementation.

Table 1. Summary of Potential Impacts from Alternatives

Resource	Potential Impacts		Summary of Avoidance, Minimization, and/or Mitigation Measures
	No-Build Alternative	Build Alternative	
Aesthetics	No impact.	Less than significant with mitigation incorporated.	Aesthetic treatments and/or landscaping incorporated during Final Design.
Agriculture and Forest Resources	No impact.	Less than significant	N/A
Air Quality	No impact.	Less than significant with mitigation incorporated.	Dust and erosion control during construction, and Dust Mitigation Plan for potential asbestos presence.
Biological Resources	No impact.	Less than significant with mitigation incorporated.	Environmentally Sensitive Area Fencing; purchase elderberry shrub mitigation credits; pre-construction nesting bird surveys; and Swainson's hawk protocol surveys.
Cultural Resources	No impact.	Less than significant with mitigation incorporated.	Compliance with regulations relating to discovered human and/or Native American remains.
Geology and Soils	No impact.	Less than significant.	Standard BMPs incorporated.

Resource	Potential Impacts		Summary of Avoidance, Minimization, and/or Mitigation Measures
	No-Build Alternative	Build Alternative	
Greenhouse Gas Emissions	No impact.	Less than significant with mitigation incorporated.	Incorporate the use of energy-efficient lighting, such as LED traffic signals, and comply with all local Air Quality Management District rules, ordinances, and regulations for air quality restrictions. .
Hazards and Hazardous Materials	No impact.	Less than significant with mitigation incorporated.	Soil sampling and proper handling, and Dust Mitigation Plan for potential asbestos presence.
Hydrology and Water Quality	No impact.	Less than significant with mitigation incorporated.	Standard BMPs and Storm Water Management Plan.
Land Use and Planning	No impact.	No impact.	N/A
Mineral Resources	No impact.	No impact.	N/A
Noise	No impact.	Less than significant with mitigation incorporated.	Minimize long-term and construction-generated noise.
Population and Housing	No impact.	No impact.	N/A
Public Services	No impact.	Less than significant with mitigation.	Construction phasing, signage, and traffic control plan.
Recreation	No impact.	No impact	N/A
Transportation/ Traffic	McHenry Avenue would not be widened to four lanes.	Less than significant with mitigation incorporated.	Construction phasing, signage, and traffic control plan.

Resource	Potential Impacts		Summary of Avoidance, Minimization, and/or Mitigation Measures
	No-Build Alternative	Build Alternative	
Tribal Cultural Resources	No impact.	Less than significant with mitigation incorporated.	Compliance with regulations relating to discovered human and/or Native American remains.
Utilities and Service Systems	No impact.	Less than significant.	Standard BMPs and SWPPP.
Mandatory Findings of Significance	No impact.	Less than significant with mitigation incorporated.	Refer to aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality land use and planning, noise, and transportation/traffic, measures.

The detailed CEQA checklist summarizing specific Project impacts is included within each of the following sections.

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- Appendix F – Mitigation Monitoring and Reporting Program
- Appendix G – Distribution List
- Appendix H – Response to Public Comments

LIST OF ABBREVIATIONS

AB	Assembly Bill
ADL	Aerially deposited lead
ADT	Average Daily Traffic
APE	Area of Potential Effects
AUL	Activity and Use Limitation
BMPs	Best Management Practices
BSA	Biological Study Area
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEPA	California Environmental Protection Agency
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CESA	California Endangered Species Act
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulation
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	Carbon Monoxide
CO ₂	Carbon Dioxide
CWA	Clean Water Act
dBA	Decibel A-weighted
DWR	Department of Water Resources
EDR	Environmental Data Resources Inc.
E.O.	Executive Order
EPA	Environmental Protection Agency
ESA	Environmentally Sensitive Area
FESA	Federal Endangered Species Act
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Map
GHG	greenhouse gases
IPac	USFWS Information for Planning and Conservation
ISA	Initial Site Assessment
Ldn	Day-night Average Sound Level
Leq	Equivalent Continuous Sound Level
Lmax	Maximum Sound Level

LOS	Level of Service
MACIP	McHenry Avenue Corridor Improvement Project
MBTA	Migratory Bird Treaty Act
MND	Mitigated Negative Declaration
Mph	miles per hour
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCIC	North Central Information Center
NEPA	National Environmental Protection Act
NES	Natural Environment Study
NMFS	National Marine Fisheries Service
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
NOA	Naturally Occurring Asbestos
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
O ₃	Ozone
OHP	Office of Historic Preservation
PCEs	primary constituent elements
PM	Particulate Matter
POAQC	Project of Localized Air Quality Concern
ppb	Parts per Billion
ppm	Parts per Million
PRC	Public Resources Code
REC	Recognized Environmental Condition
ROG	Reactive organic compounds
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
RSRB Project	Replacement of the Stanislaus River Bridge on McHenry Avenue
SCS	Sustainable Communities Strategy
sec	second
SHPO	State Historic Preservation Office
SHTAC	Swainson's Hawk Technical Advisory Committee
SIP	State Implementation Plan
SJVAPCD	San Joaquin Valley Air Pollution Control District
SMAQMD	Sacramento Metropolitan Air Quality Management District

SO ₂	Sulfur Dioxide
SPCCP	Spill Prevention, Control, and Countermeasure Program
SSC	Species of Special Concern (SSC).
SSJID	South San Joaquin Irrigation District
StanCOG	Stanislaus Council of Governments
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
VELB	Valley elderberry longhorn beetle
VHD	vehicle hours of delay
VOC	Volatile organic compounds

1.0 PROJECT

1.1 INTRODUCTION

The County of Stanislaus proposes to widen the existing two-lane McHenry Avenue to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane) from the intersection of Ladd/Patterson Road to 0.25 mile south of the intersection with East River Road. This project will not include widening or structural improvements to the McHenry Avenue Bridge over the Stanislaus River (Bridge No. 38C-0032). As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area. The project will also include a drainage basin for stormwater runoff, as well as striping for four lanes and a center turn lane throughout the entirety of the project from the intersection of Ladd/Patterson Road and McHenry Avenue, to the intersection of East River Road and McHenry Avenue. Striping for a left turn only (southbound) lane at the entrance to Hogue Road will also be incorporated into the project.

The total estimated cost to implement the widening project is \$13,025,000. This project is included in the Fiscal Years 2017 Federal Transportation Improvement Program (FTIP) and is funded through Caltrans Local Assistance.

1.2 PURPOSE

The purpose of the Project is to improve and accommodate the north to south interregional traffic between the cities of Modesto, Escalon, and to State Highway 108 by widening McHenry Avenue in its entirety from Ladd Road to East River Road. The project will also improve regional circulation, relieve existing traffic congestion, reduce traffic delay, accommodate future traffic, improve safety, promote non-motorized modes of transportation, and allow for good movement and job development for existing and future developments.

1.3 NEED

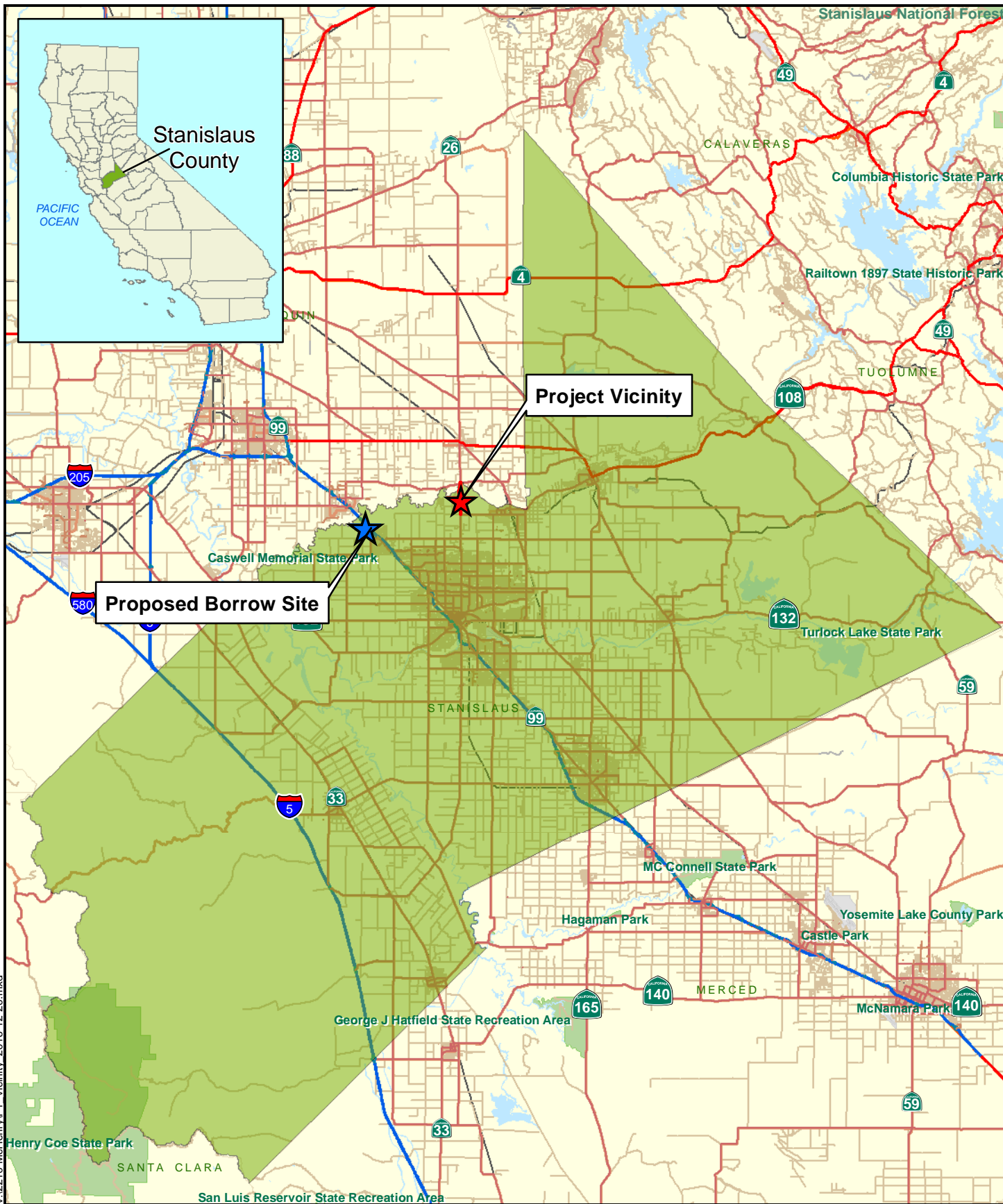
The project is needed as Average Daily Traffic (ADT) (13,000 vehicles per day) counts are closely reaching capacity of the existing two-lane rural roadway.

1.4 ALTERNATIVES

Two alternatives are being considered for this Project—the Build Alternative (see Figure 1: Project Vicinity, Figure 2: Project Location, Figure 3: Project Features, and Figure 4: Existing and Proposed Cross Sections) and the No-Build Alternative.

1.4.1 BUILD ALTERNATIVE

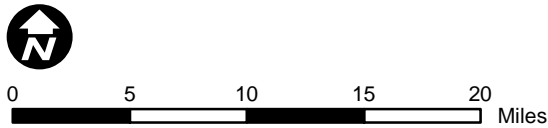
The County of Stanislaus proposes to widen the existing two-lane McHenry Avenue to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane) from the intersection of Ladd/Patterson Road to 0.25 mile south of the intersection with East River Road. This project will not include widening or structural improvements to the McHenry Avenue Bridge over the Stanislaus River (Bridge No. 38C-0032). As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow

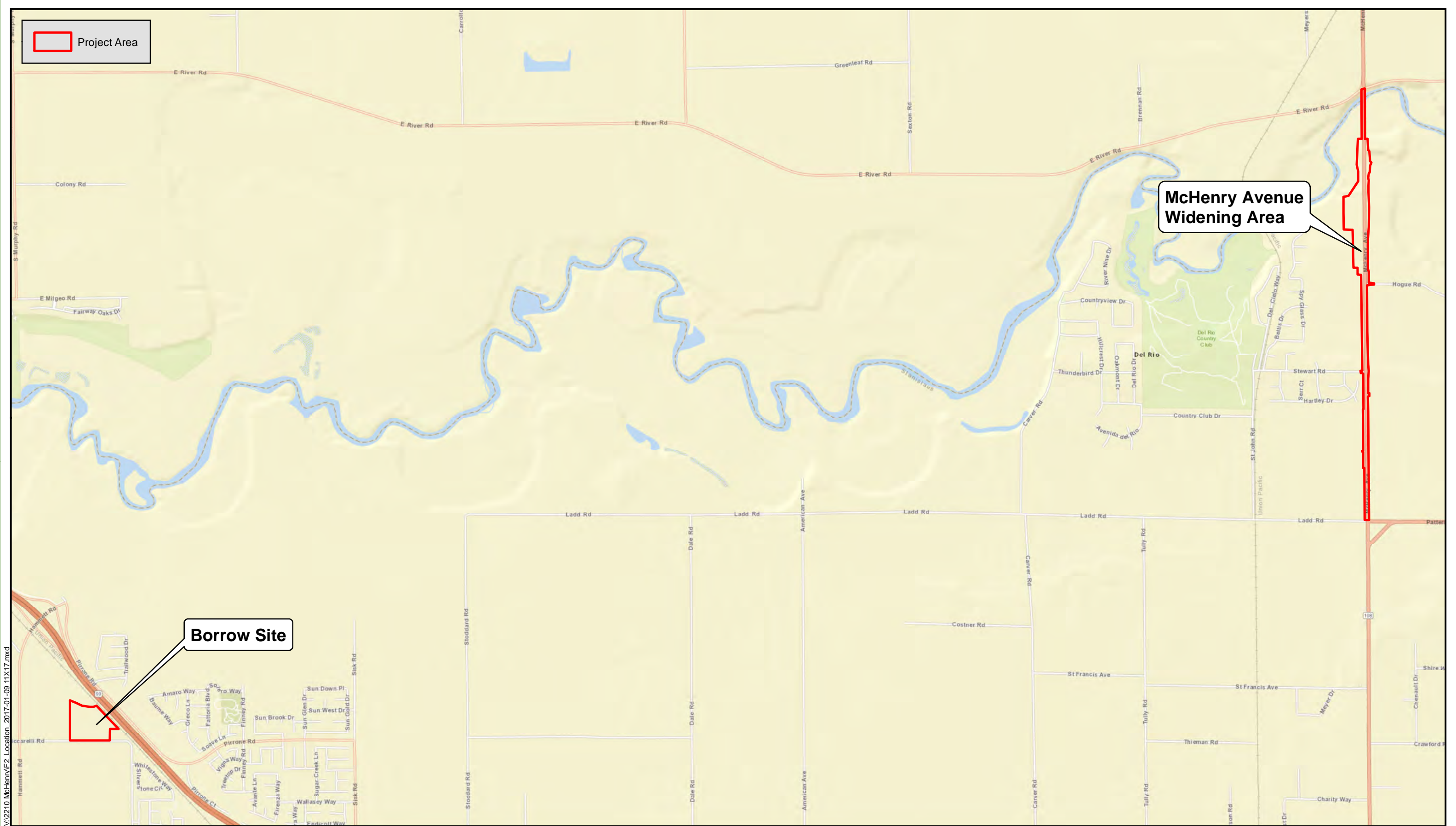


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FIGURE 1
Project Vicinity
 STPL 5938(233)
 McHenry Avenue Widening
 Stanislaus County, California





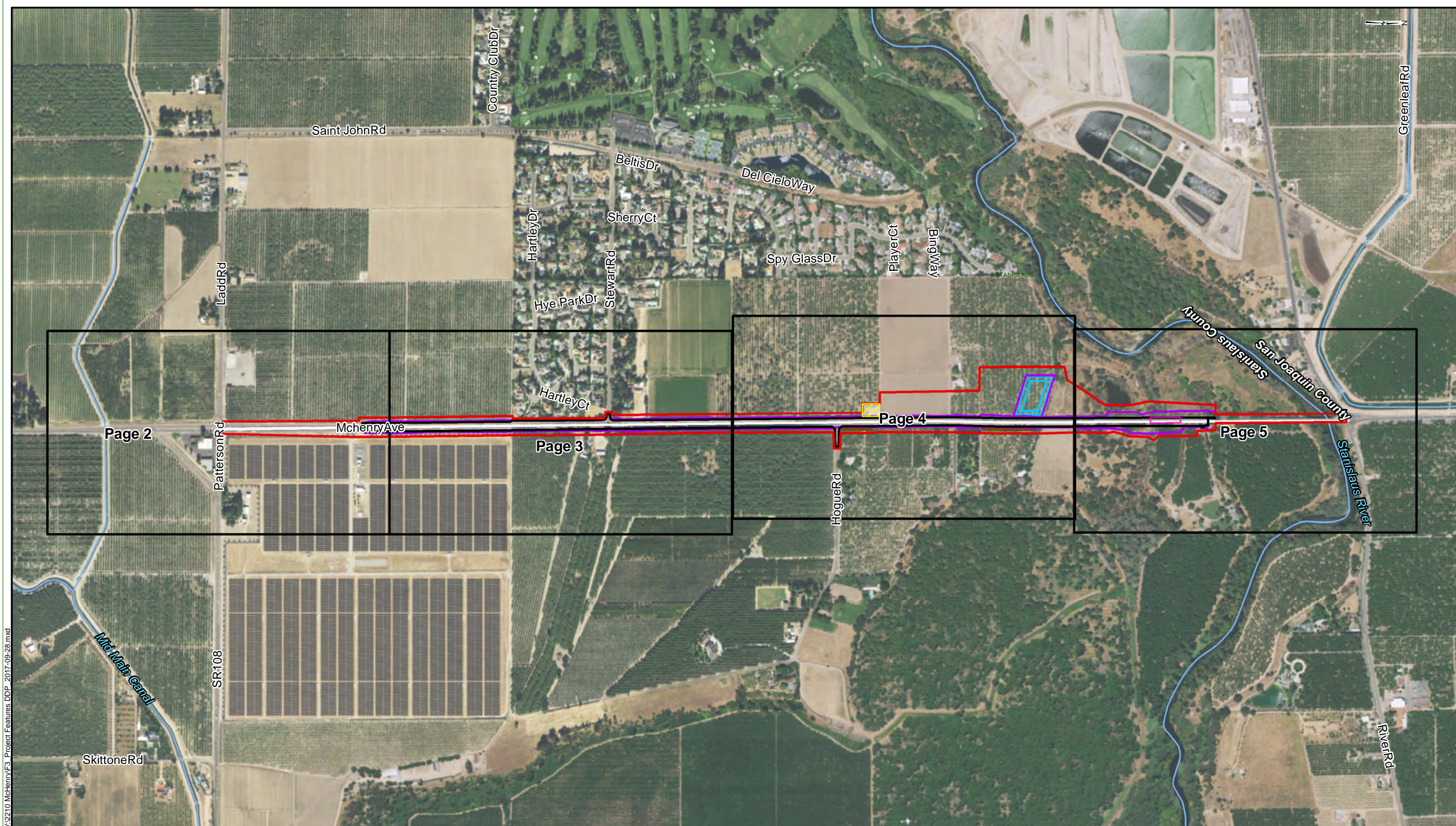
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FIGURE 2
Project Location
 STPL 5938(233)
 McHenry Avenue Widening Project
 Stanislaus County, California

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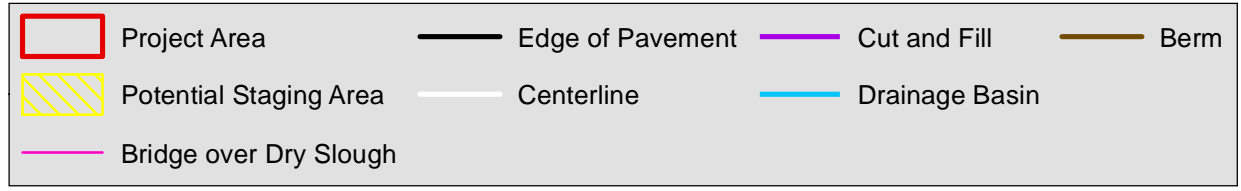
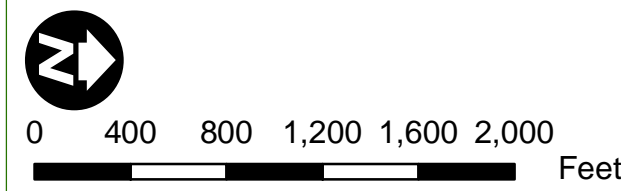
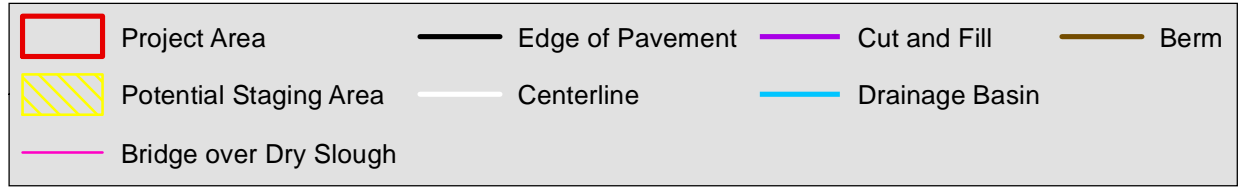
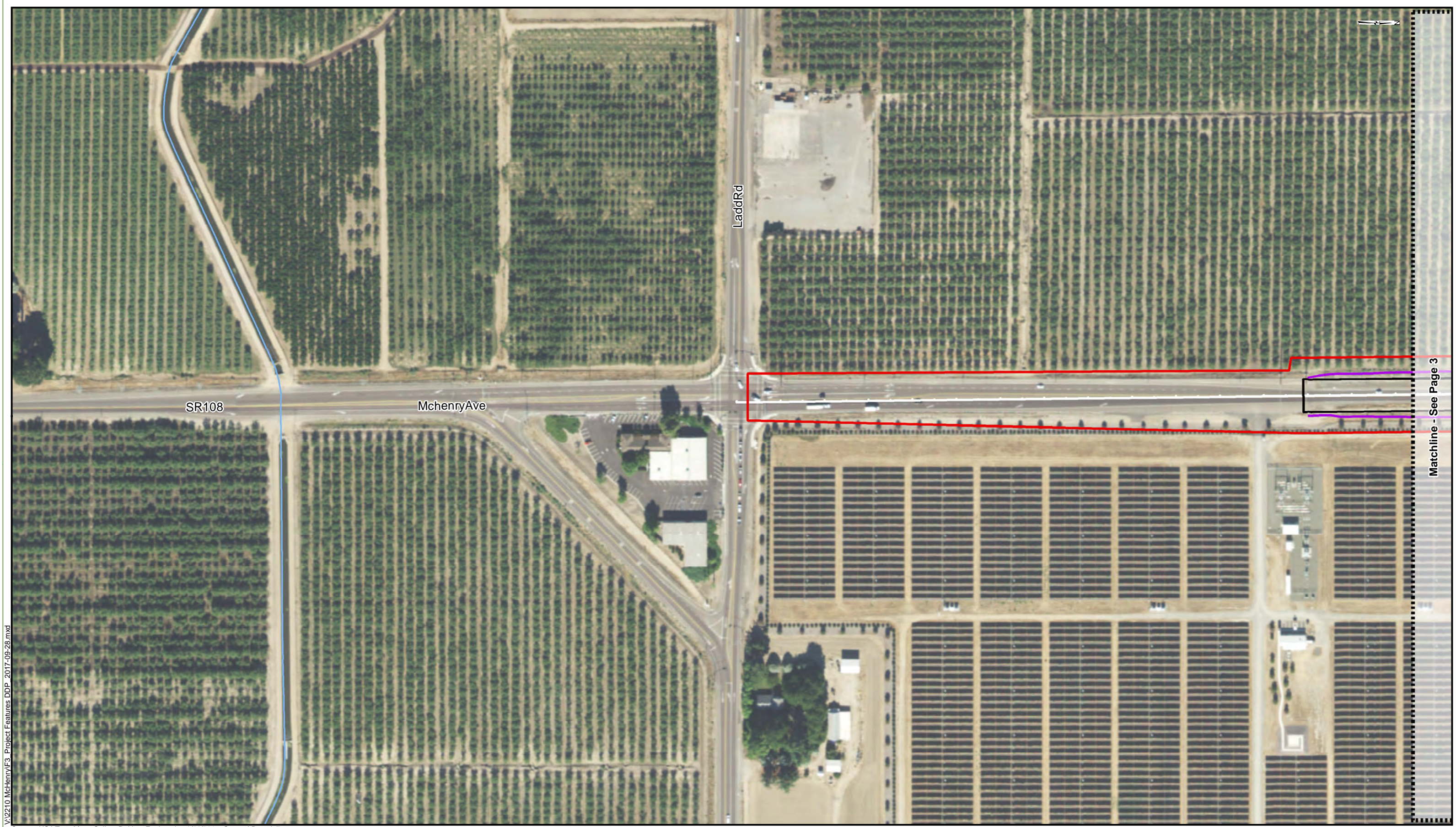
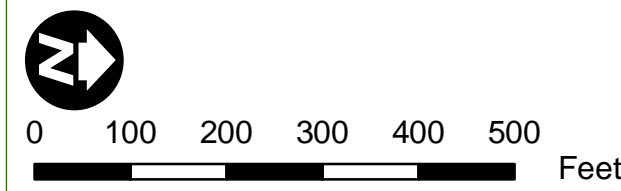


Figure 3
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Project Features
 STPL 5938(233)
 McHenry Avenue Widening
 Stanislaus County, California

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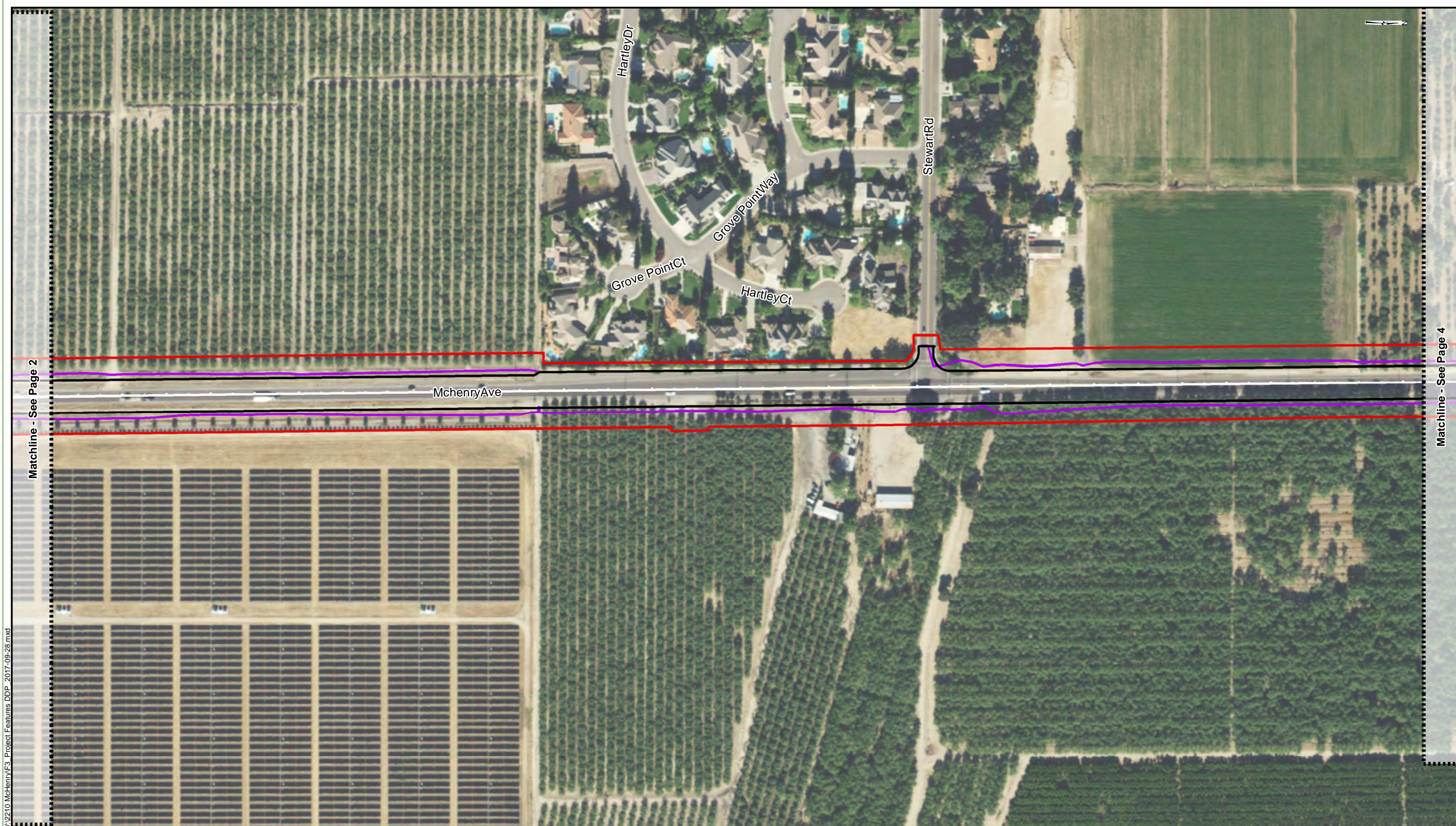
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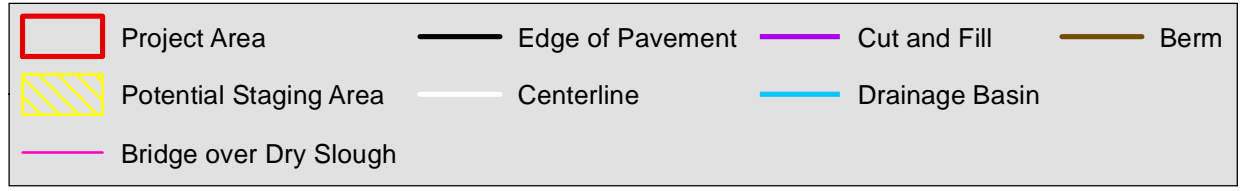
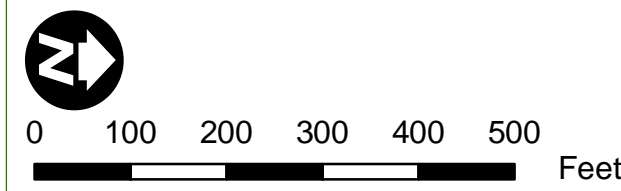
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 McHenry Avenue Widening
 Stanislaus County, California

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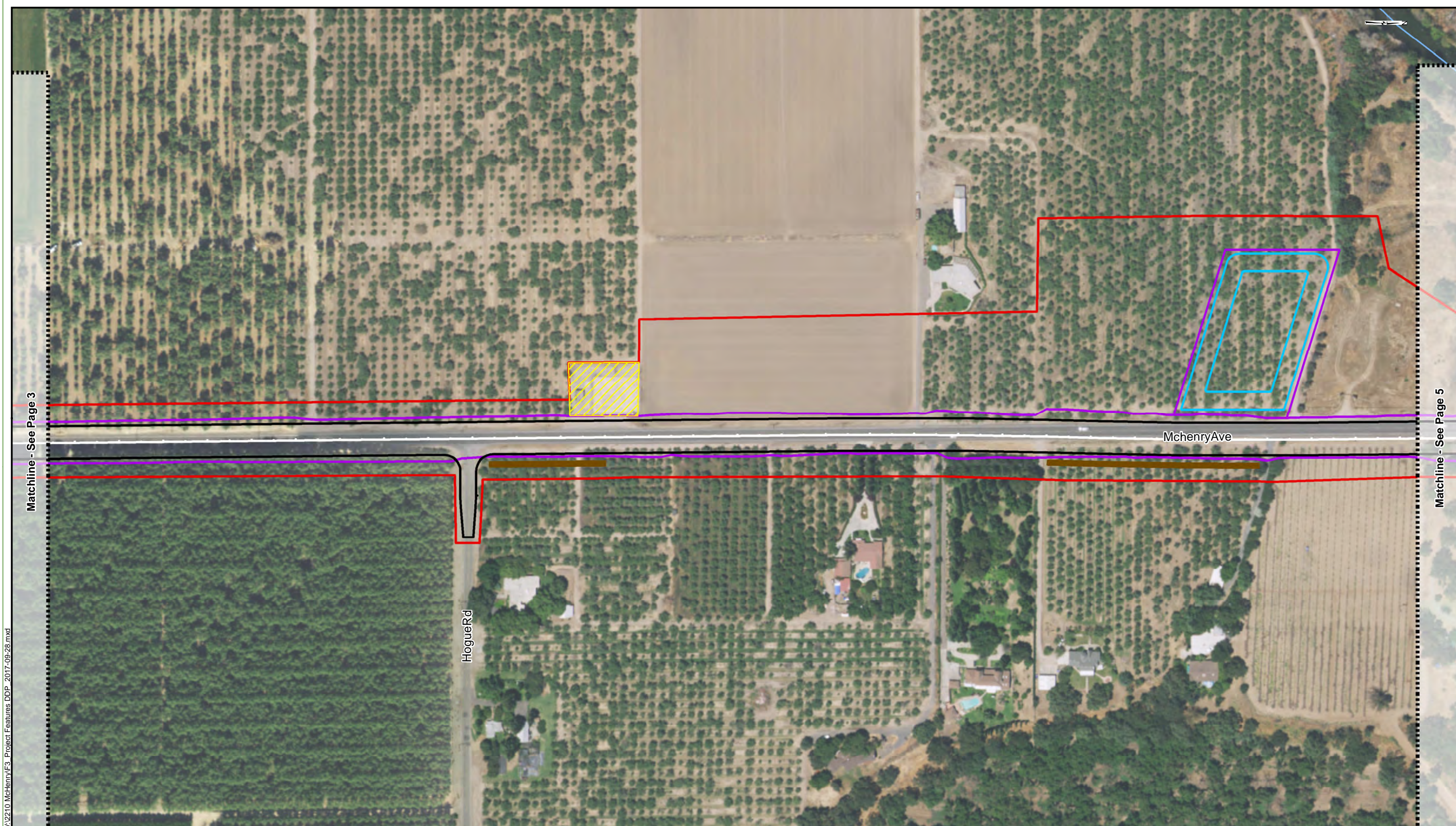


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Figure 3
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Project Features
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 McHenry Avenue Widening
 Stanislaus County, California

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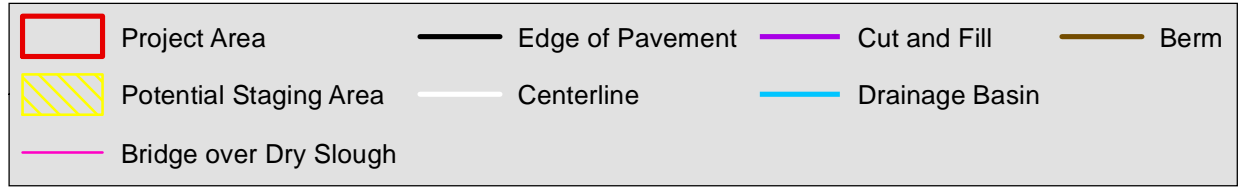
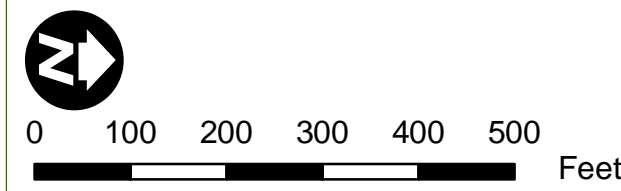


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Project Features
 STPL 5938(233)
 McHenry Avenue Widening
 Stanislaus County, California

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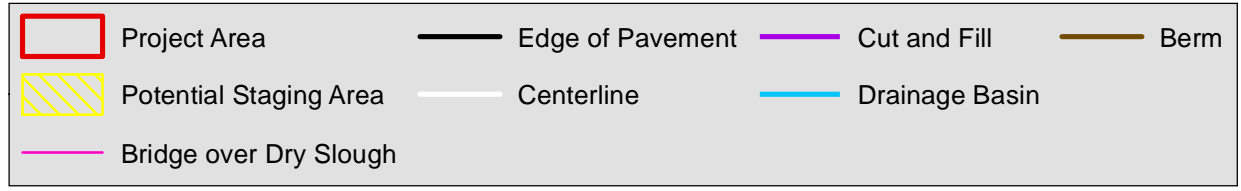
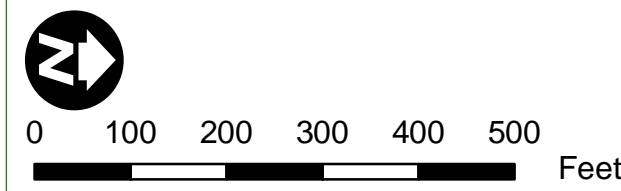
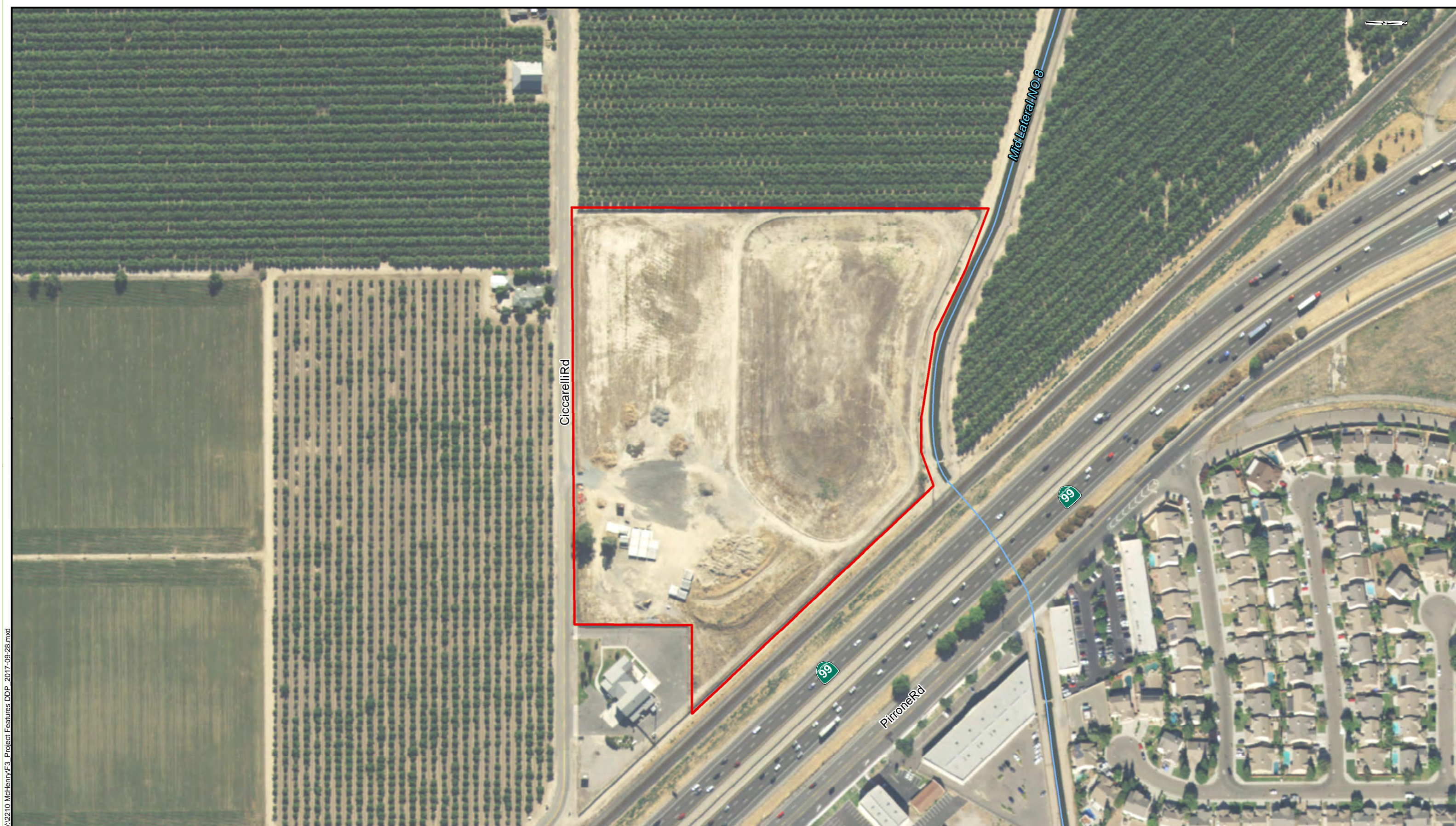


Figure 3
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Project Features
 STPL 5938(233)
 McHenry Avenue Widening
 Stanislaus County, California

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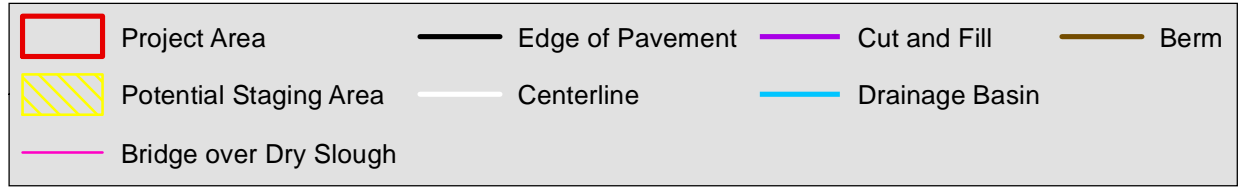
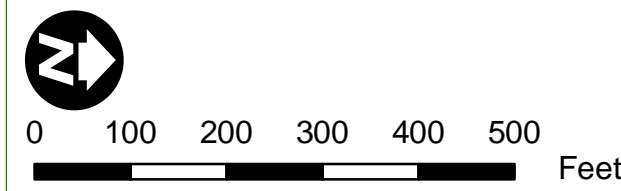


Figure 3
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Project Features
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DATE:	10/27/16
REVISIONS	DATE APPROVED
NO	DESCRIPTIONS

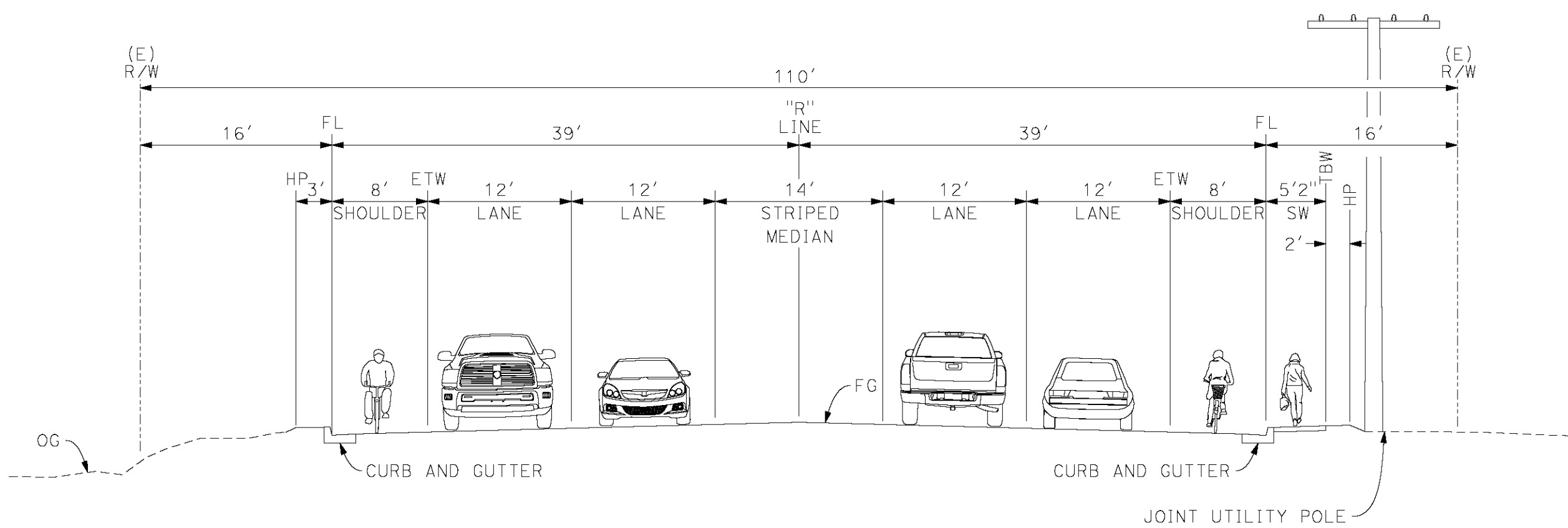
STANISLAUS COUNTY
 DEPARTMENT OF PUBLIC WORKS
 ENGINEERING AND OPERATIONS DIVISION
 1716 MORGAN ROAD - MODESTO, CA 95358



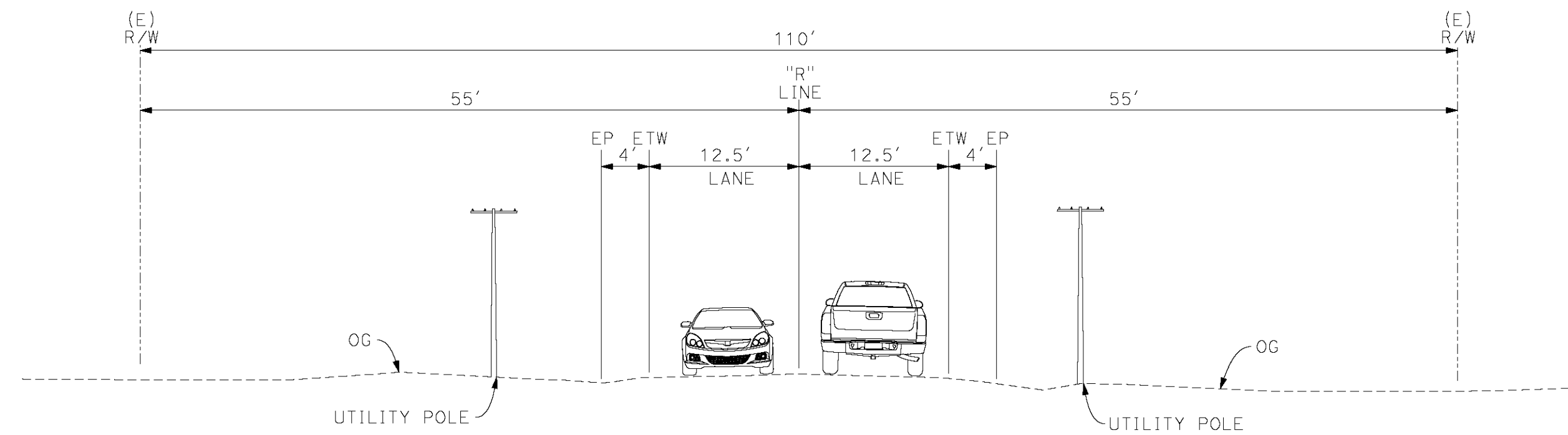
PLANS FOR THE BRIDGE REPLACEMENT OF:
McHENRY AVE - LADD RD/PATTERSON RD
 TO STANISLAUS RIVER
 STANISLAUS COUNTY, CALIFORNIA

JOB NO 2210
 DATE 8/XX/17
 DR BY J. KOZAK
 CK BY K. WICKAM
 SCALE

SHEET NUMBER
 OF **XX** SHEETS



PROPOSED McHENRY AVENUE TYPICAL SECTION



EXISTING McHENRY AVENUE TYPICAL SECTION

Figure 4
 Existing and Proposed Cross Sections
 STPL 5938(233)
 McHenry Avenue Widening
 Stanislaus County, California

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site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area. The project will also include a drainage basin for stormwater runoff, as well as striping for four lanes and a center turn lane throughout the entirety of the project from the intersection of Ladd/Patterson Road and McHenry Avenue, to the intersection of East River Road and McHenry Avenue. Striping for a left turn only (southbound) lane at the entrance to Hogue Road will be incorporated into the project. The project begins approximately 4.3 miles south of the City of Escalon and State Route 120, at the intersection of McHenry Avenue and Ladd Road/Patterson Road and runs north to the south abutment of the McHenry Avenue Bridge over the Stanislaus River. The widening project from Ladd Road to the south abutment of McHenry Avenue Bridge is approximately 1.9 miles in length.

There are existing overhead electric and communications utility lines along McHenry Avenue that will need to be relocated. Close coordination with the local utility companies will be carried out in order to coordinate the permanent relocation of these utilities.

Temporary construction easements are also needed throughout the project area as construction staging would take place within County right-of-way and adjacent privately-owned parcels. Permanent right-of-way acquisitions are also anticipated to accommodate the roadway improvements.

1.4.2 NO-PROJECT ALTERNATIVE

The State CEQA Guidelines (Section 15126[e]) require consideration of a No-Project alternative that represents the existing conditions, as well as what would reasonably be expected to occur in the foreseeable future if the Project were not approved. Under the No-Build, or “Do Nothing” Alternative, McHenry Avenue will not be extended. The ultimate width of the roadway would not be completed and as a result congestion would increase along this segment of roadway.

1.5 PERMITS AND APPROVALS NEEDED

Environmental findings within the Project include impacts to water quality, waters of the U.S. and State, special status species, and Project right of way. The following consultations and environmental permits will be obtained prior to the start of construction.

Agency	Permit/Approval	Status
State Water Resources Control Board	Section 401 Certification	Anticipated May 2018
California Department of Fish and Wildlife	1602 Streambed Alteration Agreement	Anticipated May 2018
U.S. Fish and Wildlife Service	Section 7 Biological Opinion	Anticipated December 2017
U.S. Army Corps of Engineers	Section 404 Nationwide Permit 14	Anticipated May 2018
U.S. Army Corps of Engineers	Section 408 Permit	Will be Obtained Prior to Construction
Regional Water Quality Control Board	National Pollutant Discharge Elimination System 402 General Permit for Storm Water Discharges Associated with Construction Activity	Will be Obtained Prior to Construction.
Central Valley Flood Protection Board	Encroachment Permit	Will be Obtained Prior to Construction

2.0 Affected Environment, Environmental Consequences, and Avoidance, Minimization and/or Mitigation Measures

This chapter explains the impacts that the Project would have on the human, physical, and biological environments in the Project area. It describes the existing environment that could be affected by the Project, potential impacts from the alternatives, and avoidance, minimization, and/or mitigation measures. Any indirect impacts are included in the general impacts analysis and discussions that follow.

2.1 AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

CEQA establishes that it is the policy of the state to take all action necessary to provide the people of the state “with...enjoyment of aesthetic, natural, scenic and historic environmental qualities (CA Public Resources Code Section 21001[b]).”

DISCUSSION

a) *Have a substantial adverse effect on a scenic vista?*

No impact. No designated scenic vistas are at or near the project site. McHenry Avenue is not a designated Scenic Highway in the National Scenic Byways Program nor is it a State Scenic Highway (Caltrans 2011). There are no Wild and Scenic Rivers within the Project corridor. Therefore, no impact to a scenic vista would result from the Project.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

No impact. The Project Site is not located within a State Scenic Highway nor is the site visible from a State highway, including any State highways designated as scenic highways. Therefore, no impact to scenic resources within a State Scenic Highway would result from development of the Project, and no mitigation is required.

c) *Substantially degrade the existing visual character or quality of the site and its surroundings?*

Less than Significant with Mitigation. The project location and setting provides for the context for determining the type of changes to the existing visual environment. The Project is located on

McHenry Avenue between East River Road and Ladd/Patterson Road in Stanislaus County, California within the San Joaquin Valley region of central California. The landscape is characterized by agricultural lands, valley grasslands, and dispersed oak woodlands. The land use within the project corridor is primarily rural-residential-agricultural. The project corridor is defined as the area of land that is visible from, adjacent to, and outside the highway right-of-way, and is determined by topography, vegetation, and viewing distance.

Visual resources of the project setting are defined and identified below by assessing visual character and visual quality in the project corridor. Resource change is assessed by evaluating the visual character and the visual quality of the visual resources that comprise the project corridor before and after the construction of the Project.

The visual character of the Project will be compatible with the existing visual character of the corridor. McHenry Avenue within the project area runs from Ladd Road to the south abutment of McHenry Avenue Bridge is approximately 1.9 miles in length of rural residential and agricultural lands. The widening of the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) is within these same visual conditions. The existing form of the bridge site is balanced between the man-made roadway and natural surrounding riparian woodlands. The roadway consists of dark color, and somewhat rough texture due to cracks and patchwork on the road. The natural surroundings consist of riparian woodland through the McHenry Avenue Bridge over Dry Slough area with the extended length of the McHenry Avenue dominated by agricultural lands (Figure 5 – Figure 8). McHenry Avenue is not a designated Scenic Highway in the National Scenic Byways Program nor is it a State Scenic Highway (Caltrans 2011).

The surrounding areas throughout the Project corridor of McHenry Avenue are characterized by agricultural lands intermixed with rural residential and low-density residential areas. The road widening will continue along the current alignment of the facility, and the visual character. The visual quality of the existing corridor will remain consistent with pre-construction conditions and will not be significantly altered by the Project.

Resource Change (changes to visual resources as measured by changes in visual character and visual quality) will be low. Visual character and quality of the Project will be similar with the existing visual character and quality of the project area in its current state. With the project, the widening of the McHenry Avenue Bridge over Dry Slough would have a similarly balanced form of man-made roadway and natural woodland. Since the project does not change the existing land uses and adds a minor amount of new paved surfaces, the visual character would not change substantially. Riparian habitat is located along Dry Slough and throughout the floodplain areas south of the Stanislaus River along McHenry Avenue. The riparian areas are composed of Fremont cottonwood (*Populus fremontii*), narrowleaf willow (*Salix exigua*), Himalayan blackberry (*Rubus armeniacus*), Californian blackberry (*Rubus ursinus*), California grape (*Vitis californica*), blue elderberry (*Sambucus nigra ssp. caerulea*), and California wild rose (*Rosa californica*). While some riparian forest areas adjacent to the McHenry Avenue Bridge over Dry Slough would be removed (approximately 0.38 acres of permanent impacts and approximately 0.17 acres of temporary impacts), this would not substantially change the visual quality of the site. As a wooded area, numerous trees would remain in view of the widened bridge, and all trees along the edge of construction would be trimmed rather than removed where possible. All temporary impacts to riparian areas would be re-contoured to pre-construction conditions, and re-vegetated with a native seed mix, and all permanent impacts will be mitigated for at an agency approved mitigation ratio at an on or off-site agency approved location or a combination of both. No impacts to vegetation along the McHenry Avenue Bridge over the Stanislaus River will occur. The project would not change the surrounding character, because the project would largely stay on the

existing alignment. With the implementation of **VIS-1**, any potential impacts to visual resources would be less than significant with mitigation.

Temporary impacts to the visual character and quality of the Project site would occur during construction activities. The construction related visual character within the Project area would be temporary due to construction equipment, staging and traffic control. Construction of the Project would temporarily change views experienced by drivers, pedestrians, and other people in the Project area. Temporary impacts due to Project construction would be short-term and would cease upon Project completion. Visible short-term fugitive dust associated with construction would be reduced through the implementation of dust suppression measures outlined within Caltrans Standard Specifications for Construction. Adhering to Caltrans Standard Specifications for Construction would also minimize visual impacts through the use of opaque temporary construction fencing that would be situated around construction staging areas. These impacts are temporary and therefore, not considered substantial. With the implementation of the Mitigation Measure **VIS-2** through **VIS-6**, any potential impacts to visual resources would be less than significant with mitigation.



Figure 5. West side of McHenry Avenue Bridge over Dry Slough facing North.



Figure 6. East side of McHenry Avenue Bridge over Dry Slough facing South.



Figure 7. Typical agricultural visual character along McHenry Avenue.



Figure 8. Typical rural/agricultural visual character along McHenry Avenue.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Less than Significant. The Project would not substantially affect light and glare. No new lighting is proposed. Construction activities would temporarily introduce equipment and vehicles to the Project site; however, work would take place during daylight hours and no construction lighting is anticipated. The Project would not result in substantial additional light or glare that would adversely affect day or nighttime views in the project area; therefore, potential impacts from development of the Project are considered less than significant.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

Avoidance or minimization measures have been identified and can lessen visual impacts caused by the project. Also, the inclusion of aesthetic features in the project design previously discussed can help generate public acceptance of a project. This section describes additional avoidance and/or minimization measures to address specific visual impacts. These will be designed and implemented with concurrence of the District Landscape Architect.

The following measures to avoid or minimize visual impacts will be incorporated into the project:

- VIA-1:** Permanent impacts to riparian vegetation within construction limits will be mitigated for at an agency approved mitigation ratio at an on or off-site agency approved location or a combination of both.
- VIS-2:** Landscape architecture considerations shall be implemented as directed by the Department's Highway Design Manual, Chapter 900, and the Department's Landscape

Architecture PS&E Guide. As such, highway planting, lighting plans, and aesthetic treatment would be incorporated into the project as appropriate. This would also include coordination between the Department's Landscape Architecture staff for areas within state right-of-way as well as with County of Stanislaus.

- VIS-3:** Caltrans Standard Specifications (2015) "Erosion Control" will be followed during construction. At the conclusion of construction, areas of bare soil shall be hydroseeded with native seed mix to prevent or at least minimize erosion.
- VIS-4:** Vegetation clearing would only occur within the delineated project boundaries in an effort to minimize the impacts. Trees located in areas along the edge of the construction zone would be trimmed whenever possible and only those trees that lie within the active construction areas would be removed.
- VIS-5:** All disturbed areas including staging of vehicles and equipment will be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native species.
- VIS-6:** The contractor will be required to maintain good housekeeping in and around construction sites, staging areas, and equipment storage areas.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to aesthetics.

2.2 AGRICULTURE AND FOREST RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION

- 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?*

Less Than Significant. To identify Prime and Unique Farmland within the project area, a NRCS-CPA-106 form was completed and submitted to the Natural Resource Conservation Service (NRCS) for review. The federal farmland impact rating form NRCS-CPA-106 for the Project is attached to this document under Appendix A.

As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area.

Suitable farmland soils do exist within the borrow site; however, the borrow site has been continuously disturbed and has not been used for farmland since approximately 1993, when the County purchased the property for use as a disposal/borrow site. The borrow site is surrounded by active farmland area, but no impacts to these farmlands or soils will occur.

Approximately 26.06 acres of suitable farmland soils were determined to be within the Project Area (Figure 9. Farmland Impacts). Of the 26.06 acres, approximately 25.49 acres were determined to be *Prime Farmland if Irrigated*, while the remaining 0.57 acres were determined to be *Farmland of Statewide Importance* acres of suitable farmland soils. After completing the assessment of farmland soil to be converted by project activities, approximately 5.63 acres of prime farmland soils were found to directly converted, and approximately 0.02 acres of Farmland of Statewide Importance would be directly converted, while approximately 0.41 acres would be indirectly converted for temporary staging areas.

Table 2 below describes the acres of mapped soils in the project area to be converted either directly or indirectly as a result of the Project.

Table 2. Farmland Soils Converted

Impact Type	Farmland of Statewide Importance	Prime Farmland if Irrigated
Direct	0.02	5.63
Indirect	--	0.41

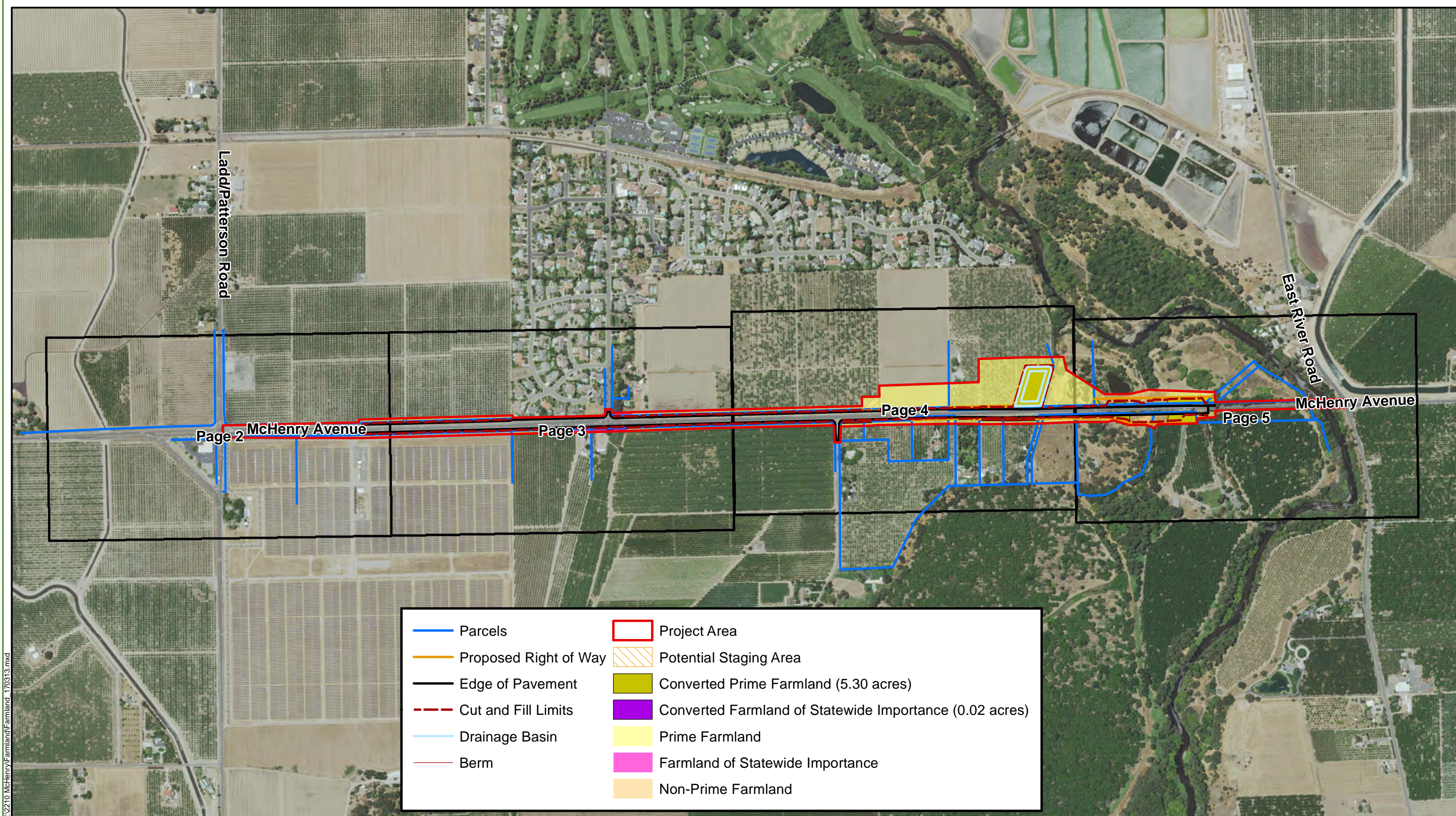
Part IV of the form documents that NRCS determined that the project area will have no impacts to Prime and Unique Farmland and negligible impacts to Farmland of Statewide and Local Importance compared to the farmland within Sacramento County. This evaluation received a relative value of the farmland (Part V) score of 30 points, which is low and indicates that the farmland within the project area has a low relative value.

The corridor assessment portion of the form (Part VI) reflects the general suitability of farmland in the Project corridor for protection/preservation. The total site assessment score for the Project was moderate (96 points), which indicates that the impacts to farmland located within project corridor needed to be evaluated.

The total points totaled to 126, as found in Part VII of the form. This is a combination of the relative value of the farmland and total corridor assessment. The threshold for consideration of avoidance alternatives for impacts for farmlands is a score of 160 or higher. As the score is 126, no further evaluation of impacts to farmlands or avoidance alternatives is required.

The McHenry Avenue Widening Project would occur primarily within existing County road right-of-way with minor impacts to adjacent orchards and farmlands as a result widening activities. Project impacts would result in the direct conversion of 5.63 acres of farmland mapped as Prime Farmland if Irrigated and 0.02 acres of farmland mapped Farmland of Statewide Importance. Project impacts would result in the indirect conversion of 0.41 acres of soils mapped as Prime Farmland if Irrigated. Based on the results of this assessment, and the fact that the Project is consistent with state and local farmland protection programs and policies, the Project would have no substantial effect on farmland or agriculture in the project vicinity.

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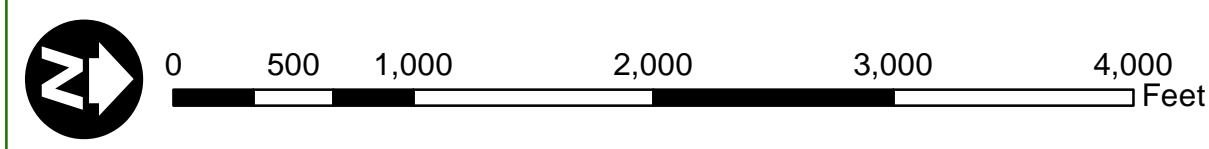
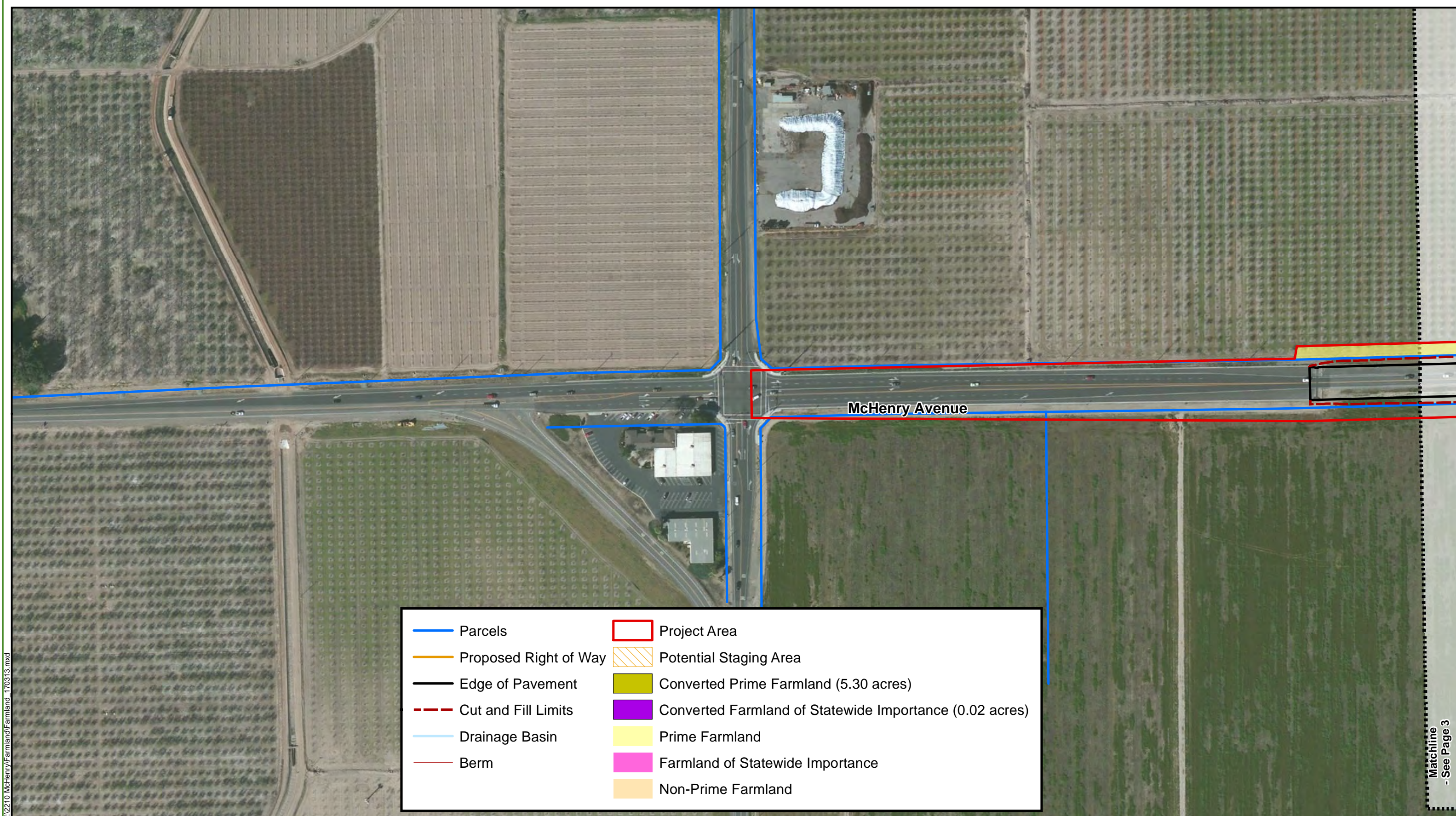


Figure 9
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Farmland Impacts
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	Parcels		Project Area
	Proposed Right of Way		Potential Staging Area
	Edge of Pavement		Converted Prime Farmland (5.30 acres)
	Cut and Fill Limits		Converted Farmland of Statewide Importance (0.02 acres)
	Drainage Basin		Prime Farmland
	Berm		Farmland of Statewide Importance
			Non-Prime Farmland

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Source: USA Topo Maps Online; Dokken Engineering 3/13/2017; Created By: adellas

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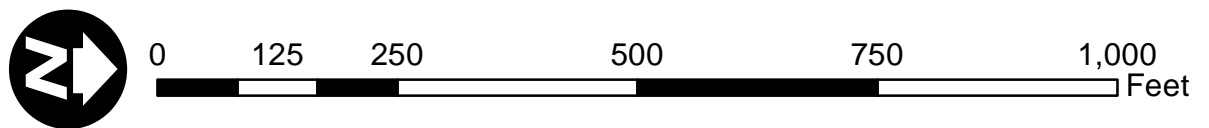
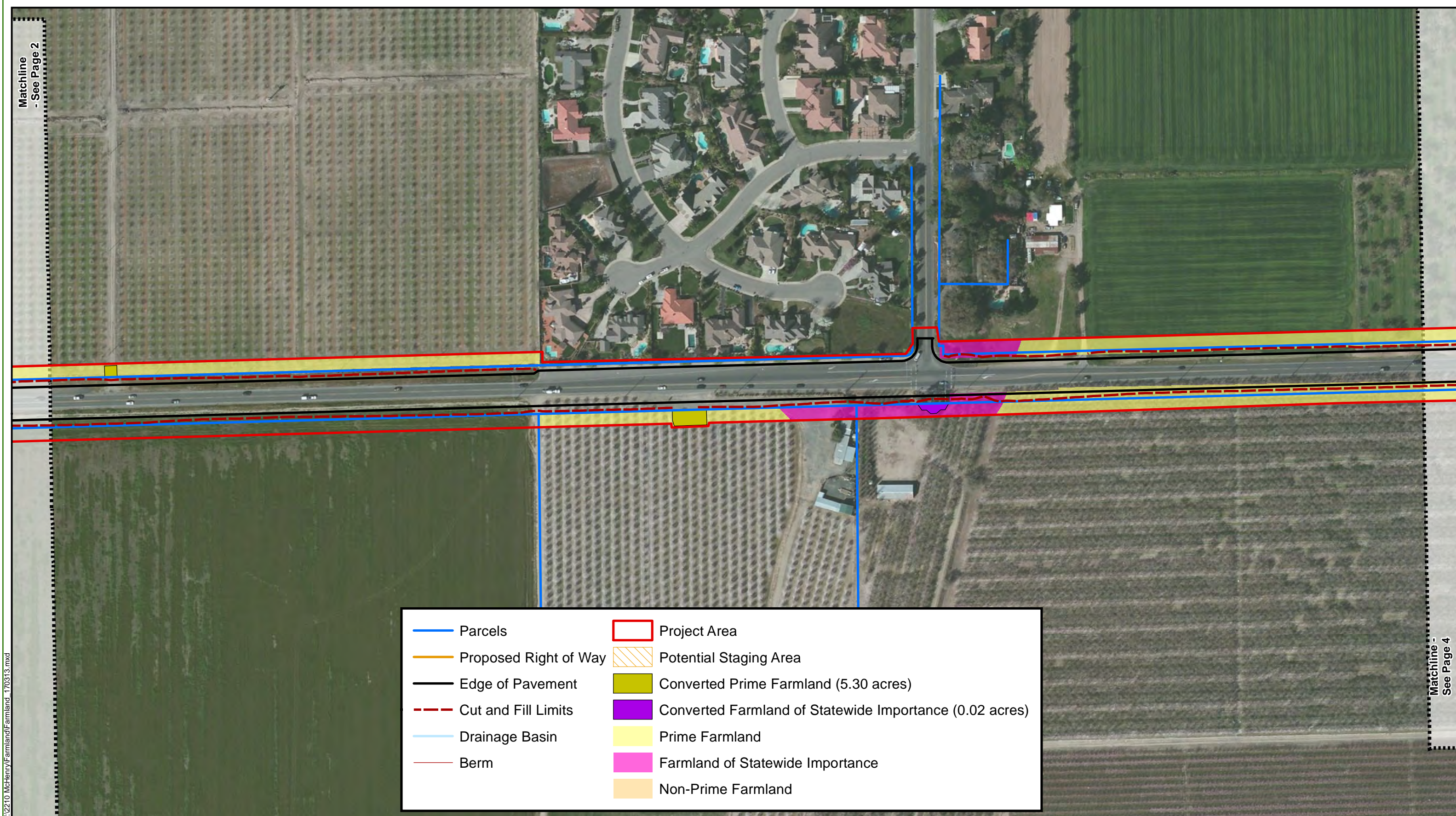


Figure 9
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Farmland Impacts
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|-----------------------|---|
| Parcels | Project Area |
| Proposed Right of Way | Potential Staging Area |
| Edge of Pavement | Converted Prime Farmland (5.30 acres) |
| Cut and Fill Limits | Converted Farmland of Statewide Importance (0.02 acres) |
| Drainage Basin | Prime Farmland |
| Berm | Farmland of Statewide Importance |
| | Non-Prime Farmland |

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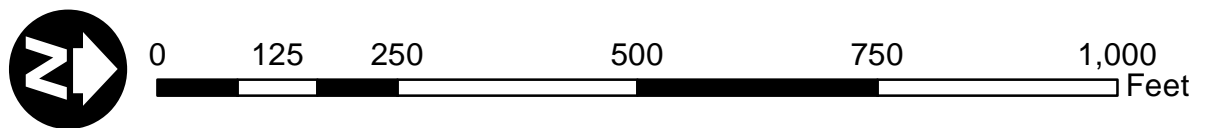


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Source: USA Topo Maps Online; Dokken Engineering 3/13/2017; Created By: adellas

	Parcels		Project Area
	Proposed Right of Way		Potential Staging Area
	Edge of Pavement		Converted Prime Farmland (5.30 acres)
	Cut and Fill Limits		Converted Farmland of Statewide Importance (0.02 acres)
	Drainage Basin		Prime Farmland
	Berm		Farmland of Statewide Importance
			Non-Prime Farmland

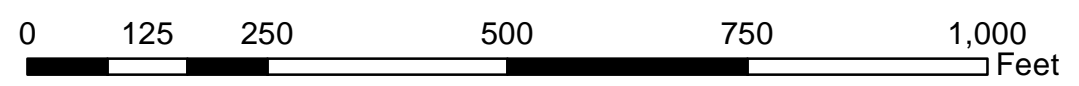
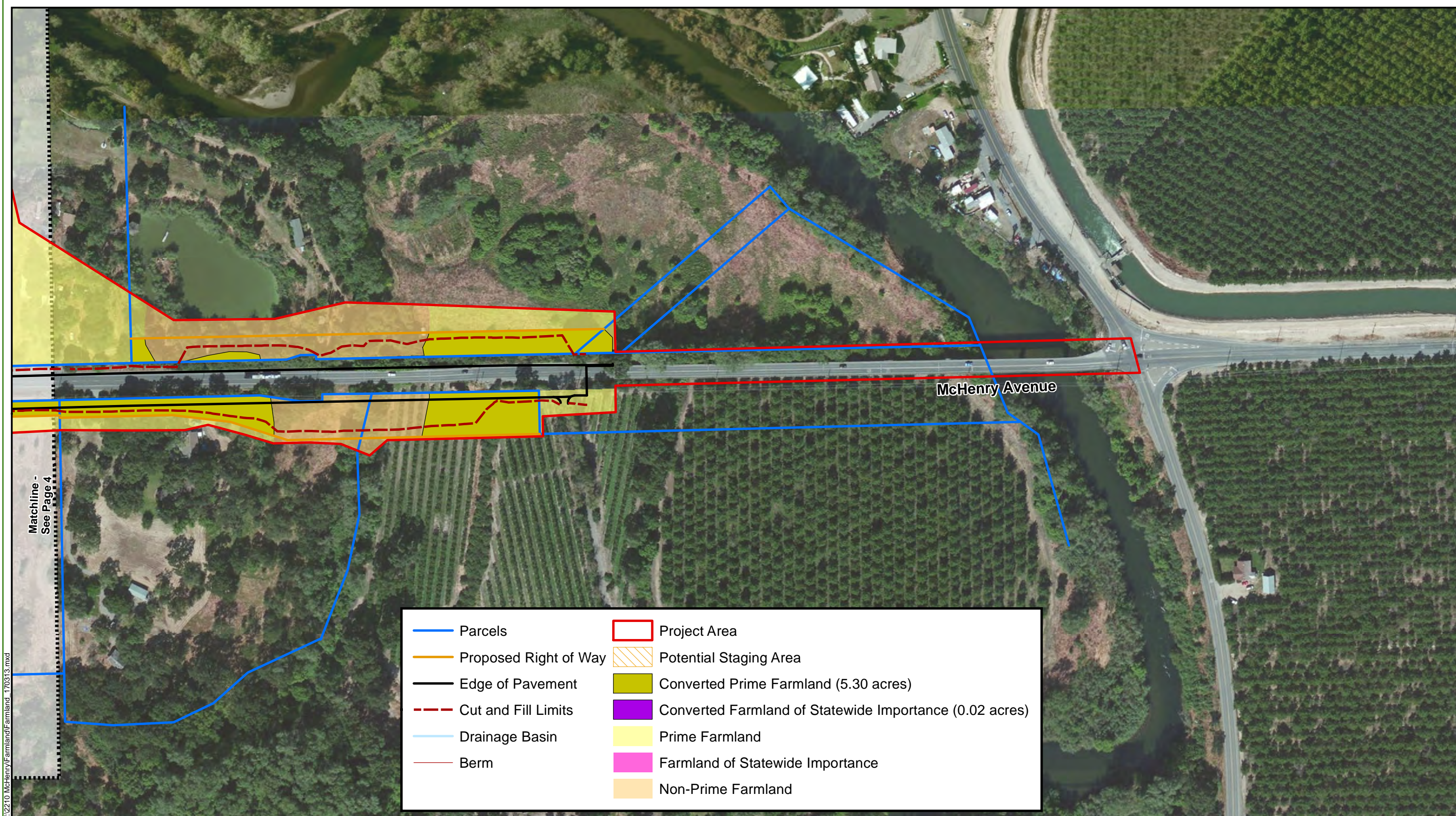


Figure 9
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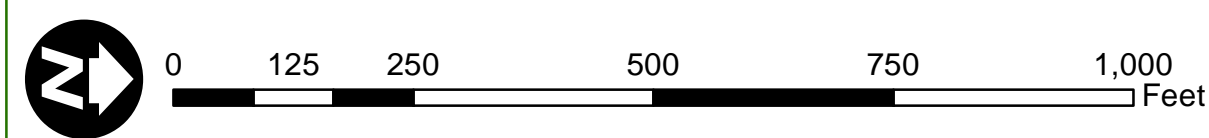


Figure 9
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Farmland Impacts
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a) *Conflict with existing zoning for agricultural use, or a Williamson Act contract?*

Less than Significant. The Project would not conflict with existing zoning for agriculture use, and there is no Williamson Act contract land within the project area. Based on the results of the Farmland Memorandum and the NRCS CPA 106 evaluation, and the fact that the Project is consistent with state and local farmland protection programs and policies, the Project would have less than significant effect on farmland or agriculture in the project vicinity.

b) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact. There are no forests or forest resources located within the project area; therefore, the project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production.

c) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. There are no forests or forest resources located within the project area; therefore, the project will not result in the loss of forest land or conversion of forest land to non-forest use.

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

No Impact. The Project would have no other impacts due to the location or nature of the Project that would result in the additional conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.

FINDINGS

The project would have less than significant impacts relating to agriculture and forest resources.

2.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

The Clean Air Act (CAA) as amended in 1990 is the federal law that governs air quality. Its counterpart in California is the California Clean Air Act of 1988. These laws set standards for the quantity of pollutants that can be in the air. At the federal level, these standards are called National Ambient Air Quality Standards (NAAQS). Standards have been established for six criteria pollutants that have been linked to potential health concerns; the criteria pollutants are: carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), particulate matter (PM), lead (Pb), and sulfur dioxide (SO₂).

Regional level conformity in California is concerned with how well the region is meeting the standards set for CO, NO₂, O₃, and PM. California is in attainment for the other criteria pollutants. At the regional level, Regional Transportation Plans (RTP[s]) are developed that include all of the transportation projects planned for a region over a period of years, usually at least 20. Based on the projects included in the RTP, an air quality model is run to determine whether or not the implementation of those projects would conform to emission budgets or other tests showing that attainment requirements of the Clean Air Act are met. If the conformity analysis is successful, the regional planning organization, such as the San Joaquin Valley Air Pollution Control District for Stanislaus County and the appropriate federal agencies, such as the Federal Highway Administration, make the determination that the RTP is in conformity with the State Implementation Plan for achieving the goals of the Clean Air Act. Otherwise, the projects in the RTP must be modified until conformity is attained. If the design and scope of the transportation project are the same as described in the RTP, then the Project is deemed to meet regional conformity requirements for purposes of project-level analysis.

Federal and State Ambient Air Quality Standards

California and the federal government have established standards for several different pollutants. For some pollutants, separate standards have been set for different measurement periods. Most standards have been set to protect public health. For some pollutants, standards have been based on other values (such as protection of crops, protection of materials, or avoidance of

nuisance conditions). The pollutants of greatest concern in the project area are ozone, particulate matter-2.5 microns (PM_{2.5}) and particulate matter-10 microns (PM₁₀). Table 3 shows the state and federal standards for a variety of pollutants.

State Regulations

Responsibility for achieving California's air quality standards, which are more stringent than federal standards, is placed on the California Air Resources Board (CARB) and local air districts, and is to be achieved through district-level air quality management plans that will be incorporated into the SIP. In California, the EPA has delegated authority to prepare SIPs to the CARB, which, in turn, has delegated that authority to individual air districts.

The CARB has traditionally established state air quality standards, maintaining oversight authority in air quality planning, developing programs for reducing emissions from motor vehicles, developing air emission inventories, collecting air quality and meteorological data, and approving state implementation plans.

Responsibilities of air districts include overseeing stationary source emissions, approving permits, maintaining emissions inventories, maintaining air quality stations, overseeing agricultural burning permits, and reviewing air quality-related sections of environmental documents required by CEQA.

The California CAA of 1988 substantially added to the authority and responsibilities of air districts. The California CAA designates air districts as lead air quality planning agencies, requires air districts to prepare air quality plans, and grants air districts authority to implement transportation control measures. The California CAA focuses on attainment of the state ambient air quality standards, which, for certain pollutants and averaging periods, are more stringent than the comparable federal standards.

The California CAA requires designation of attainment and nonattainment areas with respect to state ambient air quality standards. The California CAA also requires that local and regional air districts expeditiously adopt and prepare an air quality attainment plan if the district violates state air quality standards for CO, SO₂, NO₂, or ozone. These Clean Air Plans are specifically designed to attain these standards and must be designed to achieve an annual 5% reduction in district-wide emissions of each nonattainment pollutant or its precursors. Where an air district is unable to achieve a 5% annual reduction, the adoption of "all feasible measures" on an expeditious schedule is acceptable as an alternative strategy (Health and Safety Code Section 40914(b)(2)). No locally prepared attainment plans are required for areas that violate the state PM₁₀ standards.

The California CAA requires that the state air quality standards be met as expeditiously as practicable but, unlike the federal CAA, does not set precise attainment deadlines. Instead, the act established increasingly stringent requirements for areas that will require more time to achieve the standards.

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (2005) provides ARB recommendations for the siting of new sensitive land uses (including residences) near freeways, distribution centers, ports, refineries, chrome plating facilities, dry cleaners, and gasoline stations. The handbook recommends that new development be placed at distances from such facilities.

AFFECTED ENVIRONMENT

The California Environmental Protection Agency's (CalEPA) Air Resources Board (ARB) air quality monitoring program collects accurate real-time measurements of ambient level pollutants at over 40 sites located throughout the state. The data generated are used to define the nature and severity of pollution in California, determine which areas of California are in attainment or nonattainment, identify pollution trends in the state, support agricultural burn forecasting, and develop air models and emission inventories.

The closest ARB air quality monitoring station to the project is located on 14th Street in Modesto. A summary of 2013-2015 monitoring data from this station is included in Table 3. Ambient nitrogen dioxide concentration is not monitored at the Modesto station. The nearest station that monitors nitrogen dioxide is in Turlock. Nitrogen dioxide data from the Turlock station is shown in Table 3. Ambient sulfur dioxide concentration is not monitored at the Modesto station. The nearest station that monitors sulfur dioxide is located in Fresno, which is not near the affected area of the project. Accordingly, Table 3 does not include sulfur dioxide data. The data in Table 3 were compiled from the California Air Resources Board's iADAM: Air Quality Data Statistics (CARB 2016b) and U.S. EPA Monitor Values Report for carbon monoxide statistics.

As shown in Table 4, the area surrounding the project did not exceed the state or federal standards for nitrogen dioxide or 8-hour carbon monoxide in the period 2013–2015. Levels of ozone exceeded the state and federal 8-hour standards on multiple days in all three years. Levels of PM10 exceeded the state 24-hour standard on multiple days in all three years, and exceeded the state annual mean standard in those years as well. Levels of PM2.5 exceeded the national annual average standard in 2012 and exceeded the federal 24-hour standard on multiple days in all years in which data was available. Levels of PM2.5 also exceeded the state annual average standard in 2012.

Table 3. Ambient Air Quality Standards

Ambient Air Quality Standards						
Pollutant	Averaging Time	California Standards ¹		National Standards ²		
		Concentration ³	Method ⁴	Primary ^{3,5}	Secondary ^{3,6}	Method ⁷
Ozone (O ₃) ⁸	1 Hour	0.09 ppm (180 µg/m ³)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m ³)		0.070 ppm (137 µg/m ³)		
Respirable Particulate Matter (PM ₁₀) ⁹	24 Hour	50 µg/m ³	Gravimetric or Beta Attenuation	150 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m ³		—		
Fine Particulate Matter (PM _{2.5}) ⁹	24 Hour	—	—	35 µg/m ³	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m ³	Gravimetric or Beta Attenuation	12.0 µg/m ³	15 µg/m ³	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m ³)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m ³)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10 mg/m ³)		9 ppm (10 mg/m ³)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m ³)		—	—	
Nitrogen Dioxide (NO ₂) ¹⁰	1 Hour	0.18 ppm (339 µg/m ³)	Gas Phase Chemiluminescence	100 ppb (188 µg/m ³)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m ³)		0.053 ppm (100 µg/m ³)	Same as Primary Standard	
Sulfur Dioxide (SO ₂) ¹¹	1 Hour	0.25 ppm (655 µg/m ³)	Ultraviolet Fluorescence	75 ppb (196 µg/m ³)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m ³)	
	24 Hour	0.04 ppm (105 µg/m ³)		0.14 ppm (for certain areas) ¹¹	—	
	Annual Arithmetic Mean	—		0.030 ppm (for certain areas) ¹¹	—	
Lead ^{12,13}	30 Day Average	1.5 µg/m ³	Atomic Absorption	—	—	High Volume Sampler and Atomic Absorption
	Calendar Quarter	—		1.5 µg/m ³ (for certain areas) ¹²	Same as Primary Standard	
	Rolling 3-Month Average	—		0.15 µg/m ³		
Visibility Reducing Particles ¹⁴	8 Hour	See footnote 14	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates	24 Hour	25 µg/m ³	Ion Chromatography			
Hydrogen Sulfide	1 Hour	0.03 ppm (42 µg/m ³)	Ultraviolet Fluorescence			
Vinyl Chloride ¹²	24 Hour	0.01 ppm (26 µg/m ³)	Gas Chromatography			

See footnotes on next page ...

For more information please call ARB-PIO at (916) 322-2990

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(continued from previous page)

1. California standards for ozone, carbon monoxide (except 8-hour Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, and particulate matter (PM10, PM2.5, and visibility reducing particles), are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
2. National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration measured at each site in a year, averaged over three years, is equal to or less than the standard. For PM10, the 24 hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above $150 \mu\text{g}/\text{m}^3$ is equal to or less than one. For PM2.5, the 24 hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. EPA for further clarification and current national policies.
3. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
4. Any equivalent measurement method which can be shown to the satisfaction of the ARB to give equivalent results at or near the level of the air quality standard may be used.
5. National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
6. National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
7. Reference method as described by the U.S. EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the U.S. EPA.
8. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm.
9. On December 14, 2012, the national annual PM2.5 primary standard was lowered from $15 \mu\text{g}/\text{m}^3$ to $12.0 \mu\text{g}/\text{m}^3$. The existing national 24-hour PM2.5 standards (primary and secondary) were retained at $35 \mu\text{g}/\text{m}^3$, as was the annual secondary standard of $15 \mu\text{g}/\text{m}^3$. The existing 24-hour PM10 standards (primary and secondary) of $150 \mu\text{g}/\text{m}^3$ also were retained. The form of the annual primary and secondary standards is the annual mean, averaged over 3 years.
10. To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.
11. On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.

Note that the 1-hour national standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the 1-hour national standard to the California standard the units can be converted to ppm. In this case, the national standard of 75 ppb is identical to 0.075 ppm.
12. The ARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.
13. The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard ($1.5 \mu\text{g}/\text{m}^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.
14. In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.

For more information please call ARB-PIO at (916) 322-2990

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Source: CARB 2016

Table 4. Ambient Air Quality Data

Pollutant	Ambient Air Quality Standard	2013	2014	2015
Ozone (O₃)				
<i>Maximum 1 Hour Concentration (ppm)</i>		0.088	0.103	0.111
Number of Days Exceeded	State: > 0.09 Federal: N/A	0	1	5
		--	--	--
<i>Maximum 8 Hour Concentration (ppm)</i>		0.082	0.091	0.093
Number of Days Exceeded	State: > 0.07 Federal: > 0.075	13	24	24
		16	12	2
Respirable Particulate Matter (PM₁₀)				
<i>Maximum 24 Hour Concentration (µg/m³)</i>		98.8	127.7	90.3
Number of Days Exceeded (estimated)	State: > 50 Federal: > 150	57.7	37.6	31.1
		0	0	0
<i>Annual Arithmetic Mean Concentration (µg/m³)</i>		57.7	37.6	27.7
Exceeded for the Year	State: > 20 Federal: N/A	Yes	Yes	Yes
		--	--	--
Fine Particulate Matter (PM_{2.5})				
<i>Maximum 24 Hour Concentration (µg/m³)</i>		83.2	58.2	46.4
Number of Days Exceeded (estimated)	State: N/A Federal: > 35	--	--	--
		37.6	17.0	--
<i>State Annual Average Value (µg/m³)</i>		14.3	11.4	14.0
Exceeded for the Year	State: > 12	Yes	No	--
<i>National Annual Average Value (µg/m³)</i>		14.3	11.3	*
Exceeded for the Year	Federal: > 12	Yes	No	*
Carbon Monoxide (CO)				
<i>Maximum 1 Hour Concentration (ppm)</i>		2.7	2.4	2.7
Number of Days Exceeded	State: > 20 Federal: > 35	0	0	0
		0	0	0
<i>Maximum 8 Hour Concentration (ppm)</i>		2.1	1.7	2
Nitrogen Dioxide (NO₂)	State: > 9	0	0	0
(900 S Minaret Street, Turlock, CA)	Federal: > 9	0	0	0
<i>Maximum 1 Hour Concentration (ppb)</i>		54	55	42
Number of Days Exceeded	State: > 180 Federal: > 100	0	0	0
		0	0	0
<i>Annual Arithmetic Mean Concentration (ppb)</i>		11	*	9
Exceeded for the Year	State: > 30 Federal: > 53	No	N/A	No
		No	N/A	No

The Federal Clean Air Act requires the EPA to designate areas as attainment, nonattainment, or unclassified for the National Ambient Air Quality Standards (NAAQS). These designations are similar to their state-level counterparts. Areas that were nonattainment but have recently achieved attainment are referred to as maintenance areas. Table 5 provides a summary of the NAAQS and CAAQS attainment status in the vicinity of the Project. The SJVAB is in nonattainment for federal ozone (Figure 10) and PM_{2.5} (Figure 11) standards.

Table 5. NAAQS and CAAQS Attainment Status for Stanislaus County

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone – 8-Hour	No Federal Standard	Nonattainment/Severe
Ozone – 1-Hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Sulfates	No Federal Standard	Attainment
Lead	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment
Sources: CARB 2016, EPA 2016		

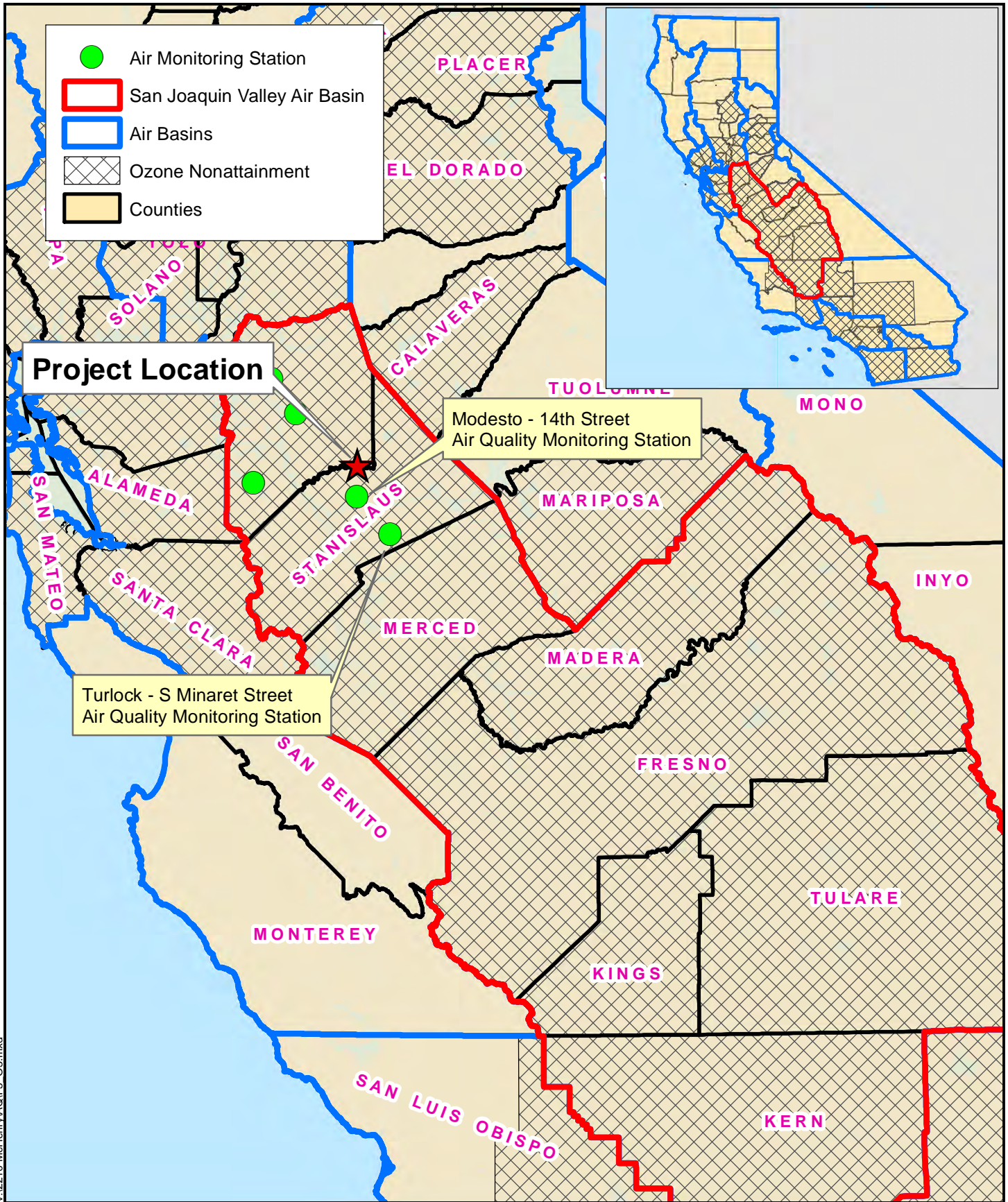
DISCUSSION

a) *Conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant. The Project is consistent with the site land use and zoning; construction of the Project would not conflict with or obstruct implementation of any air quality plan.

Regional Conformity

The Project is listed in the Stanislaus Council of Governments (StanCOG) financially constrained 2014 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (StanCOG 2014a) (Appendix B). The Project is also included in the StanCOG financially constrained 2015 Federal Transportation Improvement Program (FTIP) (StanCOG 2014b). StanCOG adopted 2014 RTP/SCS #1, 2015 FTIP Amendment #8, and the 2015 Conformity



V:\2210_McHenry\AQIF5_O3.mxd

Source: ESRI 2008; Dokken Engineering 11/8/2016; Created By: kchen

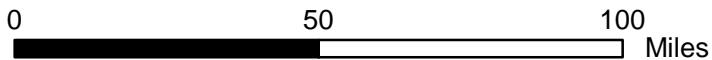
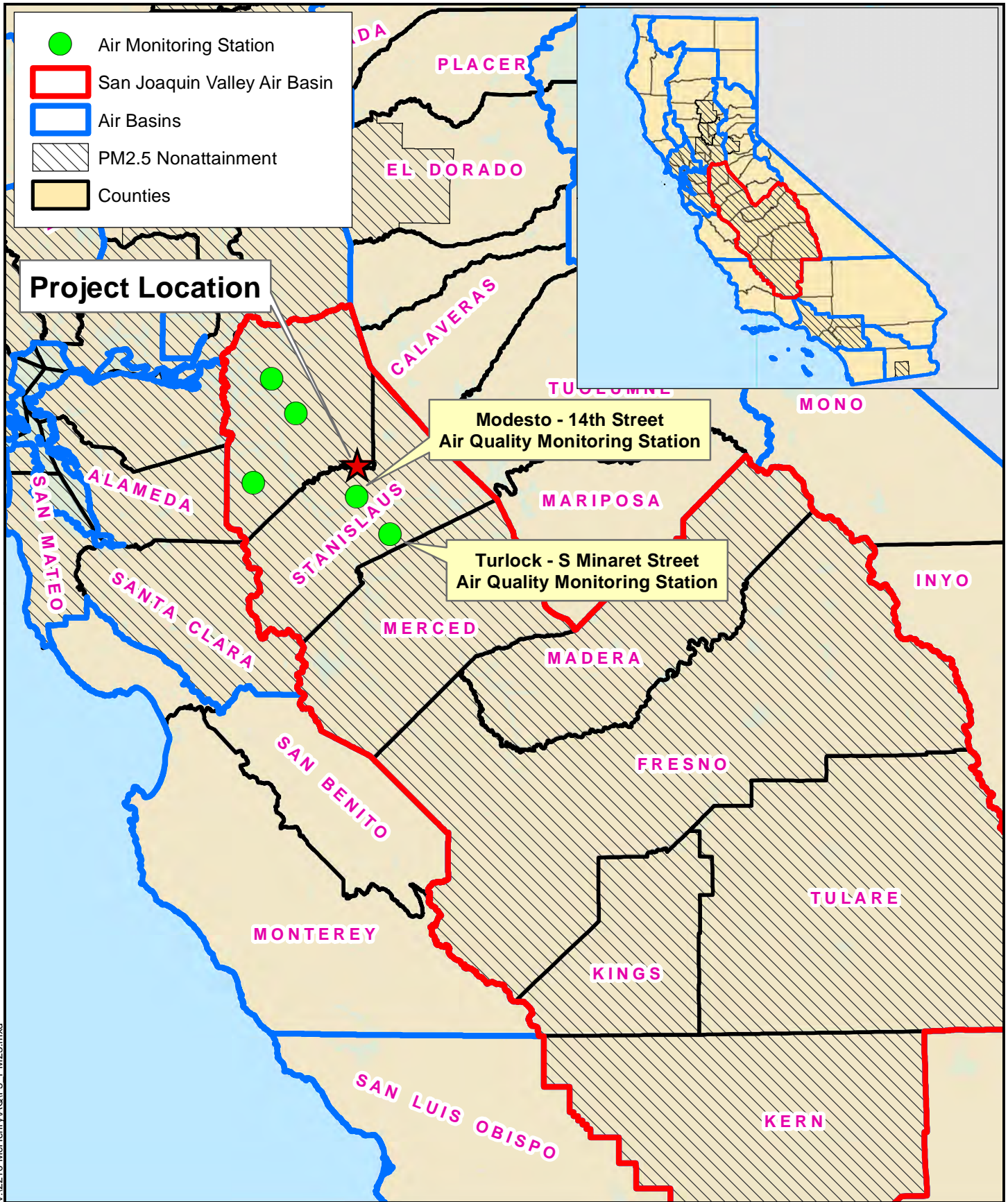


FIGURE 10
Ozone Nonattainment Area

STPL 5938(233)
McHenry Avenue Widening Project
Stanislaus County, California



V:\2210_McHenryVAQIF5_PM25.mxd

Source: ESRI 2008; Dokken Engineering 11/8/2016; Created By: kchen

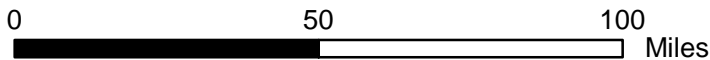


FIGURE 11
PM_{2.5} Nonattainment Area
 STPL 5938(233)
 McHenry Avenue Widening Project
 Stanislaus County, California

Analysis for the 2008 Ozone and 2012 PM_{2.5} Standards on October 21, 2015. The design concept and scope of the Project is consistent with the project description in the 2014 RTP/SCS, 2015 FTIP, and the “open to traffic” assumptions of the StanCOG 2014 Air Quality Conformity Analysis (StanCOG 2014c). The Project was included in the regional emissions analysis conducted by StanCOG for the conforming 2014 RTP/SCS. The plan is in conformity, and therefore, the individual projects contained in the plan are conforming projects and will have air quality impacts consistent with those identified in the state implementation plans (SIPs) for achieving the National Ambient Air Quality Standards (NAAQS). The Federal Highway Administration (FHWA) determined the RTP/SCS to conform to the SIP on December 12, 2014.

The McHenry Avenue Widening Project is located in the San Joaquin Valley Air Basin PM_{2.5} nonattainment area and PM₁₀ maintenance area. According to the Environmental Protection Agency (EPA) Transportation Conformity Guidance, PM_{2.5} and PM₁₀ hot-spot analysis is required for POAQC in non-attainment areas (40 CFR 93.123(b)(1)). However, the Project is not considered a POAQC for PM₁₀ and/or PM_{2.5} because it does not meet the EPA’s definition as set forth in its Transportation Conformity Guidance. The County of Stanislaus has completed the PM_{2.5} and PM₁₀ assessment and has determined that the McHenry Avenue Widening Project is not a “Project of Air Quality Concern”. The FHWA and EPA concurred with this finding on June 22, 2017; therefore, no further analysis is required (see Appendix B).

The Project meets regional conformity requirements established by the federal Clean Air Act and will not significantly obstruct the implementation of the applicable air quality plans for the area; therefore, impacts are considered less than significant.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Less Than Significant with Mitigation. The short-term (construction) and long-term (operational) air quality impacts associated with implementation of the Project are discussed below.

Construction Emissions

The Build Alternative project’s construction is anticipated to take 5 months. Heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO₂, NO_x, VOCs and some soot particulate (PM₁₀ and PM_{2.5}) in exhaust emissions. Approximately 78,000 yards of fill dirt will need to be transported to the project site from the borrow site. Due to this large volume of fill dirt necessary for the project, the project is anticipated to increase large truck traffic within the local area, and well as add a large amount of construction emissions. The Project’s construction emissions were estimated using the Roadway Construction Emissions Model by the Sacramento Metropolitan Air Quality Management District (SMAQMD 2014), which is the accepted model for all CEQA roadway projects throughout California. As part of the Roadway Construction Emissions Model, the increase in volume of truck traffic for the transport of fill was incorporated into the model to complete a comprehensive analysis of all project construction emissions impacts. Emissions calculations from the Roadway Construction Emissions Model were compared against established emissions thresholds for the San Joaquin Valley Air Pollution Control District (SJVAPCD). As summarized in Table 6, construction activities from the Build Alternative of the Project would not exceed emission thresholds established by the SJVAPCD. The model printout is also included in Appendix C.

Emissions from construction would be less than significant and would not violate any air quality standard or contribute substantially to an existing or projected air quality violation, nor would it result in a cumulatively considerable net increase of any criteria pollutant. While the Project would

increase traffic congestion during construction activities, any increased emissions would be short-term and temporary in nature; therefore the Project would have a less than significant impact on construction emissions.

Table 6. Construction Emissions and Local Thresholds

	Project Total Construction Emissions	SJVAPCD Air Quality Significance Thresholds
CO	2.11 tons	100 tons/per year
NO _x	3.12 tons	10 tons/per year
ROG	0.30 tons	10 tons/per year
SO _x	0.00 tons	27 tons/per year
PM ₁₀	0.83 tons	15 tons/per year
PM _{2.5}	0.29 tons	15 tons/per year
Source: SJVAPCD 2015		

Fugitive Dust

Construction air quality impacts can also be attributed to by dust generated by equipment and vehicles. Fugitive dust is emitted both during construction activity and as a result of wind erosion over exposed earth surfaces. Clearing and earth moving activities do comprise major sources of construction dust emissions, but traffic and general disturbances of soil surfaces also generate significant dust emissions. Adverse effects of construction activities include increased dust-fall and locally elevated levels of total suspended particulate. Dust-fall can be a nuisance to neighboring properties or previously completed developments surrounding or within the project area and may require frequent washing during the construction period. Construction activities for large development Projects are estimated by EPA to add 1.09 metric tonnes (1.2 tons) of fugitive dust per acre of soil disturbed per month of activity. If water or other soil stabilizers are used to control dust, the emissions can be reduced by up to 50 percent. Fugitive dust would be controlled during construction per Mitigation Measure **AQ-1** and **AQ-2**; therefore the Project would have less than significant impact with mitigation incorporated relating to fugitive dust during construction.

Naturally Occurring Asbestos

Based on review of the map, A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos (NOA) (California Department of Conservation, Division of Mines and Geology, 2000), ultramafic rock occurrence is not mapped in the northern portion of Stanislaus County and therefore NOA is not expected to occur at the project site.

A pipe with potential for asbestos was located at the Project borrow site during field reconnaissance. If it is determined during final design that construction activities would impact this pipe, a project specific Asbestos Sampling and Analysis Work Plan that establishes the

procedures used to comply with requirements for asbestos abatement, including sampling and testing of suspected Asbestos Containing Materials, containment, transportation and disposal of Asbestos Containing Materials will be developed at least fifteen (15) days prior to beginning any sampling for suspected Asbestos Containing Materials. Measure **HAZ-5** in Section 2.8 would further reduce any potential impacts relating to asbestos to a less than significant level.

Operational Emissions

While the new road is anticipated to accommodate additional vehicles, air emissions would be improved by reducing idle time due to stop and go traffic. Overall ambient emissions are not anticipated to be higher with the Project. Emissions caused by the Project would be short-term and well below the SJVAPCD thresholds. Operational air quality impacts would not be substantial. The Project would not conflict with or obstruct implementation of the applicable air quality plan. Long-term operational emissions from construction would have a less than significant impact and would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.

- c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Less Than Significant Impact. Stanislaus County is currently designated as non-attainment for ozone PM10, and PM2.5. Projected growth and combined population, vehicle usage, and business activity within Stanislaus County, in combination with other past, present, and reasonably foreseeable projects within the County and surrounding areas, could either delay attainment of established standards or require the adoption of additional controls on existing future air pollution sources to offset emissions increases.

The project is subject to PM conformity analysis because it is located within a PM_{2.5} nonattainment area. As the first step in demonstrating PM_{2.5}/PM₁₀ conformity, StanCOG completed an Interagency Consultation to determine if it is a Project of Air Quality Concern (POAQC) as defined in 40 CFR 93.116 and 93.123 and U.S.EPA's Hot-Spot Guidance. StanCOG is anticipated to obtain concurrence from both EPA and FHWA that the Project is not a Project of Localized Air Quality Concern (POAQC) in August, 2017.

Table 7 details why the project does not meet the definition of a Project of Air Quality Concern.

The Project does not meet the definition of a POAQC. Implementation of the Project would involve minimal emissions during construction and would not result in a substantial increase in long-term operational emissions resulting in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment; therefore, the Project would result in a **less than significant impact** in regards to criteria pollutants.

Table 7. Projects of Air Quality Concern

EPA Definition of POAQC	Project
(i) New or expanded highway projects that have a significant number of or significant increase in diesel vehicles;	The Project would widen the existing 2-lane McHenry Avenue to a total of 5 lanes. Based on the Traffic Analysis Report (Dokken Engineering, September 2016), the Project would not directly result in increased daily truck trips. Therefore, no traffic volume increase exceeding the 125,000 average daily trip criteria for a POAQC would occur. In addition, the total truck average daily trips would remain below the 10,000 vehicle criteria for POAQC.
(ii) Projects affecting intersections that are at Level-of-Service D, E, or F with a significant number of diesel vehicles, or those that will change to Level-of-Service D, E, or F because of increased traffic volumes from a significant number of diesel vehicles related to the project;	The Project does not affect intersections that are at level of service D, E, or F with a significant number of diesel vehicles. The project improves level of service at each of the intersections in the project area.
(iii) New bus and rail terminals and transfer points than have a significant number of diesel vehicles congregating at a single location;	The Project does not include the construction of a new bus or rail terminal that would have a significant number of diesel vehicles congregating at a single location.
(iv) Expanded bus and rail terminals and transfer points that significantly increase the number of diesel vehicles congregating at a single location; and	The Project does not include expanded bus or rail terminals and transfer points.
(v) Projects in or affecting locations, areas, or categories of sites which are identified in the PM ₁₀ or PM _{2.5} applicable implementation plan or implementation plan submission, as appropriate, as sites of violation or possible violation.	<p>The Project is located in San Joaquin Valley, which is an area of nonattainment for PM₁₀ and PM_{2.5}. However, the Project does not adversely affect locations, areas, or categories of sites that are identified in the applicable PM₁₀ and PM_{2.5} implementation plans as sites of violation or possible violation.</p> <p>The Project is identified as a project under the 2014 RTP/2015 FTIP. The PM₁₀ and PM_{2.5} vehicle-related emissions associated with implementation of projects under those plans were found not to exceed approved emission budgets. Furthermore, the Project would not directly result in increased vehicle-related emissions and would improve level of service standards on McHenry Avenue, which would help to alleviate vehicle-related emissions.</p>

EPA Definition of POAQC	Project
	Therefore, the Project will not cause or contribute to violations of PM standards.
Source: Traffic Analysis Report. Dokken Engineering, 2016	

d) *Expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant with Mitigation Incorporated. SJVAMD defines sensitive receptors as facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants or may experience adverse effects from unhealthful concentrations of air pollutants. Hospitals, clinics, schools, convalescent facilities, and residential areas are examples of sensitive receptors. The nearest sensitive receptors in the vicinity of the project site are residences located 30 feet east and west of the project site along McHenry.

As noted in b), implementation of the Project would not exceed applicable thresholds of significance, and project construction would not exceed the current applicable thresholds of significance for air pollution emissions. While the nearest sensitive receptor is located 30 feet from the project area, construction activities would be intermittent and temporary in nature. Implementation of measures AQ-1 through AQ-4 would further reduce any impacts to a less than significant level.

e) *Create objectionable odors affecting a substantial number of people?*

Less Than Significant Impact. While offensive odors rarely cause physical harm, they can be unpleasant, leading to considerable annoyance and distress among the public and can generate citizen complaints to local governments and air districts. Project-related odor emissions would be limited to times when equipment would be utilized for construction and emission from equipment may be evident in the immediate surrounding area. Construction activities would be short-term and would not result in the creation of long-term objectionable odor because they would be quickly dispersed after equipment utilization. Therefore, due to the short-term nature of the construction activities, combined with limited exposure to sensitive receptors, impacts associated with development of the Project are considered **less than significant** and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

The following measures would be implemented as part of the Project to minimize short term construction related air quality emissions:

AQ-1: The construction contractor shall comply with Caltrans’ Standard Specifications Section 14-11.08E Dust Control of Caltrans’ Standard Specifications (2015).

AQ-2: The construction contractor shall comply with Section 7-1.02 Emissions Reduction and Section 18 Dust Palliative of Caltrans’ Standard Specifications (2015).

AQ-3: The Wind Erosion Control BMP (WE-1) from Caltrans’ Construction Site *Best Management Practices Manual* will be implemented as follows:

- Water shall be applied by means of pressure-type distributors or pipelines equipped with a spray system or hoses and nozzles that will ensure even distribution.
- All distribution equipment shall be equipped with a positive means of shutoff.

- Unless water is applied by means of pipelines, at least one mobile unit shall be available at all times to apply water or dust palliative to the Project.
- If reclaimed water is used, the sources and discharge must meet California Department of Health Services water reclamation criteria and the Regional Water Quality Control Board requirements. Non-potable water shall not be conveyed in tanks or drain pipes that will be used to convey potable water and there shall be no connection between potable and non-potable supplies. Non-potable tanks, pipes and other conveyances shall be marked "NON-POTABLE WATER – DO NOT DRINK."
- Materials applied as temporary soil stabilizers and soil binders will also provide wind erosion control benefits.

AQ-4: Per SJVAPCD Rule 9510, an ISR application will be submitted prior to seeking final discretionary approval of the project.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to air quality.

2.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

This section describes the Federal, State, and local plans, policies, and laws that are relevant to biological resources within the BSAs. Applicable Federal permits and approvals that will be required before construction of the Project are provided in Chapter 5.

Federal Regulations

National Environmental Policy Act

NEPA provides an interdisciplinary framework for environmental planning by Federal agencies and contains action-forcing procedures to ensure that Federal agency decision makers take environmental factors into account. NEPA applies whenever a Federal agency proposes an action, grants a permit, or agrees to fund or otherwise authorize any other entity to undertake an action that could possibly affect environmental resources. Caltrans, under delegation from the FHWA, is the NEPA lead agency for this project.

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973 (16 U.S.C. section 1531 et seq.) provides for the conservation of endangered and threatened species listed pursuant to Section 4 of the Act (16 U.S.C. section 1533) and the ecosystems upon which they depend. These species and resources have been identified by USFWS or National Marine Fisheries Service (NMFS).

Clean Water Act

The Clean Water Act (CWA) was enacted as an amendment to the Federal Water Pollutant Control Act of 1972, which outlined the basic structure for regulating discharges of pollutants to waters of the U.S. CWA serves as the primary Federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. CWA empowers the U.S. Environmental Protection Agency (EPA) to set national water quality standards and effluent limitations, and includes programs addressing both point-source and non-point-source pollution. Point-source pollution originates or enters surface waters at a single, discrete location, such as an outfall structure or an excavation or construction site. Non-point-source pollution originates over a broader area and includes urban contaminants in storm water runoff and sediment loading from upstream areas. CWA operates on the principle that all discharges into the nation's waters are unlawful unless they are specifically authorized by a permit; permit review is CWA's primary regulatory tool. This project will require a CWA Section 402 National Pollutant Discharge Elimination System (NPDES) Permit regulated by the EPA.

The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the U. S. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. USACE regulatory jurisdiction pursuant to Section 404 of the CWA is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce) or may be indirect (through a nexus identified in USACE regulations).

The Regional Water Quality Control Board (RWQCB) has jurisdiction under Section 401 of the CWA and regulates any activity which may result in a discharge to surface waters. Typically, the areas subject to jurisdiction of the RWQCB coincide with those of USACE (i.e., waters of the U.S. including any wetlands). The RWQCB also asserts authority over "waters of the State" under waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act.

Executive Order 13112: Prevention and Control of Invasive Species

Executive Order (EO) 13112 (signed February 3, 1999) directs all Federal agencies to prevent and control introductions of invasive species in a cost-effective and environmentally sound manner. The EO and directives from the FHWA require consideration of invasive species in NEPA analyses, including their identification and distribution, their potential impacts, and measures to prevent or eradicate them.

Executive Order 13186: Migratory Bird Treaty Act

EO 13186 (signed January 10, 2001) directs each Federal agency taking actions that could adversely affect migratory bird populations to work with USFWS to develop a Memorandum of Understanding that will promote the conservation of migratory bird populations. Protocols developed under the Memorandum of Understanding will include the following agency responsibilities:

- Avoid and minimize, to the maximum extent practicable, adverse impacts on migratory bird resources when conducting agency actions;
- Restore and enhance habitat of migratory birds, as practicable; and
- Prevent or abate the pollution or detrimental alteration of the environment for the benefit of migratory birds, as practicable.

The EO is designed to assist Federal agencies in their efforts to comply with the Migratory Bird Treaty Act (MBTA) (50 Code of Federal Regulations [CFR] 10 and 21) and does not constitute any legal authorization to take migratory birds. Take is defined under the MBTA as “the action of or attempt to pursue, hunt, shoot, capture, collect, or kill” (50 CFR 10.12) and includes intentional take (i.e., take that is the purpose of the activity in question) and unintentional take (i.e., take that results from, but is not the purpose of, the activity in question).

State Regulations

California Environmental Quality Act

California State law created to inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities and to work to reduce these negative environmental impacts. The County of Stanislaus is the CEQA lead agency for this project.

California Endangered Species Act

The California Endangered Species Act (CESA) (California Fish and Game (CFG) Code Section 2050 et seq.) requires the CDFW to establish a list of endangered and threatened species (Section 2070) and to prohibit the incidental taking of any such listed species except as allowed by the Act (Sections 2080-2089). In addition, CESA prohibits take of candidate species (under consideration for listing).

CESA also requires the CDFW to comply with CEQA (Pub. Resources Code Section 21000 et seq.) when evaluating incidental take permit applications (CFG Code Section 2081(b) and California Code Regulations, Title 14, section 783.0 et seq.), and the potential impacts the project or activity for which the application was submitted may have on the environment. CDFW’s CEQA obligations include consultation with other public agencies which have jurisdiction over the project or activity [California Code Regulations, Title 14, Section 783.5(d)(3)]. CDFW cannot issue an incidental take permit if issuance would jeopardize the continued existence of the species [CFG Code Section 2081(c); California Code Regulations, Title 14, Section 783.4(b)].

Section 1602: Streambed Alteration Agreement

Under CFG Code 1602, public agencies are required to notify CDFW before undertaking any project that will divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Preliminary notification and project review generally occurs during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resources. These modifications are formalized in a Streambed Alteration Agreement that becomes part of the plans, specifications, and bid documents for the project.

Section 3503 and 3503.5: Bird and Raptors

CFG Code Section 3503 prohibits the destruction of bird nests and Section 3503.5 prohibits the killing of raptor species and destruction of raptor nests. Trees and shrubs are present in and adjacent to the study area and could contain nesting sites.

Section 3513: Migratory Birds

CFG Code Section 3513 prohibits the take or possession of any migratory non-game bird as designated in the MBTA or any part of such migratory non-game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

AFFECTED ENVIRONMENT

Prior to field work, literature research was conducted through the USFWS Information for Planning and Conservation (IPaC) Species List Generator (USFWS 2016), California Department of Fish and Wildlife (CDFW) (CDFW 2016) California Natural Diversity Database (CNDDDB) (CNDDDB 2016), the California Native Plant Society (CNPS) Electronic Inventory of Rare and Endangered Plants (CNPS 2016), and National Marine Fisheries Service (NMFS) West Coast Region Species List (NMFS 2016) to identify habitats and special-status species having the potential to occur within the Project Biological Study Areas (BSAs).

Field surveys were conducted on September 29th, 2016 and December 28th, 2016 by Dokken Engineering biologists Scott Salembier and Andrew Dellas. The purpose of the survey was to identify habitat types, map jurisdictional waters and assess habitat suitability for rare or special status species. Field methods included walking meandering transects throughout the BSAs and observing plants and wildlife, mapping soil types and mapping the extent of both jurisdictional waters of the United States and State of California.

There are two separate BSAs for this project due to a borrow site located off-site of the Project location. The BSAs include all permanent and temporary impacts including right-of-way, construction easements, cut and fill limits, and potential staging areas plus an approximate 100 foot buffer. The Project BSA is approximately 2 miles long and has an area of approximately 100 acres. The Barrow BSA is approximately 5.71 miles east of the project BSA, and has an area of approximately 21 acres.

The BSAs are within the USGS 7 ½ minute quadrangles of Escalon, Riverbank, and Salida at elevations ranging from 90 to 115 feet above mean sea level. The topography within the Project BSA is generally flat; but, near the Stanislaus River, the surface has been manipulated by grading for agriculture and construction of a series of levees, berms, and bridges. The Stanislaus River flows from east to west through the northern portion of the Project BSA

Land use within the Project BSA contains a mix of undeveloped open space, agriculture, low density rural residences, medium density residential subdivisions, and a solar power farm. The Borrow BSA is highly disturbed by continuous grading and access by large heavy machinery. The Borrow BSA was determined to be a ruderal/disturbed area with weedy and pioneer species vegetation throughout. The BSAs are highly disturbed by human activity and the majority of vegetative cover within the BSAs is non-native. Areas without Natural Vegetation within the BSAs include: Existing Pavement, Barren Areas, Solar Farm, Medium Density Residential Developments, Rural Residential, Planted Ornamentals, Corn Field, Orchard, and Ruderal/Disturbed. Natural communities within the BSA include: Annual Grassland, Riparian, Oak Woodlands, and Waters.

Areas Without Natural Vegetation Within the BSAs

Areas within the Project BSA and Borrow BSA that do not support natural vegetation communities include:

Existing Pavement

Existing pavement consists of asphalt, concrete and other hardscape primarily associated with McHenry Avenue, intersections, and driveways. Existing Pavement makes up approximately 11.81 acres of the Project BSA and approximately 1.55 acres of the Borrow BSA.

Barren Areas

Barren areas within the BSAs primarily consist of gravel or dirt parking lots, dirt roads, and maintained dirt shoulders along McHenry Avenue with less than 2% vegetative cover. Barren areas make up approximately 3.80 acres of the Project BSA and approximately 2.38 acres of the Borrow BSA.

Solar Farm

The solar farm along McHenry Avenue is regularly maintained and only supports low growing annual grasses and forbs that appear to be regularly mowed. Species composition was not determined because the solar farm was inaccessible during field surveys. The solar farm occupies approximately 4.50 acres within the Project BSA. No solar farm exists within the Borrow BSA.

Medium Density Residential

Within the Project BSA, the Del Rio medium density residential development consists of 5 single family homes. This area contains a mix of buildings, hardscape, and landscape plants. Species composition was not determined because private residences were inaccessible during field surveys. Medium density residential properties occupy approximately 1.66 acres within the Project BSA. No medium density residential areas are within the Borrow BSA.

Rural Residential

Several scattered rural single family homes are present along McHenry Avenue within the BSA. These areas are characterized by a mix of structures, hardscape, landscape plants, and ruderal vegetation. Species composition was not determined because private residences were inaccessible during field surveys. Rural residential properties occupy approximately 2.53 acres within the Project BSA and approximately 0.12 acres of the Borrow BSA.

Planted Ornamentals

Planted ornament vegetation consists of non-native trees and shrubs that have been planted but are not associated with landscaped residences. These include hedges, planted windbreak trees, and an abandoned Japanese botanical garden. No species were clearly dominant but oleander (*Nerium oleander*) and silver dollar eucalyptus (*Eucalyptus polyanthemos*) are prominent. Planted ornamentals occupy approximately 5.18 acres within the Project BSA and approximately 0.12 acres of the Borrow BSA.

Corn Field

Two corn fields are found within the Project BSA. These fields are nearly 100% domestic corn (*Zea mays*). Corn fields occupy approximately 7.03 acres within the Project BSA. No corn fields are within the Borrow BSA.

Orchard

Numerous commercial orchards are present within the Project BSA including almond orchards (*Prunus dulcis*) and walnut orchards (*Juglans regia*). Orchards have little to no understory vegetation. Orchards take up approximately 41.98 acres within the Project BSA and small areas bordering the main borrow pit area of approximately 2.43 acres of the Borrow BSA.

Ruderal/Disturbed Areas

A dominant feature throughout the Project and Borrow BSAs, the ruderal and disturbed areas within the BSAs were composed of non-native and some invasive species including, prickly lettuce (*Lactuca serriola*), yellow star thistle (*Centaurea solstitialis*), curly dock (*Rumex crispus*), ripgut brome (*Bromus diandrus*) and others. Approximately 9.96 acres of the Project BSA was classified as this land cover, consisting of areas of disked grasslands, disturbed wooded areas

that have been burned from fire, and disturbed areas surrounding and within the agricultural areas. Ruderal/disturbed areas were the dominant land cover within the Borrow BSA at approximately 18.85 acres of this land cover type.

Natural Communities Within the BSA

No natural areas were found within the Borrow BSA. However, the following natural communities were observed within the Project BSA during field surveys (Figure 12. Vegetation Communities within the Biological Study Area):

Annual Grassland

Annual grasslands within the Project BSA consist of varying species including wild oats (*Avena fatua*), common barley (*Hordeum vulgare*) and other brome species. These annual grasslands are all located to the west of McHenry Avenue and are surrounded by other communities such as riparian, oak woodland, and planted ornamentals. Annual grasslands occupy approximately 3.39 acres within the Project BSA.

Riparian

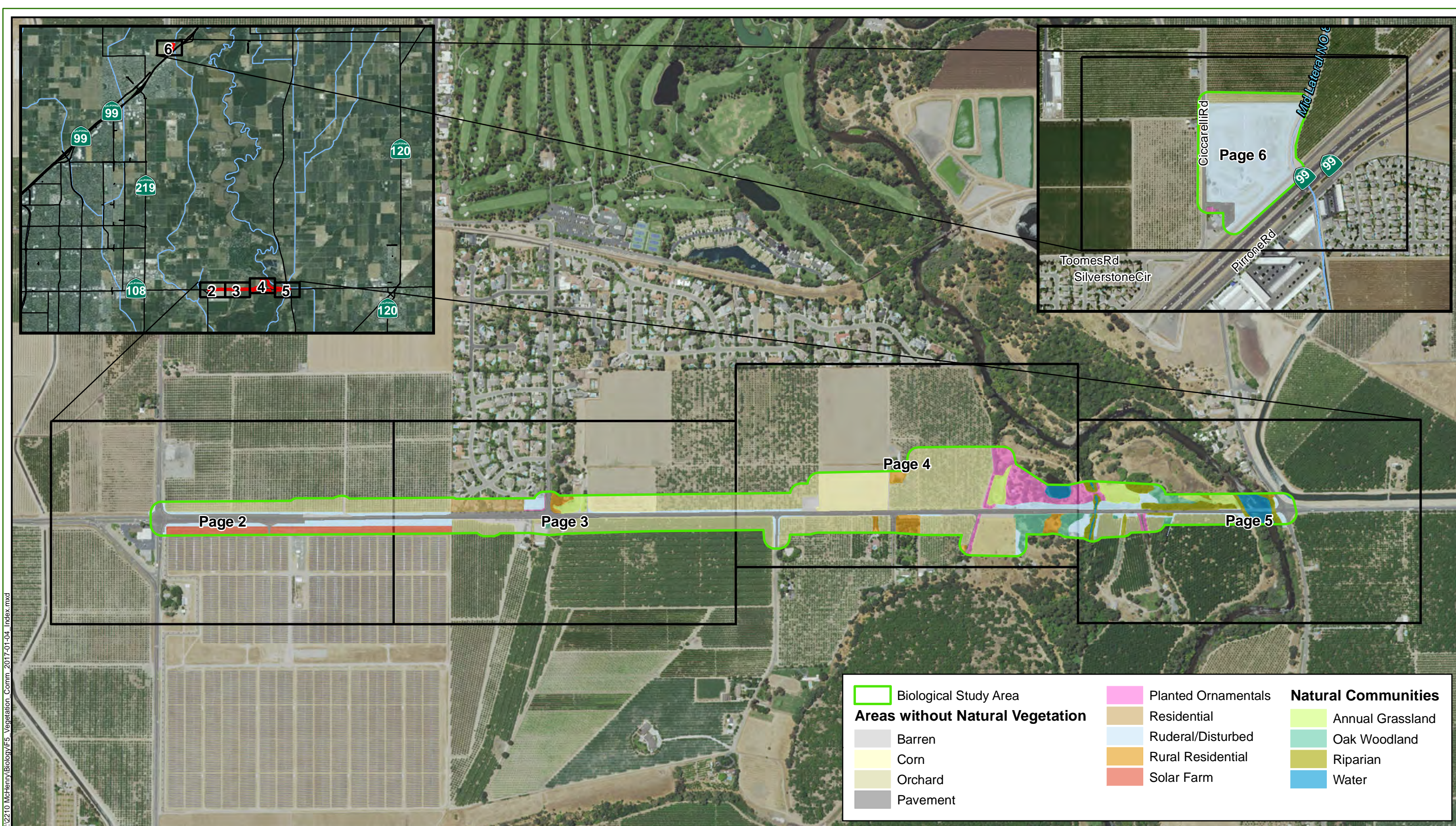
Riparian habitat was observed along Dry Slough and throughout the floodplain areas south of the Stanislaus River along McHenry Avenue. The riparian areas observed were composed of Himalayan blackberry (*Rubus armeniacus*), Californian blackberry (*Rubus ursinus*), California grape (*Vitis californica*), blue elderberry (*Sambucus nigra ssp. caerulea*), and California wild rose (*Rosa californica*). The riparian areas were surrounded by a number of other natural and non-natural areas including waters, ruderal/disturbed, orchard, oak woodland, annual grassland, and planted ornamentals. Riparian habitat occupies approximately 3.10 acres within the Project BSA.

Oak Woodland

Natural oak woodland communities were observed throughout the northern portion of the Project BSA. The oak woodland areas observed were composed of valley oaks (*Quercus lobata*), interior live oaks (*Quercus wislizeni*), box elder (*Acer negundo*), and black locust (*Robinia pseudoacacia*). These areas were typically surrounded by other natural areas (riparian and annual grasslands), but were also mixed with non-natural areas as well (residential, rural residential, and ruderal/disturbed). Oak woodland occupies approximately 2.89 acres within the Project BSA.

Waters

Hydrological water features were observed and included the South San Joaquin Irrigation District (SSJID) canal, the Stanislaus River, Dry Slough, and a man-made lake feature. The agricultural canal is in the northern terminus of the BSA and is not within the project area. The Stanislaus River and Dry Slough water features were surrounded by riparian areas as described above. The lake feature is within the abandoned Japanese botanical garden property west of McHenry Avenue, and approximately 0.4 miles south of East River Road. The depressional feature originated as a gravel mine pit and was later filled with groundwater after the desired gravel resources were extirpated. The lake is surrounded by planted ornamentals as this property was a former botanical garden recreational area. Waters occupy approximately 2.11 acres within the Project BSA.



Biological Study Area	Planted Ornamentals	Natural Communities
Areas without Natural Vegetation	Residential	Annual Grassland
Barren	Ruderal/Disturbed	Oak Woodland
Corn	Rural Residential	Riparian
Orchard	Solar Farm	Water
Pavement		

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Source: USA Topo Maps Online; Dokken Engineering 1/10/2017; Created By: scotts

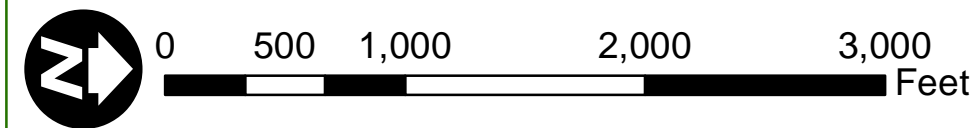


Figure 12
Vegetation Communities within the
Biological Study Area
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 McHenry Avenue Widening Project
 Stanislaus County, California

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Source: USA Topo Maps Online; Dokken Engineering 2/3/2017; Created By: adellas

Biological Study Area	Planted Ornamentals	Natural Communities
Areas without Natural Vegetation	Residential	Annual Grassland
Barren	Ruderal/Disturbed	Oak Woodland
Corn	Rural Residential	Riparian
Orchard	Solar Farm	Water
Pavement		

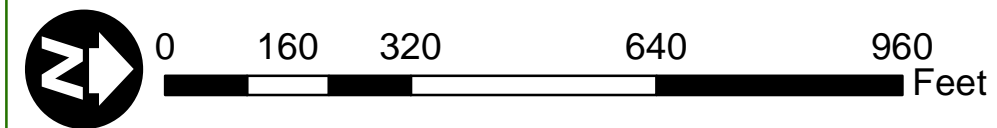


Figure 12
Vegetation Communities within the
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Biological Study Area	Planted Ornamentals	Natural Communities
Areas without Natural Vegetation	Residential	Annual Grassland
Barren	Ruderal/Disturbed	Oak Woodland
Corn	Rural Residential	Riparian
Orchard	Solar Farm	Water
Pavement		

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Source: USA Topo Maps Online; Dokken Engineering 2/3/2017; Created By: adellas

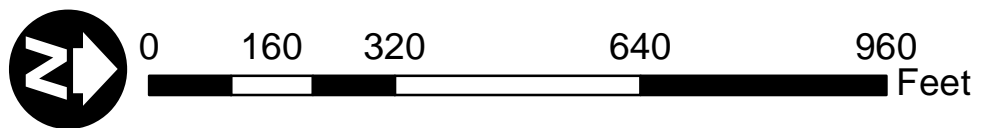


Figure 12
Vegetation Communities within the
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Biological Study Area	Planted Ornamentals	Natural Communities
Areas without Natural Vegetation	Residential	
Barren	Ruderal/Disturbed	Annual Grassland
Corn	Rural Residential	Oak Woodland
Orchard	Solar Farm	Riparian
Pavement		Water

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Source: USA Topo Maps Online; Dokken Engineering 2/3/2017; Created By: adellas

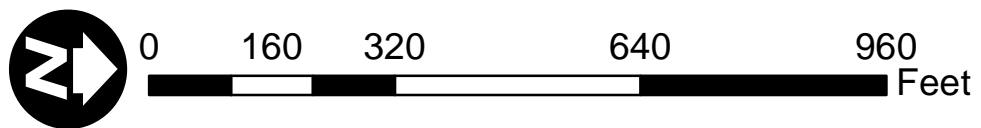
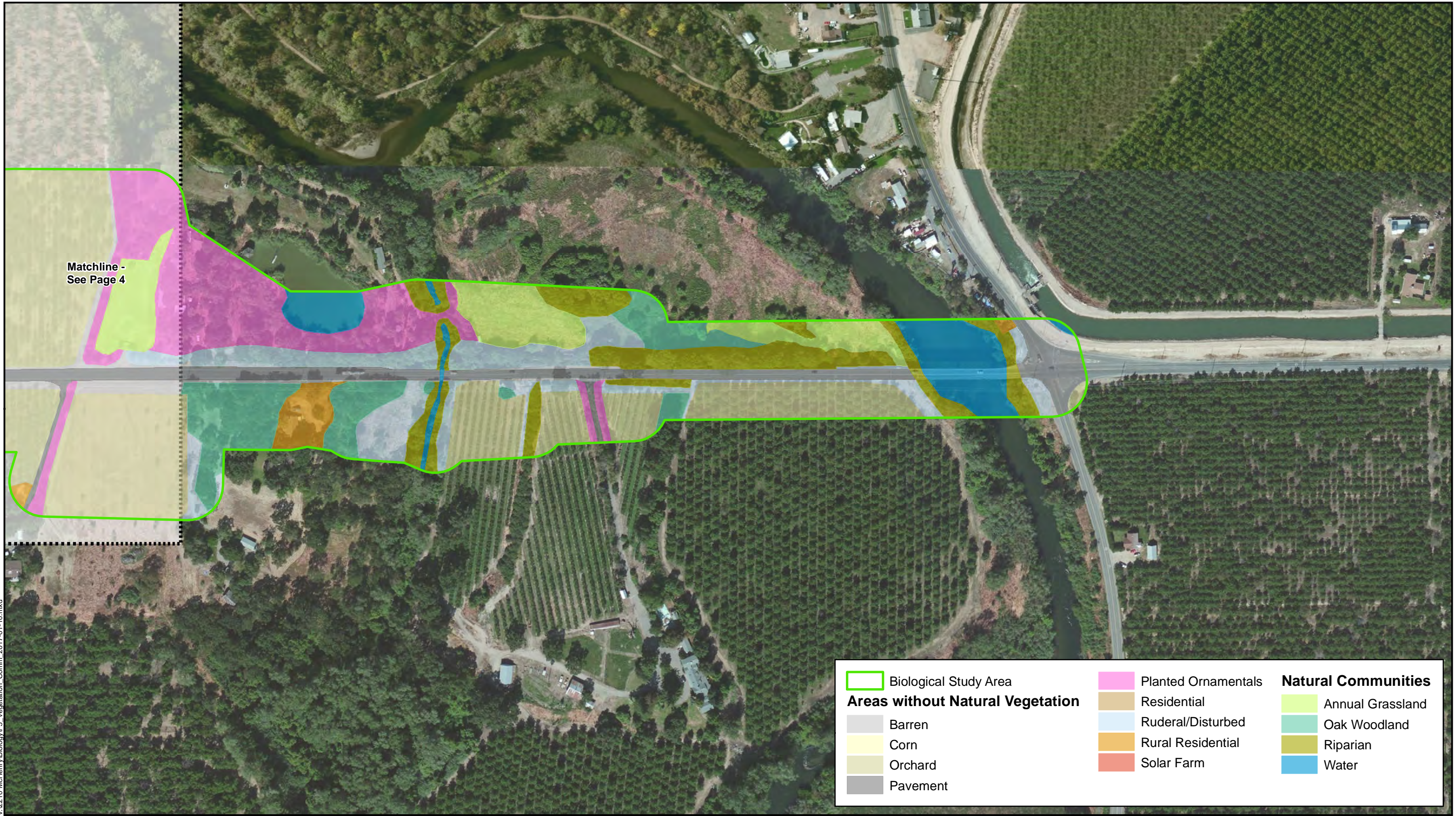


Figure 12
Vegetation Communities within the
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Biological Study Area	Planted Ornamentals	Natural Communities
Areas without Natural Vegetation	Residential	Annual Grassland
Barren	Ruderal/Disturbed	Oak Woodland
Corn	Rural Residential	Riparian
Orchard	Solar Farm	Water
Pavement		

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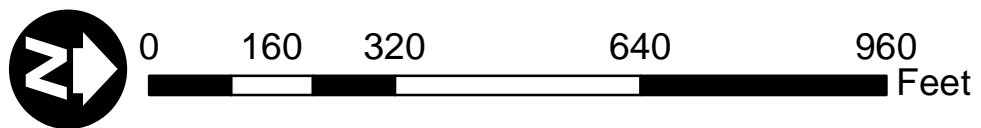


Figure 12
Vegetation Communities within the
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Biological Study Area	Planted Ornamentals	Natural Communities
Areas without Natural Vegetation	Residential	Annual Grassland
Barren	Ruderal/Disturbed	Oak Woodland
Corn	Rural Residential	Riparian
Orchard	Solar Farm	Water
Pavement		

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Source: USA Topo Maps Online; Dokken Engineering 1/10/2017; Created By: adellas

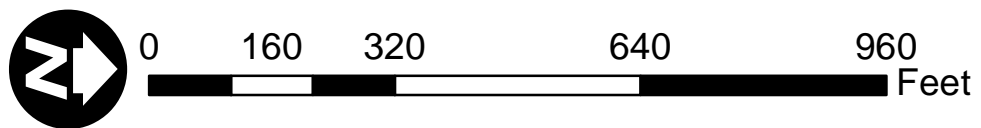


Figure 12
Vegetation Communities within the
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- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Less Than Significant Impact with Mitigation Incorporated. The following is a discussion on special status plant and animal species that were determined have potential of occurring with the Project area, potential impacts, and avoidance, minimization, and mitigation measures that when incorporated will reduce impacts to a less than significant impact.

Special-Status Plants

The Natural Environmental Study (NES) (2017) serves as basis for much of this section. Prior to field surveys, a review of CNDDDB, CNPS and online databases found 4 special status plant species with the potential to occur in the project vicinity. Surveys conducted September 29, 2016 and December 28, 2016 included habitat assessments for special status rare plants which determined that no habitat for special status plant species is present within either the Borrow BSA or Project BSA. In addition, no special status plant species were observed during the field surveys. After a review of available literature, soil maps, and species requirements, none of the special status plant species were found to have the potential to occur within the BSAs. No impacts to special status plant species are anticipated; therefore, no compensatory mitigation or minimization measures are will be necessary. All special status plant species are presumed absent from the BSA. The Project would have no impacts to special status plant species. No impacts to special status plant species are anticipated; therefore, no compensatory mitigation or minimization measures are will be necessary.

Special-Status Animals

Prior to field surveys, a search of CNDDDB, USFWS and NMFS online databases found 15 wildlife species with the potential to occur within the project vicinity. Analysis of specific habitat requirements, and analysis of both current and historical occurrences determined that the listed species, Central Valley distinct population segment (DPS) of steelhead (CV Steelhead) (*Oncorhynchus mykiss irideus*), and valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*) are presumed present within the BSAs, while Swainson's hawk (*Buteo swainsoni*) has a high potential to occur within the BSAs. In addition, burrowing owl (*Athene cunicularia*), hardhead (*Mylopharodon conocephalus*), Townsend's big-eared bat (*Corynorhinus townsendii*), and Western pond turtle (*Emys marmorata*) have the potential to occur within the BSAs.

Central Valley Steelhead

CV Steelhead is a federally listed threatened DPS of Steelhead. Steelhead are anadromous fish that spend part of their life cycle in freshwater and part in salt water. The species was once abundant in California coastal and central valley drainages. However, population numbers have declined significantly, especially in the tributaries of the Sacramento and San Joaquin Rivers (NMFS 2014).

Review of available literature and occurrence data indicate that the CV steelhead occur within the Stanislaus River within the Project BSA. Based on NMFS 2005 Critical Habitat maps, the project is located within designated Critical Habitat within the Lower Stanislaus River Watershed, and San Joaquin Valley Floor Hydrologic Unit (NMFS 2005). CV steelhead Critical Habitat on the Stanislaus River has been designated up to Goodwin Dam. The Critical Habitat primary constituent elements (PCEs) for CV steelhead critical habitat within the Stanislaus River include

freshwater rearing and freshwater migration. The project area crosses the Stanislaus River at the Stanislaus River Bridge on McHenry Avenue (Bridge No. 38C-0032). The section of the Stanislaus River present at the project site contains clear, shallow, fast-water riffles, glides, runs and pools of sufficient water quality and quantity, is minimally obstructed by the existing facility, and contains natural cover with overhanging riparian vegetation and aquatic vegetation to suitable for adult and juvenile migration.

While CV steelhead and CV steelhead Critical Habitat occurs within the project BSA, the Project will only provide striping over the Stanislaus River Bridge. The Project will have no direct or indirect impacts to the Stanislaus River or the riparian vegetation along the banks of the Stanislaus River. No impacts to CV steelhead or CV steelhead Critical Habitat are anticipated, therefore, no avoidance, minimization, or mitigation measures are required.

Valley Elderberry Longhorn Beetle

Valley elderberry longhorn beetle (VELB) is a federal listed threatened species. Critical Habitat for the species was designated by the USFWS on August 8, 1980 (45 Federal Register [FR] 52803).

Elderberry shrubs are obligate hosts for VELB larvae. Elderberry shrubs are often associated with cottonwood (*Populus* sp.), willow, ash (*Fraxinus* sp.), oak (*Quercus* sp.), and walnut (*Juglans* sp.) – species common to the riparian forests and adjacent uplands in the Central Valley and foothills the elderberry inhabits (Barr 1991). The VELB's range has been reduced and greatly fragmented due to a loss of elderberry inhabited communities, most especially riparian habitat loss. Habitat loss is derived from agricultural development, urbanization, levee maintenance, and pesticide drift where aerial application or fogging of crops occurs near riparian habitats (USFWS 1984 and Barr 1991).

Adult VELB feed on elderberry foliage and are present from March through early June. During this time, the adults mate within the canopy and females lay their eggs, either singularly or in small clusters, in living elderberry bark crevices or at the junction of stem/trunk or leaf petiole/stem (Barr 1991). After eggs hatch, the first instar larvae burrow into the host elderberry stems to feed on pith for one to two years. As the larvae become ready to pupate, it chews outward from the center of the stem through the bark. After the larvae plugs the newly constructed emergent hole with shavings, it returns to the pupal chamber to metamorphose, and will emerge in mid-March through June as adults. Elderberry stems with emergence holes indicate current and/or previous VELB presence. VELB utilize stems greater than 1 inch diameter and produce circular to oval emergent holes 7 to 10 millimeters in diameter with the majority occurring 4 feet or less above the ground (Barr 1991).

The project is within the current range of the species and focused elderberry surveys conducted on September 29, 2016, December 28, 2016, and May 24, 2017 found elderberry shrubs within both riparian and non-riparian habitat within the project BSA. Based on an assessment of riparian habitat and the distribution of elderberry shrubs throughout the project BSA, it was determined that riparian and non-riparian vegetation along Dry Creek provides habitat for VELB. A single elderberry shrub was also found within non-riparian habitat within the borrow site BSA; however, no exit holes were found on this elderberry shrub so the borrow site is not considered VELB habitat under the Framework for Assessing Impacts to the Valley Elderberry Longhorn Beetle (USFWS 2017). Based on USFWS Critical Habitat maps, the project area is not located within designated Critical Habitat for VELB (USFWS 2016).

Based on the Framework for Assessing Impacts to VELB, permanent modifications to VELB habitat is considered a potentially significant impact requiring mitigation. Construction of the project would necessitate the widening of existing fill slopes along McHenry Avenue. A total of 5,260 square feet (0.12 acres) of riparian habitat and 14,648 square feet (0.34 acres) of non-riparian habitat would be permanently impacted as a result of the project, and will require the removal of 3 elderberry shrubs; therefore compensatory mitigation will be required (Figure 13). Formal Section 7 consultation with USFWS will occur for the Project, and USFWS mitigation requirements for impacts to VELB will be determined upon completion of consultation. Upon determination of mitigation requirements, mitigation credits will be purchased from a USFWS-approved mitigation bank prior to construction. With the incorporation of avoidance, minimization and mitigation measures BIO-6 through BIO-15, project impacts to VELB would be less than significant.

Swainson's Hawk

The Swainson's hawk is state-listed as threatened. Swainson's hawk migrates annually from wintering areas in South America to breeding locations in northwestern Canada, the western U.S., and Mexico. In California, Swainson's hawks nest throughout the Sacramento and San Joaquin Valley in large trees in riparian habitats and in isolated trees in or adjacent to agricultural fields.

No Swainson's hawk or Swainson's hawk nests were observed during the September 29, 2016 biological survey. However, the BSAs are located within the range of Swainson's hawk and contains potentially suitable riparian forest nesting habitat and potentially suitable fallow agricultural field foraging habitat for Swainson's hawk. There are several CNDDDB occurrences of the species within 10 miles of the BSAs; the closest is within the northern portion of the Project BSA and was documented in 1995. The species is considered to have a high potential of occurring within the BSAs based on presence of potentially suitable habitat, numerous regional occurrences and a historic occurrence within the BSAs.

Protocol level surveys will be conducted during the appropriate seasons in 2018 prior to construction to determine presence/absence of the species. Swainson's hawk surveys will be consistent with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley, developed by the Swainson's Hawk Technical Advisory Committee (SHTAC 2000).

With the incorporation of avoidance and minimization measures BIO-18 and BIO-19, direct impacts to Swainson's hawk are not anticipated. Project impacts to the species will be limited to temporary disturbance from construction noise. If nesting raptors or Swainson's hawks nesting within the project area are observed during the protocol surveys, coordination with the appropriate wildlife agencies will occur, and the necessary buffers will be established.

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Project Area

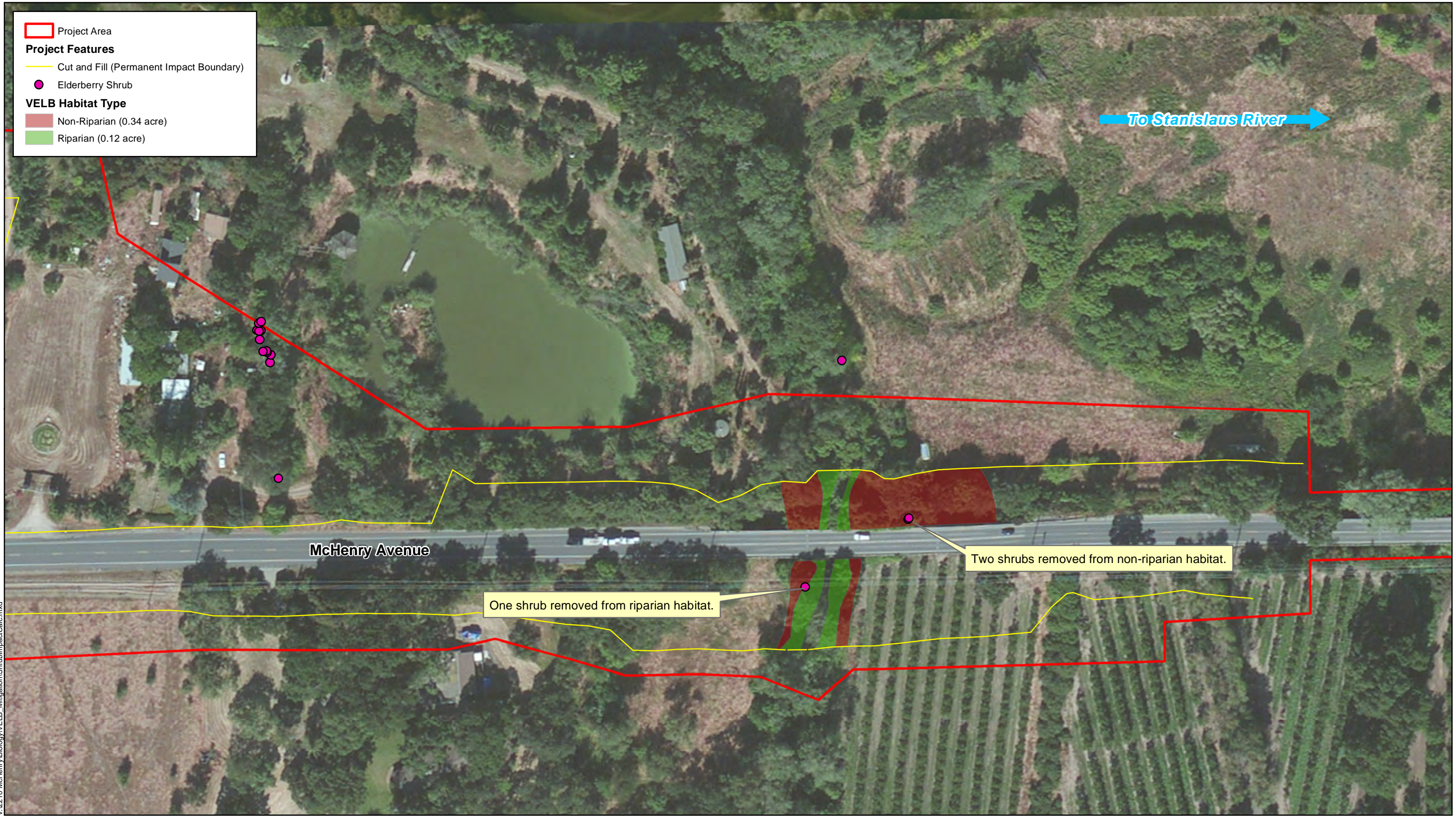
Project Features

- Cut and Fill (Permanent Impact Boundary)
- Elderberry Shrub

VELB Habitat Type

- Non-Riparian (0.34 acre)
- Riparian (0.12 acre)

To Stanislaus River →



McHenry Avenue

One shrub removed from riparian habitat.

Two shrubs removed from non-riparian habitat.

V:\2210_McHenry\Biology\VELB_Mitigation\ShrubImpactCalc.mxd

Source: USA Topo Maps Online; Dokken Engineering 8/9/2017; Created By: astorck

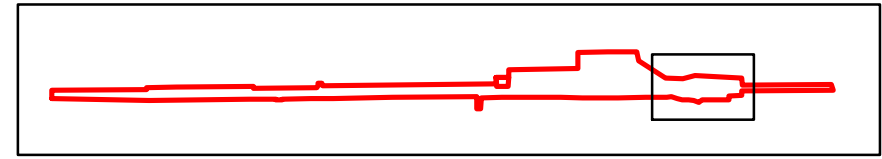
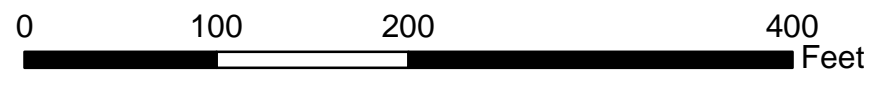


Figure 13
Project Impacts to Elderberry Shrubs
 STPL 5938(233)
 McHenry Avenue Widening Project
 Stanislaus County, California

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Burrowing Owl

The burrowing owl is not a State or Federally listed species, but is a CDFW Species of Special Concern and a USFWS Migratory Nongame Bird of Management Concern. Burrowing owls were historically common throughout much of California; however, due to habitat degradation and urbanization, populations have been drastically reduced. Potential burrowing owl habitat was assessed within the BSAs during the September 29 and December 28, 2016 biological surveys. The northwest side of the Project BSA is adjacent to potentially suitable grassland habitat for burrowing owl. The nearest CNDDDB occurrence of the species is approximately 3 miles from the Project BSA and was recorded in 1994. The species is considered to have a low to moderate potential of occurring within the BSAs based on presence of potentially suitable habitat and historic occurrences of the species. Burrowing owl and potentially suitable burrows were not observed during the September 29 or December 28, 2016 biological surveys. The species is still considered to have a low to moderate potential of occurring within the BSAs based on presence of historical occurrences and potentially suitable grassland habitat. With the incorporation of avoidance and minimization measures BIO-16 and BIO-17, direct impacts to burrowing owl are not anticipated. Project impacts to the species will be limited to temporary disturbance of potentially suitable annual grassland habitat in the west side of McHenry Avenue during construction activities for the widening of McHenry Bridge over Dry Slough.

Hardhead

Hardhead is not a federal or state listed species, but it is a CDFW Species of Special Concern (SSC). Hardhead are large cyprinids, reaching lengths in excess of 60 cm SL. Juvenile hardhead dwell in streams and are often found in small aggregations in pools and runs during the day (CDFW 2016). Hardhead are found at low to mid-elevations in high-quality undisturbed waters and prefer runs with deep, clear water. The northern portion of the Project BSA contains potentially suitable stream channel habitat within the Stanislaus River. Hardhead has been documented within the Stanislaus River as recently as 2008 on CNDDDB. The widening project will not be impacting any waters or vegetation areas within or along the Stanislaus River. No project impacts to hardhead are anticipated. No impacts to hardhead are anticipated, therefore, no avoidance, minimization, or compensatory mitigation measures will be required.

Townsend's Big-Eared Bat

The Townsend's big-eared bat is not a State or Federally listed species, but is a CDFW SSC. The species can be found in most habitats throughout California, but populations have been sharply declining in recent years. The species is generally a colonial species and exhibits high site fidelity. During the September 29, 2016 biological surveys, bat chirps were heard, and guano was observed under the current Stanislaus River Bridge on McHenry Avenue. However, no sign or sounds of bats under the McHenry Avenue Bridge over Dry Slough were observed, and the concrete slab bridge does not have suitable roosting crevices or joints; therefore, bat exclusion netting will not be necessary for the McHenry Bridge over Dry Slough. The McHenry Avenue Widening Project will only be striping the Stanislaus River Bridge and as such, the project will not have any direct impacts to Townsend's big-eared bat. No impacts to Townsend's big-eared bat are anticipated, therefore, no avoidance, minimization, or compensatory mitigation measures will be required.

Western Pond Turtle

The western pond turtle is not a State or Federally listed species, but is a CDFW SSC. The western pond turtle is a fully aquatic turtle, inhabiting ponds, marshes, rivers, streams and irrigation ditches with aquatic vegetation.

A portion of the Stanislaus River within the Project BSA may provide suitable vegetated river habitat for western pond turtle. Dry Slough does not provide adequate permanent hydrology necessary for the species. The nearest documented occurrence of the species is approximately 9.5 miles from the Project BSA. The species was not observed during biological surveys but is considered to have a low to moderate potential of occurring within the Project BSA based on presence of potentially suitable habitat and regional occurrences of the species.

The McHenry Avenue Widening Project is part of the overarching MACIP. However, the McHenry Avenue Widening Project is only providing striping over the Stanislaus River Bridge. The widening project will not be impacting any waters or vegetation areas within or along the Stanislaus River. No impacts to Western pond turtle are anticipated. No impacts to hardhead are anticipated, therefore, no avoidance, minimization, or compensatory mitigation measures will be required.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

Less Than Significant with Mitigation. The Project will widen the existing two-lane McHenry Avenue to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane). This project will not include widening or structural improvements to the McHenry Avenue Bridge over the Stanislaus River. As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill.

Field surveys identified approximately 3.10 acres of riparian habitat within the Project area. Riparian habitat was observed along Dry Slough and throughout the floodplain areas south of the Stanislaus River along McHenry Avenue. The riparian areas observed were composed of Himalayan blackberry (*Rubus armeniacus*), Californian blackberry (*Rubus ursinus*), California grape (*Vitis californica*), blue elderberry (*Sambucus nigra* ssp. *caerulea*), and California wild rose (*Rosa californica*). The riparian areas were surrounded by a number of other natural and non-natural areas including waters, ruderal/disturbed, orchard, oak woodland, annual grassland, and planted ornamentals. The project is anticipated to temporarily and permanently affect riparian areas adjacent to Dry Slough and isolated riparian areas south of the Stanislaus River along McHenry Avenue. The project is anticipated to permanently affect approximately 0.31 acres and temporarily affect approximately 0.15 acres of riparian habitat. Table 8 provides a breakdown of the riparian habitat affects to Dry Sough riparian and isolated riparian habitats within the project area. The Project will minimize impacts to riparian habitats with the use of avoidance and minimization, and Mitigation Measure BIO-1 through BIO-5; therefore this impact is less than significant with mitigation incorporated

Table 8. Project Impacts to Riparian Habitat

Resource	Riparian Habitat Impacts	
	Permanent	Temporary
<i>Dry Slough Riparian</i>	0.13	0.10
<i>Isolated Riparian</i>	0.18	0.05
Total	0.31	0.15

- c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Less Than Significant with Mitigation. A total of two jurisdictional features were observed within the Project BSA during the September 29th field survey, the Stanislaus River and Dry Slough (see Figure 11. Vegetation Communities within the Biological Study Areas). No jurisdictional features were observed within the Borrow BSA.

The northern portion of the Project BSA traverses the Stanislaus River (River) which is considered a water of the U.S and State. Within the Project BSA, the north bank is a steep cut bank on the outside of a meander. The south bank is point bar and broad low-lying floodplain; but, the river was isolated from this area when a levee was constructed in the 1950s constraining the river to an approximately 155 foot wide corridor to allow agricultural development in the active floodplain (NETR 2016). The River supports a narrow strip of riparian vegetation approximately 50 feet wide on both banks and clumps of riparian vegetation have naturally regenerated on the isolated floodplain behind the levee west of McHenry Avenue.

Dry Slough is a channelized relic side channel of the Stanislaus River. It is approximately 3 miles long and has ephemeral flow following winter rain events as it drains runoff from adjacent agricultural fields. The portion of Dry Slough west of the Project BSA may contain backwater flow from the Stanislaus River during flood events. A jurisdictional delineation of Dry Slough within the Project BSA was completed on September 29, 2016 by walking the perimeter of the OHWM and the outer perimeter of riparian vegetation. The OHWM was identified and mapped in accordance with the recommendations of the Field Guild to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States (USACE 2008).

The project will not have any temporary or permanent impacts to the Stanislaus River. Project activities in the vicinity of the Stanislaus River will be restricted to pavement restriping. No work will occur off the bridge structure and no impacts to the Stanislaus River are anticipated.

The project will result in temporary and permanent impacts to riparian vegetation on the isolated floodplain of the Stanislaus River. The existing roadway embankment will be widened to accommodate the increased width of the roadway facility. Prior to the embankment widening it is anticipated that isolated riparian vegetation will be impacted from the RSRB Project. In addition, as part of the project the McHenry Avenue Bridge over Dry Slough will result in approximately 0.17 acres of permanent impact to isolated riparian vegetation and 0.05 acres of temporary impact to isolated riparian vegetation (Figure 13. Project Effects to Jurisdictional Waters).

The project will result in temporary and permanent impacts to Dry Slough and riparian vegetation. The existing McHenry Avenue Bridge will be replaced with an earthen berm. Approximately 255 linear feet of the channel will be covered and flow will be redirected through a culvert in approximately the same location as the existing channel. This will result in approximately 0.07 acres of permanent impacts to Dry Slough, and approximately 0.14 acres of permanent impacts to Dry Slough riparian vegetation (Figure 14. Project Effects to Jurisdictional Waters). In addition, approximately 50 feet beyond permanent impacts will be temporarily disturbed during the construction phase of the project resulting in approximately 0.03 acres of temporary impacts to Dry Slough, and approximately 0.10 acres of Dry Slough riparian vegetation (Figure 13. Project Effects to Jurisdictional Waters). Project impacts to jurisdictional waters are summarized in Table 9.

Table 9. Project Impacts to Jurisdictional Waters

Resource	Waters of the U.S.		Waters of the State	
	Permanent	Temporary	Permanent	Temporary
<i>Dry Slough Channel</i>	0.07	0.03	0.07	0.03
<i>Dry Slough Riparian</i>	--	--	0.14	0.10
<i>Isolated Riparian</i>	--	--	0.17	0.05
Total	0.07	0.03	0.38	0.18

Avoidance and minimization measures and Best Management Practices (BMPs) **BIO-5** through **BIO-6** have been incorporated into the project design to minimize and mitigate impacts to jurisdictional waters to the greatest extent practicable, therefore this impact is less than significant with mitigation incorporated.

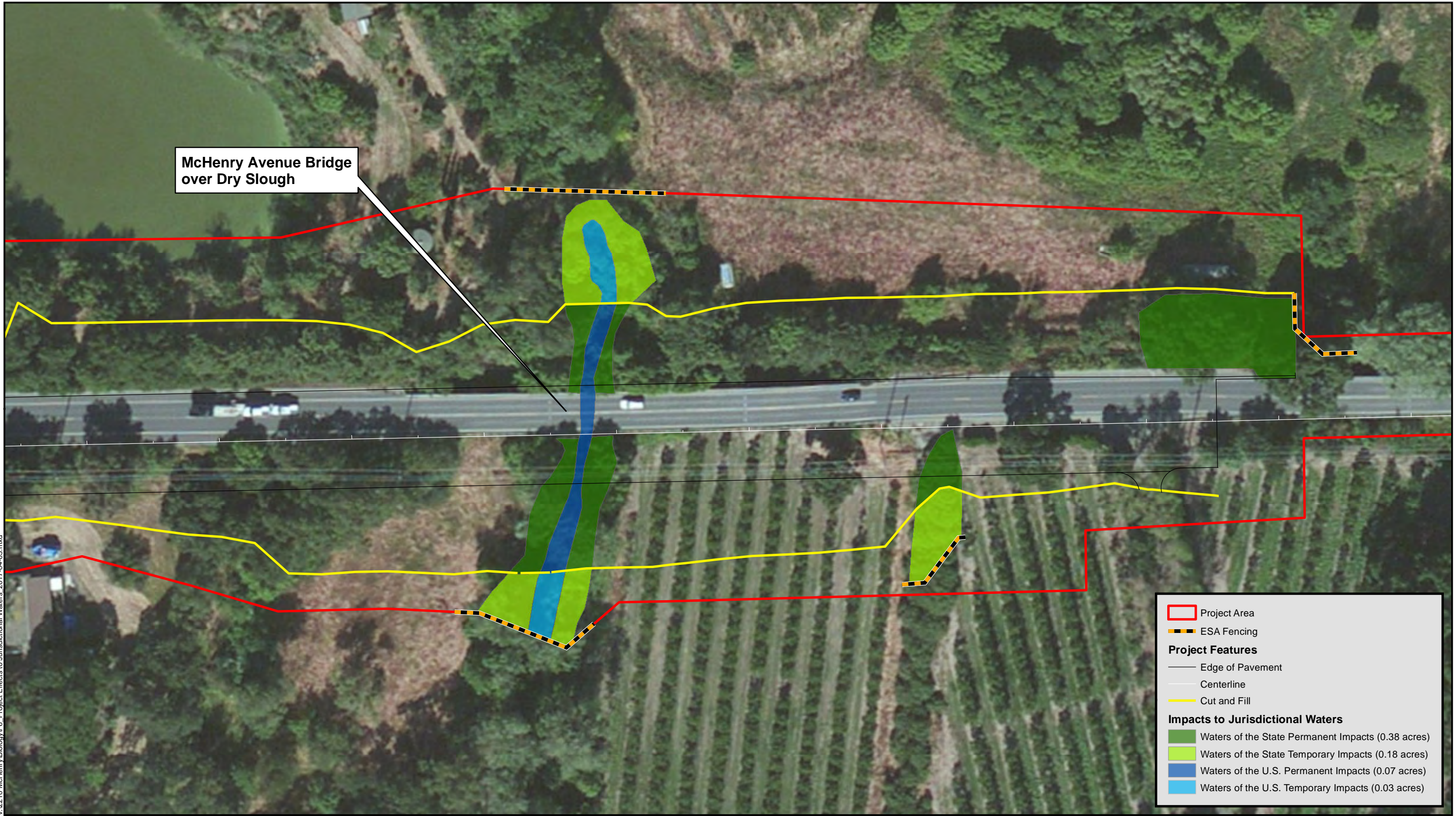
- d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Less than Significant. The Stanislaus River corridor serves as an east-west movement corridor for terrestrial wildlife through an otherwise developed portion of the San Joaquin Valley. Under existing conditions, McHenry Avenue runs north-south through the river corridor bisecting habitat with an elevated 2-lane roadway. The Dry Slough Bridge provides an undercrossing approximately 350 feet wide for terrestrial wildlife while the Stanislaus River Bridge provides an undercrossing approximately 1,200 feet wide.

Both the Dry Slough Bridge and the Stanislaus River Bridge provide undeveloped undercrossings for terrestrial wildlife moving east-west through the BSA. Under the build alternative, the roadway will be widened to 4-lanes and the undercrossing at Dry Slough will be replaced with a large box culvert (anticipated to be 18 feet by 12 feet). According to the FHWA Wildlife Vehicle Collision Reduction Study - Best Practices Manual, undercrossings for large mammals like deer and elk should be between 23 and 26 feet wide and 13 to 16 feet high (FHWA 2008). The project area is outside of the range of any elk species, but black-tailed deer (*Odocoileus hemionus ssp. columbianus*) are found within Stanislaus County. This means the anticipated undercrossing dimensions will be sufficient for small and medium sized terrestrial wildlife but may create a barrier to black-tailed deer.

The Project is not anticipated to have any effects to the habitat connectivity for birds, fish, or small and medium terrestrial wildlife. The Project may slightly reduce habitat connectivity for black-tailed deer moving along the Stanislaus River corridor but any effects to black-tailed deer movement patterns are anticipated to be less than significant because the much larger Stanislaus River Bridge undercrossing will remain in place. No significant loss of habitat connectivity is anticipated; therefore, this impact is less than significant.

McHenry Avenue Bridge over Dry Slough



	Project Area
	ESA Fencing
Project Features	
	Edge of Pavement
	Centerline
	Cut and Fill
Impacts to Jurisdictional Waters	
	Waters of the State Permanent Impacts (0.38 acres)
	Waters of the State Temporary Impacts (0.18 acres)
	Waters of the U.S. Permanent Impacts (0.07 acres)
	Waters of the U.S. Temporary Impacts (0.03 acres)

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Source: USA Topo Maps Online; Dokken Engineering 4/3/2017; Created By: adellas

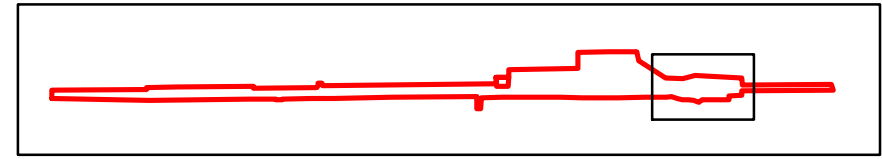
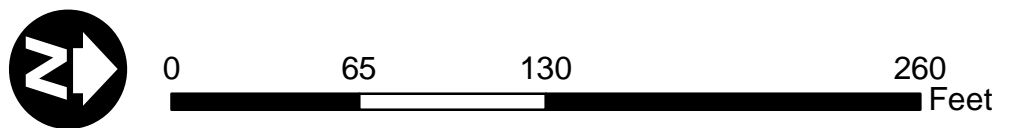


Figure 14
Project Effects to Jurisdictional Waters
 STPL 5938(233)
 McHenry Avenue Widening Project
 Stanislaus County, California

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- e) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

No Impact. There are no local policies or ordinances that protect biological resources in Stanislaus County; therefore, the project will have no impact with conflict to any local policies or ordinances.

- f) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

No Impact. There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans within the project area; therefore, the project will have no impact or conflict with any habitat conservation plan.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

The following avoidance and minimization measures and Best Management Practices have been incorporated into the project design to minimize impacts to Special Status Species and natural communities to the greatest extent practicable:

BIO-1: The project limits in proximity to the Dry Slough will be marked as an Environmental Sensitive Area (ESA) or either be staked or fenced with high visibility material to ensure construction activities will not encroach further beyond established limits.

BIO-2: Access roads and staging areas would contain barriers between them and Dry Slough to reduce erosion and sedimentation.

BIO-3: Best Management Practices will be incorporated into project design and project management to minimize impacts on the environment including the release of pollutants (oils, fuels, etc.):

- The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation.
- Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment desilting basins, sediment traps, and check dams.
- Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.
- Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.
- Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.
- All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from Dry Slough.
- All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering Dry Slough directly or indirectly.

- All construction materials, vehicles, stockpiles, and staging areas would be situated outside of Dry Slough as feasible. All stockpiles would be covered, as feasible.
- Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.
- All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.
- All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native species.
- All construction materials would be hauled off-site after completion of construction.

BIO-4: All wetted soil in contact with concrete or curing compound will be taken to an approved offsite disposal location.

BIO-5: After construction is complete, all temporary impact areas will be re-contoured to pre-construction conditions. Disturbed areas will be re-vegetated with a native seed mix where permitted by the local flood control board.

BIO-6: Permanent impacts will be mitigated by purchasing VELB mitigation credits at a USFWS approved mitigation bank. Mitigation ratios will be determined during Section 7 consultation with USFWS prior to project implementation.

BIO-7: Prior to initiating construction, an ESA fence will be installed around elderberry shrubs if their dripline extends within 20 feet of the project impact area. The ESA will be positioned as far from the shrubs as practicable and will be installed under the direction of the project biologist.

BIO-8: The project biologist will periodically inspect the construction areas to ensure elderberry shrubs within the ESA limits are not disturbed.

BIO-9: All construction personnel will attend environmental awareness training. During the environmental awareness training, construction personnel will be briefed on the status of the beetle, the need to avoid damage to the elderberry host plant, and the possible penalties for not complying with these requirements.

BIO-10: Signs will be installed along the edge of the ESA and will read the following: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction (Figure 5 Elderberry Shrub Survey Results and ESA Fencing).

BIO-11: To prevent fugitive dust from drifting into adjacent habitat, all clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, demolition activities, or other dust generating activities will be effectively controlled for fugitive dust emissions utilizing application of water or by presoaking.

BIO-12: The project biologist will be onsite for elderberry shrub relocation to ensure that no unauthorized take of VELB occurs.

BIO-13: No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant will be used within 100 feet of elderberry shrubs.

BIO-14: After construction, all temporarily affected areas within 100 feet of elderberry shrubs will be reseeded with native grasses and forbs.

BIO-15: Any elderberry shrub over 1-inch that the project cannot avoid must be relocated to a USFWS approved mitigation bank.

BIO-16: The project's biologist will conduct preconstruction surveys for burrowing owl consistent with the 2012 CDFW staff report on burrowing owl mitigation within 2 weeks prior to the start of construction. If burrowing owls are not detected, no further measures will be required. If burrowing owls are observed within 500 feet of the project area, the following will be implemented.

BIO-17: In accordance with the CDFW avoidance and mitigation protocols, during the breeding season (February 1 through August 31), occupied burrows must not be disturbed and shall be provided with a 250 foot protective buffer until a qualified biologist approved by the permitting agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be collapsed.

BIO-18: In accordance with the Swainson's Hawk Technical Advisory Committee *Recommended Timing and Methodology For Swainson's Hawk Nesting Surveys in California's Central Valley* (2000), protocol level surveys will be conducted during the appropriate survey periods immediately prior to construction to determine presence/absence of the species. If Swainson's hawk nests are discovered within 1/2 mile of the Project Area, appropriate protective measures will be developed in coordination with CDFW.

BIO-19: If vegetation removal is to take place during the nesting season (March 1st –September 1st), a pre-construction nesting bird survey must be conducted prior to vegetation removal. Within 2 weeks of the nesting bird survey, all vegetation cleared by the biologist must be removed by the contractor.

A minimum 300 foot no-disturbance buffer will be established around any active nests of raptor species. A 100 foot no-disturbance buffer will be established around any active nests for other migratory birds. If an active nest is discovered during construction, the contractor must immediately stop work in the nesting area until the appropriate buffer is established. The contractor is prohibited from conducting work that could disturb the birds (as determined by the project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the project biologist and approved by CDFW.

BIO-20: Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-21: All hydro seed and plant mixes must consist of a biologist approved plant palette seed mix of native species sourced within 40 miles of the project area.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to biological resources.

2.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

CEQA established statutory requirements for establishing the significance of historical resources in Public Resources Code (PRC) Section 21084.1. The CEQA Guidelines (Section 10564.5[c]) also require consideration of potential Project impacts to "unique" archaeological sites that do not qualify as historical resources. The statutory requirements for unique archaeological sites that do not qualify as historical resources are established in PRC Section 21083.2. These two PRC sections operate independently to ensure that significant potential effects on historical and archaeological resources are considered as part of a Project's environmental analysis. Historical resources, as defined in Section 15064.5 as defined in the CEQA regulations, include 1) cultural resources listed in or eligible for listing in the California Register of Historical Resources (California Register); 2) cultural resources included in a local register of historical resources; 3) any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in one of several historic themes important to California history and development.

Under CEQA, a Project may have a significant effect on the environment if the Project could result in a substantial adverse change in the significance of a historical resource, meaning the physical demolition, destruction, relocation, or alteration of the resource would be materially impaired. This would include any action that would demolish or adversely alter the physical characteristics of an historical resource that convey its historic significance and qualify it for inclusion in the California Register or in a local register or survey that meets the requirements of PRC Section 5020.1(l) and 5024.1(g). PRC Section 5024 also requires state agencies to identify and protect state-owned resources that meet National Register of Historic Place (National Register) listing criteria. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the State Historic Preservation Officer (SHPO) before altering, transferring, relocation, or demolishing state-owned historical resources that are listed on or are eligible for inclusion in the National Register or are registered or eligible for registration as California Historical Landmarks.

CEQA and the CEQA Guidelines also recommend provisions be made for the accidental discovery of archaeological sites, historical resources, or Native American human remains during construction (PRC Section 21083.2(i) CCR Section 15064.5[d and f]).

AFFECTED ENVIRONMENT

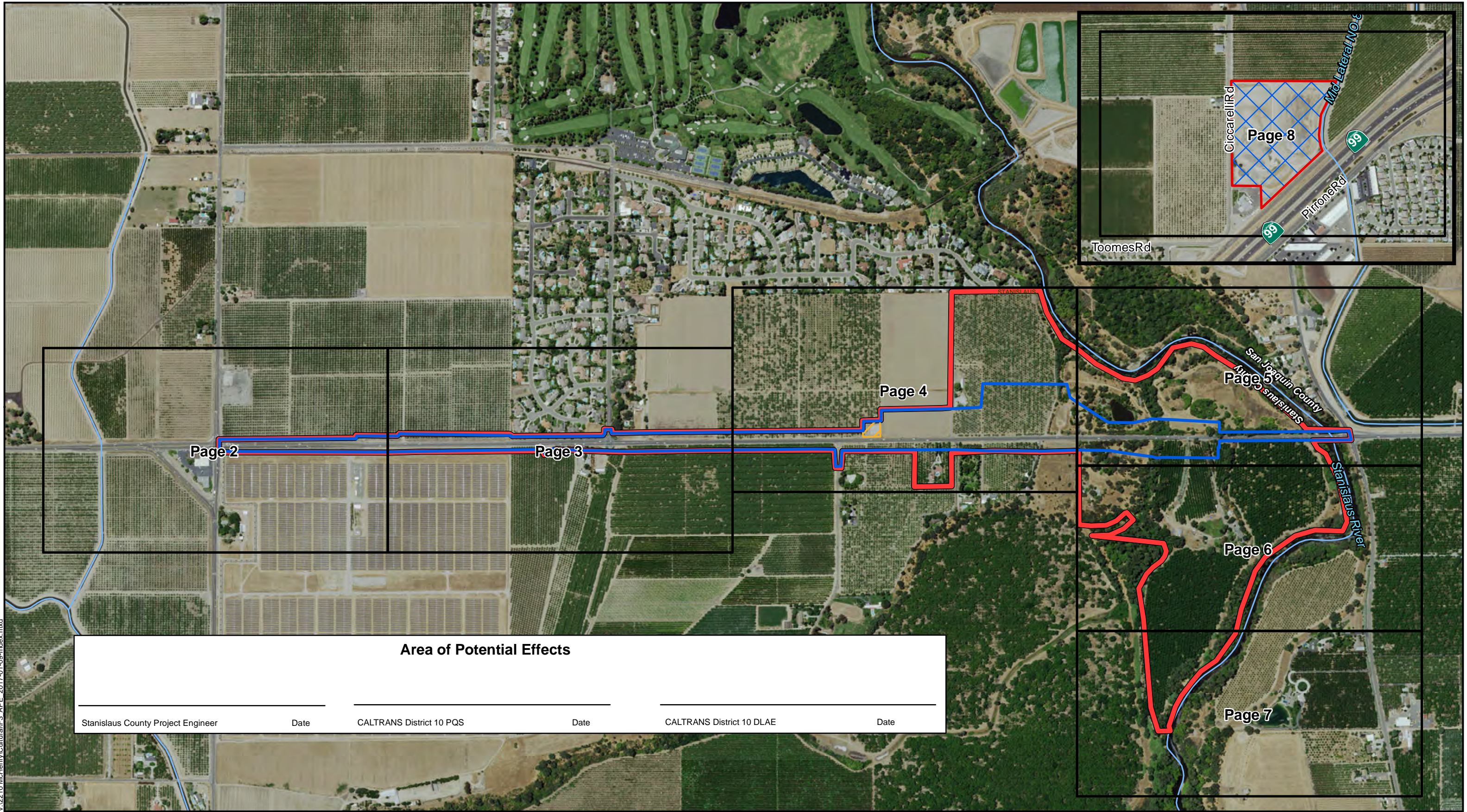
An Area of Potential Effects (APE) was established as the area of direct and indirect effects which encompasses an approximately 71.5 acre area. The APE includes the roadway widening and

extends along the entire width of McHenry Avenue the intersection of McHenry Avenue and Patterson/Ladd Road and the southern abutment of the McHenry Road Bridge over the Stanislaus River, in Stanislaus County. The APE includes all roadway widening, right of way acquisition areas, roadway drainage creation, culvert and pipe installation, roadway cut and fill limits, buried utility relocation, metal beam guardrail installation, vegetation/tree removal, equipment and materials staging, temporary construction easements, and construction access. Additionally, the APE includes a 61.4 acre borrow site located approximately 6 miles west of McHenry Avenue. The borrow pit is located at the intersection of Ciccarelli Road and Toomes Road, west of Highway 99 (Figure 15. Area of Potential Effects). Efforts to identify potential cultural resources in the APE included background research, a search of previously recorded archaeological site records and cultural resource identification reports on file at the California Historical Resources Information System North Central Information Center (NCIC), efforts to coordinate with Native American representatives, efforts to coordinate with local historical organizations, and a pedestrian ground surface survey.

Archaeologist Dr. Brian S. Marks conducted an archaeological field survey of the APE on August 18, 2016. The APE was surveyed using 15 meter-wide transect intervals, oriented roughly parallel with McHenry Avenue. Periodic boot scrapes were used in areas of dense vegetation to expose the ground surface. All project area conditions and cultural resources were fully recorded in the field notes. Exposed subsurface cuts, such as ditches, roadway cuts, and bank cuts were visually examined for the presence of archaeological resources, soil color change, and/or staining that could indicate past human activity or buried deposits. The pedestrian survey conducted on August 18, 2016 did not observe any archaeological resources within the APE.

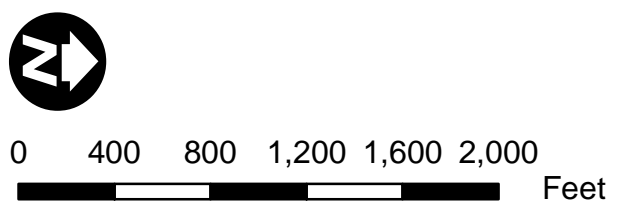
The pedestrian survey confirmed that the terrain has been subjected to intense modification, mostly through agriculture and recent development. The area to the west of McHenry Avenue and south of Stanislaus River was heavily disturbed from gravel excavation and was used as a Zen Garden in the 1990s and was abandoned around 2010. The area was heavily disturbed and dominated by ruderal vegetation. Additionally, there was a large amount of fill dirt adjacent to the APE that was used to support a dirt roadway within the property. Overall, the surface visibility of this parcel was less than 30 percent, but the ground surface had been heavily modified with the redistribution of material through cutting and filling to create the in-property roadway.

Most of the agriculture fields at the time of the survey consisted of almond and walnut orchards. While other agricultural fields contained corn crops at the time of the survey. These parcels exhibited near 100 percent surface visibility as did the areas under the two existing bridges (McHenry Avenue over Dry Slough and Stanislaus River). The fruit stand at the intersection of McHenry Avenue and Stewart Road had a gravel driveway that had no surface visibility. Paved areas, gravel roads, and landscaped areas had zero visibility. Overall, the project area south of the Lotus Garden entrance is flat with drainage ditches along the roadside edges and property boundaries. The project area north of the Lotus Garden entrance is a floodplain terrace from the Stanislaus River and is 20 to 30 feet lower in elevation than the rest of the project area.



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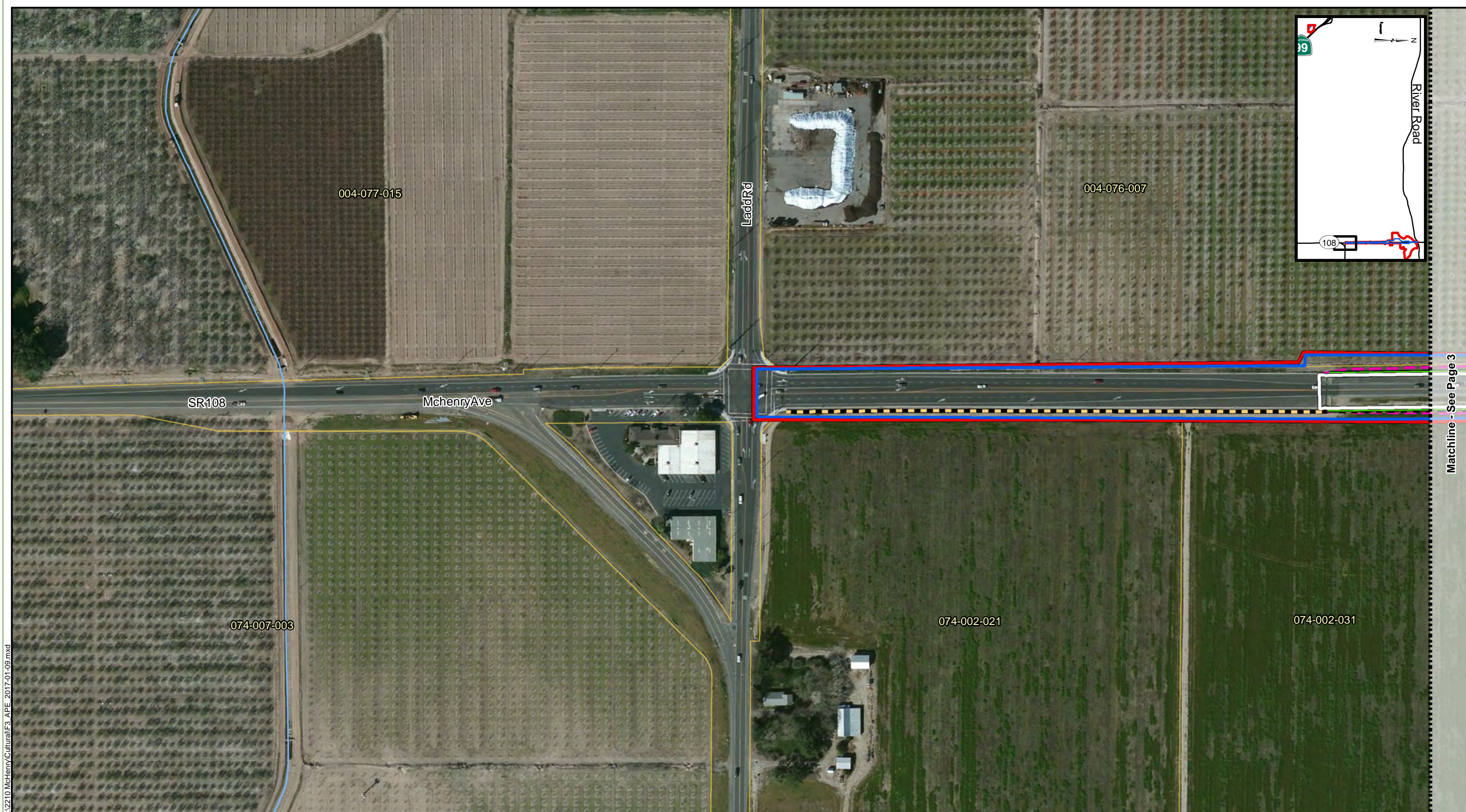
Source: USA Topo Maps Online; Dokken Engineering 3/20/2017; Created By: brianm



- Area of Direct Impact
- Area of Potential Effects
- Borrow
- Potential Staging Area

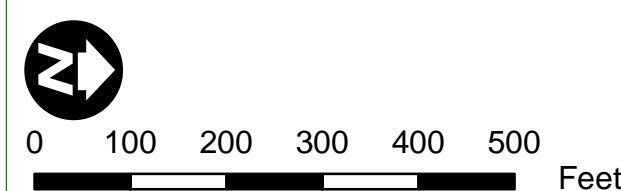
Figure 15
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Area of Potential Effect
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 McHenry Avenue Widening Project
 Stanislaus County, California

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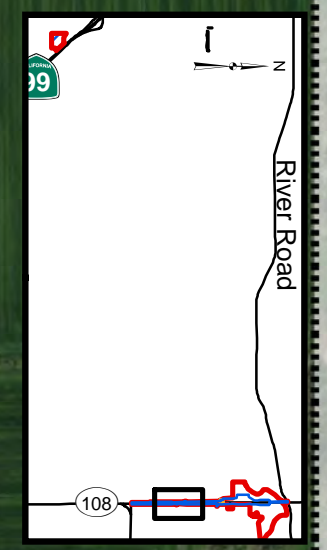
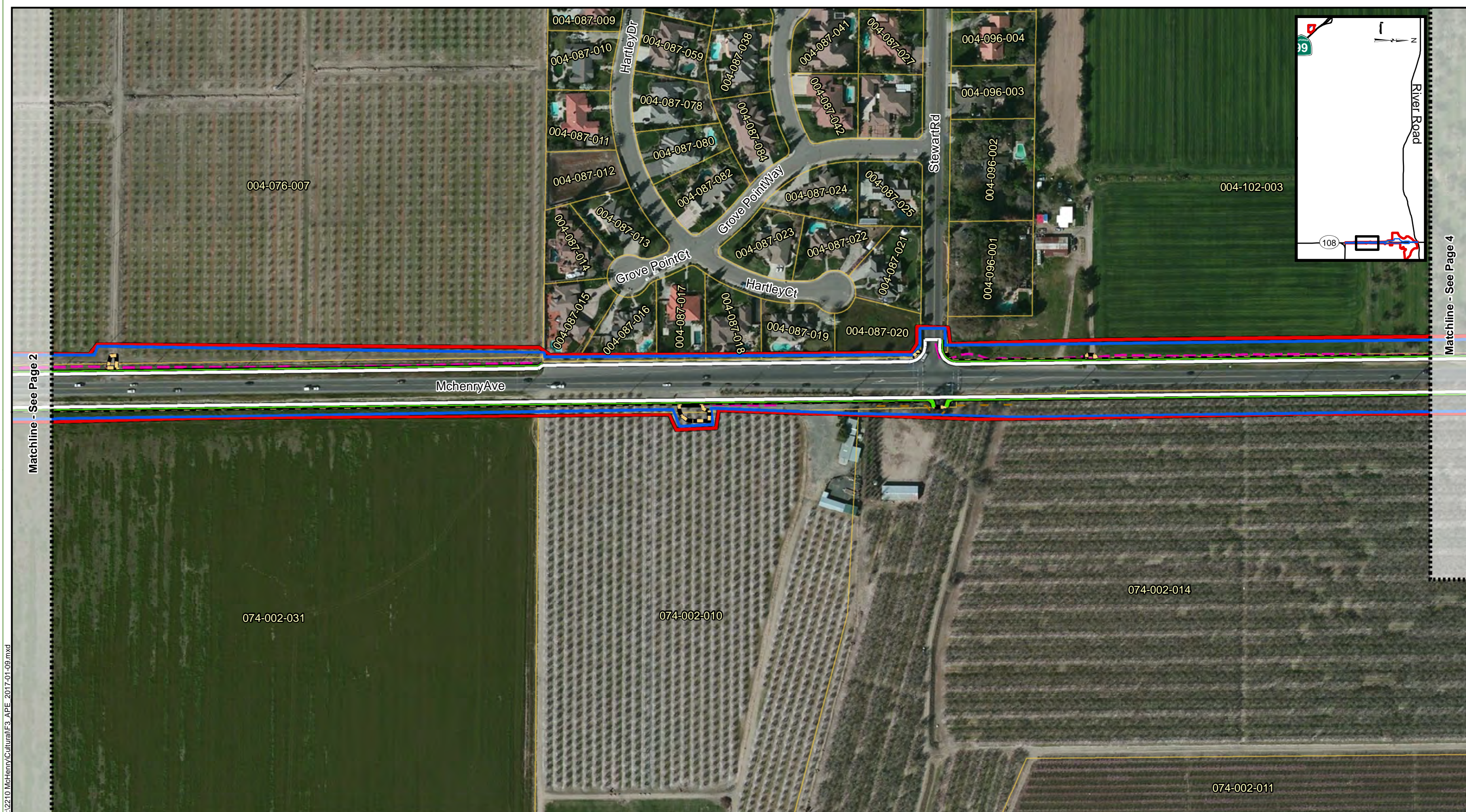


	Area of Direct Impact		Edge of Pavement		MBGR
	Area of Potential Effects		Curb and Gutter		Cut and Fill
	Borrow Location		Sidewalk and Driveways		Drainage Basin
	Potential Staging Area		Fencing		Parcels

Matchline - See Page 3

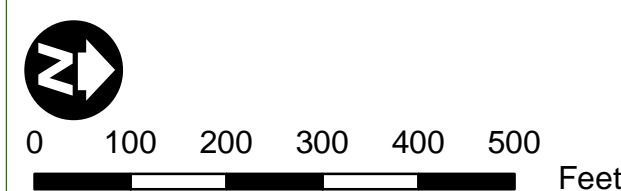
Figure 15
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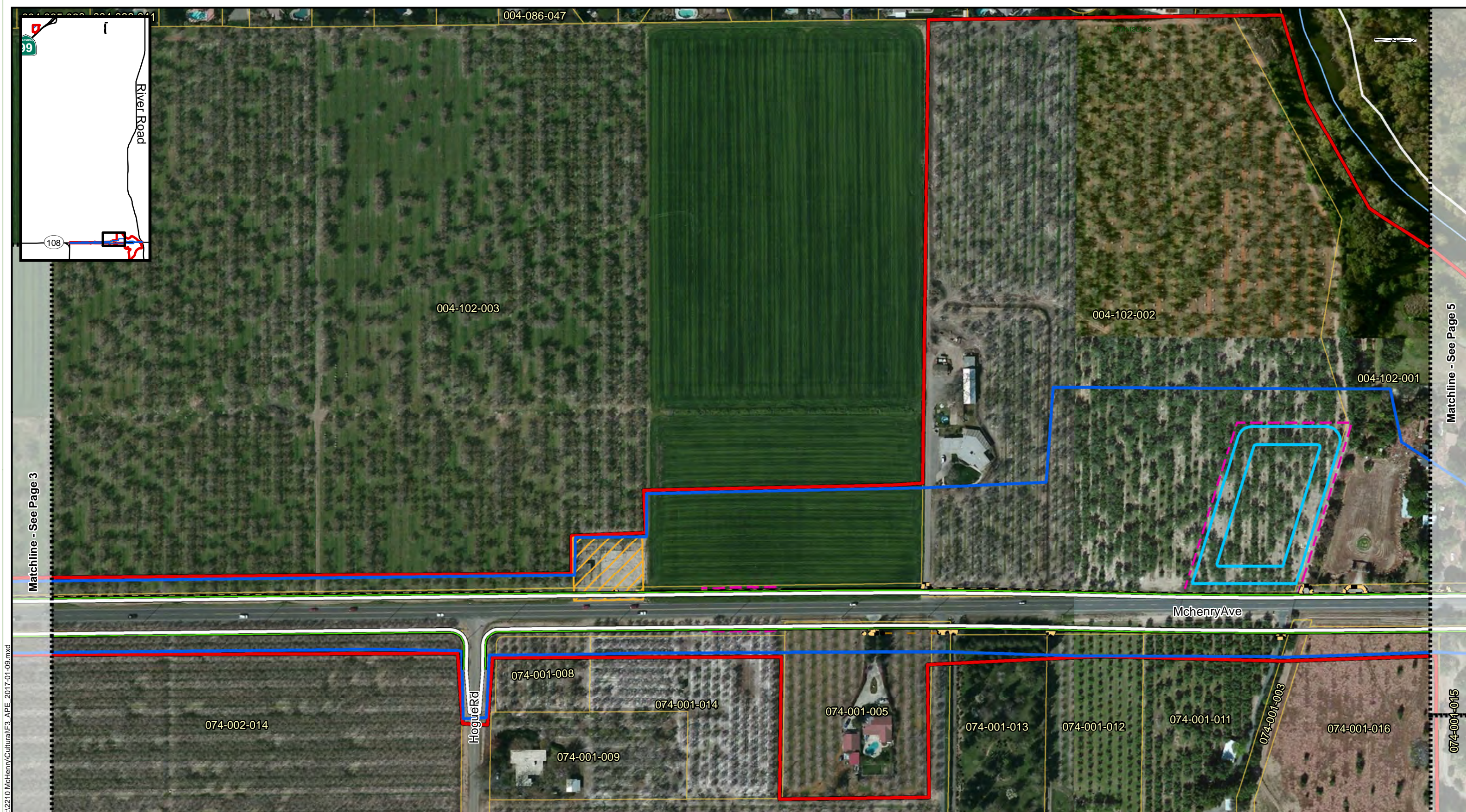
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	Area of Direct Impact		Edge of Pavement		MBGR
	Area of Potential Effects		Curb and Gutter		Cut and Fill
	Borrow Location		Sidewalk and Driveways		Drainage Basin
	Potential Staging Area		Fencing		Parcels

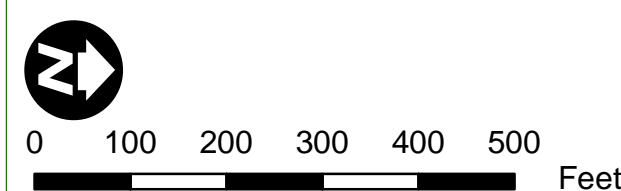
Figure 15
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Area of Potential Effect
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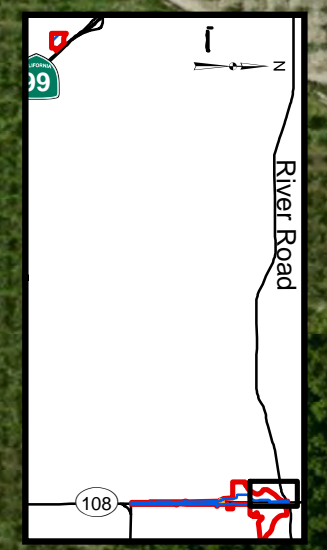
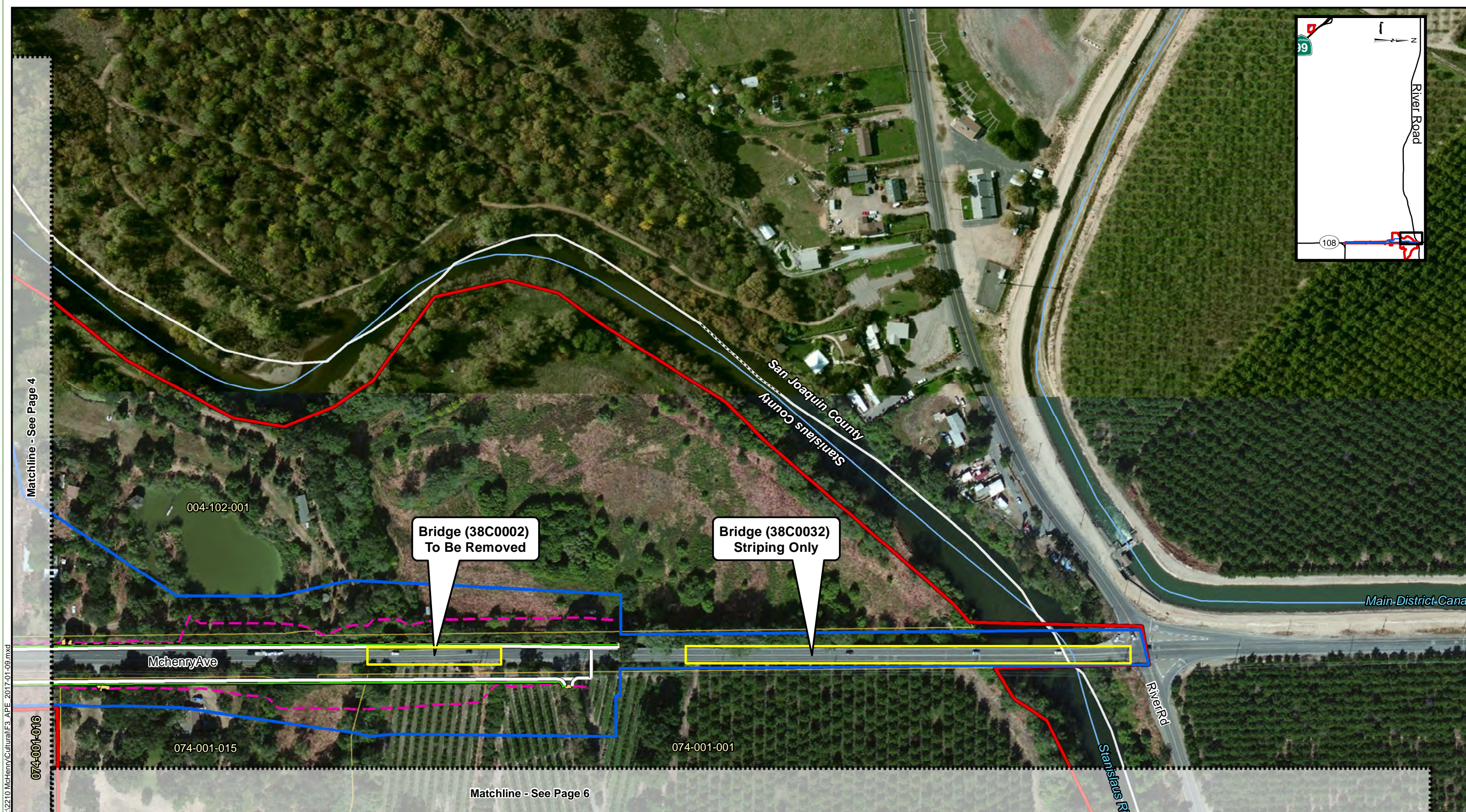
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	Area of Direct Impact		Edge of Pavement		MBGR
	Area of Potential Effects		Curb and Gutter		Cut and Fill
	Borrow Location		Sidewalk and Driveways		Drainage Basin
	Potential Staging Area		Fencing		Parcels

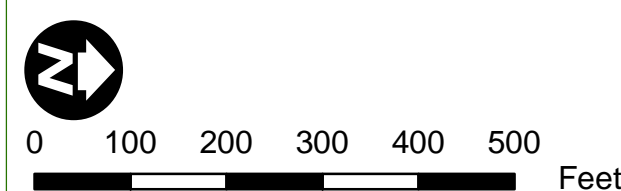
Figure 15
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Area of Potential Effect
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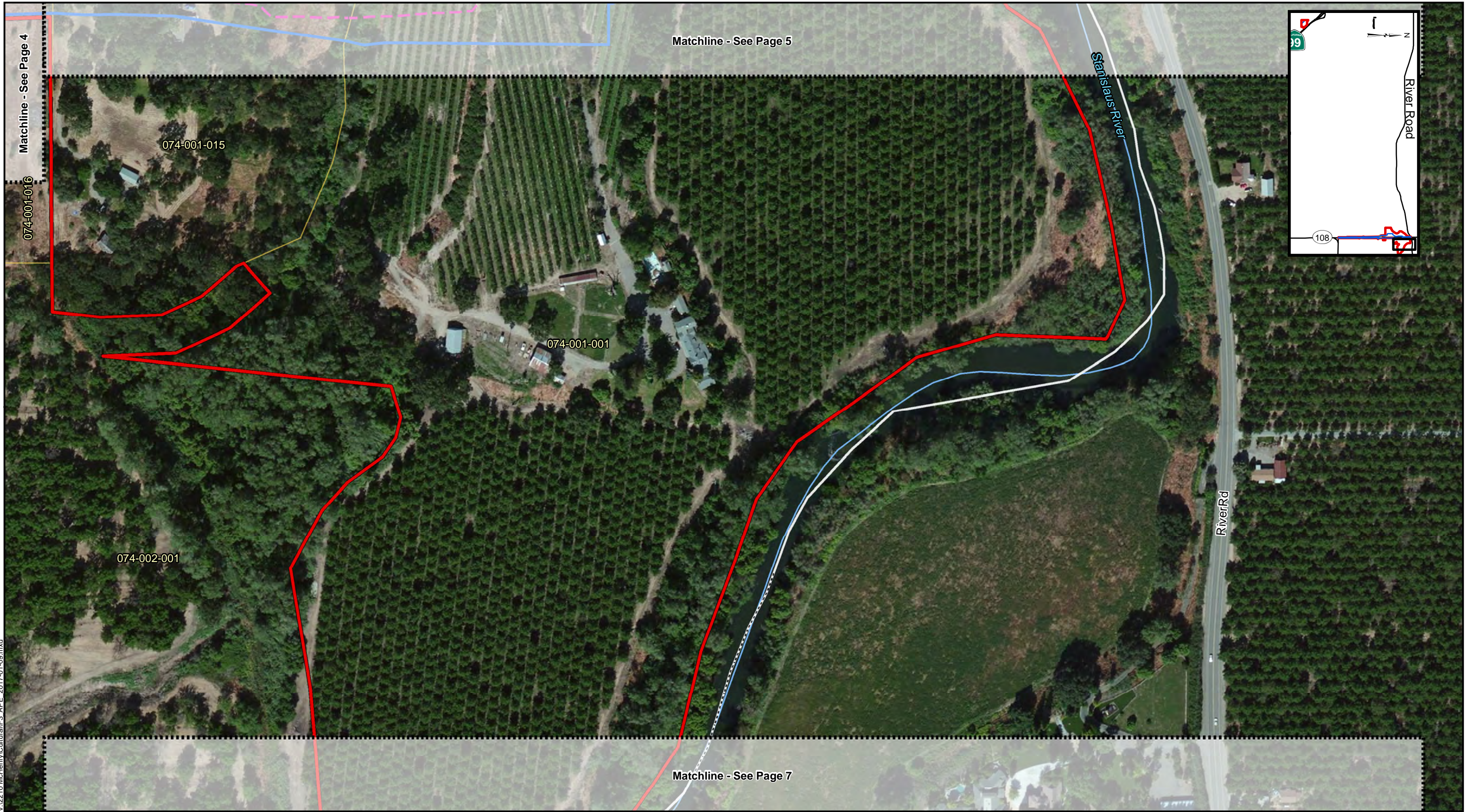
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	Area of Direct Impact		Edge of Pavement		MBGR
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	Borrow Location		Sidewalk and Driveways		Drainage Basin
	Potential Staging Area		Fencing		Parcels

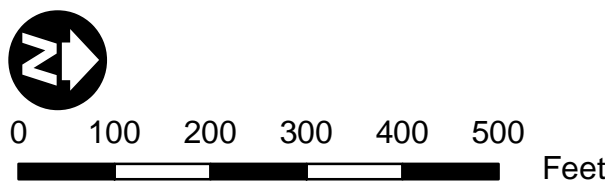
Figure 15
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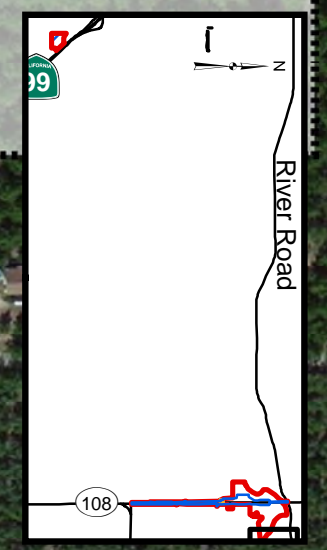
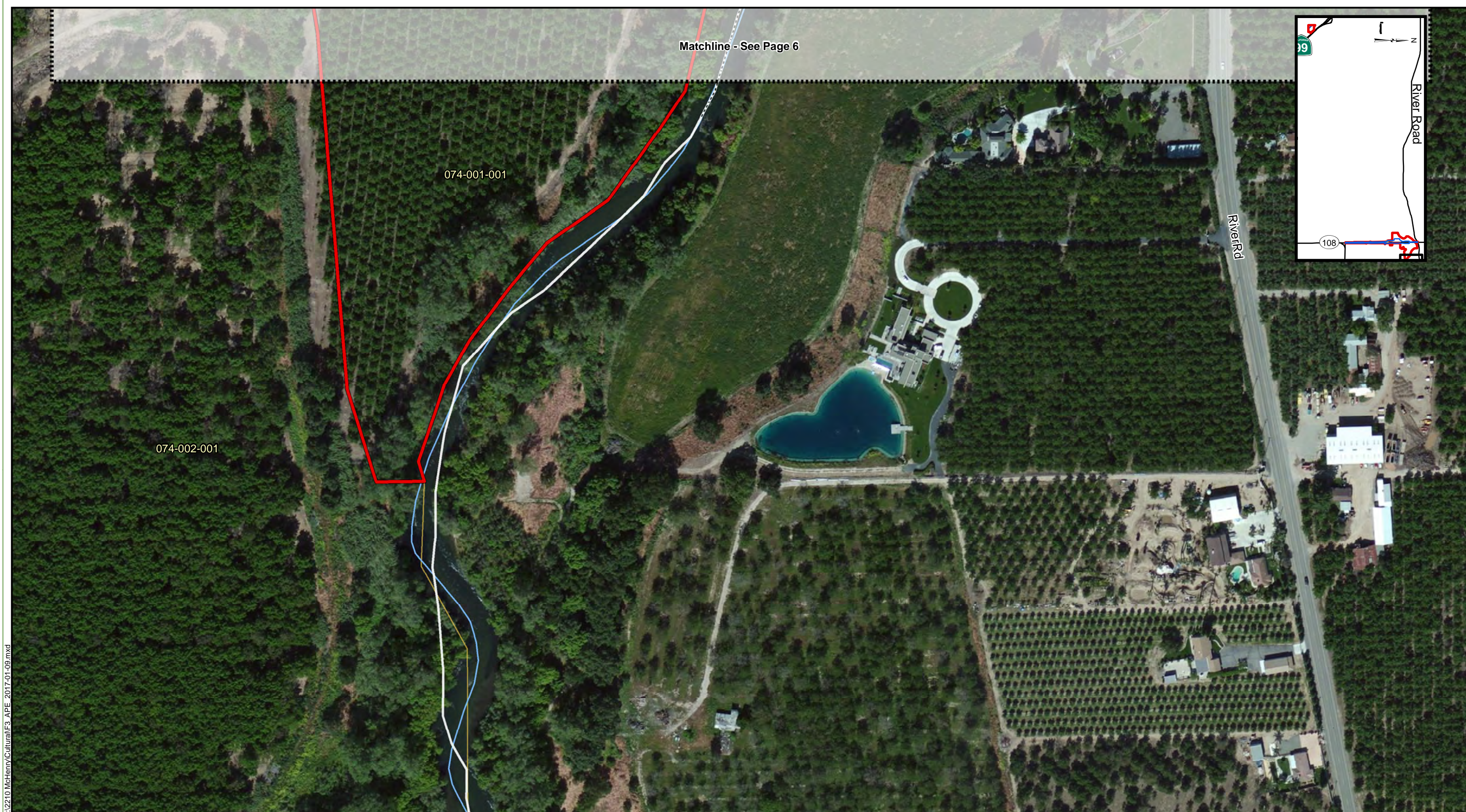
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	Area of Direct Impact		Edge of Pavement		MBGR
	Area of Potential Effects		Curb and Gutter		Cut and Fill
	Borrow Location		Sidewalk and Driveways		Drainage Basin
	Potential Staging Area		Fencing		Parcels

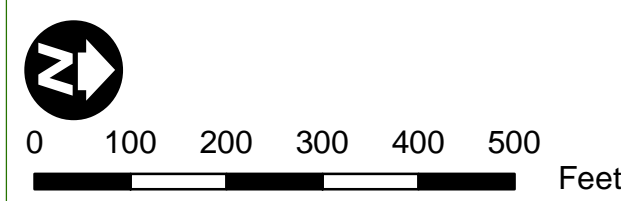
Figure 15
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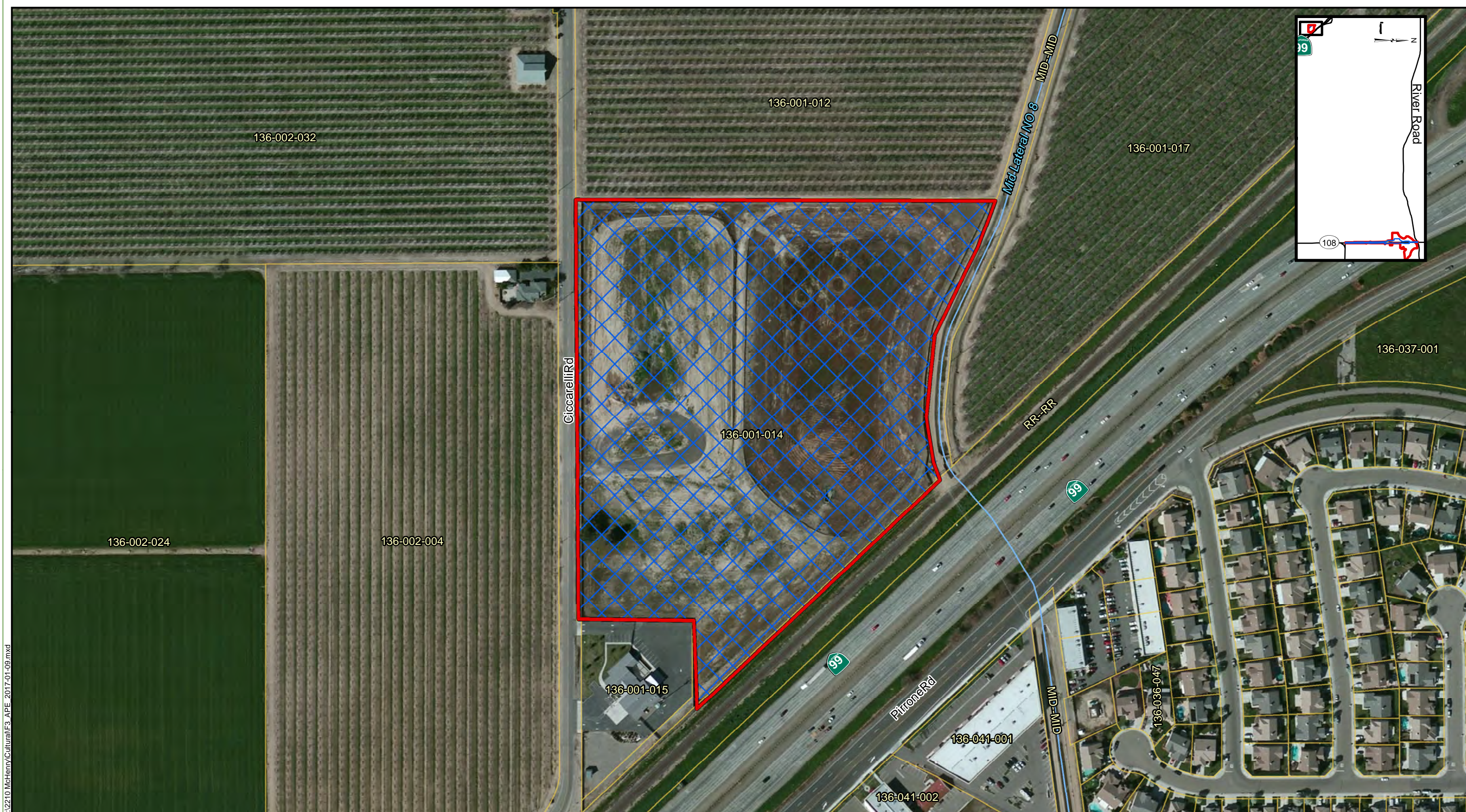
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	Area of Direct Impact		Edge of Pavement		MBGR
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	Borrow Location		Sidewalk and Driveways		Drainage Basin
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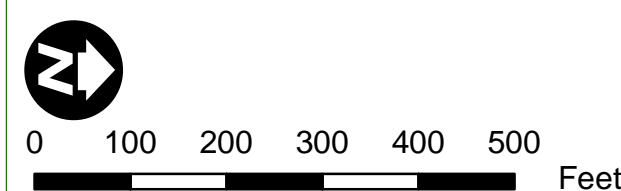
Figure 15
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Area of Potential Effect
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DISCUSSION

- a) *Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?*

No Impact. Dokken Engineering obtained a record search (File #9896N) for the project area and a one-mile radius surrounding the project area from the Central California Information Center (CCIC), California State University, Stanislaus, on August 3, 2016. The record search was conducted by Robin Hards from the Information Center. The search examined the Office of Historic Preservation (OHP) Historic Properties Directory, OHP Determinations of Eligibility, and California Inventory of Historical Resources. Dokken Engineering staff reviewed historical literature and maps, Caltrans Bridge Inventory listings, General Land Office (GLO), and soil survey maps. Note: the APE was modified since the record search was requested; however, there were no changes in the results with regards to the number of previously recorded resources within the APE, and reduced the number of studies within the APE by one. The record search revealed that no cultural resources have been documented within the APE. A review of the historic land use indicated that the majority of the project area has been extensively modified as a result of agriculture and recent development. Such large scale ground disturbances leave little potential for the presence of buried prehistoric or historic era cultural resources.

The Project would have no impact on historical resources as defined in §15064.5; properties in the APE are also ineligible for listing in the California Register/National Register or lack integrity to qualify as a historical resource or historic property. The State Historic Preservation Officer (SHPO) will also be consulted on the California Register/National Register eligibility determinations. It is anticipated that the SHPO will concur on these findings. With the findings of the visual survey, record search, and historic land use within the area, no impacts are anticipated for the Project related to historic resources.

- b) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Less than Significant with Mitigation. In an effort to identify archaeological resources that might be affected by the undertaking, a pedestrian survey, background research, and consultation with individuals and organizations were conducted. A record search conducted at the CCIC identified seven cultural resources within a one-mile radius of the APE and no resources within the APE. The pedestrian survey did not observe any cultural resources within the APE.

On July 15, 2016, Dokken Engineering sent a letter and a map depicting the project vicinity to the NAHC in West Sacramento, asking the commission to review the sacred land files for any Native American cultural resources that might be affected by the project. The request to the NAHC seeks to identify any Native American cultural resources within or adjacent to the project area. A list of Native American individuals who might have information or concerns about the project was also requested. On July 20, 2016, Gail Totton, Associate Governmental Program Analyst, informed Dokken Engineering that a review of the sacred lands was completed and returned negative results.

On August 22, 2016 initial consultation letters were sent to the Native American individuals on the list provided by the NAHC. The letters provided a summary of the project and requested information regarding comments or concerns the Native American community might have about the project. An additional request for a search of the sacred lands file for the borrow area was sent in on December 20, 2016. For those individuals that did not reply to the letter, telephone calls were placed, and/or emails were sent on November 1, 2016. A second follow up phone call was

conducted on November 8, 2016. An email was sent out on December 29, 2016 regarding the addition of the borrow area to the APE. An additional request for a search of the sacred lands file for the borrow area was sent in on December 20, 2016. A response from Frank Lienert, Associate Governmental Program Analyst, on December 22, 2016 returned negative results following a review of the sacred lands file

At this time no further archaeological study is recommended unless project plans change to include areas not previously included in the APE or if additional information is received from other sources or special interest groups. With the findings of the visual survey, record search, and Native American consultation, no impacts are anticipated for the Project related to archaeological resources. With any project requiring ground disturbance, there is always the possibility that unknown cultural resources may be unearthed during construction. With the implementation of Mitigation Measure **CR-1** potential impacts from the project would be less than significant with mitigation incorporated.

c) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

No Impact. No findings of unique paleontological resources or sites or unique geological features were identified during the record search and cursory pedestrian survey within the project area; therefore, no impacts are anticipated for the Project related to paleontological resources.

d) *Disturb any human remains, including those interred outside of dedicated cemeteries?*

Less than Significant with Mitigation. With any project requiring ground disturbance, there is always the possibility that unmarked burials may be unearthed during construction. This impact is considered potentially significant. Implementation of Mitigation Measure **CR-2** would reduce this impact to a less-than significant level.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources if necessary. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.

CR-2: Section 5097.94 of the Public Resources Code and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work should halt in that vicinity and the county coroner should be notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification. CEQA details steps to be taken if human burials are of Native American origin.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to cultural resources.

2.6 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

For geologic and topographic features, the key federal law is the Historic Sites Act of 1935, which establishes a national registry of natural landmarks and protects “outstanding examples of major geological features.” Topographic and geologic features are also protected under the CEQA.

This section also discusses geology, soils, and seismic concerns as they relate to public safety and project design. Earthquakes are prime considerations in the design and retrofit of structures.

DISCUSSION

- a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:*
 - i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?*
 - ii) *Strong seismic ground shaking?*
 - iii) *Seismic-related ground failure, including liquefaction?*
 - iv) *Landslides?*

No Impact. The Project would not expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving rupture of a known fault, strong seismic ground shaking, seismic-related ground failure, or landslides. The Project is not located within an Alquist Priolo Earthquake Fault Zone. The nearest seismic sources are the Vernalis Fault approximately 20 miles to the West of the Project site, and the San Joaquin Fault approximately 20 miles to the southwest of the Project site.

Landslides usually occur in locations with steep slopes and unstable soils. Stanislaus County has not yet been mapped by the Seismic Hazards Zonation Program to determine landslide potential. The majority of the Project area is situated on flat or very gently sloping topography where the potential for slope failure is minimal to low. Seismic-related failure, including liquefaction, is also a less than significant impact because the potential is believed to be slight at this predominantly flat, low-seismicity site. The Project area is located on a flat area. No impact from landslides would occur with the Project. Design and construction in accordance with Caltrans' seismic design criteria will ensure that substantial impacts due to seismic forces and displacements are avoided or minimized to the extent feasible. The Project is not on a geologic unit or soil that is unstable or that would become unstable as a result of the Project. On-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse is not anticipated.

b) Result in substantial soil erosion or the loss of topsoil?

Less than Significant with Mitigation. The Natural Resource Conservation Service Web Soil Survey was used to identify soils within the BSA. Specific soil units within the BSA include: Grangeville fine sandy loam, 0 to 1 percent slopes; Grangeville very fine sandy loam, 0 to 1 percent slopes; Hanford sandy loam, 0 to 3 percent slopes; Hanford sandy loam, moderately deep over silt, 0 to 1 percent slopes; Oakdale sandy loam, 0 to 3 percent slopes; Riverwash; Tujunga loamy sand, 0 to 3 percent slopes; and Tujunga loamy sand, 3 to 5 percent slopes. Soils within the BSA are generally sandy and well drained (NRCS 2016). The project does involve replacement of the existing McHenry Avenue Bridge over Dry Slough with culvert and earthen fill. Bank disturbance and vegetation removal would occur within the project area throughout Dry Slough and associated riparian areas.

The replacement of the McHenry Avenue Bridge over Dry Slough and additional ground disturbance along the widening of McHenry Avenue would cause potential impacts of soil erosion or loss of top soil. Potential impacts to soils would be minimized through soil stabilization measures covered within the required General Construction MS4 Permit and implementation of the Storm Water Pollution Prevention Plan (SWPPP) as discussed in Section 1.5 and Section 2.9. Erosion control practices outlined in a SWPPP, would reduce any potential impacts of the Project to a less than significant level, and no mitigation is required. In addition, measures **WQ-1** through **WQ-4** in section 2.9 of this document would further reduce impacts to erosion of soil to less than significant with mitigation.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No Impact. Refer to discussion a). The project will not be located on soil that is known to be unstable, or would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. No impact would occur due to the Project, and no mitigation is required.

d) *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?*

No Impact. Refer to discussion a). The project will not be located on expansive soils creating substantial risks to life or property. No impact would occur due to the Project, and no mitigation is required.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

No Impact. The project will not utilize septic tanks or an alternative waste water disposal system on the site. Therefore, the Project would have no impact due to soils incapable of adequately supporting septic systems, and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

Please refer to section 2.9 Hydrology and Water Quality for measures **WQ-1** through **WQ-4**.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to geology and soils.

2.7 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization’s Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. These efforts are primarily concerned with the emissions of GHG related to human activity that include CO₂, CH₄, NO_x, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (s, s, s, 2 –tetrafluoroethane), and HFC-152a (difluoroethane).

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with greenhouse gas emissions and climate change at the state level. AB 1493 requires the CARB to develop and implement regulations to reduce automobile and light truck greenhouse gas emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year; however, in order to enact the standards California needed a waiver from the EPA. The waiver was denied by the EPA in December 2007 and efforts to overturn the decision had been unsuccessful. See *California v. Environmental Protection Agency*, 9th Cir. Jul. 25, 2008, No. 08-70011. On January 26, 2009, it was announced that EPA would reconsider their decision regarding the denial of California’s waiver. On May 18, 2009, President Obama announced the enactment of a 35.5 mpg fuel economy standard for automobiles and light duty trucks which will take effect in 2012. On June 30, 2009 EPA granted California the waiver. California is expected to enforce its standards for 2009 to 2011 and then look to the federal government to implement equivalent standards for 2012 to 2016. The granting of the waiver will also allow California to implement even stronger standards in the future. The state is expected to start developing new standards for the post-2016 model years later this year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California’s GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state’s Climate Action Team.

With Executive Order S-01-07, Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this executive order, the carbon intensity of California’s transportation fuels is to be reduced by at least 10 percent by 2020.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the EPA to regulate GHG as a pollutant under the Clean Air Act (Massachusetts vs. [EPA] et al., 549 U.S. 497 (2007)). The court ruled that GHG does fit within the Clean Air Act's definition of a pollutant, and that the EPA does have the authority to regulate GHG. Despite the Supreme Court ruling, there are no promulgated federal regulations to date limiting GHG emissions. ^[1]

On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under section 202(a) of the Clean Air Act:

- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)--in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

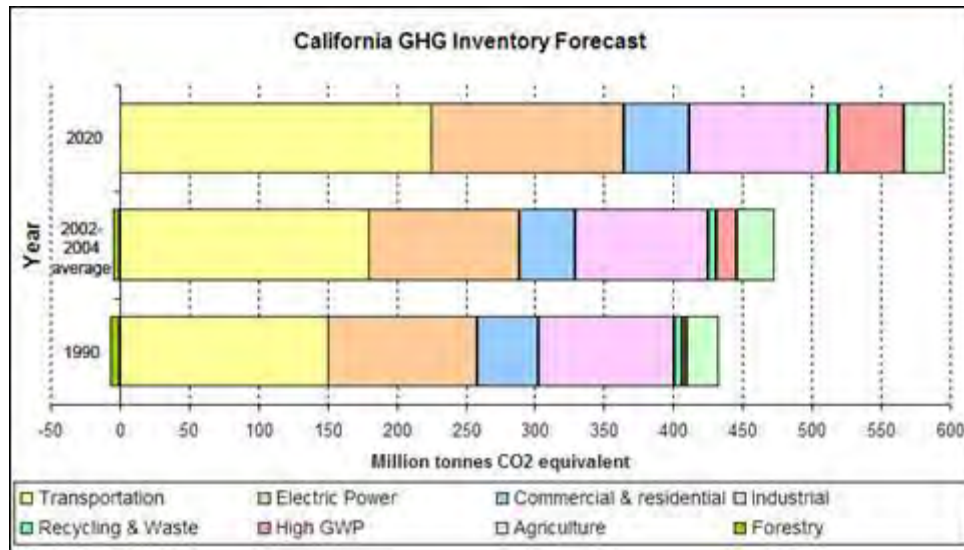
These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's greenhouse gas emission standards for light-duty vehicles, which were jointly by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009.

According to Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents (March 5, 2007), an individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other sources of GHG. In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable." See CEQA Guidelines sections 15064(i)(1) and 15130. To make this determination the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects in order to make this determination is a difficult if not impossible task.

As part of its supporting documentation for the Draft *Climate Change Scoping Plan*, CARB recently released an updated version of the GHG inventory for California (June 26, 2008). Figure 16 is a graph from that update that shows the total GHG emissions for California for 1990, 2002-2004 average, and 2020 projected if no action is taken.

^[1] <http://www.epa.gov/climatechange/endangerment.html>

Figure 16. California Greenhouse Gas Inventory



DISCUSSION

- a) *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

Less Than Significant with Mitigation. GHG emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by onsite construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases. In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events. As discussed in Section 2.3, Air Quality, construction of the project would be in compliance with applicable air quality rules.

GHG emissions produced during operations are those that result from potentially increased traffic volumes or changes in automobile speeds. The Project would not increase the number of automobiles in the traffic system. By widening McHenry Avenue thereby relieving traffic congestion, overall traffic flow is expected to improve, and the project is not anticipated to increase CO₂ emissions. Lower speeds, such as those experienced in congested areas, generally result in higher CO₂ emissions rates. No impact to greenhouse gas emissions or climate change would result from operations.

Construction in Stanislaus County contributes approximately 68,857 metric tons of GHG every year (Stanislaus Countywide Regional Community Greenhouse Gas Inventory 2013). The on-site construction equipment for Project is anticipated to emit 488.25 metric tons of GHG during construction, approximately <0.001% of the annual GHG emissions during construction within Stanislaus County.

In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events. The Project will implement measure **CC-1** therefore reducing the potential impacts of the Project to less than significant with mitigation.

b) *Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

Less than Significant. The project is designed to reduce congestion and vehicle delays. The Build Alternative and No Build Alternatives would result in the same vehicle miles traveled, but would also likely reduce vehicle hours of delay (VHD) in the project area. Additionally, as required by Sustainable Communities and Climate Protection Act of 2008, implementation of the RTP/SCS would “set forth a forecasted development pattern for the region, which, when integrated with the transportation network, and other transportation measures and policies, will reduce GHG emissions from automobiles and light trucks to achieve, if there is a feasible way to do so, the GHG emissions reductions target approved by the state board”. As a project identified within the 2017 RTP/SCS, implementation of the Project would therefore be a part of this regional GHG emissions reduction; therefore the project would have a less than significant impact and not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

The following measures will also be included in the Project to reduce the GHG emissions and potential climate change impacts from the Project:

CC-1: According to the Department’s Standard Specification Section 14-9.02, the contractor must comply with air pollution control rules, regulations, ordinances, and statutes that apply to work performed under the Contract, including air pollution control rules, regulations, ordinances, and statutes provided in Govt Code § 11017 (Pub Cont Code § 10231).

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to greenhouse gas emissions.

2.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

Hazardous materials and hazardous wastes are regulated by many state and federal laws. These include not only specific statutes governing hazardous waste, but also a variety of laws regulating air and water quality, human health and land use.

Hazardous waste in California is regulated primarily under the authority of the federal Resource Conservation and Recovery Act of 1976, and the California Health and Safety Code. Other California laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning.

Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during project construction.

AFFECTED ENVIRONMENT

This section presents results of an Initial Site Assessment (ISA) for property associated with the McHenry Avenue Widening conducted in April 2015. The purpose of the ISA is to evaluate the

Subject Properties for the presence of Recognized Environmental Conditions (RECs) and/or Activity and Use Limitations (AULs), which are:

REC: "...the presence or the likely presence of any hazardous substances or petroleum hydrocarbons on the (Subject Property) that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum hydrocarbons into structures or into the ground, groundwater, or surface water of the subject property."

AUL: "...an explicit recognition by a federal, tribal, state, or local agency that residual levels of hazardous substances or petroleum hydrocarbons may be present on the property, and that unrestricted use of the property may not be acceptable."

The properties assessed for this ISA (Subject Properties) includes existing Stanislaus County right-of-way, and existing adjacent parcels throughout the length of the project. This ISA was prepared in general accordance with the Caltrans ISA Guidance Document. Dokken Engineering identified the following data gap in the ISA information:

- Direct interviews were not performed with the owners of properties within the Project boundaries. Due to the availability of regulatory agency data associated with potential REC's on these properties, the lack of direct interviews with property owners within the Project boundaries does not present a significant data gap to this ISA.

A summary of the published lists of known hazardous substance sites was provided by Environmental Data Resources, Inc. (EDR). EDR reviewed standard federal, state, and local listings of known sites and identified 10 sites within 1 mile of the project area and 9 sites within 1 mile of the borrow site. Based on site observations and review of the database records search, multiple RECs are adjacent to or within the project area and it is recommended that Phase II testing be carried out prior to construction. RECs affecting the scope of this project can be found in Table 10.

Based on the ISA, no evidence of RECs or AULs within the Project boundaries were found, except those described in Table 10.

Table 10. REC or AUL Evidence

ISA Parcel Number Designation	Location	Description of REC Evidence Found	Description of Associated AUL
General Project Area	Various pole- and pad-mounted electrical transformers within or immediately adjacent to the project boundaries.	Potential PCB's in pole-or pad-mounted electrical transformers. As of the date of this ISA, the existence and/or levels of PCB's associated with the pole- or pad-mounted electrical transformers, which may be encountered within the planned construction area, had not been determined. Lead and heavy metals associated with the pavement striping along McHenry Avenue.	None Found
General Project Area	Agricultural fields along McHenry avenue.	Potential pesticide runoff into the road and/or soil. As of the date of this ISA, pesticide levels in the soil have not been determined. Agricultural lands extend the length of the project, it is recommended soil is tested.	None Found

ISA Parcel Number Designation	Location	Description of REC Evidence Found	Description of Associated AUL
General Project Area	Dry Slough Bridge	Potential lead paint and asbestos in bridge pipes.	None Found
1, 2	Robert Ijams 125 Hogue Road, Modesto, CA	Visual leak reported near the project area. Substance: Diesel	None Found
3,4	Amerine Orchards 7050 McHenry Avenue, Modesto, CA	Visual leak reported near the project area. Substance: Diesel and Lead	None Found
5	Pacoast Inc 20001 McHenry Avenue, Modesto, CA	Visual leak reported near the project area. Substance: Diesel	None Found
7	Escalon City Dump 25100 E River Road, T Escalon, CA	Soil Waste Disposal Site near the project area	None Found
9	K Road Modesto Solar 6800 McHenry Avenue Modesto, CA	Electric Generator	None Found
10	Estole of S Darpinia 121 Stewart Rd	Visual leaks reported near the project area. Substance: Regular and Premium fuel.	None Found
20	5625 Ciccarelli Rd, Modesto, CA	Pipe identified with potential for asbestos	None Found

DISCUSSION

- a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less than Significant with Mitigation. The Project would involve the use of heavy equipment for grading, hauling, and materials handling. Use of this equipment may require the use of fuels and other common materials that have hazardous properties (e.g., fuels are flammable). These materials would be used in accordance with all applicable laws and regulations and, if used properly, would not pose a hazard to people, animals, or plants. All refueling of construction vehicles and equipment would occur within the designated staging area for the project. The use of hazardous materials would be temporary and the Project would not include a permanent use or source of hazardous materials. Mitigation Measure **HAZ-1** would reduce any potential impacts to a less than significant level from temporary construction equipment and activities.

- b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less than Significant with Mitigation. Potential hazardous materials during construction activities can occur due to upset within the project area. Potentially hazardous materials identified within the project area include: hydrocarbons, lead paint, pesticides, asbestos, areas of leaking, and transformers. Based on site observations and review of the database records search, multiple

RECs are adjacent to or within the project area and it is recommended that Phase II testing be carried out prior to construction. With the implementation of avoidance, minimization and Mitigation Measure **HAZ-2** through **HAZ-8**, project impacts from upset or accident conditions will be reduced to a less than significant level.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) can occur in serpentine rock. The most common forms of NOA minerals are chrysotile, actinolite, and tremolite. A review of the “General Location Guide for Ultramafic Rocks in California – Areas likely to Contain Naturally Occurring Asbestos” (CGS Open-file Report 2000-19, 2000) indicated that NOA was not mapped on, or in the near vicinity of the project area. No impacts from NOA are anticipated. A pipe within the borrow site was identified as material which may contain asbestos. The pipe is located in the northeast corner of the borrow site and is unlikely to be disturbed by project activities. No impacts from asbestos containing materials are anticipated.

Aerially Deposited Lead

Aerially deposited lead (ADL) is known to be present within soils near major roadways in operation prior to 1980, when lead was discontinued as a gasoline additive in the State of California. McHenry Avenue has been in place at the current location since the early 1900s. ADL might exist along the shoulder of the road; however, concentrations of ADL in excess of regulatory limits are not likely due to the lower classification of McHenry Avenue and evidence of disking, grading, and other soil movement activities associated with farming near the road. As part of the adjacent McHenry Avenue Corridor Improvement Project, that also overlaps the Project, a Phase One Environmental Site Assessment for the Project was completed on January 24, 2011 and a Limited Phase Two Environmental Site Assessment was conducted on May 5, 2012 for potential ADL. Laboratory analytical results for the soil samples collected on May 5, 2012 for the Phase Two Environmental Site Assessment detected low levels of arsenic and lead in all soil samples. Per Caltrans’ July 1, 2016 Statewide Lead Variance, lead levels are not considered hazardous if the average lead concentrations are below 320 mg/kg total lead and below 5 mg/L soluble lead (Department of Toxic Substances, 2016).

Two soil samples had slightly elevated levels of total lead (60 mg/kg and 65 mg/kg). When analyzed for soluble threshold limit concentration lead, both had concentrations of 3.9 mg/L which is below the hazardous waste disposal threshold of 5 mg/L. The Limited Phase Two Environmental Site Assessment concluded that concentrations of arsenic and lead detected in the soil within the project footprint indicate that shallow soil (0-1 feet below ground surface) may be handled as non-hazardous waste. Thus, no protective measures were needed to be taken to protect site workers and the public from the lead and arsenic in soil, and no specific soil management procedures were necessary. As a result of the previous Limited Phase Two Environmental Site Assessment testing, it has been determined that the undertaking will also not require additional testing or special handling for ADL due to the presumed low lead concentrations previously identified by the McHenry Avenue Corridor Improvement Project. Operation of the Project improvements would not involve human contact with adjacent soils that could be affected by lead, nor would it increase ADL concentrations. No additional testing for ADL is required.

- c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

No Impact. No schools are located within one-quarter mile of the project site. No impact would occur.

- d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Less than Significant. Envirostor and Geotracker were used to find active hazardous waste sites within the project vicinity. No active hazardous waste sites were identified within 1 mile of the Project area. The nearest active site is approximately 2 miles south of the project area at the intersection of Claribel Road and McHenry Avenue. With the implementation of HAZ-1 through HAZ-8, hazardous materials within the project area will be reduced to a less than significant level.

- e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The Project would not result in a safety hazard for people residing or working in the project area as the project is not within the vicinity of an airport land use plan or within two miles of a public airport or public use airport. Therefore, there would be no impact related to safety of the public in the project area.

- f) *For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. The Project would not result in a safety hazard for people residing or working in the project area as the project is not within the vicinity of a private airstrip. Therefore, there would be no impact related to safety of the public in the project area.

- g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Less than Significant The Project will not alter any allowable residential density in the nearby area, and changes to the existing road will not impair or alter any existing emergency response plan or emergency evacuation plan; however, short-term traffic impacts may impact emergency response vehicles, but a traffic management plan will be implemented (see Transportation/Traffic Section 2.16); therefore, project impacts would be less than significant.

- h) *Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?*

No Impact. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, and no wildlands are adjacent to or within the project area; therefore, no impact is anticipated.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

HAZ-1: The contractor shall prepare a Spill Prevention, Control, and Countermeasure Program (SPCCP) prior to the commencement of construction activities. The SPCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of

the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.

- HAZ-2:** Based on preliminary plans, temporary construction easements will be needed within the County right-of-way and adjacent privately owned parcels throughout the length of the project. It is anticipated that right-of-way acquisitions are anticipated. Should final plans indicate that additional parcels will be acquired for new right-of-way, a preliminary environmental screening, to determine presence or absence, (limited subsurface sampling and laboratory analysis) should be performed for potentially elevated levels of petroleum hydrocarbons and MTBE contamination within the limits of construction, and/or right-of way acquisition. If site screening encounters elevated levels of petroleum hydrocarbons and/or MTBE, a limited Phase II ISA should be performed. The Phase II ISA should consist of subsurface sampling and laboratory analysis and be of sufficient quantity to define the extent and concentration of contamination within the areal extent and depths of planned construction activities adjacent to these sites. The Phase II ISA should also provide both a Health and Safety Plan for worker safety and a Work Plan for handling and disposing contaminated soil during construction.
- HAZ-3:** The Project will affect yellow thermoplastic pavement markings and other types or colors of street or municipal markings containing lead-based paint. If such markings are affected as a result of the project, such markings will be collected, tested, and/or disposed of in accordance with applicable regulations. Therefore, to avoid impacts from pavement striping during construction, it is recommended that testing and removal requirements for yellow striping and pavement marking materials be performed in accordance with Caltrans Standard Special Provisions for removing traffic stripes and pavement markings.
- HAZ-4:** To avoid negative impacts to residents and workers during and after construction, soils of nearby agricultural lands potentially containing pesticides shall be tested prior to construction.
- HAZ-5:** Soil levels within the borrow site shall be tested prior to construction due to presence of storage tanks, arsenic, hazardous waste, and other toxic substances on nearby properties. Further, a pipe with potential for asbestos was identified within the parcel of the borrow site during field reconnaissance. If it is determined during final design that construction activities would impact this pipe, a project specific Asbestos Sampling and Analysis Work Plan that establishes the procedures used to comply with requirements for asbestos abatement, including sampling and testing of suspected Asbestos Containing Materials, containment, transportation and disposal of Asbestos Containing Materials will be developed at least fifteen (15) days prior to beginning any sampling for suspected Asbestos Containing Materials.
- HAZ-6:** Any leaking transformers observed during the course of the project should be considered a potential polychlorinated biphenyl (PCB) hazard. A detailed inspection of individual electrical transformers was not conducted for this ISA. However, should leaks from electrical transformers (that will either remain within the construction limits or will require removal and/or relocation) be encountered during construction, the transformer fluid should be sampled and analyzed by qualified personnel for detectable levels of PCB's. Should PCBs be detected, the transformer should be removed and disposed of in accordance with Title 22, Division 4.5 of the California Code of Regulations and any other appropriate regulatory agency. Any stained soil encountered below electrical

transformers with detectable levels of PCB's should also be handled and disposed of in accordance with Title 22, Division 4.5 of the California Code of Regulations and any other appropriate regulatory agency.

HAZ-7: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction. For any previously unknown hazardous waste/ material encountered during construction, the procedures outline in Appendix E (Caltrans Unknown Hazard Procedures) shall be followed.

HAZ-8: If the project area is anticipated to change (due to a change in the Project or staging area), further investigation for potential hazardous waste generators would be required to determine their impact to the revised project limits. The project area is not anticipated to change; therefore, additional searches are not anticipated at this time for the Project.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to hazards and hazardous materials.

2.9 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

Section 401 of the Clean Water Act (CWA) requires water quality certification from the State Water Resources Control Board (SWRCB) or from a Regional Water Quality Control Board (RWQCB) when the project requires a CWA Section 404 permit. Section 404 of the CWA requires a permit from the U.S. Army Corps of Engineers (Corps) to discharge dredged or fill material into waters of the United States.

Along with CWA Section 401, CWA Section 402 establishes the National Pollutant Discharge Elimination System (NPDES) permit for the discharge of any pollutant into waters of the United States. The federal Environmental Protection Agency has delegated administration of the NPDES program to the SWRCB and nine RWQCBs. The SWRCB and RWQCB also regulate other waste discharges to land within California through the issuance of waste discharge requirements under authority of the Porter-Cologne Water Quality Act.

The SWRCB has developed and issued a statewide NPDES permit to regulate storm water discharges from all Caltrans activities on its highways and facilities. Caltrans construction projects are regulated under the Statewide permit, and projects performed by other entities on Caltrans right-of-way (encroachments) are regulated by the SWRCB's Statewide General Construction Permit. All construction projects over 1 acre require a Storm Water Pollution Prevention Plan (SWPPP) to be prepared and implemented during construction. Caltrans activities less than 1 acre require a Water Pollution Control Program.

Stanislaus County has prepared a Storm Water Management Program (SWMP) to meet the requirements of the SWRCB and the statewide NPDES permit. The SWMP consists of six minimum control measures established by the SWRCB for Phase II storm water discharges. Each control measure contains BMPs necessary for proper storm water management. The BMPs then contain specific tasks to meet the objective of that control measure. The SWMP is intended to be an adaptive document and when necessary new, required, or old management practices can be deleted or added as necessary.

AFFECTED ENVIRONMENT

Much of the information below, pertinent to the McHenry Avenue Widening, is from the Water Quality Assessment Report (2017).

Hydrology

The water features within the project area include the Stanislaus River and Dry Slough, located within the Lower Stanislaus River Watershed. The headwaters of the Stanislaus River are approximately 70 miles east of the project area in the Sierra Nevada Mountains. The River flows through a series of reservoirs and other artificial impoundments before reaching the San Joaquin Valley and eventually the project area. Within the project area, the River has been confined to a single channel approximately 155 feet wide by a levee and a narrow strip of riparian vegetation is present on both banks. Dry Slough used to be an active side channel of the Stanislaus River but was cut off from upstream flow by a levee project. Dry Slough is currently channelized and approximately 3 miles long. It has ephemeral flow following winter rain events as it drains runoff from adjacent agricultural fields. In addition, the portion of Dry Slough west of the project area may contain backwater flow from the Stanislaus River during flood events.

Groundwater

The project vicinity is situated over the central portion of the San Joaquin groundwater basin, with a current defined sub-basin size of over 707,000 acres and is estimated to contain 114 million acre-feet of water. Historically this region relies heavily on groundwater for agricultural purposes. Groundwater was measured numerous times between 1994 and 2016 at a site approximately 950 feet east of the project site. Measurements were recorded at depths between 49.5 feet and 74.3 feet below ground surface, with the shallowest groundwater reported in 2015, and the deepest reported in 1998 (CDWR 2016a).

According to the Department of Water Resources' (DWR's) Groundwater Bulletin 118 (DWR 2016), this portion of Stanislaus County overlies the Modesto sub-basin in the eastern central portion of the San Joaquin Groundwater Basin. The sub-basin is bordered by the Tuolumne River in the south, the San Joaquin River in the west and the Stanislaus River in the north. No conflicts with groundwater are anticipated as a result of the project.

Flooding

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) the majority of the project location lies outside the 100-year Flood Zone, however the northern portion of the project area within Dry Slough and the Stanislaus River is located within an established river channel and 100-year floodplain (see Appendix E for FEMA FIRM maps).

DISCUSSION

- a) *Violate any water quality standards or waste discharge requirements?*

Less than Significant with Mitigation. The project will disturb greater than one acre, therefore a Construction Storm Water General Permit is required, consistent with Construction General Permit Order No. 2009-009-DWQ, issued by the State Water Resources Control Board to address storm water runoff. The permit will address clearing, grading, grubbing, and disturbances to the ground, such as stockpiling, or excavation. This permit will also require the County to prepare and implement a SWPPP with the intent of keeping all products of erosion from moving off site into receiving waters. The SWPPP includes BMPs to prevent construction pollutants from entering storm water runoff. Mitigation Measure **WQ-1** through **WQ-4** are required to ensure the project grading will conform to State Water Resources Control Board standards and in doing so will ensure the project impacts will be less than significant with mitigation.

- b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level, which would not support existing land uses or planned uses for which permits have been granted)?*

No Impact. The Project would not directly or indirectly result in the construction of uses that would utilize groundwater supplies. Therefore, there would be no impact related to depletion of groundwater supplies or interference with groundwater recharge.

- c) *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?*

Less than Significant with Mitigation. No substantial alterations of the existing drainage patterns on site will occur. As part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area. The culvert would not alter the course of Dry Slough that would result in substantial erosion or siltation on- or off-site. The project will also include a drainage basin for stormwater runoff. The project storm water drainage would be designed consistent with County requirements and Caltrans Project Planning and Design Guide and Storm Water Management Plan and will remain natural. Implementation of **WQ-1** through **WQ-4** will ensure the project will conform with current regulations and in doing so will ensure the project impacts will be less than significant with mitigation.

- d) *Create or contribute to runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?*

Less than Significant with Mitigation. The project would add a net impervious surface of

approximately 7.2 acres to the area, but would direct runoff appropriately. The impervious surface generated by the project is the minimum area practicable, incorporating the natural drainage courses in the MS4, preserving the maximum numbers of existing native trees and shrubs possible, and utilizing the minimum width roadway allowed by current design standards. Permanent treatment control BMPs will be considered in accordance with Stanislaus County's MS4 permit. Implementation of **WQ-1** through **WQ-4** will conform with current regulations and in doing so will ensure the project impacts will be less than significant with mitigation.

e) *Otherwise substantially degrade water quality?*

Less than Significant with Mitigation. The project may have short-term impacts associated with sediment and runoff during grading and construction. Material imported during this process will be kept in piles of staged soil, and/or re-graded and distributed within the project site. As noted above, the project is subject to NPDES regulations since these improvements will exceed one acre. Compliance with existing regulations and implementation of BMPs would reduce potentially significant impacts associated erosion or siltation on- or offsite to levels less than significant. Implementation of Mitigation Measure **WQ-1** through **WQ-4** will ensure that project impacts to water quality will be less than significant with mitigation.

f) *Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?*

No Impact. The project is a linear transportation project that will widen McHenry Avenue to 5 lanes and will not be placing housing within a 100-year flood hazard area as mapped on the federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. No impact would occur, and no mitigation is required.

g) *Place within a 100-year flood hazard area structures that would impede or redirect flood flows?*

Less than Significant. The majority of the project location lies outside the Federal Emergency Management Agency (FEMA) 100-year Flood Zone, however the northern portion of the project area within Dry Slough and the Stanislaus River is located within an established river channel and 100-year floodplain (Appendix E FEMA FIRM Maps). The project will widen McHenry Avenue to 5 lanes, and as part of the widening of McHenry Avenue, the McHenry Avenue Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately 6 miles south west of the project area or with fill taken from other parts of the project area. The earthen fill and culvert will be of suitable size according to the prepared hydraulics analysis, and will not impede or redirect flood flows within the 100-year flood hazard area that would; therefore, impacts related to structures within the 100-year flood hazard area would be at a less than significant level.

h) *Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?*

No Impact. The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; therefore, no impact would occur.

i) *Inundation by seiche, tsunami, or mudflow*

No Impact. The project would not create a potential situation for inundation by seiche, tsunami, or mudflow. The project is located in a dominantly flat landscape, is not located in proximity to a large body of water, and is not near the coastal waters; therefore, no impact would occur.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

WQ-1: The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as National Pollutant Discharge Elimination System (NPDES) Permit pursuant to Section 402 of the CWA. Stanislaus County is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small municipal separate storm sewer systems (MS4s). Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the *Water Quality Control Plan for the Sacramento and San Joaquin Basin* (Basin Plan).

WQ-2: To conform to water quality requirements, the SWPPP must include the following:

- Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must be a minimum of 100 feet from surface waters. Any necessary equipment washing must occur where the water cannot flow into surface waters. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan;
- Construction equipment will not be operated in flowing water;
- Construction work must be conducted according to site-specific construction plans that minimize the potential for sediment input to surface waters;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering surface waters;
- Equipment used in and around surface waters must be in good working order and free of dripping or leaking contaminants; and
- Any concrete rubble, asphalt, or other debris from construction must be taken to an approved disposal site.

WQ-3: Prior to the start of construction activities, the Project limits in proximity to jurisdictional waters must be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not encroach into jurisdictional waters.

WQ-4: Contract specifications will include the following best management practices (BMPs), where applicable, to reduce erosion during construction:

- Implementation of the Project will require approval of a site-specific SWPPP that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control;
- Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities;

- Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment to track the soil surface. Surface roughening or terracing reduces erosion potential by decreasing runoff velocities, trapping sediment, and increasing infiltration of water into the soil, and aiding in the establishment of vegetative cover from seed.

FINDINGS

The project would have less than significant impact with mitigation incorporated relating to hydrology and water quality.

2.10 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AFFECTED ENVIRONMENT

The Project is located in a rural part of Stanislaus County approximately 3 miles south of Escalon, California and approximately 1.5 miles west of Riverbank, California. According to Stanislaus County 2015 General Plan, Land Use Element, the Project area along McHenry Avenue is listed for agriculture, low-density residential and planned development. Throughout the project area to the east of McHenry Avenue is listed for agriculture land use, while the west side of McHenry is mixed use of agriculture, planned development and the low-density residential areas (Figure 17. Stanislaus County General Plan Land Use).

DISCUSSION

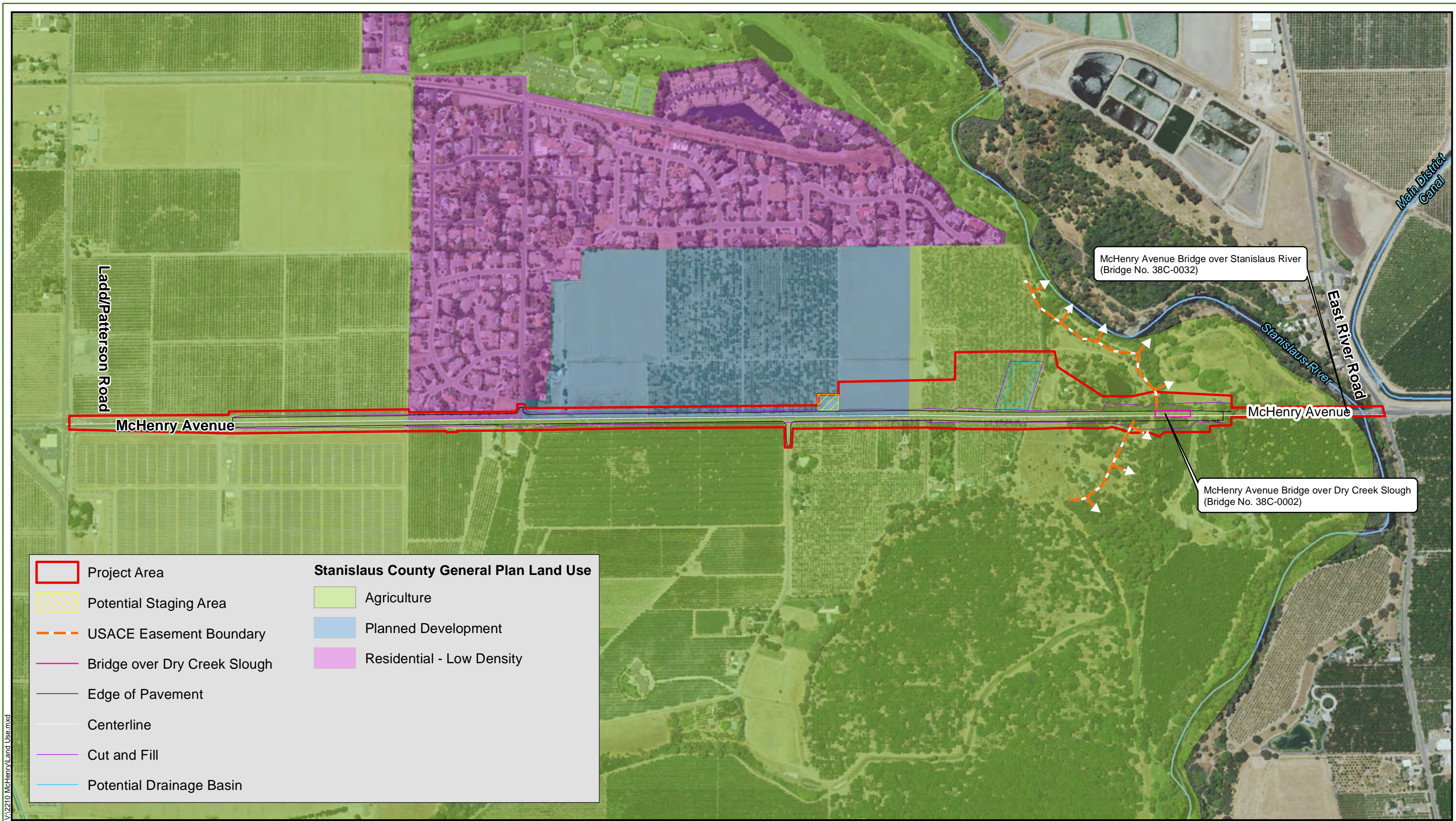
a) Physically divide an established community?









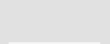
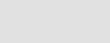
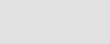
No Impact. The Project would not divide an established community. One low-density residential neighborhood exists within the project area, west of McHenry Avenue approximately 0.5 miles north of the Ladd/Patterson Road and McHenry Avenue intersection. The improved roadway will improve access to this neighborhood and the planned development areas indicated in the Stanislaus County General Plan. No impacts are anticipated to occur.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The project is part of Stanislaus County's plan to improve and accommodate the north to south interregional traffic between the cities of Modesto, Escalon, and to State Highway 108 by widening McHenry Avenue in its entirety from Ladd Road to East River Road. The project will also improve regional circulation, relieve existing traffic congestion, reduce traffic delay, accommodate future traffic, improve safety, promote non-motorized modes of transportation, and allow for good movement and job development for existing and future developments. The project is located within a USACE easement; however, a section 408 permit from the USACE will be obtained prior to consultation. Therefore, impacts from the project would be less than significant.

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 Project Area	Stanislaus County General Plan Land Use
 Potential Staging Area	 Agriculture
 USACE Easement Boundary	 Planned Development
 Bridge over Dry Creek Slough	 Residential - Low Density
 Edge of Pavement	
 Centerline	
 Cut and Fill	
 Potential Drainage Basin	

Source: USA Topo Maps Online; Dokken Engineering 4/3/2017; Created By: adellas

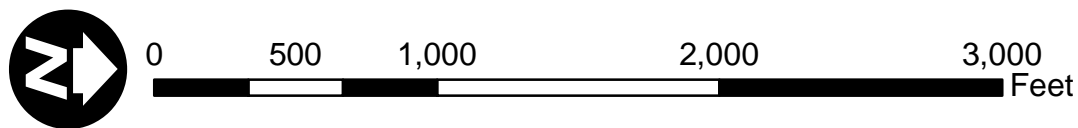


FIGURE 17
Stanislaus County General Plan Land Use
 STPL 5938(233)
 McHenry Avenue Widening Project
 Stanislaus County, California

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- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The project is not within or in the proximity of any applicable habitat conservation plans or natural community conservation plans; therefore, no impacts will occur.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

No impact to land use and planning resources are anticipated; therefore, no avoidance, minimization, and/or mitigation measures will be required.

FINDINGS

The project would have less than significant impacts relating to land use and planning.

2.11 MINERAL RESOURCES

Would the project:

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
--------------------------------	---------------------------------------	------------------------------	-----------

XI. MINERAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AFFECTED ENVIRONMENT

According to the *Stanislaus County General Plan* (Stanislaus County 2015), which relies upon the State Division of Mines and Geology report, *Mineral Land Classification of Stanislaus County, California* (Special Report 173), minerals found within the County include: bermentite, braunite, chromite, cinnabar, garnet, gypsum, hausmannite, hydromagnesite, inesite, magnesite, psilomelane, pyrobrsite, and rhodochrosite. Small deposits of gold, clay, and lead are also known to exist within the County. However, commercial extraction of these minerals is difficult or impossible. Currently, sand and gravel deposits constitute the only commercially significant extractive mineral resource in the region.

DISCUSSION

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. According to the *Stanislaus County General Plan* (Stanislaus County 2015), the project area does not have known mineral resources that would be of value to the region and the residents of the state; therefore, the Project will have no impact to known mineral resources, and no mitigation is required.

- b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. According to the *Stanislaus County General Plan* (Stanislaus County 2015), the project area does not have any areas that are listed as a locally-important mineral resource recovery site; therefore, the Project will have no impact and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

No avoidance, minimization, and/or mitigation measures will be required.

FINDINGS

The project would have no impacts relating to mineral resources.

2.12 NOISE

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AFFECTED ENVIRONMENT

The project area is within a rural area of Stanislaus County. The noise environment near the Project is dominated by traffic sources. Background noise levels are influenced by McHenry Avenue and the existing surrounding residential and agricultural areas. Traffic remains the dominant noise source at the Project site. The existing noise level ranges from 50 to 70 dB. A Noise Study Report was conducted in February, 2017 to determine potential noise impacts caused by traffic and construction due to the Project. A total of twenty-four (24) receiver locations were modeled to represent existing conditions in the project vicinity. Three (3) receivers were utilized to assist with model calibration. These modeled noise receptor locations are shown on Figure 18.

DISCUSSION

- a) *Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Less than Significant with Mitigation. The *Stanislaus County General Plan, Noise Element* (Stanislaus County, 2015) has established Goals and Policies relating to evaluating noise impacts due to projects. The overall noise goal for the County is to limit the exposure of the community to excessive noise levels. The *Noise Element* establishes noise standards for maximum allowable noise exposure due to transportation sources and performance standards for fixed noise sources. Transportation noise standards (60 dBA L_{dn} /CNEL) are applied at the outdoor activity area of noise sensitive land use (residential) where it is not possible to reduce noise in outdoor activity areas to 60 dB L_{dn} /CNEL or less using a practical application of the best-available noise reduction measures.

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Source: USA Topo Maps Online; Dokken Engineering 4/3/2017; Created By: kchen

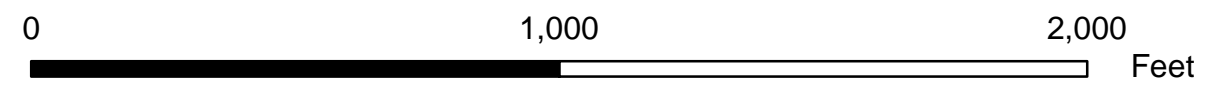
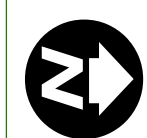


FIGURE 18
Noise Receptor Locations
 STPL 5938(233)
 McHenry Avenue Widening Project
 Stanislaus County, California

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Fixed noise sources are not to exceed 55 dBA L_{eq} and 75 dBA L_{max} during daytime hours (7:00 A.M. to 10:00 P.M.) and 45 dBA L_{eq} and 65 dBA L_{max} during nighttime hours (10:00 P.M. to 7:00 A.M.) as measured at the property line of noise sensitive land uses.

In addition, the County’s municipal code (Chapter 10.46) states exterior noise level standards and allowances. The project is anticipated to comply with all local and regional regulations with the implementation of Mitigation Measure **NOI-1** the project will have an impact of less than significant with mitigation incorporated.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant with Mitigation. The project area is within a rural area of Stanislaus County with a limited number of low-density residential homes adjacent to the current roadway facility, while other rural residences reside a further distances. The project will not require pile driving or excessive groundborne vibration. The temporary construction activities within the project vicinity are anticipated to create groundborne noise, but these will be during appropriate times and construction noise levels are not anticipated to be above federal or local noise regulations. Implementation of Mitigation Measure **NOI-1** will reduce impact levels to less than significant with mitigation.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than Significant with Mitigation. The existing noise environment within the project vicinity is influenced by the typical daytime noise levels from the existing vehicular noise along McHenry Avenue. In addition to roadway traffic noise, the operational use of the project would include use by pedestrians and bicyclists which is consistent with the existing use within the project area. Table 11 summarizes the results of the short-term noise monitoring conducted in the project area to capture the existing ambient noise levels.

Table 11. Summary of Short-Term Noise Measurements

Position	Address	Land Uses	Date and Start Time	Duration (minutes)	Measured L_{eq}
ST-1/ NR-8	7001 Hartley Court	SFR	10/26/2016 4:11 PM	15	62.2
ST-2/ NR-20	7706 McHenry Avenue	SFR	10/26/2016 4:50 PM	15	59.2
ST-3/ NR-22 ³	8018 McHenry Avenue	SFR	10/26/2016 5:20 PM	15	71.5

Note:

1) Concurrent traffic counts were taken during the 15-minute short-term measurements, a breakdown of traffic by roadway and direction are provided in Appendix A.

2) Receiver location is only for model validation. Location is not representative of an area of frequent human use.

3) This noise measurement site was chosen for monitoring purposes and was not located at an outdoor use area; however, this site is representative of nearby outdoor use areas.

ST-Short term measurement identifier

dBA – decibel or A-weighted sound level

The FHWA Traffic Noise Model Version 2.5 (TNM 2.5) was used to compare measured traffic noise levels to modeled noise levels at field measurement locations. Table 12 compares measured and modeled noise levels at each measurement location. Predicted sound levels within 3 dB of the measured sound levels were considered to be in reasonable agreement with the measured sound levels. The predicted sound levels are within 3 dB of the measured sound levels and, therefore, are considered to be in reasonable agreement with the measured sound levels.

Table 12. Comparison of Measured to Predicted Sound Levels

Measurement Position	Measured Sound Level (dBA)	Predicted Sound Level (dBA)	Measured minus Predicted (dB)
ST-1	62.2	63.3	1.1
ST-2	59.2	62.1	-2.9
ST-3	71.5	69.5	2.0

Source: Dokken Engineering, October 2016

Existing noise levels were estimated using existing peak hour traffic data from the McHenry Avenue Widening Project Traffic Analysis Report (Dokken Engineering, September 2016). Existing peak hour traffic was entered into TNM 2.5 with existing roadway coordinates to estimate existing peak hour traffic noise levels. The results of the existing traffic noise modeling are shown in Table 13. As shown in Table 13, existing noise levels during the noisiest hour range at sensitive receivers range from 50 to 70 dBA Leq(h); no receiver locations exceed the FHWA noise abatement criteria (NAC) criterion of 67 dBA Leq(h) .

Table 13. Summary of Modeled Existing Peak Hour Noise Levels

Receiver ID	Location	Type of Land Use	Number of Dwelling Units	Noise Abatement Category	Measured Noise Level, dBA Leq	Modeled Existing Peak Noise Level, dBA Leq(h)
NR-1	7099 Grove Point Court	SFR	1	B (67)	--	57.2
NR-2	7001 Grove Point Court	SFR	1	B (67)	--	62.8
NR-3	300 Hartley Drive	SFR	1	B (67)	--	56.3
NR-4	7005 Grove Point Court	SFR	1	B (67)	--	61.9
NR-5	7009 Grove Point Court	SFR	1	B (67)	--	61.6
NR-6	7000 Hartley Court	SFR	1	B (67)	--	61.9
NR-7	7004 Hartley Court	SFR	1	B (67)	--	63.3
NR-8	7008 Hartley Court	SFR	-	D (-)	62.2	63.3
NR-9	7011 Hartley Court	SFR	1	B (67)	--	58.1
NR-10	7005 Hartley Court	SFR	1	B (67)	--	57.4
NR-11	7008 Grove Pointe Way	SFR	1	B (67)	--	55.4
NR-12	200 Blossom View Place	SFR	1	B (67)	--	54.4
NR-13	7001 Hartley Court	SFR	1	B (67)	--	56.4
NR-14	7017 Grove Pointe Way	SFR	1	B (67)	--	58.1
NR-15	7021 Grove Pointe Way	SFR	1	B (67)	--	58.1
NR-16	117 Stewart Road	SFR	1	B (67)	--	61.7
NR-17	125 Hogue Road	SFR	1	B (67)	--	60.3
NR-18	7600 McHenry Avenue	SFR	1	B (67)	--	49.7
NR-19	7730 McHenry Avenue	SFR	1	B (67)	--	57.7

Receiver ID	Location	Type of Land Use	Number of Dwelling Units	Noise Abatement Category	Measured Noise Level, dBA L _{eq}	Modeled Existing Peak Noise Level, dBA L _{eq} (h)
NR-20	7706 McHenry Avenue	SFR	1	B (67)	59.2	62.1
NR-21	7709 McHenry Avenue	SFR	1	B (67)	--	61.5
NR-22	8018 McHenry Avenue	SFR	1	B (67)	71.5	69.4
NR-23	8018 McHenry Avenue	SFR	1	B (67)	--	66.3
NR-24	7785-7893 McHenry Avenue	AG	-	D (-)	--	70.3

Source: Dokken Engineering, October 2016

Notes: -- denotes a short-term noise measurement was not taken at this receiver location.

¹ Receiver location is only for model validation. Location is not representative of an area of frequent human use.

A noise study conducted by Dokken Engineering (2017) was used to determine the future traffic noise impacts at sensitive receivers along the McHenry northbound and southbound lanes to be widened. Potential long-term noise impacts associated with project operations arise solely from traffic noise. Traffic noise was evaluated for future scenarios (Future 2040 No-Build and Build) as worst-case conditions for twenty-four (24) receiver locations with frequently used outdoor use areas associated with existing single-family residences. These land uses fall into the NAC Activity Category B. The FHWA and Caltrans NAC for these land uses is Activity Category B, 67 dBA Leq(h).

Table 14 summarizes the traffic noise modeling results for the design year conditions with the No-Build and Build Alternatives. Predicted design year traffic noise levels with the Project are compared to Existing conditions and to design year No-Build conditions. The modeled future noise levels with the project were compared to the modeled existing peak noise levels (after calibration) from TNM 2.5 to determine whether a substantial noise increase would occur. The modeled future noise levels for the Build Alternative were also compared to the respective NAC land use Activity Category to determine whether a traffic noise impact would occur.

Traffic noise impacts occur when either of the following occurs: (1) if the traffic noise level at a sensitive receptor location is predicted to “approach, within 1 dBA, or exceed” the NAC, or (2) if the predicted traffic noise level is 12 dBA or more over the corresponding modeled existing peak noise level at the sensitive receptor locations analyzed. When traffic noise impacts occur, noise abatement measures must be considered.

Under No-Build conditions McHenry Avenue would not be widened. The traffic noise modeling results for the design year No-Build Alternative range from 51 to 71 dBA Leq(h).

The design year traffic noise modeling results for the Build Alternative range from 52 to 74 dBA Leq(h). Noise levels from Existing to No-Build conditions are expected to increase by up to 1.6 dB. The increase in noise levels is due to the slight increases in traffic volumes from Existing to No-Build conditions. Noise levels for the design year under the Build Alternative are expected to

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Table 14. Predicted Future Noise

Receptor I.D.	Barrier I.D.	Number of Dwelling Units	Land Use	Address	McHenry Avenue Widening PM Peak Hour Noise Levels -Leq, dBA																			Barrier Feasible (5 dB I.L.)	Barrier meets Caltrans Acoustical Design Goal (7 dB I.L.)			
					Existing Exterior Noise Level Leq, dBA	2018 No Build PM Exterior Noise Level Leq, dBA	2018 Build PM Exterior Noise Level Leq, dBA	2040 No Build PM Exterior Noise Level Leq, dBA	2040 Build PM Exterior Noise Level Leq, dBA	Activity Category (NAC)	Impact Type ²	Noise Prediction with Barrier, Barrier Insertion Loss (I.L.), and Number of Benefited Receptors (NBR)																
												2040																
												6 feet			8 feet			10 feet			12 feet					14 feet		
Leq	I.L.	NBR	Leq	I.L.	NBR	Leq	I.L.	NBR	Leq	I.L.	NBR	Leq	I.L.	NBR														
NR-1	No Barrier	1	Residential	7099 Grove Point Court	57.2	57.3	57.2	58.7	58.5	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-2	No Barrier	1	Residential	7001 Grove Point Court	62.8	63.0	63.2	64.4	64.4	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-3	No Barrier	1	Residential	300 Hartley Drive	56.3	56.4	56.3	57.9	57.7	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-4	No Barrier	1	Residential	7005 Grove Point Court	61.9	62.0	62.6	63.5	63.4	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-5	No Barrier	1	Residential	7009 Grove Point Court	61.6	61.8	61.8	63.2	63	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-6	No Barrier	1	Residential	7000 Hartley Court	61.9	62.0	61.6	63.4	62.8	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-7	No Barrier	1	Residential	7004 Hartley Court	63.3	63.4	62.9	64.8	64.2	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-8	No Barrier	1	Residential	7008 Hartley Court	63.3	63.4	62.8	64.8	64.1	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-9	No Barrier	1	Residential	7011 Hartley Court	58.1	58.3	58	59.7	59.4	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-10	No Barrier	1	Residential	7005 Hartley Court	57.4	57.5	57.3	58.9	58.7	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-11	No Barrier	1	Residential	7008 Grove Pointe Way	55.4	55.5	55.3	57.0	56.7	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-12	No Barrier	1	Residential	200 Blossom View Place	54.4	54.5	54.4	55.9	55.8	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-13	No Barrier	1	Residential	7001 Hartley Court	56.4	56.5	56.4	57.9	57.8	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-14	No Barrier	1	Residential	7017 Grove Pointe Way	57.2	57.3	57	58.7	58.5	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-15	No Barrier	1	Residential	7021 Grove Pointe Way	58.1	58.2	58.1	59.6	59.4	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-16	No Barrier	1	Residential	117 Stewart Road	61.7	61.9	62.2	63.3	63.6	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-17	No Barrier	1	Residential	125 Hogue Road	60.3	60.5	60.8	61.9	62.3	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-18	No Barrier	1	Residential	7600 McHenry Avenue	49.7	49.8	50.2	51.2	51.6	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-19	No Barrier	1	Residential	7730 McHenry Avenue	57.7	57.9	58.4	59.3	59.8	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-20	No Barrier	1	Residential	7706 McHenry Avenue	62.1	62.3	62.7	63.7	64.2	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-21	No Barrier	1	Residential	7709 McHenry Avenue	61.5	61.7	61.9	63.1	62.8	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-22	No Barrier	0 ⁶	Residential	8018 McHenry Avenue	69.4	69.6	71.9	71.0	73.6	B (67)	None	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
NR-23	Soundwall 1	1	Residential	8018 McHenry Avenue	66.3	66.5	67.2	67.9	68.8	B (67)	A/E	63.8	4.8	1	63.2	5.4	1	62.6	6	1	61.9	6.7	1	61.6	7	1	Y	Y
NR-24	No Barrier	0	Agricultural	7785-7893 McHenry Avenue	70.3	70.5	70.9	72.0	71.7	G (N/A)	N/A	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Notes:
 1. Noise levels were adjusted to existing peak hour.
 2. Impact types: A/E - Future noise conditions approach (within 1 dBA) or exceed the Noise Abatement Criteria, S = substantial noise increase, when the project's predicted worst-hour design-year noise level exceeds the existing worst hour noise level by 12 dBA or more
 3. I.L. = Insertion Loss
 4. SFR = single-family residence, UND = Undeveloped, ASA = active sports area, MFR = multi-family residence
 5. N/A - Not Applicable
 6. NR-22 represents a noise measurement location a residential property that is not a sensitive outdoor use area.

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increase by up to 2.6 dB higher than design year No-Build noise levels. Improvements will bring traffic closer to nearby receivers, which results in increased noise levels. Build noise levels approach or exceed their respective NAC Activity criteria at one residence. Therefore, a noise abatement evaluation was required.

Preliminary Noise Abatement Analysis

Receiver locations under the Build Alternatives show design-year noise levels would approach or exceed the NAC criterion of 67 dBA Leq (h) at one residence (NR-23). Therefore, a noise abatement evaluation was required. Sound wall heights were evaluated in 2 foot increments ranging in height from 6 feet to 16 feet. Each noise sound wall has been evaluated for feasibility based on achievable noise reduction. In order to meet the Caltrans acoustical design goal of 7 dB reduction, a 14 foot sound wall would need to be erected. Once a wall height is determined to be feasible, a reasonable cost allowance must be calculated. For each noise barrier found to be acoustically feasible, reasonable cost allowances were calculated. The total reasonable allowance for the cost of construction of the wall is calculated by multiplying the number of benefitted receivers by the reasonable allowance per benefitted receiver, which is currently \$80,000. Since only one receiver is benefitted by the SW-W1, the total reasonable allowance is \$80,000.

For any noise barrier to be considered reasonable from a cost perspective, the estimated cost of the noise barrier should be within 10% or less than the total reasonable cost allowance calculated for the barrier. The cost calculations of the noise barrier should include all items appropriate and necessary for construction of the barrier, such as traffic control, drainage modification, and retaining walls. As shown in Table 15, Barrier SW-W1 is acoustically feasible at a height of 14, and is proposed at a total length of 480 feet. From this length, the number of benefitted residences (1) yields a total reasonable allowance of \$80,000 for each soundwall height. Based on the engineer’s cost estimate including costs required to construct the abatement - cost of the wall, footings, traffic control, drainage, modified or additional plantings, and miscellaneous items, the 14 foot soundwall is estimated to cost \$490,000 (\$72.92 per square foot, respectively). Comparing the total reasonable allowances to the estimated construction costs, the soundwall SW-W1 is determined to be fiscally unreasonable as it would not be within 10% of the total reasonable allowance.

Table 15. Summary of Reasonableness Determination Data – SW-W1

Barrier	Height (meters [feet])	Breaks Line of Sight?*	Acoustically Feasible?	Number of Benefitted Residences	Total Reasonable Allowance	Estimated Construction Cost	Cost within 10% of Allowance?
SW-W1	4.3 (14)	YES	YES	1	\$80,000	\$490,000	NO

The evaluation of Barrier SW-W1 indicates that the barrier height determined by the Noise Study Report to mitigate the noise impact is feasible at a height of 14 feet but is not fiscally reasonable at a cost of \$490,000. Based on these findings, no soundwall is recommended for inclusion as a design feature of this project.

To further reduce potential noise impacts within the Project area, the County will incorporate rubberized asphalt into the Project design. As reference to the benefits of rubberized asphalt, Sacramento County performed a 6-year study on traffic noise reduction benefits of rubberized asphalt, which documented an average reduction in noise levels by 4 decibels (Rubberized

Asphalt Traffic Noise Reduction Study, 1999). The incorporation of measure **NOI-2** would further reduce noise levels within the Project vicinity below Federal and State thresholds.

With the implementation of **NOI-1** and **NOI-2** the project would have an impact of less than significant with mitigation incorporated related to permanent operational increase in ambient noise levels for sensitive noise receptors.

- d) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?*

Less than Significant with Mitigation. During construction of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. Construction equipment is expected to generate noise levels ranging from 70 to 90 dB at a distance of 50 feet, and noise produced by construction equipment would be reduced over distance at a rate of about 6 dB per doubling of distance.

No adverse noise impacts from construction are anticipated because construction would be conducted in accordance with Standard Specification 14-8.02, SSP14-8.02 and applicable local noise standards. Construction noise would be short-term, intermittent, and overshadowed by local traffic noise. In addition, the local County noise ordinance, Stanislaus County Noise Control Ordinance (Chapter 10.46) would be followed. The County's Municipal Code specifically prohibits the operation of any construction equipment that would cause a greater sound level than 75 decibels at or beyond the property line of any property between the hours of 7:00 p.m. to 7 a.m. Implementation of **NOI-1** will reduce temporary construction noise impacts to a level of less than significant with mitigation.

- e) *e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The project is not located within or adjacent to an airport land use plan, or where such a plan has not been adopted, or within two miles of a public airport or public use airport; therefore, no impact would occur, and no mitigation is required.

- f) *For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?*

No Impact. The project is not located within the vicinity of a private airstrip; therefore, no impact would occur, and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR ABATEMENT MEASURES

NOI-1: To minimize the construction-generated noise, abatement measures from Standard Specification 14-8.02 "Noise Control" and SSP 14-8.02 must be followed:

Do not operate construction equipment or run the equipment engines from 7:00 p.m. to 7:00 a.m. or on Sundays, with the exception that you may operate equipment within the project limits during these hours to:

- Service traffic control facilities
- Service construction equipment
- Equip an internal combustion engine with the manufacturer recommended muffler.
- Do not operate an internal combustion engine on the job site without the appropriate muffler.

NOI-2: The County will incorporate rubberized asphalt into the Project design.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to noise.

2.13 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

REGULATORY SETTING

CEQA also requires the analysis of a project's potential to induce growth. CEQA guidelines, Section 15126.2(d), require that environmental documents "...discuss the ways in which the Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment..."

DISCUSSION

- a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

No Impact. The project is located in rural Stanislaus County that supports rural residential low-density housing. Planned development area along McHenry Avenue had been put in place by the Stanislaus County General Plan prior to the Project. The project would not induce population growth in the area, either directly or indirectly; therefore, the Project would have no impact related to population growth, and no mitigation is required.

- b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

Less than Significant. The project will not displace any number of existing housing, or necessitate the construction of replacement housing; however a review of the Project was conducted to determine potential impacts to a nonresidential site located in the project area. The business is currently located on an agricultural zoned parcel (APN 074-002-010). Per current Stanislaus County zoning ordinances, the business meets the existing standards for produce stands. A portion of the property fronting McHenry Avenue will be impacted by the project. The project improvements will take place in existing County right of way. However, the following improvements related to the business are located in this area: landscaping, wooden berm, and some parking. Although these items will be removed by the project, the building will still maintain a 30 foot setback from the roadway. Per the Stanislaus County Code 21.20.070 the building will still meet setback requirements and may not be required to relocate.

If the business owner is required to relocate, all activities will be conducted in accordance with the Uniform Relocation Assistance and Reap Property Acquisitions Policies Act of 1970, as amended. Any person (individual, family, corporation, partnership, or association) who moves from real property or moves personal property from real property as a result of the acquisition of the real property, or required to relocate as a result of a written notice from the lead agency from

the real property required for a transportation project is eligible for "Relocation Assistance." The project would have a less than significant impact related to displacement of housing or businesses; therefore no mitigation is required.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The project is a road widening project aligned with the existing facility and will displace any number of people, or necessitate the construction of replacement housing; therefore the project would have no impact related to displaced persons, and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

The project will have no impacts relating to population and housing; therefore, no avoidance, minimization, and/or mitigation measures will be required.

FINDINGS

The project would have no impacts relating to population and housing.

2.14 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AFFECTED ENVIRONMENT

The nearest fire station, Salida Fire Station, is located approximately 1 mile west of the project area on Ladd Road. The nearest police station, Escalon Police Department, is located approximately 2 miles north of the project area on McHenry Avenue in the City of Escalon. The nearest school, El Portal Middle School, is approximately 2.5 miles north of the project area on 1st Street in the City of Escalon. The nearest park, McHenry Avenue Recreation Area, is approximately 0.2 miles west of the project area on the west side of the Stanislaus River.

DISCUSSION

- a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: fire protection, police protection, schools, parks, and/or other public facilities?*

Less than Significant Mitigation. There are no public services located within the project area. The Project is located in rural Stanislaus County, which consists of agricultural lands and low-density rural residential housing. The Project would improve accessibility within this area of Stanislaus County by alleviating current commuter traffic as well as serve future developments in the planned development area directly adjacent to the west of McHenry Avenue. By implementing the Project, service and potential emergency response times may be improved by alleviating traffic within the area. The road would not result in un-planned population increase; as the Project accommodates existing and planned growth. The Project would not create an un-planned increase in demand for fire or police services, schools, or recreation facilities.

Response times are anticipated to be temporarily affected during construction, However, minor traffic control, as described in measure PS-1/TRA-1, would minimize effects.

The nearest public park, McHenry Avenue Recreation Area, is within San Joaquin County with entry along East River Road approximately 0.2 miles west of the Project area.

Utility relocations will be required and would occur in consultation with the owners or operators of the affected utilities.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

The following measure is also found under Section 2.15 of this document as TRA-1:

PS-1: Temporary impacts to traffic flow as a result of construction activities would be minimized through construction phasing and signage and a traffic control plan.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to public services.

2.15 RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

AFFECTED ENVIRONMENT

As stated in the previous section, the nearest public park, McHenry Avenue Recreation Area, is outside of the project area within San Joaquin County. Access to the park area is along East River Road, and the park traverses along the west bank of the Stanislaus River, approximately 0.2 miles west of the Project area.

DISCUSSION

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

No Impact. The road widening would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. East River Road provides access to McHenry Avenue Recreation Area, and access will not be impacted during construction; therefore, no impacts would occur.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

The Project does not include other recreational facilities, nor does it require the construction or expansion of other recreational facilities; therefore, no impacts would occur.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

No impact to recreation facilities would occur; therefore, no avoidance, minimization, and/or mitigation measures will be required.

FINDINGS

The project would have less than significant impacts relating to recreation.

2.16 TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

INTRODUCTION

The following section has been taken from the McHenry Avenue Widening Project Traffic Analysis (2017) in support of the IS/MND. The traffic study provides level-of-service AM and PM analysis for the following three intersections within the project limits:

1. McHenry Avenue/East River Road
2. McHenry Avenue/Stewart Road
3. McHenry Avenue/Ladd Road/Patterson Road

The following time frames were analyzed in this traffic analysis:

1. Existing Year 2016 Conditions
2. Forecast Year 2018 Conditions (Opening Year)
3. Forecast Year 2040 Conditions (Horizon Year)

The traffic analysis was performed using the Synchro software using the Highway Capacity Manual (HCM) methodology.

AFFECTED ENVIRONMENT

According to *Stanislaus County General Plan (2015)*, when measuring levels-of-service (LOS), Stanislaus County uses the criteria established in the *Highway Capacity Manual* published and updated by the Transportation Research Board. LOS is a qualitative description of traffic flow based on factors such as speed, travel time, delay, freedom to maneuver, volume, density, and

capacity. Six levels are defined, from LOS A, as the best operating conditions, to LOS F, or the worst operating conditions. LOS E represents “at-capacity” operations. When volumes exceed capacity, stop-and-go conditions result and operations are designated as LOS F.

For roadways within Stanislaus County, the *Stanislaus County General Plan (2015)* states the level-of-service criteria as, “The County shall maintain LOS C or better for all County roadways and intersections, except, within the sphere of influence of a city that has adopted a lower level of service standard, the City standard shall apply. The County may adopt either a higher or lower level of service standard for roadways and intersections within urban areas such as Community Plan areas, but in no case shall the adopted LOS fall below LOS D.”

DISCUSSION

- a) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?*

Less than Significant with mitigation. The Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. This takes into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrians and bicycle paths, and mass transit.

The County of Stanislaus proposes to widen the existing 2-lane McHenry Avenue to a total of 5 lanes (2 northbound lanes, 2 southbound lanes, and 1 continuous left-turn/median lane) from the intersection of Ladd/Patterson Road to the south abutment of McHenry Avenue Bridge over the Stanislaus River. Striping for 4 lanes and a center-turn lane will also occur throughout the entirety of the project from the intersection of Ladd Road/Patterson Road and McHenry Avenue, to the intersection of East River Road and McHenry Avenue. Striping for a left turn only (southbound) lane at the entrance to Hogue Road will be incorporated into the project. A traffic signal will be installed at the McHenry Avenue/East River Road intersection.

Intersection level-of-service analysis was performed at the three intersections within the project limits in order to quantify the impacts of the Project improvements. Those calculations were performed for the AM and PM peak hour for the following scenarios:

1. Year 2016 Existing Conditions
2. Year 2018 “No Project” Conditions
3. Year 2018 “With Project” Conditions
4. Year 2040 “No Project” Conditions
5. Year 2040 “With Project” Conditions

The Year 2018 was selected to coincide with the project opening year. The Year 2040 was deemed to be the horizon year.

The results of the level-of-service analysis are provided below in Table 16.

Table 16. Level-of-Service Calculation Summary

AM Peak Hour					
Intersection	Existing Conditions (Year 2016)	Year 2018 “No Project”	Year 2018 “With Project”	Year 2040 “No Project”	Year 2040 “With Project”
	LOS – Delay*	LOS – Delay	LOS – Delay	LOS – Delay	LOS – Delay
McHenry Avenue/East River Road	F – 95.7 sec.**	F – 114.9 sec.**	C – 25.8 sec.***	F – >180 sec.**	C – 31.1 sec***
McHenry Avenue/Stewart Road	A – 8.7 sec.	A – 9.5 sec.	A – 6.0 sec.	B – 14.2 sec.	A – 7.0 sec.
McHenry Avenue/Ladd Road/Patterson Road	C – 21.5 sec	C – 22.2 sec.	C – 27.2 sec.	C – 34.1 sec.	C – 30.1 sec.
PM Peak Hour					
Intersection	Existing Conditions (Year 2016)	Year 2018 “No Project”	Year 2018 “With Project”	Year 2040 “No Project”	Year 2040 “With Project”
	LOS – Delay*	LOS – Delay	LOS – Delay	LOS – Delay	LOS – Delay
McHenry Avenue/East River Road	F – >180 sec.**	F – >180 sec.**	D – 35.4 sec.***	F – >180 sec.**	F – 106.5 sec.***
McHenry Avenue/Stewart Road	B – 10.2 sec.	B – 11.0 sec.	A – 6.3 sec.	D – 37.7 sec.	A – 7.2 sec.
McHenry Avenue/Ladd Road/Patterson Road	C – 30.4 sec.	C – 30.4 sec.	C – 31.2 sec.	E – 58.3 sec.	E – 55.7 sec.
<i>*County of Stanislaus acceptable level-of-service is LOS D or better. **Unsignalized for the Existing and “No Project” Conditions. ***Signalized</i>					

The McHenry Avenue Widening Project will substantially improve operations at the intersections within the project limits. With the project, all intersections will improve to acceptable levels of service when the project opens in the Year 2018. Year 2040 conditions will be considerably improved for the “with project” conditions in comparison to the “no project” conditions.

The 2040 design year forecasts that the Project improvements will substantially reduce delay at each of the project intersections; however, even with these improvements, the PM Peak Hour LOS will remain “F” at the McHenry Avenue/East River Road intersection based on forecasted growth in the region.

The McHenry Avenue/East River Road intersection is located within San Joaquin County. Stanislaus County will work with San Joaquin County to coordinate any future improvements to this intersection. Stanislaus County will also review future development projects that would account for this forecasted growth and would require that future trip generating development projects provide adequate roadway improvements to maintain an acceptable LOS.

Potential temporary traffic congestion due to construction activities may occur; however, implementation of **TRA-1** will reduce any potential temporary impacts to a less than significant level.

- b) *Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?*

Less than Significant with Mitigation. The Project would not be in conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. The McHenry Avenue Traffic Analysis, as stated in discussion 2.15(a) will substantially improve traffic operations within the project area. Potential temporary congestion due to construction activities may occur; however, implementation of **TRA-1** will reduce any potential temporary impacts to a less than significant level.

- c) *Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?*

No Impact. The nearest airport is the Oakdale Airport, which is approximately 11 miles east of the project. The Project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; therefore, no impact would occur, and no mitigation is required.

- d) *Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

No Impact. The Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). Design features would comply with Caltrans standards as appropriate. The Project would not increase hazards due to design features or incompatible uses; therefore, no impact would occur, and no mitigation is required.

- e) *Result in inadequate emergency access?*

Less than Significant with Mitigation. The Project would temporarily result in inadequate emergency access due to construction road closures; however, a transportation management plan would be implemented prior to construction. The Project would improve long-term accessibility within this area of Stanislaus County by alleviating current commuter traffic as well as serve future developments in the planned development area directly adjacent to the west of McHenry Avenue. Implementation of **TRA-1**, would reduce project impacts to less than significant with mitigation.

- f) *Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?*

No Impact. The Project would not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, and performance or safety of such facilities; therefore, no impact would occur, and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

TRA-1: Temporary impacts to traffic flow as a result of construction activities would be minimized through construction phasing and signage and a traffic control plan.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to transportation/traffic.

2.17 TRIBAL CULTURAL RESOURCES

XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

REGULATORY SETTING

Effective July 1, 2015, CEQA was revised to include early consultation with California Native American tribes and consideration of tribal cultural resources (TCRs). These changes were enacted through Assembly Bill 52 (AB 52). By including TCRs early in the CEQA process, AB 52 intends to ensure that local and Tribal governments, public agencies, and project proponents would have information available, early in the project planning process, to identify and address potential adverse impacts to TCRs. CEQA now establishes that a “project with an effect that may cause a substantial adverse change in the significance of a TCR is a project that may have a significant effect on the environment” (PRC § 21084.2).

To help determine whether a project may have such an adverse effect, the PRC requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. The consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project (PRC § 21080.3.1). Consultation must consist of the lead agency providing formal notification, in writing, to the tribes that have requested notification or proposed projects within their traditionally and culturally affiliated area. AB 52 stipulates that the Native American Heritage Commission (NAHC) shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated within the project area. If the tribe wishes to engage in consultation on the project, the tribe must respond to the lead agency within 30 days of receipt of the formal notification. Once the lead agency receives the tribe’s request to consult, the lead agency must then begin the consultation process within 30 days. If a lead agency determines that a project may cause a substantial adverse change to TCRs, the lead agency must consider measures to mitigate that impact. Consultation concludes when either: 1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a TCR, or 2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached (PRC § 21080.3.2). Under existing law, environmental documents must not include information about the locations of an archaeological site or sacred lands or any other information that is exempt from public disclosure pursuant to the Public Records act. TCRs are also exempt from disclosure. The term “tribal cultural resource” refers to either of the following:

Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

- Included or determined to be eligible for inclusion in the California Register of Historical Resources
- Included in a local register of historical resources as defined in subdivision (k) of California Public Resources Code (PRC) Section 5020.1
- A resource determined by a California lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of the PRC Section 5024.1.

AFFECTED ENVIRONMENT

An Area of Potential Effects (APE) was established as the area of direct and indirect effects which encompasses an approximately 71.5 acre area. The APE includes the roadway widening and extends along the entire width of McHenry Avenue the intersection of McHenry Avenue and Patterson/Ladd Road and the southern abutment of the McHenry Road Bridge over the Stanislaus River, in Stanislaus County. The APE includes all roadway widening, right of way acquisition areas, roadway drainage creation, culvert and pipe installation, roadway cut and fill limits, buried utility relocation, metal beam guardrail installation, vegetation/tree removal, equipment and materials staging, temporary construction easements, and construction access. Additionally, the APE includes a 61.4 acre borrow site located approximately 6 miles west of McHenry Avenue. The borrow pit is located at the intersection of Ciccarelli Road and Toomes Road, west of Highway 99 (see Figure 14. Project Area Limits/Area of Potential Effects). Efforts to identify potential cultural resources in the APE included background research, a search of previously recorded archaeological site records and cultural resource identification reports on file at the California Historical Resources Information System North Central Information Center (NCIC), efforts to coordinate with Native American representatives, efforts to coordinate with local historical organizations, and a pedestrian ground surface survey.

In an effort to identify archaeological resources that might be affected by the undertaking, a pedestrian survey, background research, and consultation with individuals and organizations were conducted. A record search conducted at the CCIC identified seven cultural resources within a one-mile radius of the APE and no resources within the APE. The pedestrian surveys did not observe any cultural resources within the APE. On July 15, 2016, Dokken Engineering sent a letter and a map depicting the project vicinity to the NAHC in West Sacramento, asking the commission to review the sacred land files for any Native American cultural resources that might be affected by the project. The request to the NAHC seeks to identify any Native American cultural resources within or adjacent to the project area. A list of Native American individuals who might have information or concerns about the project was also requested. On July 20, 2016, Gail Totton, Associate Governmental Program Analyst, informed Dokken Engineering that a review of the sacred lands was completed and returned negative results.

On August 22, 2016 initial consultation letters were sent to the Native American individuals on the list provided by the NAHC. The letters provided a summary of the project and requested information regarding comments or concerns the Native American community might have about the project. An additional request for a search of the sacred lands file for the borrow area was sent in on December 20, 2016. For those individuals that did not reply to the letter, telephone calls were placed, and/or emails were sent on November 1, 2016. A second follow up phone call was conducted on November 8, 2016. An email was sent out on December 29, 2016 regarding the addition of the borrow area to the APE. An additional request for a search of the sacred lands file for the borrow area was sent in on December 20, 2016. A response from Frank Lienert, Associate

Governmental Program Analyst, on December 22, 2016 returned negative results following a review of the sacred lands file

DISCUSSION

- a) *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)*

Less than Significant with Mitigation. The project is not anticipated to cause a substantial adverse change in the significance of a Tribal Cultural Resource (TRC) listed or eligible for listing in the California Register of Historical Resources, or in a local register of historic resources as defined in Public Resources Code section 5020.1(k). No cultural resources were identified during the visual survey, record search, and Native American consultation. No impacts are anticipated for the Project related to archaeological resource; however, with any Project requiring ground disturbance, there is always the possibility that unmarked cultural resources may be unearthed during construction. This impact would be considered potentially significant. Implementation of Mitigation Measure **CR-1** and **CR-2** would reduce this impact to a less-than significant level.

- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Less than Significant with Mitigation. The project is not anticipated to cause a substantial adverse change to a Tribal Cultural Resource (TRC) pursuant to criteria set forth in subdivision (c) of Public Resources Cod Section 5024.1. No cultural resources were identified during the visual survey, record search, and Native American consultation. No impacts are anticipated for the Project related to archaeological resource; however, with any Project requiring ground disturbance, there is always the possibility that unmarked cultural resources may be unearthed during construction. This impact would be considered potentially significant. Implementation of Mitigation Measure **CR-1** and **CR-2** would reduce this impact to a less-than significant level.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

Mitigation Measures **CR-1** and **CR-2** within section 2.5 will be implemented for any impacts relating to Tribal Cultural Resources.

FINDINGS

The project would have less than significant impacts with mitigation incorporated relating to Tribal Cultural Resources.

2.18 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

a) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?*

No Impact. The Project would result in the widening of McHenry Avenue. The Project would not include the construction of any wastewater-generating uses. The Project would not increase population in the project vicinity, and there would be no additional wastewater flows as a result of project development; therefore, the Project would not have an adverse effect on wastewater treatment requirements. No Impact would result from development of the Project, and no mitigation is required.

b) *Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

No Impact. The Project would result in the widening of McHenry Avenue. The Project would not include the construction of any wastewater-generating uses. The Project would not increase population in the project vicinity, and there would be no additional wastewater flows as a result of project development; therefore, the Project would not result in the need for new or expanded wastewater facilities. No impact would occur, and no mitigation is required.

- c) *Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?*

Less Than Significant. The Project would result in the widening of McHenry Avenue. The widening of McHenry Avenue will increase the impervious surface areas, with the project's total increase of impervious surfaces approximately 7.2 acres, but would direct runoff appropriately. The impervious surface generated by the project is the minimum area practicable, incorporating the natural drainage courses in the MS4, preserving the maximum numbers of existing native trees and shrubs possible, and utilizing the minimum width roadway allowed by current design standards. The increased amount of storm water runoff will be determined during final design.

A drainage basin has been incorporated as part of the project design, located west of McHenry Avenue approximately 0.5 miles south of the intersection of East River Road and McHenry Avenue. The project is anticipated to require construction of new storm water drainage facilities; however these facilities are not anticipated to cause any significant environmental effects. With the incorporation of permanent treatment control BMPs included within the SWPPP would reduce any potential impacts to a less than significant level.

- d) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?*

No Impact. The project would not result in the need for new or expanded water supplies. No Impact would result from development of the Project, and no mitigation is required.

- e) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

No Impact. The Project would result in the widening of McHenry Avenue. The Project would not include the construction of any wastewater-generating uses. The Project would not increase population in the project vicinity, and there would be no additional wastewater flows as a result of project development; therefore, the Project would not result in the need for new or expanded wastewater facilities. No impact would occur, and no mitigation is required.

- f) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?*

Less Than Significant. The Project would not generate substantial solid waste during operation. Solid waste may be generated during construction; however, the amount will not exceed landfill capacities. This would not affect landfill capacity because the amounts would not be substantial and would occur only during the construction period. Therefore, impacts associated with development of the Project would be considered less than significant and no mitigation is required.

- g) *Comply with federal, state, and local statutes and regulations related to solid waste?*

Less Than Significant. The Project would comply with federal, state, and local statutes and regulations related to solid waste; therefore, impacts associated with compliance with federal, state, and local statutes and regulations related to solid waste would be considered less than significant and no mitigation is required.

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

No avoidance, minimization, and/or mitigation measures are required for utilities and service systems.

FINDINGS

The project would have less than significant impacts relating to utilities and service systems.

2.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DISCUSSION

- a) *Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Less Than Significant with Mitigation Incorporated. Implementation of the Project would have the potential to degrade the quality of the existing environment. Potential impacts have been identified related to Aesthetics (Section 2.1), Air Quality (Section 2.3), Biological Resources (2.4), Cultural Resources (Section 2.5), Geology and Soils (Section 2.6), Greenhouse Gas Emission (Section 2.7), Hazards and Hazardous Materials (Section 2.8), Hydrology and Water Quality (Section 2.9), Noise (Section 2.12), Public Services (Section 2.14), Transportation/Traffic (Section 2.16), and Tribal Cultural Resources (Section 2.17). Mitigation measures have been identified related to individual resource-specific impacts. Mitigation measures would reduce the level of all project-related impacts to less than significant levels. Therefore, impacts are considered **less than significant with mitigation incorporated**.

- b) *Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when viewed in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?*

No impact. The Project would not have adverse environmental impacts at a significant level. All potential significant impacts will be addressed with avoidance, minimization and mitigation. Past projects along McHenry Avenue have been cleared through the CEQA process and potentially significant impacts from those previous projects would have already been mitigated for. No cumulative effects are anticipated because no resources would be adversely affected by the Project, or the project effects would be localized and of limited extent.

No impact would occur in relation to cumulatively considerable effects.

- c) *Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Less than Significant with Mitigation Incorporated. The Project would not cause significant adverse effects to human beings, either directly or indirectly with mitigation incorporated. Potential impacts have been identified related to Aesthetics, Air Quality, Hazards and Hazardous Materials, Hydrology and Water Quality, Noise, Public Services, and Transportation/Traffic. Mitigation measures have been identified related to individual resource-specific impacts. Mitigation measures would reduce the level of all project-related impacts to less than significant levels. Therefore, impacts are considered ***less than significant with Mitigation Incorporated.***

AVOIDANCE, MINIMIZATION, AND/OR MITIGATION MEASURES

- VIS-1:** Permanent impacts to riparian vegetation within construction limits will be mitigated for at an agency approved mitigation ratio at an on or off-site agency approved location or a combination of both.
- VIS-2:** Landscape architecture considerations shall be implemented as directed by the Department's Highway Design Manual, Chapter 900, and the Department's Landscape Architecture PS&E Guide. As such, highway planting, lighting plans, and aesthetic treatment would be incorporated into the project as appropriate. This would also include coordination between the Department's Landscape Architecture staff for areas within state right-of-way as well as with County of Stanislaus.
- VIS-3:** Caltrans Standard Specifications (2015) "Erosion Control" will be followed during construction. At the conclusion of construction, areas of bare soil shall be hydroseeded with native seed mix to prevent or at least minimize erosion. Hydroseeding will follow Standard Special Provision 21-2.03D for Erosion Control (Hydroseed).
- VIS-4:** Vegetation clearing would only occur within the delineated project boundaries in an effort to minimize the impacts. Trees located in areas along the edge of the construction zone would be trimmed whenever possible and only those trees that lie within the active construction areas would be removed.
- VIS-5:** All disturbed areas including staging of vehicles and equipment will be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native species.
- VIS-6:** The contractor will be required to maintain good housekeeping in and around construction sites, staging areas, and equipment storage areas.
- AQ-1:** The construction contractor shall comply with Caltrans' Standard Specifications Section 14-11.08E Dust Control of Caltrans' Standard Specifications (2015).
- AQ-2:** The construction contractor shall comply with Section 7-1.02 Emissions Reduction and Section 18 Dust Palliative of Caltrans' Standard Specifications (2015).
- AQ-3:** The Wind Erosion Control BMP (WE-1) from Caltrans' Construction Site *Best Management Practices Manual* will be implemented as follows:

- Water shall be applied by means of pressure-type distributors or pipelines equipped with a spray system or hoses and nozzles that will ensure even distribution.
- All distribution equipment shall be equipped with a positive means of shutoff.
- Unless water is applied by means of pipelines, at least one mobile unit shall be available at all times to apply water or dust palliative to the Project.
- If reclaimed water is used, the sources and discharge must meet California Department of Health Services water reclamation criteria and the Regional Water Quality Control Board requirements. Non-potable water shall not be conveyed in tanks or drain pipes that will be used to convey potable water and there shall be no connection between potable and non-potable supplies. Non-potable tanks, pipes and other conveyances shall be marked "NON-POTABLE WATER – DO NOT DRINK."
- Materials applied as temporary soil stabilizers and soil binders will also provide wind erosion control benefits.

AQ-4: Per SJVAPCD Rule 9510, an ISR application will be submitted prior to seeking final discretionary approval of the project.

BIO-1: The project limits in proximity to the Dry Slough will be marked as an Environmental Sensitive Area (ESA) or either be staked or fenced with high visibility material to ensure construction activities will not encroach further beyond established limits.

BIO-2: Access roads and staging areas would contain barriers between them and Dry Slough to reduce erosion and sedimentation.

BIO-3: Best Management Practices will be incorporated into project design and project management to minimize impacts on the environment including the release of pollutants (oils, fuels, etc.):

- The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation.
- Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment desilting basins, sediment traps, and check dams.
- Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected.
- Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events.
- Exposed soils would be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.
- All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution.
- All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from Dry Slough.
- All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering Dry Slough directly or indirectly.

- All construction materials, vehicles, stockpiles, and staging areas would be situated outside of Dry Slough as feasible. All stockpiles would be covered, as feasible.
- Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented.
- All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state.
- All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native species.
- All construction materials would be hauled off-site after completion of construction.

BIO-4: All wetted soil in contact with concrete or curing compound will be taken to an approved offsite disposal location.

BIO-5: After construction is complete, all temporary impact areas will be re-contoured to pre-construction conditions. Disturbed areas will be re-vegetated with a native seed mix where permitted by the local flood control board.

BIO-6: Permanent impacts will be mitigated by purchasing VELB mitigation credits at a USFWS approved mitigation bank. Mitigation ratios will be determined during Section 7 consultation with USFWS prior to project implementation.

BIO-7: Prior to initiating construction, an ESA fence will be installed around elderberry shrubs if their dripline extends within 20 feet of the project impact area. The ESA will be positioned as far from the shrubs as practicable and will be installed under the direction of the project biologist.

BIO-8: The project biologist will periodically inspect the construction areas to ensure elderberry shrubs within the ESA limits are not disturbed.

BIO-9: All construction personnel will attend environmental awareness training. During the environmental awareness training, construction personnel will be briefed on the status of the beetle, the need to avoid damage to the elderberry host plant, and the possible penalties for not complying with these requirements.

BIO-10: Signs will be installed along the edge of the ESA and will read the following: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction (Figure 5 Elderberry Shrub Survey Results and ESA Fencing).

BIO-11: To prevent fugitive dust from drifting into adjacent habitat, all clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, demolition activities, or other dust generating activities will be effectively controlled for fugitive dust emissions utilizing application of water or by presoaking.

BIO-12: The project biologist will be onsite for elderberry shrub relocation to ensure that no unauthorized take of VELB occurs.

BIO-13: No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant will be used within 100 feet of elderberry shrubs.

BIO-14: After construction, all temporarily affected areas within 100 feet of elderberry shrubs will be reseeded with native grasses and forbs.

BIO-15: Any elderberry shrub over 1-inch that the project cannot avoid must be relocated to a USFWS approved mitigation bank.

BIO-16: The project's biologist will conduct preconstruction surveys for burrowing owl consistent with the 2012 CDFW staff report on burrowing owl mitigation within 2 weeks prior to the start of construction. If burrowing owls are not detected, no further measures will be required. If burrowing owls are observed within 500 feet of the project area, the following will be implemented.

BIO-17: In accordance with the CDFW avoidance and mitigation protocols, during the breeding season (February 1 through August 31), occupied burrows must not be disturbed and shall be provided with a 250 foot protective buffer until a qualified biologist approved by the permitting agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be collapsed.

BIO-18: In accordance with the Swainson's Hawk Technical Advisory Committee *Recommended Timing and Methodology For Swainson's Hawk Nesting Surveys in California's Central Valley* (2000), protocol level surveys will be conducted during the appropriate survey periods immediately prior to construction to determine presence/absence of the species. If Swainson's hawk nests are discovered within 1/2 mile of the Project Area, appropriate protective measures will be developed in coordination with CDFW.

BIO-19: If vegetation removal is to take place during the nesting season (March 1st –September 1st), a pre-construction nesting bird survey must be conducted prior to vegetation removal. Within 2 weeks of the nesting bird survey, all vegetation cleared by the biologist must be removed by the contractor.

A minimum 300 foot no-disturbance buffer will be established around any active nests of raptor species. A 100 foot no-disturbance buffer will be established around any active nests for other migratory birds. If an active nest is discovered during construction, the contractor must immediately stop work in the nesting area until the appropriate buffer is established. The contractor is prohibited from conducting work that could disturb the birds (as determined by the project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the project biologist and approved by CDFW.

BIO-20: Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-21: All hydro seed and plant mixes must consist of a biologist approved plant palette seed mix of native species sourced within 40 miles of the project area.

- CR-1:** If previously unidentified cultural materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources if necessary. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.
- CR-2:** Section 5097.94 of the Public Resources Code and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work should halt in that vicinity and the county coroner should be notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification. CEQA details steps to be taken if human burials are of Native American origin.
- CC-1:** According to the Department's Standard Specification Section 14-9.02, the contractor must comply with air pollution control rules, regulations, ordinances, and statutes that apply to work performed under the Contract, including air pollution control rules, regulations, ordinances, and statutes provided in Govt Code § 11017 (Pub Cont Code § 10231)
- HAZ-1:** The contractor shall prepare a Spill Prevention, Control, and Countermeasure Program (SPCCP) prior to the commencement of construction activities. The SPCCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.
- HAZ-2:** Based on preliminary plans, temporary construction easements will be needed within the County right-of-way and adjacent privately owned parcels throughout the length of the project. It is anticipated that right-of-way acquisitions are anticipated. Should final plans indicate that additional parcels will be acquired for new right-of-way, a preliminary environmental screening, to determine presence or absence, (limited subsurface sampling and laboratory analysis) should be performed for potentially elevated levels of petroleum hydrocarbons and MTBE contamination within the limits of construction, and/or right-of way acquisition. If site screening encounters elevated levels of petroleum hydrocarbons and/or MTBE, a limited Phase II ISA should be performed. The Phase II ISA should consist of subsurface sampling and laboratory analysis and be of sufficient quantity to define the extent and concentration of contamination within the areal extent and depths of planned construction activities adjacent to these sites. The Phase II ISA should also provide both a Health and Safety Plan for worker safety and a Work Plan for handling and disposing contaminated soil during construction.
- HAZ-3:** The Project will affect yellow thermoplastic pavement markings and other types or colors of street or municipal markings containing lead-based paint. If such markings are affected as a result of the project, such markings will be collected, tested, and/or disposed of in accordance with applicable regulations. Therefore, to avoid impacts from pavement striping during construction, it is recommended that testing and removal

requirements for yellow striping and pavement marking materials be performed in accordance with Caltrans Standard Special Provisions for removing traffic stripes and pavement markings.

HAZ-4: To avoid negative impacts to residents and workers during and after construction, soils of nearby agricultural lands potentially containing pesticides shall be tested prior to construction.

HAZ-5: Soil levels within the borrow site shall be tested prior to construction due to presence of storage tanks, arsenic, hazardous waste, and other toxic substances on nearby properties. Further, a pipe with potential for asbestos was identified within the parcel of the borrow site during field reconnaissance. If it is determined during final design that construction activities would impact this pipe, a project specific Asbestos Sampling and Analysis Work Plan that establishes the procedures used to comply with requirements for asbestos abatement, including sampling and testing of suspected Asbestos Containing Materials, containment, transportation and disposal of Asbestos Containing Materials will be developed at least fifteen (15) days prior to beginning any sampling for suspected Asbestos Containing Materials.

HAZ-6: Any leaking transformers observed during the course of the project should be considered a potential polychlorinated biphenyl (PCB) hazard. A detailed inspection of individual electrical transformers was not conducted for this ISA. However, should leaks from electrical transformers (that will either remain within the construction limits or will require removal and/or relocation) be encountered during construction, the transformer fluid should be sampled and analyzed by qualified personnel for detectable levels of PCB's. Should PCBs be detected, the transformer should be removed and disposed of in accordance with Title 22, Division 4.5 of the California Code of Regulations and any other appropriate regulatory agency. Any stained soil encountered below electrical transformers with detectable levels of PCB's should also be handled and disposed of in accordance with Title 22, Division 4.5 of the California Code of Regulations and any other appropriate regulatory agency.

HAZ-7: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction. For any previously unknown hazardous waste/ material encountered during construction, the procedures outline in Appendix E (Caltrans Unknown Hazard Procedures) shall be followed.

HAZ-8: If the project area is anticipated to change (due to a change in the Project or staging area), further investigation for potential hazardous waste generators would be required to determine their impact to the revised project limits. The project area is not anticipated to change; therefore, additional searches are not anticipated at this time for the Project.

WQ-1: The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as National Pollutant Discharge Elimination System (NPDES) Permit pursuant to Section 402 of the CWA. Stanislaus County is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small municipal separate storm sewer systems (MS4s). Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the *Water Quality Control Plan for the Sacramento and San Joaquin Basin* (Basin Plan).

WQ-2: To conform to water quality requirements, the SWPPP must include the following:

- Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must be a minimum of 100 feet from surface waters. Any necessary equipment washing must occur where the water cannot flow into surface waters. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan;
- Construction equipment will not be operated in flowing water;
- Construction work must be conducted according to site-specific construction plans that minimize the potential for sediment input to surface waters;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering surface waters;
- Equipment used in and around surface waters must be in good working order and free of dripping or leaking contaminants; and
- Any concrete rubble, asphalt, or other debris from construction must be taken to an approved disposal site.

WQ-3: Prior to the start of construction activities, the Project limits in proximity to jurisdictional waters must be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not encroach into jurisdictional waters.

WQ-4: Contract specifications will include the following best management practices (BMPs), where applicable, to reduce erosion during construction:

- Implementation of the Project will require approval of a site-specific SWPPP that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques;
- Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control;
- Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities;
- Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment to track the soil surface. Surface roughening or terracing reduces erosion potential by decreasing runoff velocities, trapping sediment, and increasing infiltration of water into the soil, and aiding in the establishment of vegetative cover from seed.

NOI-1: To minimize the construction-generated noise, abatement measures from Standard Specification 14-8.02 "Noise Control" and SSP 14-8.02 must be followed:

Do not operate construction equipment or run the equipment engines from 7:00 p.m. to 7:00 a.m. or on Sundays, with the exception that you may operate equipment within the project limits during these hours to:

- Service traffic control facilities
- Service construction equipment
- Equip an internal combustion engine with the manufacturer recommended muffler.
- Do not operate an internal combustion engine on the job site without the appropriate muffler.

NOI-2: The County will incorporate rubberized asphalt into the Project design.

TRA-1: Temporary impacts to traffic flow as a result of construction activities would be minimized through construction phasing and signage and a traffic control plan.

3.0 Comments and Coordination

This chapter summarizes the County's efforts to identify, address and resolve Project-related issues through early and continuing coordination.

Scoping Process

Previous environmental studies, including the McHenry Avenue Solar Farm Project EIR (2011), McHenry Avenue Corridor Improvement Project MND/EA (2013), and McHenry Avenue Phase I Widening Project MND (2015) provided a basis for scoping potential environmental constraints within the McHenry Avenue Widening area.

Consultation and Coordination with Public Agencies

Coordination with the following agencies was initiated for the McHenry Avenue Widening Project:

U.S. Fish and Wildlife Service (USFWS)
California Department of Fish and Wildlife (CDFW)
Native American Heritage Commission (NAHC)
U.S. Army Corps of Engineers (USACE)
Regional Water Quality Control Board (RWQCB)
Central Valley Flood Protection Board (CVFPB)

Public Participation

Public circulation of the environmental document for the Project occurred from August 15, 2017 to September 15, 2017. Additionally, a public meeting was held on August 29, 2017 providing the opportunity for public comment and participation. All comments have been incorporated into the Initial Study/Mitigated Negative Declaration as Appendix H. Any additions or corrections to the ISMND subsequent to public comments have been addressed within the document.

4.0 List of Preparers

4.1. Dokken Engineering

Namat Hosseinion, Environmental Manager
Sarah Holm, Senior Biologist / Senior Environmental Planner
Amy Dunay, Archaeologist / Associate Environmental Planner
Brian Marks PHD, Archaeologist / Environmental Planner
Amy Storck, Environmental Planner.
Scott Salembier, Environmental Planner / Biologist
Andrew Dellas, Environmental Planner / Biologist
Ken Chen, Environmental Planner / Noise and Air Specialist

4.2. Stanislaus County

Sang Nguyen, Project Engineer
Shoaib Ahrary, P.E., Project Manager
Chris Brady, P.E., Deputy Director
Matt Machado, Director of Public Works

5.0 References

- Barr, C. B. 1991. The Distribution, Habitat, and Status of the Valley Elderberry Longhorn Beetle: *Desmocerus californicus dimorphus*. Sacramento, CA: U.S. Fish and Wildlife Service.
- California Air Resources Board 2016. Ambient Air Quality Standards, <http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>
- California Air Resources Board 2016b. Area Designations Maps/State and National, <http://www.arb.ca.gov/desig/adm/adm.htm>
- California Air Resources Board 2015. iADAM: Air Quality Data Statistics, <http://www.arb.ca.gov/adam/index.html>
- California Department of Conservation, Division of Mines and Geology 2000. A General Location Guide for Ultramafic Rocks in California – Areas More Likely to Contain Naturally Occurring Asbestos.
- California Department of Transportation 2011. California Scenic Highway Mapping System. <http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/> Updated 9/07/2011
- California Department of Transportation 2015. Standard Specifications. State of California, Department of Transportation. <http://www.dot.ca.gov/hq/esc/oe/construction_contract_standards/std_specs/2015_StdSpecs/2015_StdSpecs.pdf>
- California Department of Toxic Substances 2016. Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils 2016. State of California, Environmental Protection Agency, Department of Toxic Substances.
- California Department of Water Resources, 2009, Geotracker Database, <http://geotracker.waterboards.ca.gov>.
- Cal-IPC 2016. Online California Invasive Plant Inventory Database Available at: <<http://www.cal-ipc.org/paf/>> (accessed 09/29/16).
- CDFG 1994. Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley of California. Available at: <https://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html> (accessed 09/22/16).
- CDFW 2016a. CWHR Life History Accounts and Range Maps. Available at: <<http://www.dfg.ca.gov/biogeodata/cwhr/cawildlife.aspx>> (accessed 09/29/16).
- CDFW 2016b. The California Wildlife Habitat Relationship Classification Scheme. Available at: <http://www.dfg.ca.gov/biogeodata/cwhr/wildlife_habitats.asp#Tree> (accessed 9/29/16).
- CDWR. 2016a. Groundwater Levels for Station 377346N1209774W001. Available at: http://www.water.ca.gov/waterdatalibrary/groundwater/hydrographs/brr_hydro.cfm?CFG_RIDKEY=3876 (accessed 12/13/2016).

- CNDDDB 2016. California Natural Diversity Database, Rarefind 5. Available at: <<http://www.dfg.ca.gov/biogeodata/cnddb/>> (accessed on 9/15/16).
- CNPS. 2016. Inventory of Rare and Endangered Plants. Available at: <<http://www.rareplants.cnps.org/>> (accessed on 9/15/16).
- Dokken Engineering 2017. Water Quality Assessment Report for the McHenry Avenue Widening Project.
- Department of Water Resources (DWR). 2016. Bulletin 118. Available at: <http://www.water.ca.gov/groundwater/bulletin118/index.cfm> (accessed 12/6/2016).
- England, A. S., M. J. Bechard, and C. S. Houston. 1997. Swainson's Hawk (*Buteo swainsoni*). In A. Poole and F. Gill (eds.), *The Birds of North America*, No. 265. Philadelphia, PA: The Academy of Natural Sciences and Washington, DC: The American Ornithologists' Union.
- Environmental Protection Agency. 2016a. Outdoor Air Quality Data, Monitor Values Report, <https://www.epa.gov/outdoor-air-quality-data/monitor-values-report>.
- Environmental Protection Agency. 2016b. The Greenbook Nonattainment Areas for Criteria Pollutants, <http://www.epa.gov/airquality/greenbook/index.html>
- Jepson Flora Project (eds.). 2016. Jepson eFlora. Available at: <<http://ucjeps.berkeley.edu/IJM.html>> (11/1/16).
- NMFS. 2014. California Central Valley Salmon and Steelhead Recovery Plan. National Marine Fisheries Service: West Coast Region. Available at: <http://www.westcoast.fisheries.noaa.gov/publications/recovery_planning/salmon_steelhead/domains/california_central_valley/final_recovery_plan_07-11-2014.pdf> (accessed 11/1/16).
- NMFS 2016. NMFS Endangered Species Act Species List Google Earth NMFS West Coast Region, California Species List September 2016 mapping too.
- NMFS. 2016b. Steelhead Trout (*Oncorhynchus mykiss*). NOAA Fisheries Office of Protected Resources. Available at: <<http://www.fisheries.noaa.gov/pr/species/fish/steelhead-trout.html>> (accessed 11/8/16).
- NCRS. 2016. Web Soil Survey, Natural Resource Conservation Service; available at: <<http://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>> (accessed 10/31/16).
- Sacramento Metropolitan Air Quality Management District. 2013. Roadway Construction Emissions Model, Version 7.1.5.1
- Stanislaus Council of Governments. 2014a. 2014 Regional Transportation Plan/Sustainable Communities Strategy.
- Stanislaus Council of Governments. 2014b. 2015 Federal Transportation Improvement Program.

- Stanislaus Council of Governments. 2014c. 2014 Air Quality Conformity Analysis.
- Shuford, W. D., and Gardali, T., editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Purple Martin. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.
- Stanislaus County. 2015. Stanislaus County General Plan 2015. Available at: <http://www.stancounty.com/planning/pl/gp/current/gp-introduction.pdf> (accessed 9/29/16)
- SWTAC. 2000. Swainson's Hawk Technical Advisory Committee's Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Available at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83990> (accessed 09/22/16).
- Tesky, Julie L. 1994. *Buteo swainsoni*. In: Fire Effects Information System. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, Fire Sciences Laboratory. Available at: <http://www.fs.fed.us/database/feis/animals/bird/busw/all.html> (accessed 09/29/16).
- USACE. 1987. Corps of Engineers Wetland Delineation Manual, Technical Report Y-87-1. Available at: <http://el.erdc.usace.army.mil/elpubs/pdf/wlman87.pdf> (accessed 10/22/16).
- USACE. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0). Available at: http://www.usace.army.mil/Portals/2/docs/civilworks/regulatory/reg_supp/trel08-28.pdf (accessed 10/22/16).
- U.S. Climate Data. 2016. U.S. Climate Data-Victorville, California. Available at: <http://www.usclimatedata.com/climate/victorville/california/united-states/usca1197> (accessed 10/25/16).
- USFS. 2007. Description of 'Ecological Subregions: Sections of the Conterminous United States'. United States Department of Agriculture, Forest Service; Ecosystem Management Coordination. Available at: http://na.fs.fed.us/sustainability/ecomap/section_descriptions.pdf (accessed 10/25/16).
- USFWS. 1980. Valley Elderberry Longhorn Beetle Critical Habitat. Federal Register 45:52803; Google Maps, Sacramento, CA; available at http://ecos.fws.gov/docs/federal_register/fr449.pdf (accessed 11/1/16).
- USFWS 1984. Valley Elderberry Longhorn Beetle Recovery Plan. USFWS, Portland, Oregon; available at: <http://ecos.fws.gov/speciesProfile/profile/speciesProfile.action?spcode=I01L> (accessed 10/25/16).

USFWS. 1999. USFWS 1999 Conservation Guidelines for the Valley Elderberry Longhorn Beetle. Available at: <http://www.fws.gov/sacramento/es/Survey-Protocols-Guidelines/Documents/velb_conservation.pdf> (accessed 11/1/16).

USFWS. 2002. Recovery Plan for the California Red-legged Frog (*Rana aurora draytonii*). USFWS Region1, Portland Oregon. Available at: <<http://www.amphibians.org/wp-content/uploads/2013/07/California-Red-legged-Frog-Recovery-Plan.pdf>> (accessed 10/25/16).

USFWS 2011. Biological Opinion for the McHenry Avenue Corridor Improvement Project, San Joaquin County, California, USFWS 81420-2011-F-0289-1).

USFWS. 2016. Critical Habitat for Threatened and Endangered Species Map. Available at: <<http://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cc75b8dbfb77>> (accessed 11/1/16).

Zeiner, D.C., W.F.Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. California's Wildlife. Vol. I-III. CDFG, Sacramento, California.

Appendix A:
NCRS CPA 106 FORM

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**FARMLAND CONVERSION IMPACT RATING
FOR CORRIDOR TYPE PROJECTS**

PART I (To be completed by Federal Agency)	3. Date of Land Evaluation Request	4. Sheet 1 of _____
---	------------------------------------	---------------------

1. Name of Project	5. Federal Agency Involved
--------------------	----------------------------

2. Type of Project	6. County and State
--------------------	---------------------

PART II (To be completed by NRCS)	1. Date Request Received by NRCS	2. Person Completing Form
--	----------------------------------	---------------------------

3. Does the corridor contain prime, unique statewide or local important farmland? (If no, the FPPA does not apply - Do not complete additional parts of this form). YES <input type="checkbox"/> NO <input type="checkbox"/>	4. Acres Irrigated Average Farm Size
---	--

5. Major Crop(s)	6. Farmable Land in Government Jurisdiction Acres: _____ %	7. Amount of Farmland As Defined in FPPA Acres: _____ %
------------------	---	--

8. Name Of Land Evaluation System Used	9. Name of Local Site Assessment System	10. Date Land Evaluation Returned by NRCS
--	---	---

PART III (To be completed by Federal Agency)	Alternative Corridor For Segment			
---	---	--	--	--

	Corridor A	Corridor B	Corridor C	Corridor D
A. Total Acres To Be Converted Directly				
B. Total Acres To Be Converted Indirectly, Or To Receive Services				
C. Total Acres In Corridor				

PART IV (To be completed by NRCS) Land Evaluation Information	
--	--

A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Information Criterion Relative value of Farmland to Be Serviced or Converted (Scale of 0 - 100 Points)	
--	--

PART VI (To be completed by Federal Agency) Corridor Assessment Criteria (These criteria are explained in 7 CFR 658.5(c))	Maximum Points			
1. Area in Nonurban Use	15			
2. Perimeter in Nonurban Use	10			
3. Percent Of Corridor Being Farmed	20			
4. Protection Provided By State And Local Government	20			
5. Size of Present Farm Unit Compared To Average	10			
6. Creation Of Nonfarmable Farmland	25			
7. Availability Of Farm Support Services	5			
8. On-Farm Investments	20			
9. Effects Of Conversion On Farm Support Services	25			
10. Compatibility With Existing Agricultural Use	10			
TOTAL CORRIDOR ASSESSMENT POINTS	160			

PART VII (To be completed by Federal Agency)	
---	--

Relative Value Of Farmland (From Part V)	100			
Total Corridor Assessment (From Part VI above or a local site assessment)	160			
TOTAL POINTS (Total of above 2 lines)	260			

1. Corridor Selected:	2. Total Acres of Farmlands to be Converted by Project:	3. Date Of Selection:	4. Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>
-----------------------	---	-----------------------	--

5. Reason For Selection:

Signature of Person Completing this Part:	DATE
---	------

NOTE: Complete a form for each segment with more than one Alternate Corridor

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor - type site or design alternative for protection as farmland along with the land evaluation information.

(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent - 15 points
90 to 20 percent - 14 to 1 point(s)
Less than 20 percent - 0 points

(2) How much of the perimeter of the site borders on land in nonurban use?

More than 90 percent - 10 points
90 to 20 percent - 9 to 1 point(s)
Less than 20 percent - 0 points

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

More than 90 percent - 20 points
90 to 20 percent - 19 to 1 point(s)
Less than 20 percent - 0 points

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected - 20 points
Site is not protected - 0 points

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County ?

(Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage or Farm Units in Operation with \$1,000 or more in sales.)
As large or larger - 10 points
Below average - deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average - 9 to 0 points

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project - 25 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project - 1 to 24 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project - 0 points

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available - 5 points
Some required services are available - 4 to 1 point(s)
No required services are available - 0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment - 20 points
Moderate amount of on-farm investment - 19 to 1 point(s)
No on-farm investment - 0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted - 25 points
Some reduction in demand for support services if the site is converted - 1 to 24 point(s)
No significant reduction in demand for support services if the site is converted - 0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland - 10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland - 9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland - 0 points

**Appendix B:
FTIP/RTP Pages and Hot Spot Conformity
Assessment Concurrence**

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**Stanislaus Council of Governments - Federal Transportation Improvement Program
(Dollars in Whole)
Local Highway System**

DIST: PPNO: EA: CTIPS ID:	TITLE (DESCRIPTION):	MPO Aprv:
10 3047 114-0000-0178	McHenry Avenue Widening - Ladd Rd/Patterson Rd (SR 108) (Near Modesto and Escalon. On McHenry Avenue, from Ladd Road/Patterson Road (State Route 108) to the south end of the McHenry Bridge. Widen to 5 lanes. (Toll Credits))	State Aprv:
CT PROJECT ID: MPO ID: 98STA014I		Federal Aprv:
COUNTY: ROUTE: PM:		EPA TABLE II or III EXEMPT CATEGORY:
Stanislaus County		

IMPLEMENTING AGENCY: Stanislaus County

PROJECT MANAGER: CHARLES VASQUEZ PHONE: (209) 525-4144 EMAIL: cvasquez@stancounty.com

PROJECT VERSION HISTORY (Printed Version is Shaded)

Version	Status	Official Date	Updated By	Change Reason	Amend No.	Prog Con	(Dollars in whole)			PE
							Prog RW			
3	Active	04/21/2016	JFABELA	Amendment - Cost/Scope/Sch. Change	10	10,200,000	1,575,000			1,707,000
2	Official	05/20/2015	JFABELA	Amendment - Cost/Scope/Sch. Change	5	10,200,000	1,575,000			1,707,000
1	Official	08/18/2014	JFABELA	Adoption - Carry Over		10,200,000	1,575,000			1,250,000

	PE	PRIOR	14/15	15/16	16/17	17/18	18/19	19/20	BEYOND	TOTAL
• Local Funds - Locally Generated Funds	500,000									500,000
• Fund Source 1 of 2	1,575,000									1,575,000
• Fund Type: Local Transportation Funds						10,200,000				10,200,000
• Funding Agency: Stanislaus County		2,075,000				10,200,000				12,275,000

	PE	PRIOR	14/15	15/16	16/17	17/18	18/19	19/20	BEYOND	TOTAL
• RSTP -			1,206,958							1,206,958
• Fund Source 2 of 2										
• Fund Type: STP Local										
• Funding Agency: Stanislaus County			1,206,958							1,206,958

Project Total		PRIOR	14/15	15/16	16/17	17/18	18/19	19/20	BEYOND	TOTAL
PE	500,000	1,206,958								1,708,958
RW	1,575,000									1,575,000
CON					10,200,000					10,200,000
TOTAL	2,075,000	1,206,958			10,200,000					13,481,958

Comments:
 ***** Version 3 - 04/21/2016 *****
 Using Toll Credits
 ***** Version 2 - 05/19/2015 *****
 RTP# SC08
 ***** Version 1 - 03/28/14 *****
 Project data transferred from 2014 STIP.
 ***** Version 27 - 03/24/14 *****
 Carried over from 2012 STIP and updated per 2014 STIP Adoption Resolution G-14-06 - rw
 ***** Version 26 - 04/30/2013 *****
 CTC approved allocation of \$247k RIP CONST FY 12/13. -aa
 ***** Version 25 - 04/12/12 *****
 Carried over from 2010 STIP and updated per 2012 STIP Adoption Resolution G-12-05 - rw
 ***** Version 24 - 12/08/2011 *****
 CTC allocation of \$606k RIP CON FY 11/12. -db
 ***** Version 23 - 05/18/2011 *****
 CTC allocated \$606k 10/11 PPM on 5/12/11 per Resolution FP-10-30 - rw
 ***** Version 22 - 06/15/10 *****
 Carried over from 2008 STIP and updated per 2010 STIP Adoption Resolution G-10-13 - rw
 ***** Version 21 - 06/12/2009 *****
 08/12/09 - CTC allocation of \$608,000 RIP CON FY 09/10 per Resolution FP-09-04 on 8/13/09. jp
 ***** Version 20 - 12/01/2008 *****
 12/1/08 - CTC allocation of \$606K RIP CON FY 08/09 per Resolution FP-08-23 on 12/1/08. jp
 ***** Version 19 - 06/13/08 *****
 Carried over from 2008 STIP and updated per 2008 STIP Adoption Resolution G-08-08 - rw
 ***** Version 18 - 01/09/2008 *****
 01/09/08 - CTC allocation of \$30K RIP CON FY 07/08 per Resolution FP-07-50 on 1/10/08 - ry
 ***** Version 17 - 06/29/2007 *****
 CTC allocated \$40k RIP CON FY 06/07 per Resolution FP-06-105 on 8/07/07. -ch
 ***** Version 16 - 06/13/06 *****
 06/02/06 Remove \$108k RIP CON from FY 08/08. -jan
 ***** Version 15 - 12/02/2005 *****
 12/02/05 CTC allocation of \$50k FY 05-06 CON per Resolution FP-05-48, on 12/15/05. -Km
 ***** Version 14 - 03/03/2005 *****



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Memorandum

To: Sang Nguyen, Senior Engineering Technician, Stanislaus County Public Works

From: Elisabeth Hahn, Senior Planner, Stanislaus Council of Governments

Date: June 21, 2017

Subject: Concurrence Received from the EPA and FHWA Regarding the PM10 and PM2.5 Hot-spot Conformity Assessment for the McHenry Avenue Widening Project, CTIPS ID #114-0000-0178

The Stanislaus Council of Governments (StanCOG) circulated a memo to the Interagency Consultation (IAC) Group on May 31, 2017 requesting concurrence from both the Environmental Protection Agency (EPA) and the Federal Highway Administration (FHWA) that the McHenry Avenue Widening Project is not a Project of Air Quality Concern (POAQC). The circulation period for this review was to end on June 14, 2017.

The EPA and FHWA responded to the request for concurrence on June 1, 2017 and June 21, 2017, respectively. Attached is the correspondence from these two agencies providing their concurrence that the McHenry Avenue Widening Project is not a Project of Air Quality Concern (POAQC).

Should you have any questions regarding this memo or its attachments, I can be reached by phone at (209) 525-4633 or by e-mail at ehahn@stancog.org. Thank you.

Isael Ojeda - RE: PM10 and PM2.5 IAC Memo for the McHenry Avenue Widening Project CTIPS 114-0000-0178

From: Isael Ojeda

Subject: RE: PM10 and PM2.5 IAC Memo for the McHenry Avenue Widening Project CTIPS 114-0000-0178

>>> "OConnor, Karina" 6/1/2017 9:08 AM >>>
EPA concurs that this is not a project of air quality concern.

Karina OConnor
EPA, Region 9
Air Planning Office (AIR-2)

From: Isael Ojeda [mailto:iojeda@Stancog.org]

Sent: Wednesday, May 31, 2017 3:43 PM

Cc: Elisabeth Hahn <EHAHN@Stancog.org>

Subject: PM10 and PM2.5 IAC Memo for the McHenry Avenue Widening Project CTIPS 114-0000-0178

Interagency Consultation Partners:

StanCOG, on behalf of the County of Stanislaus, is providing the attached PM10 and PM2.5 Hot-Spot Conformity Assessment Memo for the project titled McHenry Avenue Widening Project, CTIPS ID #114-0000-0178, for Interagency Consultation. As part of the environmental review, it is requested that the Interagency Consultation Partners concur that this project is not a Project of Air Quality Concern (POAQC) and will not result in new violations of Federal PM2.5 and PM10 air quality standards.

Please reply to all with concurrence and/or comments by 5:00 p.m. by June 14, 2017. An interagency conference call will be held upon request.

This project qualifies for a 6005 Categorical Exclusion/23 U.S.C. 327.

FHWA and EPA concurrence is requested.

Should you have any questions regarding this e-mail or the attached memo, please feel free to contact Elisabeth Hahn by phone at 209-525-4633 or via e-mail at ehahn@stancog.org.

**Isael Ojeda - PM10 and PM2.5 IAC Memo for the McHenry Avenue Widening Project
CTIPS 114-0000-0178**

From: Isael Ojeda

Subject: PM10 and PM2.5 IAC Memo for the McHenry Avenue Widening Project CTIPS 114-0000-0178

>>> "Vaughn, Joseph (FHWA)" 6/21/2017 12:38 PM >>>

FHWA concurs that this is not a project of air quality concern.

Joseph Vaughn
Environmental Specialist
FHWA, California Division

From: Isael Ojeda [mailto:iojeda@Stancog.org]

Sent: Wednesday, May 31, 2017 6:43 PM

Cc: Elisabeth Hahn

Subject: PM10 and PM2.5 IAC Memo for the McHenry Avenue Widening Project CTIPS 114-0000-0178

Interagency Consultation Partners:

StanCOG, on behalf of the County of Stanislaus, is providing the attached PM10 and PM2.5 Hot-Spot Conformity Assessment Memo for the project titled McHenry Avenue Widening Project, CTIPS ID #114-0000-0178, for Interagency Consultation. As part of the environmental review, it is requested that the Interagency Consultation Partners concur that this project is not a Project of Air Quality Concern (POAQC) and will not result in new violations of Federal PM2.5 and PM10 air quality standards.

Please reply to all with concurrence and/or comments by 5:00 p.m. by June 14, 2017. An interagency conference call will be held upon request.

This project qualifies for a 6005 Categorical Exclusion/23 U.S.C. 327.

FHWA and EPA concurrence is requested.

Should you have any questions regarding this e-mail or the attached memo, please feel free to contact Elisabeth Hahn by phone at 209-525-4633 or via e-mail at ehahn@stancog.org.

Appendix C:

Road Construction Emissions Model

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Road Construction Emissions Model, Version 8.1.0

Daily Emission Estimates for -> McHenry Avenue Widening Project														
Project Phases (Pounds)	ROG (lbs/day)	CO (lbs/day)	NOx (lbs/day)	Total PM10 (lbs/day)	Exhaust PM10 (lbs/day)	Fugitive Dust PM10 (lbs/day)	Total PM2.5 (lbs/day)	Exhaust PM2.5 (lbs/day)	Fugitive Dust PM2.5 (lbs/day)	SOx (lbs/day)	CO2 (lbs/day)	CH4 (lbs/day)	N2O (lbs/day)	CO2e (lbs/day)
Grubbing/Land Clearing	1.72	12.21	18.89	15.85	0.85	15.00	3.88	0.76	3.12	0.03	2,540.38	0.61	0.03	2,564.01
Grading/Excavation	7.74	54.21	88.61	19.49	4.49	15.00	6.99	3.87	3.12	0.15	15,068.23	2.42	0.29	15,215.47
Drainage/Utilities/Sub-Grade	5.46	38.92	51.72	18.02	3.02	15.00	5.93	2.81	3.12	0.06	6,128.14	1.26	0.06	6,177.62
Paving	2.36	18.03	22.97	1.50	1.50	0.00	1.28	1.28	0.00	0.05	4,817.91	0.67	0.10	4,863.41
Maximum (pounds/day)	7.74	54.21	88.61	19.49	4.49	15.00	6.99	3.87	3.12	0.15	15,068.23	2.42	0.29	15,215.47
Total (tons/construction project)	0.30	2.11	3.12	0.83	0.17	0.66	0.29	0.15	0.14	0.00	488.25	0.08	0.01	492.79

Notes:
 Project Start Year -> 2017
 Project Length (months) -> 5
 Total Project Area (acres) -> 27
 Maximum Area Disturbed/Day (acres) -> 2
 Water Truck Used? -> Yes

Phase	Total Material Imported/Exported Volume (yd ³ /day)		Daily VMT (miles/day)			
	Soil	Asphalt	Soil Hauling	Asphalt Hauling	Worker Commute	Water Truck
Grubbing/Land Clearing	0	0	0	0	360	40
Grading/Excavation	909	239	1,380	360	960	40
Drainage/Utilities/Sub-Grade	0	0	0	0	720	40
Paving	0	353	0	540	560	40

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.
 Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.
 CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1, 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.

Total Emission Estimates by Phase for -> McHenry Avenue Widening Project														
Project Phases (Tons for all except CO2e. Metric tonnes for CO2e)	ROG (tons/phase)	CO (tons/phase)	NOx (tons/phase)	Total PM10 (tons/phase)	Exhaust PM10 (tons/phase)	Fugitive Dust PM10 (tons/phase)	Total PM2.5 (tons/phase)	Exhaust PM2.5 (tons/phase)	Fugitive Dust PM2.5 (tons/phase)	SOx (tons/phase)	CO2 (tons/phase)	CH4 (tons/phase)	N2O (tons/phase)	CO2e (MT/phase)
Grubbing/Land Clearing	0.01	0.07	0.10	0.09	0.00	0.08	0.02	0.00	0.02	0.00	13.97	0.00	0.00	12.79
Grading/Excavation	0.15	1.04	1.71	0.38	0.09	0.29	0.13	0.07	0.06	0.00	290.06	0.05	0.01	265.72
Drainage/Utilities/Sub-Grade	0.11	0.75	1.00	0.35	0.06	0.29	0.11	0.05	0.06	0.00	117.97	0.02	0.00	107.88
Paving	0.03	0.25	0.32	0.02	0.02	0.00	0.02	0.02	0.00	0.00	66.25	0.01	0.00	60.67
Maximum (tons/phase)	0.15	1.04	1.71	0.38	0.09	0.29	0.13	0.07	0.06	0.00	290.06	0.05	0.01	265.72
Total (tons/construction project)	0.30	2.11	3.12	0.83	0.17	0.66	0.29	0.15	0.14	0.00	488.25	0.08	0.01	447.06

PM10 and PM2.5 estimates assume 50% control of fugitive dust from watering and associated dust control measures if a minimum number of water trucks are specified.
 Total PM10 emissions shown in column F are the sum of exhaust and fugitive dust emissions shown in columns G and H. Total PM2.5 emissions shown in Column I are the sum of exhaust and fugitive dust emissions shown in columns J and K.
 CO2e emissions are estimated by multiplying mass emissions for each GHG by its global warming potential (GWP), 1, 25 and 298 for CO2, CH4 and N2O, respectively. Total CO2e is then estimated by summing CO2e estimates over all GHGs.
 The CO2e emissions are reported as metric tons per phase.

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**Appendix D:
CNDDDB, USFWS, and CNPS Special Status
Species Database Results**

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Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
Amphibian Species						
California red-legged frog	<i>Rana draytonii</i>	Fed: CA: CDFW:	T -- SSC	Inhabits lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development and must have access to estivation habitat; estivation occurs late summer-early winter. Breeds from January-July Occurs from elevations near sea level to 5,200 feet.	P	Presumed Absent: The project is within the recovery unit range of CRLF. There are permanent sources of deep water approximately 0.5 miles west of the project area within the Del Rio Golf and Country Club. These water sources are not ideal for CRLF as they are regularly maintained and lack dense emergent vegetation. There is also a large pond approximately 50 feet from the project. The pond is in a location that used to be an active side channel of the Stanislaus River and was formed by gravel extraction mining. The area became an isolated pond when levees were constructed along the bank of the main channel. The substrate under the pond remains mostly gravel and small boulders. No emergent vegetation was observed within the pond during biological surveys conducted on September 29 th , 2016. The nearest CNDDB documented occurrence of the species is approximately 23 miles east of the project in the Sierra Nevada Foothills. The species is presumed absent based on a lack of suitable habitat and a lack of documented occurrences near the project site.
California tiger Salamander	<i>Ambystoma Californiense</i>	Fed: CA: CDFW:	T T --	Inhabits annual grasslands and the grassy understory of Valley-Foothill Hardwood communities. Requires underground refuges, especially ground squirrel burrows and vernal pools or other seasonal water sources for breeding.	A	Presumed Absent: The BSA does contain annual grassland but is not within 1.36 miles (maximum CTS migration distance, Orloff 2011) of suitable vernal pool breeding habitat. The nearest occurrence of CTS is approximately 2.5 miles from the BSA but was recorded in 1920. All occurrences of the species within 10 miles of the BSA are from 1993 or older.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
						The species is presumed absent from the BSA based on a lack of suitable vernal pool habitat near the BSA and a lack of recent occurrences of the species.
Bird Species						
Burrowing owl	<i>Athene cunicularia</i>	Fed: -- CA: -- CDFW: --	SSC	Species inhabits arid, open areas with sparse vegetation cover such as deserts, abandoned agricultural areas, grasslands, and disturbed open habitats. Requires friable soils for burrow construction (Below 5,300 feet).	P	Low to Moderate Potential: The northwest side of the BSA is adjacent to potentially suitable grassland habitat for burrowing owl. The nearest CNDDDB occurrence of the species is approximately 3 miles from the BSA and was recorded in 1994. The species is considered to have a low to moderate potential of occurring within the BSA based on presence of potentially suitable habitat and historic occurrences of the species. Burrowing owl and potentially suitable burrows were not observed during the September 29 th , 2016 biological surveys. The species is still considered to have a low to moderate potential of occurring within the BSA based on presence of historical occurrences and potentially suitable grassland habitat.
Swainson's hawk	<i>Buteo swainsoni</i>	Fed: -- CA: T CDFW: --		Inhabits grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, alfalfa or grain fields that support a stable rodent prey base. Breeds march to late August.	P	High Potential: The BSA is located within the range of Swainson's hawk and contains potentially suitable riparian forest nesting habitat and potentially suitable fallow agricultural field foraging habitat for Swainson's hawk. There are several CNDDDB occurrences of the species within 10 miles of the BSA; the closest is within the northern portion of the BSA and was documented in 1995. The species is considered to have a high potential of occurring within the BSA based on presence of potentially suitable habitat, numerous regional occurrences

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
						and a historic occurrence within the BSA. The species was not observed during the September 29 th , 2016 field surveys. Protocol level surveys will be conducted during the appropriate seasons in 2017 prior to construction to determine presence/absence of the species.
Tricolored blackbird	<i>Agelaius tricolor</i>	Fed: -- CA: -- CDFW: SSC		Inhabits freshwater marsh, swamp and wetland communities, but may utilize agricultural or upland habitats that can support large colonies, often in the Central Valley area. Requires dense nesting habitat that is protected from predators, is within 3-5 miles from a suitable foraging area containing insect prey and is within 0.3 miles of open water. Suitable foraging includes wetland, pastureland, rangeland, at dairy farms, and some irrigated croplands (silage, alfalfa, etc.). Nests mid-march - early August.	A	Presumed Absent: The BSA does not contain large emergent wetland habitat suitable for the species. The nearest occurrence of the species is approximately 10 miles from the BSA and was recorded in 1980. The species is presumed absent from the BSA based on a lack of suitable habitat and recent occurrences of the species.
Fish Species						
Delta smelt	<i>Hypomesus transpacificus</i>	Fed: T CA: E CDFW: --		Occurs within the Sacramento-San Joaquin Delta and seasonally within the Suisun Bay, Carquinez Strait and San Pablo Bay. Most often occurs in partially saline waters.	A	Presumed Absent: All documented occurrences of the species are located within the Sacramento River Delta. The BSA is not located within the Sacramento River Delta and the nearest documented occurrence of the species is approximately 24 miles from the BSA. The species is presumed absent from the BSA based on the BSA being located well outside of the geographic distribution of the species.
Steelhead - Central Valley DPS	<i>Oncorhynchus mykiss irideus</i>	Fed: T CA: -- CDFW: --		South/central steelhead utilize rivers and creeks from Pajaro River south to Santa Maria River. Spawning occurs in coastal watersheds while rearing occurs in freshwater or estuary habitats prior to migrating to the	CH	Present: The Lower Stanislaus River is final designated critical habitat for Steelhead, which have been documented in the river as recently as 2014. The species is considered to be present within the Stanislaus River

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				ocean in the winter and spring. Preferred spawning sites contain gravel substrate with sufficient water flow and riverine cover. Rearing habitat contains sufficient feeding with associated riparian forest containing willow and cottonwoods. Migration upstream for reproduction occurs from October-May with spawning occurring January - April.		portion of the BSA.
Hardhead	<i>Mylopharodon conocephalus</i>	Fed: -- CA: -- CDFW: --	SSC	Resident of Sacramento-San Joaquin and Russian River drainages in California. Inhabits low to mid-elevation lakes, reservoirs and streams, with preference to pools and runs with deep (>80 cm) clear water, slow (20-40 cm/sec) velocities and sand-gravel-boulder substrates. The species prefers water temperatures at or above 68°F and adequate flows to maintain dissolved oxygen levels. Spawning occurs in April-May in gravel or rocky substrate. Juveniles require adequate vegetative cover along stream or lake margins.	P	High Potential: The northern portion of the BSA contains potentially suitable stream channel habitat within the Stanislaus River. Hardhead has been documented within the Stanislaus river as recently as 2008 on CNDDDB. The species is considered to have a high potential of occurring within the BSA based on presence of potentially suitable habitat and recent documented occurrence of the species within the Stanislaus River.
<i>Invertebrate Species</i>						
Valley elderberry longhorn beetle	<i>Desmocerus californicus dimorphus</i>	Fed: T CA: -- CDFW: --		Species requires elderberry shrubs as host plants. Typically occurs in moist valley oak woodlands associated with riparian corridors in the lower Sacramento River and upper San Joaquin River drainages. (Sea level-3,000 feet).	P	Present: Suitable riparian habitat and elderberry host plants are present within the BSA. There are numerous CNDDDB occurrence of the species within 10 miles of the BSA, the nearest occurrence was recorded in 1989 within the northern portion of BSA along the Stanislaus River. The species was also documented approximately 0.5 miles west of the BSA in 2009. During the September 29 th , 2016 biological surveys, elderberry shrubs with exit holes were observed within the BSA. The species is presumed present within the BSA based

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
						on recent documented occurrences, suitable habitat, and observation of exit holes.
Vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	Fed: T CA: -- CDFW: --		In California, species inhabits portions of Tehama county, south through the Central Valley, and scattered locations in Riverside County and the Coast Ranges. Species is associated with smaller and shallower cool-water vernal pools approximately 6 inches deep and short periods of inundation. In the southernmost extremes of the range, the species occurs in large, deep cool-water pools. Inhabited pools have low to moderate levels of alkalinity and total dissolved solids. The shrimp are temperature sensitive, requiring pools below 50 F to hatch and dying within pools reaching 75 F. Young emerge during cold-weather winter storms.	A	Presumed Absent: The BSA does not contain vernal pool habitat required by the species. There is one documented occurrence of the species within 10 miles of the BSA. The occurrence was recorded in 2011 and is approximately 4 miles from the BSA. The species is presumed absent from the BSA based on a lack of vernal pool habitat.
Vernal pool tadpole shrimp	<i>Lepidurus packardii</i>	Fed: E CA: -- CDFW: --		Inhabits vernal pools and swales containing clear to highly turbid waters such as pools located in grass bottomed swales of unplowed grasslands, old alluvial soils underlain by hardpan, and mud-bottomed pools with highly turbid water.	A	Presumed Absent: The BSA does not contain vernal pool habitat required by the species. There is one documented occurrence of the species within 10 miles of the BSA. The occurrence was recorded in 2011 and is approximately 4 miles from the BSA. The species is presumed absent from the BSA based on a lack of vernal pool habitat.
Mammal Species						
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	Fed: -- CA: -- CDFW: SSC		Species occurs throughout California in all habitats except subalpine and alpine communities. Requires caves, mines tunnels, tree cavities, or buildings for day and night roosts. During the spring and summer males are solitary but females form small maternal colonies of usually less than	P	Low to Moderate Potential: The BSA contains potentially suitable tree cavity and bridge structure roosting habitat for the species. The nearest occurrence of the species is approximately 9 miles from the BSA and was recorded in 2012. The species is considered to have a low to moderate potential of occurring within

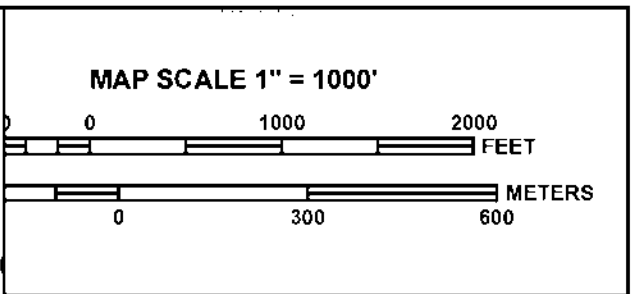
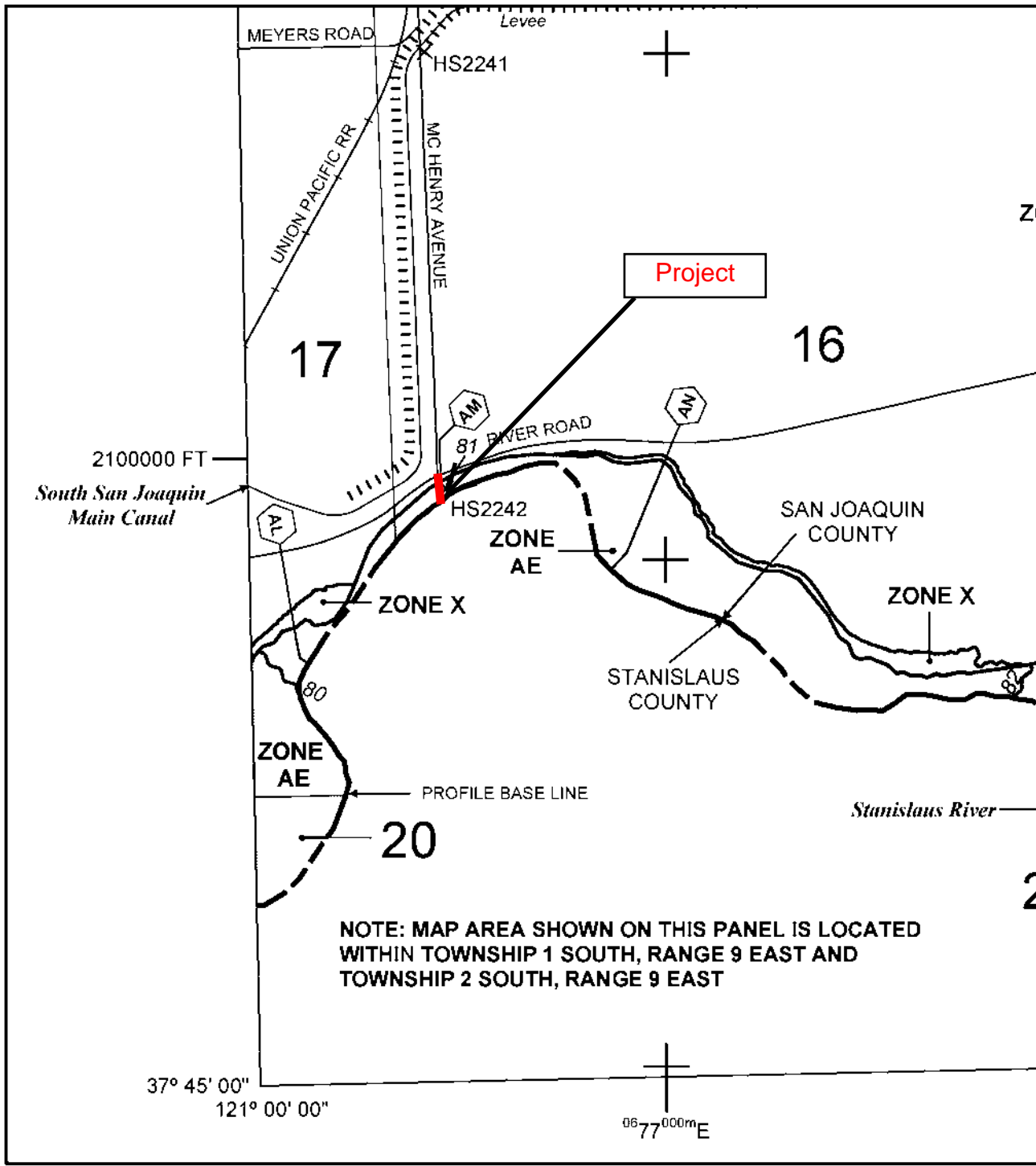
Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				100 individuals. Each colony has a small home range and colonies are widely spaced, usually at least 10 miles apart. The species prefers to forage near mesic sites with large insect populations and preys on small moths, beetles, and other insects. In colder climates, hibernates through winter in small hibernacula. The species is extremely sensitive to human disturbance, especially of maternal colonies (CDFW 2000). Young born May - June.		the BSA based on presence of potentially suitable habitat and regional occurrence of the species.
Western mastiff bat	<i>Eumops perotis californicus</i>	Fed: -- CA: -- CDFW: --	SSC	Inhabits many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral. Prefers open, rugged, rocky areas where suitable crevices are available for day roosts. Roosts in cliff face crevices (usually granite or consolidated sandstone), high buildings, trees and tunnels. Roosting sites must have a minimum 10 foot vertical drop. Births early April through August or September (sea level - 8,475 feet).	A	Presumed Absent: The BSA does not contain rocky outcrop of cliff habitat for the species. The nearest occurrence of the species is located approximately 7 miles from the BSA but was recorded in 1957. The nearest recent occurrence is approximately 15 miles from the BSA and was recorded in 1999. The species is presumed absent from the BSA based on a lack of suitable habitat and recent regional occurrences of the species.
Reptile Species						
Giant gartersnake	<i>Thamnophis gigas</i>	Fed: T CA: T CDFW: --	T	Inhabits marsh, swamp, wetland (including agricultural wetlands), sloughs, ponds, rice fields, low gradient streams and irrigation/drainage canals adjacent to uplands. Ideal habitat contains both shallow and deep water with variations in topography. Species requires adequate water during the active season (April-November), emergent, herbaceous wetland vegetation, such as cattails and bulrushes, for escape cover and	A	Presumed Absent: The BSA does not contain marsh, swamp, wetland, slough, rice field, low gradient stream or irrigation/drainage canal habitat; however, an artificial ornamental pond is present within the BSA. This pond does not have emergent vegetation or hydraulic connection to other Giant Garter Snake potential habitat. The nearest recent occurrence of the species is approximately 33 miles from the BSA. The species is presumed absent from the BSA based on a lack of suitable

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				foraging habitat and mammal burrows estivation. Requires grassy banks and openings in waterside vegetation for basking and higher elevation uplands for cover and refuge from flood waters during winter dormant season.		aquatic habitat and a lack of recent occurrences near the BSA.
Western pond turtle	<i>Emys marmorata</i>	Fed: -- CA: -- CDFW:	-- -- SSC	A fully aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches with aquatic vegetation. Requires basking sites and suitable (sandy banks or grassy open field) upland habitat for reproduction (below 4,700 feet).	P	Low to Moderate Potential: A portion of the Stanislaus River within the BSA may provide suitable vegetated river habitat for western pond turtle. The nearest documented occurrence of the species is approximately 9.5 miles from the BSA. The species is considered to have a low to moderate potential of occurring within the BSA based on presence of potentially suitable habitat and regional occurrences of the species.
Plant Species						
Greene's tuctoria	<i>Tuctoria greenei</i>	Fed: E CA: R CNPS:	1B.1	An annual grass found in vernal pool communities in the California Central Valley. Flowers May –September (0-3,500 feet).	A	Presumed Absent: No vernal pool habitat for the species is present within the BSA. The only documented occurrence of the species within 10 miles of the BSA is approximately 3 miles from the BSA and was documented in 1936. The species is presumed absent from the BSA based on a lack of suitable habitat and a lack of recent occurrences of the species.
Beaked clarkia	<i>Clarkia rostrata</i>	Fed: -- CA: -- CNPS:	-- -- 1B.3	An annual herb inhabiting cismontane woodland and valley and foothill grassland communities. Flowers April –May (200-1,700 feet).	A	Presumed Absent: The BSA does contain valley grasslands but the only documented occurrence of the species within 10 miles of the BSA is approximately 9.5 miles from the BSA and was recorded in 1937. In addition, the BSA is below the known elevation range of the species and the species was not observed within the BSA during field surveys. The species is presumed absent from the BSA based on a lack of

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
						suitable habitat and recent occurrences of the species.
Delta button-celery	<i>Eryngium racemosum</i>	Fed: CA: CNPS:	-- E 1B.1	An annual or perennial herb inhabiting seasonally flooded clay depressions in floodplains and riparian scrub within vernal mesic clay depressions. Flowers June-August (10-100 feet)	A	Presumed Absent: The BSA does not contain seasonally flooded clay depressions suitable for the species. All soil units within the BSA are some variant of sandy loam or loamy sand (Appendix D: NRCS Soil Report). The nearest occurrence of the species is 10 miles from the BSA and was recorded in 1935. The species is presumed absent from the BSA based on a lack of suitable clay depression habitat and a lack of recent occurrences of the species.
Legenere	<i>Legenere limosa</i>	Fed: CA: CNPS:	-- -- 1B.1	An annual herb inhabiting vernal pools and pond margins. Flowers May-June (0-2,900 feet).	A	Presumed Absent: The BSA does not contain vernal pool or pond margin habitat suitable for the species. The nearest occurrence of the species is approximately 6.5 miles from the BSA and was recorded in 1936. The species is presumed absent from the BSA based on a lack of suitable vernal pool or pond margin habitat and a lack of recent occurrences of the species.

Appendix E:
FEMA Firmette Maps

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NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0690F


FIRM
FLOOD INSURANCE RATE MAP
SAN JOAQUIN COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 690 OF 950
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ESCALON, CITY OF	060944	0690	F
SAN JOAQUIN COUNTY	060299	0690	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

 MAP NUMBER
06077C0690F

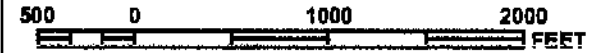
EFFECTIVE DATE
OCTOBER 16, 2009

Federal Emergency Management Agency

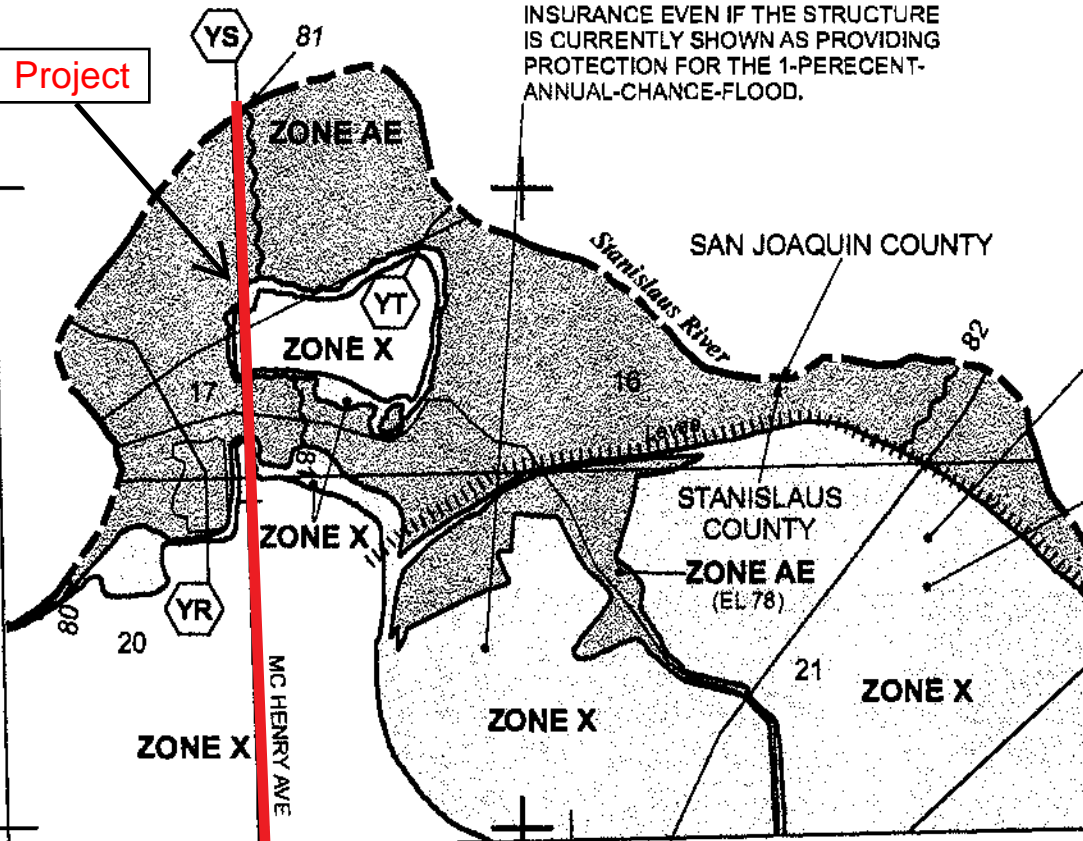
This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

WARNING: THIS AREA IS SHOWN AS BEING PROTECTED FROM THE 1-PERCENT-ANNUAL-CHANCE FLOOD HAZARD BY LEVEE, DIKE, OR OTHER STRUCTURE. OVERTOPPING OR FAILURE OF THIS STRUCTURE IS POSSIBLE, WHICH COULD RESULT IN DISTRUCTIVE FLOOD ELEVATIONS AND HIGH VELOCITY FLOODWATERS. THERE IS A CHANCE THAT LARGE FLOODS WILL OCCUR THAT ARE GREATER THAN THE LEVEL OF PROTECTION PROVIDED BY THE LEVEE. COMMUNITIES SHOULD ISSUE EVACUATION PLANS AND ENCOURAGE PROPERTY OWNERS BEHIND THESE STRUCTURES TO PURCHASE FLOOD INSURANCE EVEN IF THE STRUCTURE IS CURRENTLY SHOWN AS PROVIDING PROTECTION FOR THE 1-PERCENT-ANNUAL-CHANCE-FLOOD.

MAP SCALE 1" = 1000'



METER



PANEL 0165E

FIRM

FLOOD INSURANCE RATE MAP
**STANISLAUS COUNTY,
 CALIFORNIA
 AND INCORPORATED AREAS**

PANEL 165 OF 1075

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
STANISLAUS COUNTY	060384	0165	E

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

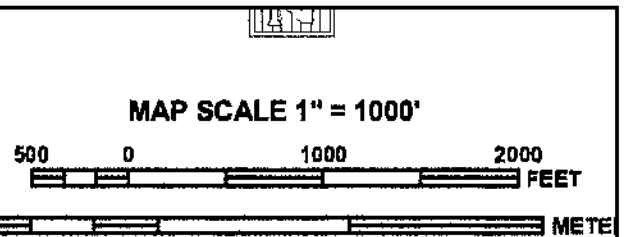
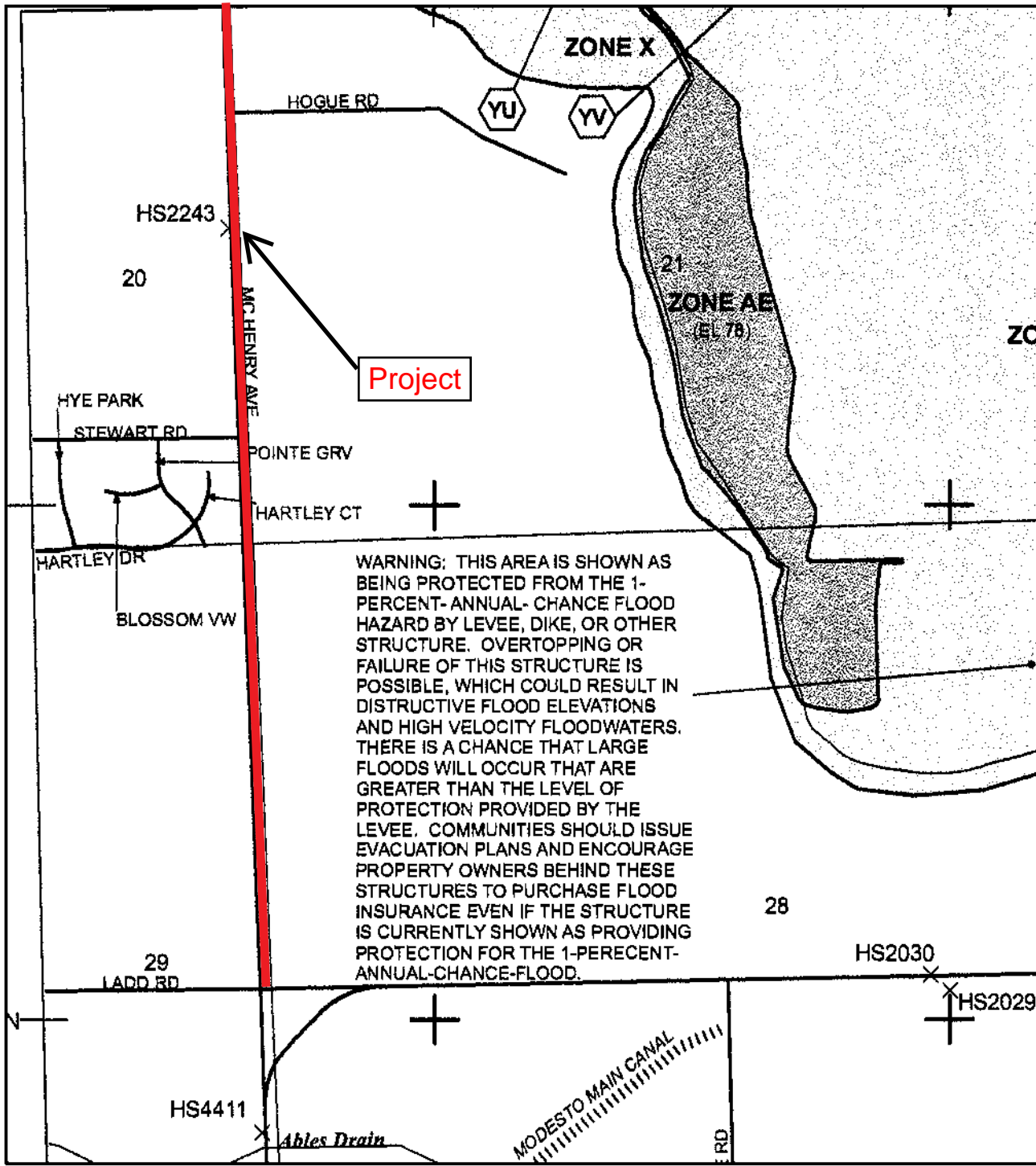
MAP NUMBER
 06099C0165E

EFFECTIVE DATE
 SEPTEMBER 26, 2008



Federal Emergency Management Agency

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NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0330E

FIRM
FLOOD INSURANCE RATE MAP
STANISLAUS COUNTY,
CALIFORNIA
AND INCORPORATED AREAS

PANEL 330 OF 1075

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
MODESTO, CITY OF	060387	0330	E
RIVERBANK, CITY OF	060391	0330	E
STANISLAUS COUNTY	060384	0330	E

Notice to User: The Map Number shown below should be used when placing map orders, the Community Number shown above should be used on insurance applications for the subject community.

MAP NUMBER
06099C0330E



EFFECTIVE DATE
SEPTEMBER 26, 2008

Federal Emergency Management Agency

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Appendix F:
Mitigation Monitoring and Reporting Program

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**MITIGATION MONITORING AND REPORTING PROGRAM FOR THE
MCHENRY AVENUE WIDENING PROJECT**

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>AESTHETICS</p> <p>VIS-1: Landscape architecture considerations shall be implemented as directed by the Department's Highway Design Manual, Chapter 900, and the Department's Landscape Architecture PS&E Guide. As such, highway planting, lighting plans, and aesthetic treatment would be incorporated into the project as appropriate. This would also include coordination between the Department's Landscape Architecture staff for areas within state right-of-way as well as with County of Stanislaus.</p>	Prior to and During Construction	County and Contractor		
<p>VIS-2: Caltrans Standard Specifications (2015) "Erosion Control" will be followed during construction. At the conclusion of construction, areas of bare soil shall be hydroseeded with native seed mix to prevent or at least minimize erosion. Hydroseeding will follow Standard Special Provision 21-2.03D for Erosion Control (Hydroseed).</p>	During Construction	Contractor		
<p>VIS-3: Vegetation clearing would only occur within the delineated project boundaries in an effort to minimize the impacts. Trees located in areas along the edge of the construction zone would be trimmed whenever possible and only those trees that lie within the active construction areas would be removed.</p>	During Construction	Contractor		
<p>VIS-4: All disturbed areas including staging of vehicles and equipment will be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native species.</p>	During Construction and Post Construction	Contractor		
<p>VIS-5: Permanent impacts to riparian vegetation within construction limits will be mitigated for at an agency approved mitigation ratio at an on or off-site agency approved location or a combination of both.</p>	Prior to Construction	County and Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
VIS-6: The contractor will be required to maintain good housekeeping in and around construction sites, staging areas, and equipment storage areas.	During Construction	Contractor		
AIR QUALITY				
AQ-1: The construction contractor shall comply with Caltrans' Standard Specifications Section 14-11.08E Dust Control of Caltrans' Standard Specifications (2015).	During Construction	Contractor		
AQ-2: The construction contractor shall comply with Section 7-1.02 Emissions Reduction and Section 18 Dust Palliative of Caltrans' Standard Specifications (2015).	During Construction	Contractor		
AQ-3: The Wind Erosion Control BMP (WE-1) from Caltrans' Construction Site <i>Best Management Practices Manual</i> will be implemented as follows: <ul style="list-style-type: none"> • Water shall be applied by means of pressure-type distributors or pipelines equipped with a spray system or hoses and nozzles that will ensure even distribution. • All distribution equipment shall be equipped with a positive means of shutoff. • Unless water is applied by means of pipelines, at least one mobile unit shall be available at all times to apply water or dust palliative to the Project. • If reclaimed water is used, the sources and discharge must meet California Department of Health Services water reclamation criteria and the Regional Water Quality Control Board requirements. Non-potable water shall not be conveyed in tanks or drain pipes that will be used to convey potable water and there shall be no connection between potable and non-potable supplies. Non-potable tanks, pipes and other conveyances shall be marked "NON-POTABLE WATER – DO NOT DRINK." • Materials applied as temporary soil stabilizers and soil binders will also 	During Construction	Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
provide wind erosion control benefits.				
AQ-4: Per SJVAPCD Rule 9510, an ISR application will be submitted prior to seeking final discretionary approval of the project.	Prior to Construction	County		
BIOLOGICAL RESOURCES				
BIO-1: The project limits in proximity to the Dry Slough will be marked as an Environmental Sensitive Area (ESA) or either be staked or fenced with high visibility material to ensure construction activities will not encroach further beyond established limits.	Prior to Construction	Contractor		
BIO-2: Access roads and staging areas would contain barriers between them and Dry Slough to reduce erosion and sedimentation.	During Construction	County And Contractor		
BIO-3: Best Management Practices will be incorporated into project design and project management to minimize impacts on the environment including the release of pollutants (oils, fuels, etc.): <ul style="list-style-type: none"> • The area of construction and disturbance would be limited to as small an area as feasible to reduce erosion and sedimentation. • Measures would be implemented during land-disturbing activities to reduce erosion and sedimentation. These measures may include mulches, soil binders and erosion control blankets, silt fencing, fiber rolls, temporary berms, sediment desilting basins, sediment traps, and check dams. • Existing vegetation would be protected where feasible to reduce erosion and sedimentation. Vegetation would be preserved by installing temporary fencing, or other protection devices, around areas to be protected. • Exposed soils would be covered by loose bulk materials or other materials to reduce erosion and runoff during rainfall events. • Exposed soils would be stabilized, through watering or other measures, to 	Prior to and During Construction	County And Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>prevent the movement of dust at the project site caused by wind and construction activities such as traffic and grading activities.</p> <ul style="list-style-type: none"> • All construction roadway areas would be properly protected to prevent excess erosion, sedimentation, and water pollution. • All vehicle and equipment maintenance procedures would be conducted off-site. In the event of an emergency, maintenance would occur away from Dry Slough. • All concrete curing activities would be conducted to minimize spray drift and prevent curing compounds from entering Dry Slough directly or indirectly. • All construction materials, vehicles, stockpiles, and staging areas would be situated outside of Dry Slough as feasible. All stockpiles would be covered, as feasible. • Energy dissipaters and erosion control pads would be provided at the bottom of slope drains. Other flow conveyance control mechanisms may include earth dikes, swales, or ditches. Stream bank stabilization measures would also be implemented. • All erosion control measures and storm water control measures would be properly maintained until the site has returned to a pre-construction state. • All disturbed areas would be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native species. • All construction materials would be hauled off-site after completion of construction. 				
<p>BIO-4: All wetted soil in contact with concrete or curing compound will be taken to an approved offsite disposal location.</p>	<p>Prior to and During Construction</p>	<p>County And Contractor</p>		
<p>BIO-5: After construction is complete, all temporary impact areas will be re-contoured to pre-construction conditions. Disturbed areas will be re-vegetated with a native seed mix where permitted by the local flood control board.</p>	<p>After Construction</p>	<p>Contractor</p>		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
BIO-6: Permanent impacts will be mitigated by purchasing VELB mitigation credits at a USFWS approved mitigation bank. Mitigation ratios will be determined during Section 7 consultation with USFWS prior to project implementation.	Prior to Construction	County		
BIO-7: Prior to initiating construction, an ESA fence will be installed around elderberry shrubs if their dripline extends within 20 feet of the project impact area. The ESA will be positioned as far from the shrubs as practicable and will be installed under the direction of the project biologist.	Prior to and During Construction	County and Contractor		
BIO-8: The project biologist will periodically inspect the construction areas to ensure elderberry shrubs within the ESA limits are not disturbed.	During Construction	County		
BIO-9: All construction personnel will attend environmental awareness training. During the environmental awareness training, construction personnel will be briefed on the status of the beetle, the need to avoid damage to the elderberry host plant, and the possible penalties for not complying with these requirements.	Prior to Construction	County and Contractor		
BIO-10: Signs will be installed along the edge of the ESA and will read the following: "This area is habitat of the valley elderberry longhorn beetle, a threatened species, and must not be disturbed. This species is protected by the Endangered Species Act of 1973, as amended. Violators are subject to prosecution, fines, and imprisonment." The signs should be clearly readable from a distance of 20 feet and must be maintained for the duration of construction.	Prior to and during Construction	County and Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
BIO-11: To prevent fugitive dust from drifting into adjacent habitat, all clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, demolition activities, or other dust generating activities will be effectively controlled for fugitive dust emissions utilizing application of water or by presoaking.	During Construction	Contractor		
BIO-12: The project biologist will be onsite for elderberry shrub relocation to ensure that no unauthorized take of VELB occurs.	Prior to Construction	County and Contractor		
BIO-13: No insecticides, herbicides, fertilizers, or other chemicals that might harm the beetle or its host plant will be used within 100 feet of elderberry shrubs.	During Construction	Contractor		
BIO-14: After construction, all temporarily affected areas within 100 feet of elderberry shrubs will be reseeded with native grasses and forbs.	After Construction	Contractor		
BIO-15: Any elderberry shrub over 1-inch that the project cannot avoid must be relocated to a USFWS approved mitigation bank.	Prior to Construction	County		
BIO-16: The project's biologist will conduct preconstruction surveys for burrowing owl consistent with the 2012 CDFW staff report on burrowing owl mitigation within 2 weeks prior to the start of construction. If burrowing owls are not detected, no further measures will be required. If burrowing owls are observed within 500 feet of the project area, the following will be implemented.	Prior to Construction	County		
BIO-17: In accordance with the CDFW avoidance and mitigation protocols, during the breeding season (February 1 through August 31), occupied burrows must not be disturbed and shall be provided with a 250 foot protective buffer until a qualified	Prior to Construction	County		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
biologist approved by the permitting agencies verifies through non-invasive means that either: 1) the birds have not begun egg laying, or 2) juveniles from the occupied burrows are foraging independently and are capable of independent survival. Once the fledglings are capable of independent survival, the burrow can be collapsed.				
BIO-18: In accordance with the Swainson's Hawk Technical Advisory Committee <i>Recommended Timing and Methodology For Swainson's Hawk Nesting Surveys in California's Central Valley</i> (2000), protocol level surveys will be conducted during the appropriate survey periods immediately prior to construction to determine presence/absence of the species. If Swainson's hawk nests are discovered within 1/2 mile of the Project Area, appropriate protective measures will be developed in coordination with CDFW.	Prior to Construction	County		
BIO-19: If vegetation removal is to take place during the nesting season (March 1 st – September 1 st), a pre-construction nesting bird survey must be conducted prior to vegetation removal. Within 2 weeks of the nesting bird survey, all vegetation cleared by the biologist must be removed by the contractor. A minimum 300 foot no-disturbance buffer will be established around any active nests of raptor species. A 100 foot no-disturbance buffer will be established around any active nests for other migratory birds. If an active nest is discovered during construction, the contractor must immediately stop work in the nesting area until the appropriate buffer is established. The contractor is prohibited from conducting work that could disturb the birds (as determined by the project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the project biologist and approved by CDFW.	Prior to Construction	County		
BIO-20: Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.	Prior to Construction	Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
BIO-21: All hydro seed and plant mixes must consist of a biologist approved plant palate seed mix of native species sourced within 40 miles of the project area.	During and After Construction	Contractor		
CULTURAL RESOURCES CR-1: If previously unidentified cultural materials are unearthed during construction, work shall be halted in that area until a qualified archaeologist can assess the significance of the find and develop a plan for documentation and removal of resources if necessary. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.	During Construction	County and Contractor		
CR-2: Section 5097.94 of the Public Resources Code and Section 7050.5 of the California Health and Safety Code protect Native American burials, skeletal remains and grave goods, regardless of age and provide method and means for the appropriate handling of such remains. If human remains are encountered, work should halt in that vicinity and the county coroner should be notified immediately. At the same time, an archaeologist should be contacted to evaluate the situation. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within twenty-four hours of such identification. CEQA details steps to be taken if human burials are of Native American origin.	Prior to and During Construction	County and Contractor		
GREENHOUSE GASES CC-1: According to the Department's Standard Specification Section 14-9.02, the contractor must comply with air pollution control rules, regulations, ordinances, and statutes that apply to work performed under the Contract, including air pollution control rules, regulations, ordinances, and statutes provided in Govt Code § 11017 (Pub Cont Code § 10231)	During Construction	Contractor		
HAZARDS AND HAZARDOUS WASTE HAZ-1: The contractor shall prepare a Spill Prevention, Control, and Countermeasure	Prior to During Construction	Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<p>Program (SPCCP) prior to the commencement of construction activities. The SPCP shall include information on the nature of all hazardous materials that shall be used on-site. The SPCP shall also include information regarding proper handling of hazardous materials, and clean-up procedures in the event of an accidental release. The phone number of the agency overseeing hazardous materials and toxic clean-up shall be provided in the SPCCP.</p>				
<p>HAZ-2: Based on preliminary plans, temporary construction easements will be needed within the County right-of-way and adjacent privately owned parcels throughout the length of the project. It is anticipated that right-of-way acquisitions are anticipated. Should final plans indicate that additional parcels will be acquired for new right-of-way, a preliminary environmental screening, to determine presence or absence, (limited subsurface sampling and laboratory analysis) should be performed for potentially elevated levels of petroleum hydrocarbons and MTBE contamination within the limits of construction, and/or right-of way acquisition. If site screening encounters elevated levels of petroleum hydrocarbons and/or MTBE, a limited Phase II ISA should be performed. The Phase II ISA should consist of subsurface sampling and laboratory analysis and be of sufficient quantity to define the extent and concentration of contamination within the areal extent and depths of planned construction activities adjacent to these sites. The Phase II ISA should also provide both a Health and Safety Plan for worker safety and a Work Plan for handling and disposing contaminated soil during construction.</p>	Prior to Construction	County		
<p>HAZ-3: The Project will affect yellow thermoplastic pavement markings and other types or colors of street or municipal markings containing lead-based paint. If such markings are affected as a result of the project, such markings will be collected, tested, and/or disposed of in accordance with applicable regulations. Therefore, to avoid impacts from pavement striping during construction, it is recommended that testing and removal requirements for yellow striping and pavement marking materials be performed in accordance with Caltrans Standard Special Provisions for removing traffic stripes and pavement markings.</p>	Prior to and During Construction	County and Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
HAZ-4: To avoid negative impacts to residents and workers during and after construction, soils of nearby agricultural lands potentially containing pesticides shall be tested prior to construction.	Prior to construction	County		
HAZ-5: Soil levels within the borrow site shall be tested prior to construction due to presence of storage tanks, arsenic, hazardous waste, and other toxic substances on nearby properties. Further, a pipe with potential for asbestos was identified within the parcel of the borrow site during field reconnaissance. If it is determined during final design that construction activities would impact this pipe, a project specific Asbestos Sampling and Analysis Work Plan that establishes the procedures used to comply with requirements for asbestos abatement, including sampling and testing of suspected Asbestos Containing Materials, containment, transportation and disposal of Asbestos Containing Materials will be developed at least fifteen (15) days prior to beginning any sampling for suspected Asbestos Containing Materials.	Prior to construction	County		
HAZ-6: Any leaking transformers observed during the course of the project should be considered a potential polychlorinated biphenyl (PCB) hazard. A detailed inspection of individual electrical transformers was not conducted for this ISA. However, should leaks from electrical transformers (that will either remain within the construction limits or will require removal and/or relocation) be encountered during construction, the transformer fluid should be sampled and analyzed by qualified personnel for detectable levels of PCB's. Should PCBs be detected, the transformer should be removed and disposed of in accordance with Title 22, Division 4.5 of the California Code of Regulations and any other appropriate regulatory agency. Any stained soil encountered below electrical transformers with detectable levels of PCB's should also be handled and disposed of in accordance with Title 22, Division 4.5 of the California Code of Regulations and any other appropriate regulatory agency.	During Construction	County		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
HAZ-7: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction. For any previously unknown hazardous waste/ material encountered during construction, the procedures outline in Appendix E (Caltrans Unknown Hazard Procedures) shall be followed.	During Construction	Contractor		
HAZ-8: If the project area is anticipated to change (due to a change in the Project or staging area), further investigation for potential hazardous waste generators would be required to determine their impact to the revised project limits. The project area is not anticipated to change; therefore, additional searches are not anticipated at this time for the Project.	Prior to Construction	County		
HYDROLOGY AND WATER QUALITY				
WQ-1: The construction contractor shall adhere to the SWRCB Order No. 2013-0001-DWQ as National Pollutant Discharge Elimination System (NPDES) Permit pursuant to Section 402 of the CWA. Stanislaus County is designated within the NPDES Phase II General Permit. This General Permit applies to the discharge of stormwater from small municipal separate storm sewer systems (MS4s). Under this permit, stormwater discharges must not cause or contribute to an exceedance of water quality standards contained in the California Toxics Rule or the <i>Water Quality Control Plan for the Sacramento and San Joaquin Basin</i> (Basin Plan).	During Construction	Contractor		
WQ-2: To conform to water quality requirements, the SWPPP must include the following: <ul style="list-style-type: none"> • Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants must be a minimum of 100 feet from surface waters. Any necessary equipment washing must occur where the water cannot flow into surface waters. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan; 	During Construction	Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
<ul style="list-style-type: none"> • Construction equipment will not be operated in flowing water; • Construction work must be conducted according to site-specific construction plans that minimize the potential for sediment input to surface waters; • Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life shall be prevented from contaminating the soil or entering surface waters; • Equipment used in and around surface waters must be in good working order and free of dripping or leaking contaminants; and • Any concrete rubble, asphalt, or other debris from construction must be taken to an approved disposal site. 				
<p>WQ-3: Prior to the start of construction activities, the Project limits in proximity to jurisdictional waters must be marked with high visibility Environmentally Sensitive Area (ESA) fencing or staking to ensure construction will not encroach into jurisdictional waters.</p>	Prior to Construction	County and Contractor		
<p>WQ-4: Contract specifications will include the following best management practices (BMPs), where applicable, to reduce erosion during construction:</p> <ul style="list-style-type: none"> • Implementation of the Project will require approval of a site-specific SWPPP that would implement effective measures to protect water quality, which may include a hazardous spill prevention plan and additional erosion prevention techniques; • Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control; • Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities; • Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment to track the soil surface. Surface roughening or terracing reduces erosion 	Prior to and During Construction	Contractor		

Mitigation Measure	Reporting Milestone	Reporting / Responsible Party	VERIFICATION OF COMPLIANCE	
			Initials	Date
potential by decreasing runoff velocities, trapping sediment, and increasing infiltration of water into the soil, and aiding in the establishment of vegetative cover from seed.				
<p>NOISE</p> <p>NOI-1: To minimize the construction-generated noise, abatement measures from Standard Specification 14-8.02 "Noise Control" and SSP 14-8.02 must be followed:</p> <p>Do not operate construction equipment or run the equipment engines from 7:00 p.m. to 7:00 a.m. or on Sundays, with the exception that you may operate equipment within the project limits during these hours to:</p> <ul style="list-style-type: none"> • Service traffic control facilities • Service construction equipment • Equip an internal combustion engine with the manufacturer recommended muffler. • Do not operate an internal combustion engine on the job site without the appropriate muffler. 	During Construction	Contractor		
NOI-2: The County will incorporate rubberized asphalt into the Project design.	Prior to Construction	County		
TRA-1: Temporary impacts to traffic flow as a result of construction activities would be minimized through construction phasing and signage and a traffic control plan.	Prior to and During Construction	County and Contractor		

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Appendix G:

Distribution List

A Notice of Availability was distributed to all residences within 0.25 mile radius of the project area and to the following agencies and interested parties (unless IS hardcopies specified).

Stanislaus County Department of Public Works
Attn: Matt Machado
Director of Public Works
Stanislaus County
1716 Morgan Road
Modesto, CA 95358-5805
(IS hardcopy)

Federal Government

United States Fish and Wildlife Service
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

US Army Corps of Engineers, Sacramento District
ATTN: Regulatory Branch
1325 J Street, Room 1480
Sacramento, CA 95814-2922

State Government

California State Clearinghouse
P.O. Box 3044
Sacramento, CA 95812-3044
(IS hardcopy)

Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

California Department of Fish and Wildlife Region 4
1234 E. Shaw Avenue
Fresno, CA 93710

Natural Resources Conservation Service
Area Conservationist, Area 3
4974 East Clinton Avenue, Suite 114
Fresno, CA 93727

Local Elected Officials and Local Agencies

County Clerk-Recorder
1021 I Street, Suite 101
Modesto, California 95358

Stanislaus County Sheriff
250 E. Hackett Road
Modesto, CA 95358

City of Modesto
Mayor: Garrad Marsh
Charter City 1010 10th Street
Modesto, CA 95354

Salida Fire Station
1330 Ladd Road
Modesto, CA 95356

Salida Public Library
4835 Sisk Road
Salida, CA, 95368
(IS hardcopy)

Utilities

Modesto Irrigation District
P.O. Box 4060
Modesto, CA 95352-4060

Comcast
Kris Cook
6505 Tam O'Shanter Drive
Stockton, CA 95210

City of Modesto
Jeffrey Cortinas
Utilities Department
1010 10th Street, Suite 4600
Modesto, CA 95354


Pacific Gas & Electric
David Loomis
1524 N. Carpenter Road
Modesto, CA 95351

Vast
David Nelson
9479 N Fort Washington, Suite 105
Fresno, CA 93730

Appendix H:
Response to Public Comments

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Comment 1: Tony Wu (August 29, 2017)

	PUBLIC INFORMATIONAL MEETING
	McHenry Avenue Widening Project
Name: <u>TONY Wu</u>	Comment Card – August 29, 2017
Telephone (Optional):	[REDACTED]
Affiliation (Optional):	_____
Comment:	<u>I'd like to request for another noise measurement at [REDACTED] neighbors. In addition, I'd like to ask for another study/review of the sound/noise model for economic feasibility of a sound wall. Pls. feel free to contact me for further assistance & cooperations.</u>
	<u>Thanks, TONY Wu S.E.</u>
Do you want to be added to the project contact list?	
<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

Response 1: Thank you for the comment and your attendance at the public meeting.

- Thank you for the comment and your attendance at the public meeting. As part of Project design, the County has performed the required noise studies in compliance with Federal and State guidelines and regulations. After noise measurements were completed within the Project Area, the Federal Highway Administration Traffic Noise Model Version 2.5 (TNM 2.5) was used to develop future noise models for the Project and a no-build option. This process determined that current, as well as future noise levels, along McHenry Avenue will remain within Federal and State noise thresholds for residential areas (67 decibels). The rationality and/or economic feasibility for a larger or new sound wall to abate noise for Hartley Court residents was not considered further due to the noise modelling results remaining under Federal and State thresholds. Further, with the findings of the noise modeling, the County is not planning on performing additional noise measurement studies. If the residents would like to perform an independent noise study (at the homeowner's expense), the County would be happy to accept the subsequent results and compare them to the current modeling; however, the County anticipates that the measurements will maintain similar results under the defined thresholds. Additionally, if residents would like to acquire the McHenry Avenue Noise Study Report raw noise modeling data, and the TNM 2.5 model, the documents are available to download on the County's website <http://www.stancounty.com/publicworks/projects.shtm> (Scroll down and click on McHenry Avenue Widening).

- As a good faith measure to further mitigate and reduce noise in the Project vicinity, the Project will incorporate rubberized asphalt into the Project design. As reference to the benefits of rubberized asphalt, Sacramento County performed a 6-year study on traffic noise reduction benefits of rubberized asphalt, which documented an average reduction in noise levels by 4 decibels (Rubberized Asphalt Traffic Noise Reduction Study, 1999). The incorporation of rubberized asphalt into the Project Design would further reduce noise levels within the Project vicinity below Federal and State thresholds. The environmental document has been updated with measure NOI-2 to reflect this change.

Comment 2: Linda Hischier (August 29, 2017 & September 18, 2017)



PUBLIC INFORMATIONAL MEETING

McHenry Avenue Widening Project

Comment Card - August 29, 2017

Name: LINDA HISCHIER

Telephone (Optional): [REDACTED]

Address (Optional): [REDACTED]

Affiliation (Optional): NOISE CONCERNED HOMEOWNER

Comment: I request another noise study be conducted along the section specifically south of Stewart (during peak hours) Rd where the houses back up to McHenry Ave on the West side of McHenry, for economic feasibility of a sound wall along that specific area. I would be happy to have the noise measurement taken from my back yard. The noise I hear everyday had to be disclosed when I purchased the property. I am concerned that the noise from the increased traffic flow will significantly decrease my property value.

Do you want to be added to the project contact list?

YES NO
What other items can be done to reduce noise?
① - sound wall? ② - other? ③ - rubberized asphalt?
Linda Hischier, [REDACTED]

flow will significantly decrease my property value. Thank you for your consideration

From: Shoaib Ahrary [mailto:AHRARYS@stancounty.com]
Sent: Monday, September 18, 2017 10:41 AM
To: Amy Storck <astorck@dokkenengineering.com>
Cc: Namat Hosseinion <nhosseinion@dokkenengineering.com>; Chris Brady <bradyc@stancounty.com>; Sang Nguyen <NGUYENS@stancounty.com>
Subject: Fwd: McHenry Widening Project request for sound wall

More comments

>>> Linda Hischier <lhischier@sbcglobal.net> 9/15/2017 9:16 AM >>>

Hi Shoaib, I met you at the public hearing meeting the other day. Please add this email and attachment to my comment card that I submitted at the August meeting.

Respectfully request county consider a sound wall for us Del Rio residents who's backyard backs up to McHenry ave.

Attached is pages from my home purchase contract back in 2009. As you can see from pages 2 & 3 of the purchase contract, the realtor had to disclose 2 traffic noise issues in 2009, so imagine now with the widening traffic count. Without a sound wall, I am deeply concerned about decreased property values for our neighborhood. Which of course would lead to decreased revenue for the county property tax wise.


As I mentioned please consider and include this with me comment card.

Thank you...Linda Hischier. 209-484-0292


Response 2: Thank you for the comment and your attendance at the public meeting.

- Thank you for the comment and your attendance at the public meeting. As part of Project design, the County has performed the required noise studies in compliance with Federal and State guidelines and regulations. After noise measurements were completed within the Project Area, the Federal Highway Administration Traffic Noise Model Version 2.5 (TNM 2.5) was used to develop future noise models for the Project and a no-build option. This process determined that current, as well as future noise levels, along McHenry Avenue will remain within Federal and State noise thresholds for residential areas (67 decibels). The rationality and/or economic feasibility for a larger or new sound wall to abate noise for Hartley Court residents was not considered further due to the noise modelling results remaining under Federal and State thresholds. Further, with the findings of the noise modeling, the County is not planning on performing additional noise measurement studies. If the residents would like to perform an independent noise study (at the homeowner's expense), the County would be happy to accept the subsequent results and compare them to the current modeling; however, the County anticipates that the measurements will maintain similar results under the defined thresholds. Additionally, if residents would like to acquire the McHenry Avenue Noise Study Report raw noise modeling data, and the TNM 2.5 model, the documents are available to download on the County's website <http://www.stancounty.com/publicworks/projects.shtm> (Scroll down and click on McHenry Avenue Widening).
- As a good faith measure to further mitigate and reduce noise in the Project vicinity, the Project will incorporate rubberized asphalt into the Project design. As reference to the benefits of rubberized asphalt, Sacramento County performed a 6-year study on traffic noise reduction benefits of rubberized asphalt, which documented an average reduction in noise levels by 4 decibels (Rubberized Asphalt Traffic Noise Reduction Study, 1999). The incorporation of rubberized asphalt into the Project Design would further reduce noise levels within the Project vicinity below Federal and State thresholds. The environmental document has been updated with measure NOI-2 to reflect this change.

Comment 3: Dora Callahan (August 29, 2017)

 **PUBLIC INFORMATIONAL MEETING**
McHenry Avenue Widening Project
Comment Card – August 29, 2017

Name: Dora Callahan

Telephone (Optional) 

Affiliation (Optional): _____

Comment: I am concerned that the widening of the road will bring too much noise and disruption in addition to decreasing the value of my home. If you move forward with this project, I will request a fourteen foot wall to create a barrier from the additional noise.

Do you want to be added to the project contact list?
 YES NO

*Sincerely,
Citizen, taxpayer & registered voter.
Dora R Callahan*


Response 3: Thank you for the comment and for attending the public meeting.

- Thank you for the comment and your attendance at the public meeting. As part of Project design, the County has performed the required noise studies in compliance with Federal and State guidelines and regulations. After noise measurements were completed within the Project Area, the Federal Highway Administration Traffic Noise Model Version 2.5 (TNM 2.5) was used to develop future noise models for the Project and a no-build option. This process determined that current, as well as future noise levels, along McHenry Avenue will remain within Federal and State noise thresholds for residential areas (67 decibels). The rationality and/or economic feasibility for a larger or new sound wall to abate noise for Hartley Court residents was not considered further due to the noise modelling results remaining under Federal and State thresholds. Further, with the findings of the noise modeling, the County is not planning on performing additional noise measurement studies. If the residents would like to perform an independent noise study (at the homeowner's expense), the County would be happy to accept the subsequent results and compare them to the current modeling; however, the County anticipates that the measurements will maintain similar results under the defined thresholds. Additionally, if residents would like to acquire the McHenry Avenue Noise Study Report raw noise modeling data, and the TNM 2.5 model, the documents are available to download on the County's website

<http://www.stancounty.com/publicworks/projects.shtm> (Scroll down and click on McHenry Avenue Widening).

- As a good faith measure to further mitigate and reduce noise in the Project vicinity, the Project will incorporate rubberized asphalt into the Project design. As reference to the benefits of rubberized asphalt, Sacramento County performed a 6-year study on traffic noise reduction benefits of rubberized asphalt, which documented an average reduction in noise levels by 4 decibels (Rubberized Asphalt Traffic Noise Reduction Study, 1999). The incorporation of rubberized asphalt into the Project Design would further reduce noise levels within the Project vicinity below Federal and State thresholds. The environmental document has been updated with measure NOI-2 to reflect this change.

Comment 4: Sharon Ijams (August 29, 2017)

 **PUBLIC INFORMATIONAL MEETING**
McHenry Avenue Widening Project
Comment Card – August 29, 2017

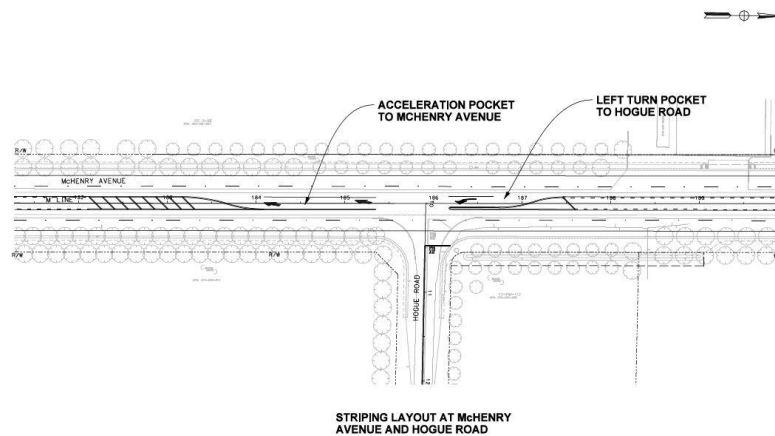
Name: Sharon Ijams
Telephone (Optional): _____ Address (Optional): [REDACTED]
Affiliation (Optional): _____

Comment: (1) Thank you for coming out and talking to us about this project. Great exhibits, and everyone was friendly and helpful. Much appreciated!
(2) Please stripe the two way center lane for a left turn only (southbound) at the entrance to Hogue Rd. This is a dangerous situation for those entering on McHenry from Hogue as it is proposed.
(3) WHY are you putting a sidewalk on the edge of orchards & fields? This is a waste of taxpayer's money, and is not consistent with a rural agricultural zoned area. If development occurs in the future, put the cost onto the developers. The only people walking on McHenry are the occasional transients.


Do you want to be added to the project contact list?
 YES NO

Response 4:

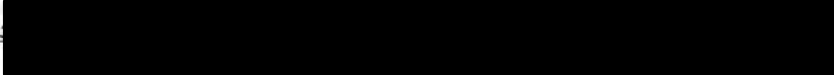
- 1) Thank you for your comment and your attendance at the public meeting.
- 2) Striping for a left turn only (southbound) lane at the entrance to Hogue Road will be incorporated into the project. The environmental document has been updated throughout to reflect this change. Please see the diagram below for representative project design.
- 3) The County has determined through public comment that sidewalk facilities will no longer be incorporated into the final project design.



Comment 5: Bernard Aggers (August 29, 2017)

 **PUBLIC INFORMATIONAL MEETING**
McHenry Avenue Widening Project
Comment Card - August 29, 2017

Name: BERNARD AGGERS

Telephone (Optional): 

Affiliation (Optional): _____

Comment: *How much of my land (FT) are you taking? Are you taking the same amount from both sides of street? Project adds 7' ft to street width 1/2 each side*

- What side of street will have side walks? We dont want side walks on East side*
- The berm on our frontage is for flood control / Irrigation, will it be rebuilt?*
- PG&E gas line - who pays to move it?*
- Captions for Figures 5 & 6 of slough are incorrect: East is actually West & West is East*
- Definition of "Project Area" red line - Will trees be removed up to red project line?*
- Will life impact study? No mention of impact on Beaver population in River*
- When & how will project be funded?*
- Who pays to move our MED Power Pole? This is our pole Not MID's*

Do you want to be added to the project contact list?

YES NO

- Will you provide an "apron" from street to our driveway? (PAVED)*
- When will you be buying / Paying for our lost trees & land?*

Response 5: Thank you for your comment and your attendance at the public meeting.

- Currently, final acreages of land acquisitions cannot be determined in detail. Final acreages will be determined during final design of the Project. Additionally, temporary construction easements will be required for equipment staging during construction. Please see the snapshot below of the right-of-way exhibit provided during the public meeting. At your property location, McHenry Avenue will be widened to the east, with the new curb and gutter placed to the west of McHenry Avenue along the new roadway.
- The County has determined through public comment that sidewalk facilities will no longer be incorporated into the final project design.
- The berm at the front of your property will be rebuilt as a part of the Project (See Figure 3. Project Features – Page 4 of 6).
- The PG&E gas line will be paid for and relocated by PG&E.
- Figures 5 and 6 have been updated to accurately depict correct east/west locations of Dry Slough.
- The Project Area is the area where work will need occur for the Project to be completed. Trees and vegetation will only be removed where necessary.
- During biological surveys, no beaver or sign of beaver activity was identified within the Project Area. The Project Area does not include any locations within the Stanislaus River, and thus no discussion of impacts to beaver were provided within the environmental document. No impacts to beaver or beaver populations are anticipated to occur as a result of the Project.


- The MID overhead utilities will be paid for and relocated by MID.
- The Project is included in the 2017 Federal Transportation Improvement Program, prepared by Stanislaus Council of Governments. The Federal and State funds are administered through Caltrans, Division of Local Assistance. This Project has the following sources of funding:
 1. Federal - Surface Transportation Block Grant Program
 2. State Regional Transportation Improvement Program
 3. Regional Traffic Impact Fees
 4. Measure L Funds
 5. Local Transportation Funds
- The Project would provide paved aprons for property driveways impacted throughout the Project.
- The project is estimated to acquire land and property after the appraisal process is complete in 2018.



Blue Dotted Line – Existing Right-of-Way
 Green Dotted Line – Temporary Construction Easement
 Solid Pink Line – Drainage Basin

Red Dotted Line – Proposed Right-of-Way
 Solid Orange Line – Existing Utilities

Comment 6: Jami Aggers (August 29, 2017)

 **PUBLIC INFORMATIONAL MEETING**
McHenry Avenue Widening Project
Comment Card – August 29, 2017

Name: Jami Aggers

Telephone (Optional): [REDACTED]

Affiliation (Optional): _____


Comment: - I attended the Aug. 29 meeting. The consultant stated that the sidewalk would be on the West side of McHenry down (South) to Stewart and at that point it would switch to the East side down to Ladd. Can you clarify if that's correct because there is an existing sidewalk on the West side of McHenry from Stewart, heading South part way down to Ladd.
- We do not need or want a sidewalk on the East side of McHenry s/o the bridge to Ladd*. These are Exclusive Ag zoned properties not slated for development and a sidewalk and even curbs would impede those activities such as harvesting. *Oreen to Stewart.
- To convert an Ag Zone to residential requires a vote/ballot measure.

Do you want to be added to the project contact list?
 YES NO


Response 6: Thank you for your comment and for attending the public meeting.

- The County has determined through public comment that sidewalk facilities will no longer be incorporated into the final project design.
- All legal access points for property owners and agricultural operations will be maintained as a component of the project. Further, all legal access points will be provided aprons for the roadway to driveway transition areas.
- The project will not require agricultural zoned lands to be converted to residential zoning and thus no vote/ballot measure would be necessary at this time.

Comment 7: Diane Crossfield (August 29, 2017)

 **PUBLIC INFORMATIONAL MEETING**
McHenry Avenue Widening Project
Comment Card – August 29, 2017

Name: Diane Crossfield

Telephone (Optional): 

Affiliation (Optional): _____

Comment: *Dr. Crossfield and I bought this property over 25 yrs ago & have a quiet little traffic, access to both the freeway and the City, and, of course, there has been no restriction of the loss to our privacy, property value, and with the loss of the granite, trees and things. When is the completion of the bridge (a necessary thing) and the "6 Lane highway" expected to end? As it now stands, the access to our driveway is extremely difficult, and I am concerned about the future traffic to our residence will be horrendous. I encourage the opinion of my neighbors, i.e. the adjacent owners, so please consider them as my opinion is also. There are so many alternatives that should have been considered before this undertaking!!!*

Do you want to be added to the project contact list? YES NO

Response 7: Thank you for your comment and for attending the public meeting.

- We understand your concerns regarding this project and the potential for it to change the existing character of your neighborhood. Property values are assessed based on a huge number of variables, many of which may change as a result of this project; however, not all the changes will necessarily be detrimental to existing property values. Exact changes to individual property values cannot be assessed, but many of the proposed project features have been designed to improve overall features in the region.
- While some trees adjacent to the McHenry Avenue Bridge over Dry Slough would be removed, such as those located along your property, numerous trees would remain in view of the widened bridge and all trees along the edge of construction would be trimmed rather than removed where possible. All temporary impacts to riparian areas would be re-contoured to pre-construction conditions, and re-vegetated with a native seed mix, and all permanent impacts will be mitigated for an on or off-site agency approved location or a combination of both.
- Sliver acquisition of the frontage of your property will be required for the road widening project. Negotiations for right of way will occur in 2018 after adoption of the environmental document.
- The construction of the bridge over the Stanislaus River (McHenry Avenue Corridor Improvements Project) is anticipated to be complete Spring of 2020. Please contact San Joaquin County at (209) 497-5111 for any questions or concerns regarding current construction activities in front of your house. The

McHenry Avenue Widening Project is anticipated to start construction in the spring of 2020 after the bridge project is complete. A traffic study was completed for the McHenry Avenue Widening project in 2016; which determined that the project would substantially improve traffic operations within the project corridor. Temporary impacts to traffic flow as a result of construction activities will be minimized through construction phasing, signage, and a traffic control plan. Construction of the road widening is anticipated to be complete in the fall of 2021.

- Due to additional public comment, the County further considered the need for sidewalks along McHenry Avenue. It has been determined that sidewalk facilities will no longer be incorporated into the final project design. All legal access points for property owners and agricultural operations will be maintained as a component of the project. Further, all legal access points will be provided aprons for the roadway to driveway transition areas. Additionally, the project will not require agricultural zoned lands to be converted to residential zoning and thus no vote/ballot measure would be necessary at this time.

Comment 8: California Department of Fish and Wildlife – Central Region
1234 East Shaw Avenue, Fresno, California 93710 (August 30, 2017)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



August 30, 2017

Shosib Ahray
Stanislaus County
1716 Morgan Road
Modesto, California 95358

Subject: McHenry Avenue Widening Project (Project); SCH#: 2017082045
Mitigated Negative Declaration

Dear Mr. Ahray:

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from Stanislaus County for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15388, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

alteration regulatory authority. (Fish & G. Code, § 1600 *et seq.*) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*), related authorization as provided by the Fish and Game Code will be required.

CDFW had jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: Stanislaus County

Objective: The Project proposes to widen the existing two-lane McHenry Avenue to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane) from the intersection of Ladd/Patterson Road to 0.25 miles south of the intersection with East River Road. This Project will not include widening or structural improvements to the McHenry Avenue Bridge over the Stanislaus River. As part of the widening of McHenry Avenue, the McHenry Bridge over Dry Slough will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approximately six miles southwest of the Project area or with fill taken from the other parts of the Project area. The Project will also include a drainage basin for stormwater runoff, as well as striping for four lanes and a center turn lane throughout the entirety of the Project from the intersection of Ladd/Patterson Road and McHenry Avenue, to the intersection of East River Road and McHenry Avenue.

Location: The Project site is located along McHenry Avenue from its intersection with Ladd/Patterson Road continuing north to 0.25 miles south of its intersection with East River Road, in Modesto.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Stanislaus County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

Swainson's Hawk:

Specific impacts: Swainson's hawk (*Buteo swainsoni*; SWHA), a species listed as threatened pursuant to CESA, has the potential to nest adjacent to the Project site. Potentially significant impacts that may result from Project-related activities include nest abandonment, loss of nest trees, loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality. Any take of SWHA without appropriate take authorization would be a violation of Fish and Game Code.

SWHA Mitigation Measure 1: To evaluate potential Project-related impacts, CDFW recommends that a qualified wildlife biologist conduct surveys for nesting SWHA following the survey methodology developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC, 2000) prior to Project implementation. The survey protocol includes early season surveys to assist the Project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities.

SWHA Mitigation Measure 2: If Project activities will take place during the SWHA nesting season (March 1 through August 31) and SWHA nests are present, CDFW recommends establishing a minimum no-disturbance buffer of 1/4 mile around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival, to avoid nest abandonment and other take of SWHA. If a 1/2-mile buffer is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the issuance of an Incidental Take Permit, pursuant to Fish and Game Code § 2081(b), is necessary to comply with CESA.

SWHA Mitigation Measure 3: CDFW recommends impacts to known nest trees be avoided at all times of year. SWHA exhibit high nest-site fidelity year after year and CDFW considers removal of known SWHA nest trees, even outside of the nesting season, a potentially significant impact under CEQA. Regardless of nesting status, if potential or known SWHA nest trees are removed, CDFW recommends they be replaced with an appropriate native tree species, planted at a ratio of 3:1, in an area that will be protected in perpetuity, to reduce impacts to SWHA from the loss of nesting habitat features.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database that may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code,

Shoaib Ahrary
Stanislaus County
August 30, 2017
Page 4

§ 21003, subd. (e). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

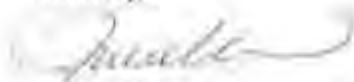
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the Stanislaus County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Jim Vang, Environmental Scientist, at (559)243-4014 extension 254 or Jim.Vang@wildlife.ca.gov.

Sincerely,



Julie A. Vance
Regional Manager

Shoalb Ahrary
Stanislaus County
August 30, 2017
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REFERENCES

SWHA TAC, 2000. Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley. Swainson's Hawk Technical Advisory Committee, May 31, 2000.

Response 8: The Project will follow the guidance provided by the California Department of Fish and Wildlife on August 30, 2017 as stated above related to Swainson's hawk mitigation measures.

Comment 9: Central Valley Regional Water Quality Control Board (September 7, 2017)



Central Valley Regional Water Quality Control Board

7 September 2017

Shoaib Ahray
County of Stanislaus
1716 Morgan Road
Modesto, CA 95358

CERTIFIED MAIL
91 7199 9991 7035 8360 3889

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE
DECLARATION, MCHENRY AVENUE WIDENING PROJECT, SCH# 2017082045,
STANISLAUS COUNTY**

Pursuant to the State Clearinghouse's 15 August 2017 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the McHenry Avenue Widening Project, located in Stanislaus County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.35, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases,

the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at:
http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturbs one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan.

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/caltrans.shtml.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the

¹ Municipal Permits - The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements (WDRs)

Discharges to Waters of the State

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

Local Agency Oversight

Pursuant to the State Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs. A county environmental health department may permit septic tank and leach field systems designed for less than 10,000 gpd. For more information on septic system regulations, visit the Central Valley Water Board's website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/owts/sb_owts_policy.pdf

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Risk General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the

Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of the waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit.

For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

McHenry Avenue Widening Project
Stanislaus County

- 7 -

7 September 2017

If you have questions regarding these comments, please contact me at (916) 464-4644 or
Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response 9: The Project will follow and maintain compliance with all permitting requirements as stated by the Central Valley Regional Water Quality Control Board guidance received September 7, 2017 including all requirements of the following permitting components:

- Construction Storm Water General Permit and SWPPP
- Phase 1 and II Municipal Separate Storm Sewer System (MS4) Permits
- Clean Water Act Section 404 Permit
- Clean Water Act Section 401 Permit – Water Quality Certification
- NPDES Permit

Comment 10: State of California Governor's Office of Planning and Research –
State Clearinghouse and Planning Unit (September 14, 2017)



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Lucy Allen
Director

September 14, 2017

Shouib Altray
Stanislaus County
4716 Morgan Rd
Modesto, CA 95358

Subject: McHenry Avenue Widening Project
SC#0: 2017082045

Dear Shouib Altray:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 13, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2017082045
Project Title McHenry Avenue Widening Project
Lead Agency Stanislaus County

Type MND Mitigated Negative Declaration
Description Stanislaus County proposes to widen the existing two-lane McHenry Ave to a total of five lanes (two north bound lanes, two south bound lanes, and one continuous left turn/median lane) from the intersection of Ladd/Patterson Rd to 0.25 mi south of the intersection with East River Rd. This project will not include widening or structural improvements to the McHenry Ave Bridge over the Stanislaus River (Bridge No. 38C-0032). As part of the widening of McHenry Ave, the McHenry Bridge over Dry Slough (Bridge No. 38C-0002) will be removed and replaced with a culvert topped with earthen fill from a disposal/borrow site located approx 6 mi south west of the project area or with fill taken from the other parts of the project area.

Lead Agency Contact

Name Shoab Ahrary
Agency Stanislaus County
Phone (209) 525-4133 **Fax**
email
Address 1716 Morgan Rd
City Modesto **State** CA **Zip** 95358

Project Location

County Stanislaus
City
Region
Lat / Long 37° 44' 56.2" N / 120° 59' 44.5" W
Cross Streets E. River Rd and Ladd/Patterson Rd
Parcel No. 004-102-005
Township 2S **Range** 0E **Section** 21 **Base**

Proximity to:

Highways 108
Airports
Railways
Waterways Stanislaus River
Schools
Land Use ag, low-density res, planned development

Project Issues: Aesthetic/Visual; Agricultural Land; Air Quality; Archeologic-Historic; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian

Reviewing Agencies: Resources Agency; Central Valley Flood Protection Board; Department of Fish and Wildlife, Region 4; Department of Conservation; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 10; Regional Water Quality Control Bd., Region 5 (Sacramento); Air Resources Board, Transportation Projects; Delta Protection Commission; Delta Stewardship Council; Native American Heritage Commission; State Lands Commission

Date Received 08/14/2017 **Start of Review** 08/15/2017 **End of Review** 09/13/2017

Note: Blanks in data fields result from insufficient information provided by lead agency.

Response 10: The Project is in compliance with the State Clearinghouse and Planning Unit with the above listed acknowledgement. The project has responded to all public comments and comments from agency representatives interested in the project.

