San Benito Route 156 Improvement Project

San Benito County, California

District 5 – SBt – 156 – PM 3.0/R8.2

05-344900

Final Environmental Impact Report/ Environmental Assessment with Finding of No Significant Impact

Prepared by the

State of California Department of Transportation

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

October 2008

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05-SBT-156-PM 3.0/R8.2
05-344900

Widen State Route 156 from The Alameda
in San Juan Bautista to 0.2 mile east of Fourth Street (Business Route 156) in San Benito County

FINAL ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL ASSESSMENT with Finding of No Significant Impact

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

STATE OF CALIFORNIA
Department of Transportation

10-10-08
Date of Approval

Carrie L. Bowen
Chief, Central Regional Environmental
California Department of Transportation

California Department of Transportation
Finding of No Significant Impact

FOR

San Benito 156 Improvement Project

The California Department of Transportation (Caltrans), as delegated by the Federal Highway Administration, has determined that Alternative 6 will have no significant impact on the human environment. This Finding of No Significant Impact is based on the attached Environmental Assessment, which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached Environmental Assessment and incorporated technical reports.

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

10-10-08
Date

Carrie L. Bowen
Carrie L. Bowen
Chief, Central Region Environmental
California Department of Transportation

Summary

Effective July 1, 2007, Caltrans has been delegated environmental review and consultation responsibilities under the National Environmental Policy Act pursuant to 23 U.S. Code 327.

Overview of Project Area

The San Benito Route 156 Improvement Project proposes improvements to State Route 156 between the cities of San Juan Bautista and Hollister in San Benito County. The 5.2-mile project begins within the eastern city limits of San Juan Bautista at The Alameda and ends west of Hollister, approximately 0.2 miles east of Fourth Street (Business Route 156) in San Benito County.

State Route 156 crosses the northern portion of San Benito County. It begins at U.S. 101 west of San Juan Bautista and passes through the cities of San Juan Bautista and Hollister, then continues to the San Benito/Santa Clara County line and connects with State Route 152 (See Figure 1-1).

State Route 156 is the only route that links the two incorporated cities in San Benito County: Hollister and San Juan Bautista. In Hollister, the State Route 156 Bypass skirts north of the city limits, while Business Route 156 passes through downtown Hollister. State Route 156 is currently a two-lane conventional highway between The Alameda (one of four surface roads in San Juan Bautista that connects to State Route 156) and its connection to the Hollister Bypass east of Union Road. West of the proposed project, State Route 156 is a four-lane expressway until it merges with U.S. 101. East of the proposed project, State Route 156 is a two-lane expressway that intersects with State Route 25 and ends at State Route 152 in Santa Clara County.

Purpose and Need

The purpose of the project is to improve route continuity, reduce congestion, and increase safety.

The project is needed because the two-lane conventional highway between the existing expressways creates a conflict between slow-moving trucks and farm equipment and fast-moving private vehicles, which results in congestion and a lower Level of Service. In addition to reducing congestion, a controlled access expressway or conventional highway with greater capacity would decrease the potential for traffic accidents and provide drivers a larger recovery zone.

Proposed Action

The California Department of Transportation (Caltrans) proposes to widen State Route 156 in San Benito County from two lanes to four lanes from The Alameda in San Juan Bautista to the Hollister Bypass, approximately 0.2 mile east of Fourth Street (Business Route 156) in San Benito County (See Figure 1-2).

Four alternatives were under consideration, including the No-Build Alternative. Due to public comments received during the two public hearings held on September 25 and 26, 2007, Alternative 6 was modified to shift the four-lane expressway to the south near Bixby Road to create room for waiting vehicles between the north frontage road and expressway, and to avoid the former San Justo School. The modification eliminated the northern shift of the frontage road at Bixby Road and the construction of a new intersection (see Figure 1-6). After circulation of the Draft Environmental Impact Statement/Environmental Assessment, Caltrans reviewed comments received from the public and agencies. Alternative 6 was selected as the preferred alternative based on engineering and environmental analysis, and community and agency input. While all the build alternatives would meet the purpose and need of the project, Alternative 6 would require less relocation of utilities and disruption of traffic, and would provide a safer route for any pedestrians, bicyclists, and school bus routes by providing a northern frontage road. This alternative, which proposes to use the existing State Route 156 as the northern frontage road, would eliminate the conflict between slower- and faster-moving traffic while maintaining the existing northern access (driveways) for property owners.

Maps showing Alternatives 2, 4A, and 6 are at the end of Chapter 1. All the Build Alternatives proposed would:

- Widen the bridge at San Juan Creek
- Raise sections of the highway up to five feet to prevent highway flooding
- Construct side drainage/detention channels and cross-culverts to maintain the existing drainage pattern
- Modify the existing compound curve (a curve with varying radii) near Union Road/Mitchell Road to a constant radius curve
- Shift the new alignment to the south between Bixby and Flint Roads to avoid the former San Justo School, determined eligible as a historic structure.

In addition, an Advisory Design Exception was approved for all the Build Alternatives. The design exceptions include the following:

- Decreasing the median width for all Build Alternatives from 62 to 30 feet from The Alameda to Breen Road/Mission Vineyard Road (PM 3.0/3.8), within the San Juan Bautista city limits
- Decreasing the median width for Alternatives 2 and 6 from 62 to 46 feet from Mission Vineyard Road (PM 3.8) to 0.2 miles east of Fourth Street/Business Route 156 (PM R8.2)
- Decreasing the median width for Alternative 4A for the expressway segment portion from 62 to 46 feet from Union Road/Mitchell Road (PM 7.1) to 0.2 miles east of Fourth Street/Business Route 156 (PM R8.2)

The design exceptions would decrease the amount of right-of-way needed for the project, reduce environmental impacts, and be consistent with the adjacent segments of State Route 156.

Alternative 2 would construct a four-lane divided expressway south of the existing State Route 156 with two-lane frontage roads north and south of the expressway. The existing State Route 156 would be used in place as the northern frontage road and would connect to Cagney Road on the west and to Mitchell Road on the east. The frontage road on the south would connect to Mission Vineyard Road on the west and to San Juan Hollister Road on the east creating a new four-way intersection with Union Road. An intersection without traffic signals would be constructed at State Route 156 with Cagney Road and Mission Vineyard Road. Total construction costs (2007 estimate) and right-of-way costs (2009 estimate) for Alternative 2 are $54,673,000. Total right-of-way acquisition would be 206 acres.

Alternative 4A would construct a four-lane conventional highway/expressway south of the existing State Route 156. No frontage roads would be constructed, but the existing State Route 156 would be used where needed to maintain access. Left-turn lanes would be constructed at Cagney Road/Mission Vineyard Road, Lucy Brown Lane, Bixby Road, Flint Road, and the Union Road and Mitchell Road intersection. Total construction costs (2007 estimate) and right-of-way costs (2009 estimate) for Alternative 4A are $41,513,000. Total right-of-way acquisition would be 128 acres.

Alternative 6 would construct a four-lane expressway south of the existing State Route 156 and use the existing State Route 156 as the northern frontage road. It would have two lanes for eastbound and westbound traffic and would connect Cagney Road on the west to Mitchell Road on the east. The existing access to the properties south of the highway would be consolidated via a private access easement to the State

Route 156/Bixby Road intersection. Total construction costs (2007/2008 estimate) and right-of-way costs (2009 estimate) for this alternative are $49,692,000. Total right-of-way acquisition would be 145 acres.

The No-Build Alternative would keep the roadway as it is—a two-lane conventional highway. The No-Build Alternative does not address the proposed project's Purpose and Need.

Other alternatives considered but rejected are addressed in Section 1.3.5, Alternatives Considered but Eliminated from Further Discussion.

Joint California Environmental Quality Act/National Environmental Policy Act Document

The proposed project is a joint project by the California Department of Transportation (Caltrans) and the Federal Highway Administration and is subject to state and federal environmental review requirements. Project documentation, therefore, has been prepared in compliance with both the California Environmental Quality Act and the National Environmental Policy Act. Caltrans is the lead agency under the California Environmental Quality Act. In addition, the Federal Highway Administration's responsibility for environmental review, consultation, and any other action required in accordance with applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S. Code 327.

Some impacts determined to be significant under the California Environmental Quality Act may not lead to a determination of significance under the National Environmental Policy Act. Because the National Environmental Policy Act is concerned with the significance of the project as a whole, it is quite often the case that a "lower level" document is prepared for the National Environmental Policy Act. One of the most commonly seen joint document types is an Environmental Impact Report/Environmental Assessment.

Table S.1 Summary of Major Potential Impacts from Alternatives

HUMAN ENVIRONMENT					
POTENTIAL IMPACT		ALTERNATIVE			
		2	4A	6	No Build
Land Use Is the project consistent with the General Plans of:	City of San Juan Bautista	Yes	Yes	Yes	No
	City of Hollister	Yes	Yes	Yes	No
	County of San Benito County	Yes	Yes	Yes	No
Farmlands/ Timberland	Total (acres)	187	109	145	None
	Prime/Unique (acres)	187	109	145	None
Community Character/ Cohesion		Not expected to result in any disruption or isolation of a community	Not expected to result in any disruption or isolation of a community	Not expected to result in any disruption or isolation of a community	None
Relocation Will the project result in any displacements of:	Utilities	The existing State Route 156 would remain in place; thereby, minimizing the relocation of the following utilities: PG&E - aerial electric lines and an underground high-pressure gas line AT&T - aerial lines, fiber optic, and copper lines San Benito Water District - water line Charter Communication - cable TV aerial lines	PG&E - aerial electric lines and an underground high-pressure gas line AT&T - aerial lines, fiber optic, and copper lines San Benito Water District - water line Charter Communications - cable TV aerial lines	The existing State Route 156 would remain in place; thereby, minimizing the relocation of the following utilities: PG&E - aerial electric lines and an underground high-pressure gas line AT&T - aerial lines, fiber optic, and copper lines San Benito Water District - water line Charter Communications - cable TV aerial lines	None

POTENTIAL IMPACT		ALTERNATIVE			
		2	4A	6	No Build
Relocation *(Continued)* Will the project result in any displacements of:	Businesses	None	None	None	None
	Housing	No residential housing would be displaced Displaces one warehouse, one pump house, and one barn	No residential housing would be displaced Displaces one warehouse, one pump house, and one barn	No residential housing would be displaced Displaces one warehouse, one pump house, and one barn	None
Traffic and Transportation/ Pedestrian and Bicycle Facilities		Levels of Service would be improved for local and through traffic Provides traffic, pedestrian, and bicycle access with the construction of frontage roads north and south of State Route 156	Levels of Service would be improved for local and through traffic Bicyclists and the occasional pedestrian would benefit from wider shoulders	Levels of Service would be improved for local and through traffic Provides traffic, pedestrian, and bicycle access with the construction of a frontage road north of State Route 156	No changes
Visual/Aesthetics		May construct a sound wall adjacent to Mission Farm RV Park Construction of a sound wall may require the removal of trees Raises the roadway (profile) up to five feet to prevent flooding Increases the cross-section (width) of the highway Highway drivers would see the rear elevation of the former San Justo School rather than the front	May construct a sound wall adjacent to Mission Farm RV Park Construction of a sound wall may require the removal of trees Raises the roadway (profile) up to five feet to prevent flooding Increases the cross-section (width) of the highway Highway drivers would see the rear elevation of the former San Justo School rather than the front	May construct a sound wall adjacent to Mission Farm RV Park Construction of a sound wall may require the removal of trees Raises the roadway (profile) up to five feet to prevent flooding Increases the cross-section (width) of the highway Highway drivers would see the rear elevation of the former San Justo School rather than the front	No changes
Cultural Resources		The project would have no effect on any historic properties.	The project would have no effect on any historic properties.	The project would have no adverse effect on any historic properties.	No changes

PHYSICAL ENVIRONMENT				
POTENTIAL IMPACTS	ALTERNATIVE			
	2	4A	6	No Build
Water Quality and Storm Water Runoff	Water-resistant surface area would increase with this alternative Additional drainage ditches would be constructed parallel to existing ditches to channel any additional storm water Storm water originating next to the highway would be channeled through culverts to maintain the current flow patterns	Water-resistant surface area would increase with this alternative Additional drainage ditches would be constructed parallel to existing ditches to channel any additional storm water Storm water originating next to the highway would be channeled through culverts to maintain the current flow patterns	Water-resistant surface area would increase with this alternative Additional drainage ditches would be constructed parallel to existing ditches to channel any additional storm water Storm water originating next to the highway would be channeled through culverts to maintain the current flow patterns	Periodic flooding of the highway would continue to occur.
Noise	Predicted noise level approaches or exceeds the Noise Abatement Criteria for outdoor residential use at six receptors	Predicted noise level approaches or exceeds the Noise Abatement Criteria for outdoor residential use at six receptors	Predicted noise level approaches or exceeds the Noise Abatement Criteria for outdoor residential use at six receptors	No changes
Hydrology and Floodplain	Would not constitute a significant floodplain encroachment Does not change pre-existing flooding patterns Combines on-site and off-site drainage Requires new cross culverts between Mission Vineyard Road and Lucy Brown Lane Raises the highway profile above floodwater, stores all highway runoff in side ditches, and disposes all highway drainage via a new drainage collection system	Would not constitute a significant floodplain encroachment Does not change pre-existing flooding patterns Combines on-site and off-site drainage Requires new cross culverts between Mission Vineyard Road and Lucy Brown Lane Raises the highway profile above floodwater, stores all highway runoff in side ditches, and disposes all highway drainage via a new drainage collection system	Would not constitute a significant floodplain encroachment Does not change pre-existing flooding patterns Combines on-site and off-site drainage Requires new cross culverts between Mission Vineyard Road and Lucy Brown Lane Raises the highway profile above floodwater, stores all highway runoff in side ditches, and disposes all highway drainage via a new drainage collection system	Periodic flooding of the highway would continue to occur.

BIOLOGICAL ENVIRONMENT				
POTENTIAL IMPACTS	ALTERNATIVE			
	2	4A	6	No Build
Wetlands and Other Waters	Constructs new drainage ditches requiring placement of fill into Waters of the U.S., affecting 0.01 acre permanently and 0.23 acre temporarily	Constructs new drainage ditches requiring placement of fill into Waters of the U.S., affecting 0.01 acre permanently and 0.23 acre temporarily	Constructs new drainage ditches requiring placement of fill into Waters of the U.S., affecting 0.01 acre permanently and 0.23 acre temporarily	No changes
Plant Species	Would not have an impact to any special-status plant species or natural communities of concern	Would not have an impact to any special-status plant species or natural communities of concern	Would not have an impact to any special-status plant species or natural communities of concern	No changes
Threatened and Endangered Species	Any California red-legged frog found during construction would require relocation. Capture and relocation increases the risk of death or injury to this species. No permanent net loss of California red-legged frog habitat	Any California red-legged frog found during construction would require relocation. Capture and relocation increases the risk of death or injury to this species. No permanent net loss of California red-legged frog habitat	Any California red-legged frog found during construction would require relocation. Capture and relocation increases the risk of death or injury to this species. No permanent net loss of California red-legged frog habitat	No changes
	"May effect, likely to adversely affect" the California tiger salamander during construction Construction activities restricted in upland and dispersal habitat; activities recommended between May 15 and October 15) Exclusionary fencing adjacent to non-native grasslands Pre-construction surveys Hand-excavation surveys	"May effect, likely to adversely affect" the California tiger salamander during construction Construction activities restricted in upland and dispersal habitat; activities recommended between May 15 and October 15) Exclusionary fencing adjacent to non-native grasslands Pre-construction surveys Hand-excavation surveys	"May effect, likely to adversely affect" the California tiger salamander during construction Construction activities restricted in upland and dispersal habitat; activities recommended between May 15 and October 15) Exclusionary fencing adjacent to non-native grasslands Pre-construction surveys Hand-excavation surveys	

CONSTRUCTION				
Construction Activities have potential to result in:	Temporary increase in air emissions from construction equipment, application of asphalt products, and construction grading Temporary traffic delays or detours Temporary increase in noise from construction equipment Temporary storm water runoff Temporary impact to California red-legged frog and its habitat Temporary impact to California tiger salamander and its habitat	Temporary increase in air emissions from construction equipment, application of asphalt products, and construction grading Temporary traffic delays or detours Temporary increase in noise from construction equipment Temporary storm water runoff Temporary impact to California red-legged frog and its habitat Temporary impact to California tiger salamander and its habitat	Temporary increase in air emissions from construction equipment, application of asphalt products, and construction grading Temporary traffic delays or detours Temporary increase in noise from construction equipment Temporary storm water runoff Temporary impact to California red-legged frog and its habitat Temporary impact to California tiger salamander and its habitat	No Changes

Coordination with Other Agencies

Environmental compliance for the proposed undertaking has included consultation with four federal and state agencies. The agencies, the permits they issue, and the status of those permits are presented in Table S.2.

Table S.2 Permits and Approvals Needed

Agency	Permit/Approval	Status
United States Fish and Wildlife Service	Section 7 Consultation for special-status species. Review and Comment on 404 Permit	Biological Opinion from the U.S. Fish and Wildlife Service was issued on September 19, 2008
United States Army Corps of Engineers	Section 404 Permit for filling or dredging waters of the United States	Application for Section 404 permit anticipated after final environmental document distribution
Regional Water Quality Control Board	Section 401 certification	Application for Section 401 permit anticipated after final environmental document distribution
California Department of Fish and Game	Section 1602 Streambed Alteration Agreement	Application for Section 1602 permit anticipated after final environmental document distribution

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List of Abbreviated Terms

Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
PM	post mile
PM_{10}	Particulate matter under 10 microns in diameter
RV	recreational vehicle

Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) proposes to widen from two lanes to four lanes and realign State Route 156 in San Benito County (See Figure 1-1) from "The Alameda" in San Juan Bautista to the Hollister Bypass, approximately 0.2 mile east of Fourth Street (Business Route 156) in San Benito County (see Figure 1-2). This existing 5.2-mile segment of State Route 156 is a two-lane conventional highway connecting with a four-lane expressway to the west and a two-lane expressway to the east. The highway serves slow-moving farm and truck traffic as well as faster-moving local and commuter traffic, often in congested conditions.

Access to properties bordering State Route 156 is now allowed for the entire length of the project. Local streets with connections to State Route 156 within the project limits include Breen Road, Mission Vineyard Road, Lucy Brown Lane, Bixby Road, Flint Road, Union Road, and Mitchell Road. Several unpaved, unnamed farm roads also connect to State Route 156 in the project area. The primary purpose of State Route 156 is to serve interregional traffic, but regional, local, and commuter trips dominate in Hollister.

The proposed project is fully funded in the 2008 State Transportation Improvement Program. All support costs and right-of-way capital are programmed from the New Programming Interregional Improvement Program. Construction capital is funded from a combination of the Interregional Improvement Program, New Programming Regional Improvement Program, and local (Council of San Benito County Governments) traffic impact fee funding.

In October 2006, the San Benito County Board of Supervisors unanimously adopted and passed a resolution identifying their three top transportation priorities: widening Highways 25, 152, and 156 to four lanes. The San Benito Council of Governments passed a similar resolution identifying their three top transportation priorities: widening State Routes 25, 152, and 156 to four lanes.

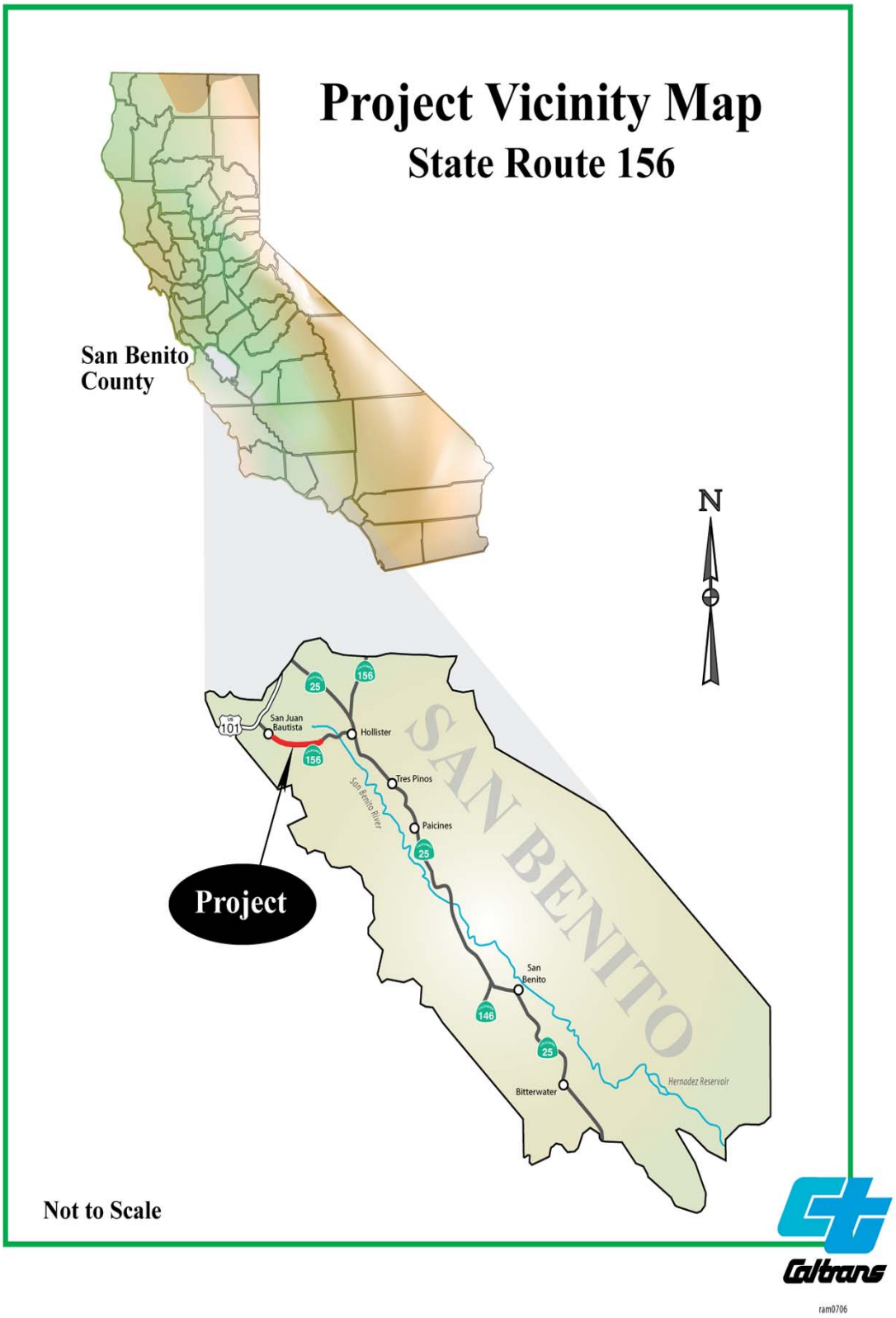


Figure 1-1 Project Vicinity Map

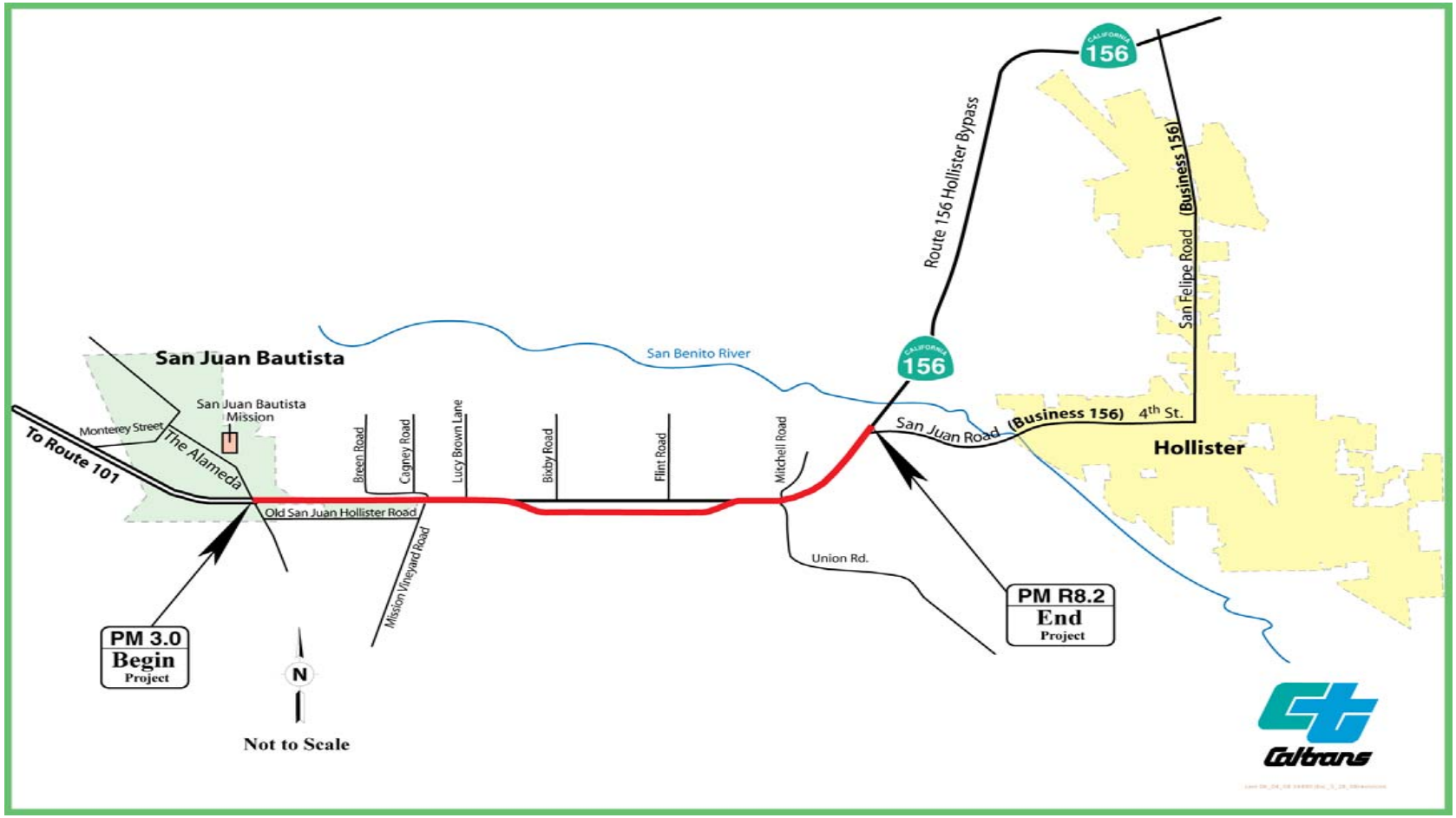


Figure 1-2 Project Location Map

1.2 Purpose and Need

The Purpose and Need Section of this document discusses the reasons for the proposed project and provides structure for the development of alternatives. In the alternative selection process, the alternatives are evaluated and compared on how well they meet the Purpose and Need, as well as the potential environmental and economic costs.

1.2.1 Purpose

The purpose of the proposed project is to:

- Reduce existing congestion and provide for future traffic needs
- Improve safety
- Improve route continuity

1.2.2 Need

Serving as a bedroom community for the Bay Area since about 1990, San Benito County, especially in the project area, has been growing rapidly. According to the U.S. Census Bureau, between 1990 and 2000, San Benito County's population increased by 45.1 percent, with most of the county's population growth in or near the two incorporated cities of Hollister and San Juan Bautista. (Between 2003 and 2004, however, population growth in the county slowed down and increased by only 1.4 percent.)

Economic growth in the neighboring county of Santa Clara has created pressure for residential growth in San Benito County where housing is more affordable. As a result, San Benito County's population growth rate has outpaced the State's and the proportion of employed persons commuting from San Benito County to Santa Clara County each day (and to a lesser extent to Monterey County) has grown. According to the U.S. Census Bureau, almost half of the residents in San Benito County, including its two incorporated cities, commute outside San Benito County for employment. The number of registered vehicles and registered drivers has also grown accordingly. This growth trend has increased demands on the regional transportation system.

Despite this growth, the county generally remains a low-density, rural, and agricultural area. Approximately 97 percent of the county is unincorporated land, with 90 percent being used as farmland, rangelands, forest, and public open space.

This segment of State Route 156 is the only link between Hollister and San Juan Bautista. Besides local commuter traffic, commercial trucks and agricultural equipment associated with the farms in the San Juan Valley, and tourists traveling between the San Joaquin Valley and coastal destinations use this segment of the highway. At peak hours traffic is heavy, resulting in congestion and conflicts between commuters and slower-moving agricultural traffic.

Additional safety concerns include:

- Flooding
- The lack of passing opportunities
- A compound curve at Union Road/Mitchell Road

The proposed project runs through farmland that has been leveled to improve cultivation. The leveling of farmland tends to increase runoff from irrigation and storm water onto the highway, which results in periodic flooding. This segment of the two-lane highway offers little opportunity for passing when traffic is heavy, which promotes conflict between slow- and fast-moving traffic. The curve at the intersection of State Route 156 and Union Road/Mitchell Road is constructed with varying or uneven radii that is more difficult for drivers to negotiate than a single radius, and no longer meets the standards set forth in the Caltrans Highway Design Manual.

The need for the proposed project is based on the following:

- Increasing congestion
- Lack of passing opportunities when slower trucks and agricultural vehicles conflict with passenger vehicles
- The existing non-standard compound curve
- Lack of continuous expressway on the route
- A history of flooding along the route

1.2.2.1 Congestion

Traffic data was collected during a mid-week morning and afternoon/evening peak hour during the month of May 2005. Caltrans completed a Traffic Analysis Report for the proposed project in July 2006 with data updated in March 2008. The 2006 traffic analysis was performed for the existing conditions (2005), as well as for the construction year (2011) and design year (2030) conditions with, and without, a project and was presented in the 2007 Draft Environmental Impact Report/Environmental Assessment. The additional traffic data in the Final

Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact was obtained from the updated 2008 traffic data that was performed for the existing conditions (2006), the construction year (2014), and the design year (2034).

According to the Caltrans Traffic and Vehicle Data Systems Unit and the 2008 traffic data, generally, for a two-way highway, truck traffic averages 13 to 15 percent of the total traffic volume. For this project, the average daily truck traffic is approximately 9.7 percent, with truck traffic averaging approximately 9 percent during peak-hour traffic between The Alameda (post mile 3.2) and Union Road (post mile 7.25).

Route capacity is measured in both traffic volume and quality of traffic flow. The average annual daily traffic count is the average number of vehicles that pass a given point within a 24-hour period. The Design Hourly Volume is defined as the one-hour vehicular volume in both directions of travel in the design year selected for highway design, which is usually 20 years following construction. Level of Service ranges from A to F, with a Level of Service A indicating free-flowing traffic and a Level of Service F indicating gridlock and stop-and-go conditions (see Figure 1-3).

The existing two-lane conventional highway within the project limits is designed to handle a maximum of 20,000 vehicles each day. According to the Caltrans Historical Traffic Data, traffic volumes for the segment of State Route 156 between The Alameda and Union Road has increased on an average from 14,000 vehicles in the year 1992, to 20,300 vehicles in the year 2000, to its current average volume of 26,200 vehicles. Table 1.1 shows the average annual daily traffic counts, the Design Hourly Volume, and Level of Service for this segment of the project for the year 2006 (existing conditions). The estimated Traffic and Level of Service with, and without the project, are also shown for the years 2014 (construction year) and 2034 (future conditions). Traffic conditions are further discussed in Section 2.1.6 Traffic and Transportation/Pedestrian and Bicycle Facilities.

Table 1.1 Average Annual Daily Traffic and Level of Service without Project

Year	Design Hourly Volume	Average Annual Daily Traffic (number of Vehicles)	Level of Service
			Without Project
2006	2,400	26,200	E
2014	2,920	29,344	F
2034	4,221	37,531	F

Source: Caltrans Traffic Operations

According to the current Highway Capacity Manual (2000), the level of service for Class 1 two-lane highways is measured based on two measures of effectiveness: percent of time spent following and average travel speed. The Highway Capacity Manual 2000 considers a Class I two-lane highway a highway that generally serves long-distance trips or provides connecting links between roadways that serve long-distance trips; whereas, a Class II two-lane highway is a highway that generally serves relatively short trips, the beginning and ending portions of longer trips, or trips for which sightseeing activities play a significant role in route choice. State Route 156 is considered a Class I two-lane highway.

During the peak-hour traffic, a Level of Service C is considered satisfactory for rural areas and Level of Service D is considered satisfactory for urban areas. Since 1997, peak-hour traffic on State Route 156 within the project area has been at Level of Service E, but within only three years, in 2011, peak-hour traffic is predicted to be at Level of Service F. Level of Service F applies whenever traffic exceeds the capacity of the road. Figure 1-3 shows the level of service criteria for two-lane highways.

LEVELS OF SERVICE

for Two-Lane Highways

Level of Service	Flow Conditions	Operating Speed (mph)	Technical Descriptions
A		55+	Highest quality of service. Free traffic flow with few restrictions on maneuverability or speed. **No delays**
B		50	Stable traffic flow. Speed becoming slightly restricted. Low restriction on maneuverability. **No delays**
C		45	Stable traffic flow, but less freedom to select speed, change lanes or pass. **Minimal delays**
D		40	Traffic flow becoming unstable. Speeds subject to sudden change. Passing is difficult. **Minimal delays**
E		35	Unstable traffic flow. Speeds change quickly and maneuverability is low. **Significant delays**
F			Heavily congested traffic. Demand exceeds capacity and speeds vary greatly. **Considerable delays**

Source: 2000 HCM, Exhibit 20-2, LOS Criteria for Two-Lane Highways in Class 1

Figure 1-3 Levels of Service for Two-Lane Highways in Class 1

1.2.2.2 Safety

Compound Curve

The lane width, shoulder width, and slope of the existing highway meet Caltrans design standards, but the curve at the intersection of State Route 156 and Union Road/Mitchell Road does not. The curve is considered a compound curve, or a curve with varying, or uneven, radii.

Current Caltrans highway design standards avoid compound curves because drivers who have adjusted to the first curve could overcompensate on the second curve if it has a smaller radius than the first curve. By realigning a compound curve into one consistent curve, the frequency and severity of collisions will be reduced.

Continuous Expressway

State Route 156 is currently a two-lane conventional highway between The Alameda and its connection to the Hollister Bypass east of Union Road. West of the proposed project, State Route 156 is a four-lane expressway and east of the proposed project, State Route 156 is a two-lane expressway. Build Alternatives 2 and 6 would convert the existing segment of conventional highway between the existing expressways to an expressway, thus creating a continuous expressway of approximately 15 miles. State Route 156 would remain a conventional highway with Build Alternative 4A, but the additional eastbound and westbound lanes would help reduce traffic conflicts along the route.

Conflicts with Slow-Moving Traffic

Table 1.2 shows the number of actual accidents that occurred on State Route 156 between The Alameda and Fourth Street/Business Route 156 (post miles 3.0 to 8.2) from July 1, 2003 to June 30, 2006. According to the California Highway Patrol, the types of accidents typical of crowded highways are rear-end collisions, sideswipes, and failures to yield. Over half of the accidents shown in Table 1.2 were rear-end collisions (58.8 percent) and 6.3 percent were sideswipes. Rear-end collisions indicate speed differences; i.e., fast versus slower-moving traffic. The higher incidence of rear-end collisions supports the need to reduce conflicts between faster-moving interregional traffic and slower-moving local commuter and farm equipment.

The actual accident rates along State Route 156 within the project limits are lower than the state average for similar highways except at the Lucy Brown intersection. The actual accident rate for that intersection is 0.10 percent higher than the State average.

Table 1.2 Accidents within the Project Area

(Between July 1, 2003 and June 30, 2006)

Location Description	Number of Accidents				Accident Rate					
					Actual			State Average		
	Total	Fatal	Injury	Fatal & Injury	Fatal	Fatal & Injury	Total	Fatal	Fatal & Injury	Total
San Benito Route156 Project area Post mile 3.0/R8.2	102	1	31	32	0.007	0.23	0.72	0.034	0.40	0.82
The Alameda Post mile 3.02	4	0	1	1	0.000	0.03	0.13	0.003	0.23	0.58
Mission Vineyard Post mile 3.83	1	0	0	0	0.000	0.00	0.04	0.008	0.16	0.33
Lucy Brown Lane Post mile 4.41	9	0	3	3	0.000	0.11	0.32	0.004	0.10	0.22
Bixby Road Post mile 5.42	3	0	0	0	0.000	0.00	0.11	0.004	0.10	0.22
Flint Road Post mile 6.43	4	0	2	2	0.000	0.07	0.14	0.004	0.10	0.22
Mitchell Road/Union Road Post mile 7.25	8	0	4	4	0.000	0.13	0.26	0.008	0.16	0.33
Fourth Street Business 156 Post mile R8.0	12	0	2	2	0.000	0.08	0.46	0.001	0.19	0.50

Source: Caltrans Traffic Operations; Total number of accidents includes property damage only accidents.

Flooding

The highway has a long history of flooding, particularly between Mission Vineyard Road and Lucy Brown Lane. The Federal Emergency Management Agency (FEMA) Flood Insurance Study for the San Juan Creek notes the watershed size is 19.1 square miles at the State Route 156 crossing. In the last several years, Caltrans Hydraulics and Design engineers conducted several studies and investigations to define and quantify the drainage problems within the project area. Meetings were conducted with members of San Benito Council of Government, the San Juan Bautista city manager, the president of the local farm bureau, the California Highway Patrol captain, and the San Benito County Water District manager.

Several field investigations were made along with the above meetings. Caltrans engineers obtained from the San Benito County Water District manager copies of the San Juan Valley Drainage Improvement Draft Report and as-built drawings of water lines and utilities along Highway 156.

Caltrans Hydraulics Unit prepared the most recent hydraulic study on March 20, 2000, conducted an investigation of local flooding problems at the Lucy Brown

intersection with Highway 156 on August 17, 2000, and calculated the flows generated from different drainage areas along both sides of the highway.

Whether there are flood control facilities appears to be a matter of opinion. According to the San Benito County Water District, there is a floodway along the stream channels, and the channel capacity of some areas of the San Juan Creek between San Juan Bautista and the San Benito River have been estimated as sufficient to convey between a 2-year and 5-year flood. This makes the channel's floodway area important in conveying all flood flows larger than the channel's capacity, and makes it an integral part of the flood management system.

However, Caltrans' hydraulics studies conclude that there are no significant flood control facilities within the influence of this project, and State Route 156 is located on the flat San Juan Valley floor where the stream channels have limited capacity because often these stream channels are choked with vegetation, causing the waters to exceed channel capacities during major floods. The overflow generally spreads out as slow-moving shallow flooding. Runoff and flooding occur behind irrigation canal levees and road embankments that cross the area.

Furthermore, Caltrans contends local farming and irrigation practices complicate area drainage. However, the San Benito County Water District and Caltrans do not agree on these issues, either, especially whether the area has been re-graded (laser-planed) without consideration for the overall drainage patterns. The County Water District maintains there have been some areas that have been laser-leveled within the San Juan Valley, but these grading projects have served merely to provide more of a planar (level) condition that still follows the existing ground slope, and that if the overall drainage pattern of the land was not considered, the laser leveling would require significantly greater movement of soil.

Caltrans field studies have found that the natural watershed creek beds have been ditched, bermed, and/or obliterated. Farmers have channeled the water around their properties to maximize the amount of available land. When it rains, water is rerouted to the property lines and eventually ends up on the local county roads and ultimately the state highway. Roadside ditches, intended to hold highway runoff, have become drainage canals carrying offsite storm runoff to San Juan Creek. The San Benito County Water District does not agree with Caltrans assessment and maintains that the county roads and state highway are elevated along most property boundaries and that these roads become dams for excess flows. The District contends that ponding and

overtopping typically occur unless cross culverts are provided to allow water to pass. The flow typically moves along the edge of the roadway until it overtops the roadway, and then is conveyed as overland flow through an adjacent property.

Prior to Caltrans studies, the San Benito County Water District performed a study to install a system to drain floodwater directly into the San Benito River. The study was performed in the late 1990s and was limited to areas north of State Route 156 and east of Lucy Brown Lane. The study did not include the entire San Juan Basin, but reviewed the costs for installation of storm drain pipelines from State Route 156 north to the San Benito River along some of the roadway's right-of-way. The project was not implemented.

The worst area of flooding is the San Juan Creek area north of San Juan Bautista. In a meeting in February 2000, the San Benito County Water District confirmed that the existing creeks/channels are grossly undersized and overwhelmed during major storm events. In the past, the farmers have attempted to maintain the creek bottoms but have experienced intervention from the U.S. Fish and Wildlife Service because some of the waterways in the area, particularly the San Juan Creek, have been determined habitat for threatened and endangered species, such as the California red-legged frog. Over time and adding to the situation, Caltrans' maintenance work has made the streambed lower than the upstream creek, which results in a tendency for water to backup at the highway. In comparison, based on the hydraulic studies conducted by Caltrans, the existing bridge crossing at San Juan Creek appears adequate; whereas, the San Benito County Water District maintains that according to their study, the existing bridge has created an increased upstream water level due to the encroachment of the floodway and flow constriction at the bridge entrance. The District's study asserts that this constriction creates relatively high velocities through the bridge opening, which could be causing the erosion of the streambed at the bridge. The District contends that before the realignment of State Route 156 in the mid-1950s, the lower elevation bridges along San Juan Hollister Road (the former state highway) created a more limited floodplain encroachment compared to the existing roadway.

Although Caltrans and the San Benito County Water District have different opinions on why there is flooding, both agencies agree that flooding is a concern for the project area. All Build Alternatives would elevate the current profile of the highway and provide drainage systems for storm water runoff. The elevated roadway and additional drainage capacity would prevent driving hazards, such as pooling and flooding.

During the design phase of the project, Caltrans will prepare a more detailed Hydraulic Analysis to size the new bridge and minimize potential floodplain impacts; however, it is not Caltrans' intention to address the regional flooding issues with the construction of the San Benito 156 Improvement Project.

1.3 Alternatives

This section describes the proposed action and the design alternatives that were developed by an interdisciplinary team to achieve the project purpose while avoiding or minimizing environmental impacts. Several criteria were taken into consideration when evaluating the various alternatives for the proposed project, including project Purpose and Need, cost, congestion relief, improved safety, farmland impacts, and specific environmental impacts; such as Section 4(f) resources.

Section 4(f) of the Department of Transportation Act of 1966, codified in federal law at 49 U.S. Code 303, declares that "it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites."

Section 4(f) specifies that the Secretary [of Transportation] may approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance (as determined by the federal, state, or local officials having jurisdiction over the park, area, refuge, or site) only if:

- there is no prudent and feasible alternative to using that land and
- the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

The proposed project has potential to affect six eligible historic properties (See Section 2.1.8 Cultural Resources).

Seven Build Alternatives were considered and withdrawn from further consideration and are discussed in Section 1.3.5. Three Build Alternatives, (Alternatives 2, 4A, and 6), and the No-Build Alternative remain under consideration.

1.3.1 Build Alternatives

Common Design Features of the Build Alternatives

All Build Alternatives under consideration would:

- Widen the existing two-lane highway to a four-lane divided highway between The Alameda and the Hollister Bypass east of Union Road
- Rehabilitate the existing bridge over San Juan Creek
- Construct a second bridge over San Juan Creek
- Construct a sound wall at the Mission Farm RV Park
- Replace a culvert at Mission Vineyard Road
- Raise sections of the highway up to five feet to prevent highway flooding
- Construct side drainage/detention channels and cross-culverts to maintain the existing drainage pattern
- Modify the existing compound curve (a curve with varying radii) near Union Road/Mitchell Road to a constant radius curve
- Shift the new alignment to the south between Bixby and Flint Roads to avoid the former San Justo School, determined eligible as a historic structure

In addition, design exceptions were approved for all the Build Alternatives to reduce farmland conversion. The design exceptions include the following:

- Decreasing the median width for all Build Alternatives from 62 to 30 feet from The Alameda to Breen Road/Mission Vineyard Road (PM 3.0/3.8), within the San Juan Bautista city limits
- Decreasing the median width for Alternatives 2 and 6 from 62 to 46 feet from Mission Vineyard Road (PM 3.8) to 0.2 miles east of Fourth Street/Business Route 156 (PM R8.2)
- Decreasing the median width for Alternative 4A for the expressway segment portion from 62 to 46 feet from Union Road/Mitchell Road (PM 7.1) to 0.2 miles east of Fourth Street/Business Route 156 (PM R8.2)

The reduced median width proposal is consistent with the adjacent segments of State Route 156. To the west, State Route 156 is a four-lane expressway with a 22-foot median width, and the segment to the east is a two-lane expressway on a four-lane expressway right-of-way with a planned 46-foot median width.

The design exceptions decrease the amount of right-of-way needed for the project, eliminate relocation of homes or businesses, minimize or eliminate impacts to the

redwood trees south of the highway, and reduce farmland conversion (See Section 2.1.3, Farmland).

Alternative 2

Alternative 2 would construct a four-lane divided expressway south of the existing State Route 156 with a frontage road north and south of the expressway. The frontage roads would have two lanes for eastbound and westbound traffic. Existing State Route 156 would be used in place as the northern frontage road, which would connect to Cagney Road on the west and to Mitchell Road on the east. The frontage road on the south would be constructed on new alignment and connect to Mission Vineyard Road on the west and to San Juan Hollister Road on the east, intersecting Union Road. The new alignment would shift south near Flint Road to avoid the former San Justo School. An intersection without traffic signals would be constructed at Cagney Road/Mission Vineyard Road. Total construction costs (2007 estimates) and right-of-way costs (2009 estimates) for this alternative are $54,673,000. Total right-of-way acquisition is 187 acres.

Alternative 4A

Alternative 4A would construct a four-lane conventional highway/expressway south of the existing State Route 156 with portions of the existing State Route 156 used for westbound traffic from The Alameda to Mission Vineyard, and from Union Road to the end of the project. Near Flint Road, where the proposed highway shifts south to avoid the former San Justo School, the existing State Route 156 would be used for access. Left-turn lanes would be constructed at Cagney Road/Mission Vineyard Road, Lucy Brown Lane, Bixby Road, Flint Road, and the Union Road/Mitchell Road intersection. Total construction costs (2007 estimates) and right-of-way costs (2009 estimates) for this alternative are $41,513,000. Total right-of-way acquisition is 109 acres.

Alternative 6

Alternative 6 would construct a four-lane expressway south of the existing State Route 156 with a frontage road north of the new alignment. This alternative proposes to use the existing State Route 156 in place as a frontage road. The frontage road on the north would have two lanes for eastbound and westbound traffic and would connect Cagney Road on the west to Mitchell Road on the east. Near Bixby Road, the four-lane expressway would shift south to eliminate the need to realign the existing State Route 156 (northern frontage road) and to avoid the former San Justo School

(now a residence). This shift would also create room for traffic between the north frontage road and expressway waiting to turn at the unsignalized intersection of the new alignment and Bixby Road. The intersection would provide access opening to the expressway from the north frontage road and the south access easements. The alternative proposes consolidated private driveways (access easements) for the adjacent property parcels on the south side of the expressway. Total construction costs (2007/2008 estimates) and right-of-way costs (2009 estimates) for this alternative are $49,690,000. Total right-of-way acquisition is 145 acres. Please note that this alternative was modified as per public comments received during the public hearings held for the project in September 2007. This modification eliminates work north of the existing State Route 156 at Bixby Road and provides ~~a~~ safer access for emergency response vehicles, reduces the conversions of farmland, and minimizes excess parcels, minimizes utility relocation, and reduces the disruption of traffic during construction. Figure 1-6 displays Alternative 6, as modified.

1.3.2 No-Build Alternative

The No-Build Alternative provides a baseline for consideration of other alternatives and may be preferred if other alternatives have significant impacts on the environment, do not serve the stated Purpose and Need, or are not economically feasible.

The No-Build Alternative would keep the roadway as is, a two-lane conventional highway. Routine maintenance would continue. Future operational and safety improvements may be considered. Any future improvements would require a separate design process and may require additional environmental studies. In addition, the No-Build Alternative would not meet the Purpose and Need of the proposed project because it would not:

- Reduce existing congestion
- Provide for future traffic needs
- Improve safety
- Improve route continuity
- Correct non-standard features (curves)
- Improve highway drainage.

1.3.3 Comparison of Alternatives

Table 1.3 compares the three Build Alternatives and the No-Build Alternative. Criteria for evaluating alternatives include project Purpose and Need issues, project

cost, and potential environmental effects of the proposed project. The three Build Alternatives are similar for many of the evaluation criteria. Any of the Build Alternatives would relieve traffic congestion and increase safety by providing additional travel lanes. Route continuity would be enhanced. The conflict between inter-regional travelers and slower-moving traffic would be reduced with the construction of additional travel lanes, wider shoulders, and frontage roads.

The comparison in Table 1.3 shows that Alternative 2 would provide the greatest congestion reduction, but would also have the most potential effect on the natural and man-made environment. Alternative 6, similar to Alternative 2, would leave the existing State Route 156 in place as a frontage road north of the roadway. Alternative 6 provides less congestion reduction than Alternative 2, but has fewer potential effects on the natural environment and eliminates the relocation of most of the utilities along the existing highway. Alternative 4A would correct the roadway and provide some congestion relief. Alternative 4A also has the least potential for natural environmental effects, but would require the relocation of utilities like Alternative 2, because the new roadway would be constructed south of the existing State Route 156. Alternative 4A does the least to meet future traffic needs.

Table 1.3 Comparison of Alternatives

Evaluation Criteria	Alternative 2	Alternative 4A	Alternative 6	No-Build Alternative
Reduces Congestion	Provides the greatest congestion reduction	Provides the least reduction in congestion	Provides a greater reduction in congestion than Alternative 4A	Provides no reduction in congestion
Provides for Future Demand	Alternatives 2 and 6 would be the most effective in meeting future demand	Less effective in meeting future demand than Alternatives 2 and 6	Alternatives 2 and 6 would be the most effective in meeting future demand	Does not accommodate future demand.
Improves Safety	Alternatives 2 and 6 would provide the greatest improvement to safety	Provides the least improvement to safety	Alternatives 2 and 6 would provide the greatest improvement to safety	Provides no improvement in safety
Reduces Traffic Conflicts	Provides the greatest minimization of conflicts	Provides the least minimization of conflicts	Provides a greater minimization of conflicts than Alternative 4A	Provides no minimization of conflicts
Provides Route Continuity	Alternatives 2 and 6 create a continuous expressway between Routes 101 and 25	Interim improvement to route continuity	Alternatives 2 and 6 create a continuous expressway between Routes 101 and 25	No Improvement of route continuity
Corrects Roadway Deficiencies	Raises the profile, enhances drainage system, and corrects curve	Raises the profile, enhances drainage system, and corrects curve	Raises the profile, enhances drainage system, and corrects curve	Does not correct highway deficiencies
Minimizes Environmental Impact	Converts 187 acres of farmland	Requires 109 acres, the least amount of farmland	Converts 145 acres of farmland	No effect on the environment
Cost	$54,673,000	$41,513,000	$49,690,000	Maintenance and repair costs only

Locally Preferred Alternative

On May 6, 2008, the San Benito County Board of Supervisors voted in favor of Alternative 6 as the preferred alternative. In February 2008, the Council of San Benito County Governments chose Alternative 6 as the preferred alternative and on May 9, 2008 voted to amend the 2008 San Benito County Regional Transportation Improvement Program. The project is fully funded from the 2008 State Transportation Improvement Program.

In opposition of any of the build alternatives is the City of San Juan Bautista, which recently passed their third resolution against the widening of State Route 156 in preference for an alternative east-west corridor to the north, although the

Transportation Element of the City's General Plan includes widening State Route 156 to four lanes between The Alameda and Hollister.

According to the City of San Juan Bautista's website, the San Juan Bautista City Council had previously reached a compromise with the San Benito County Board of Supervisors and the Council of San Benito County Governments for a minimal footprint: an at-grade four-lane expansion of State Route 156. The vote by the Board of Supervisors in favor of Alternative 6 invalidated that compromise and the San Juan Bautista City Council is now calling for improvements on State Route 156 to be limited to safety improvements to the existing two-lane highway and the removal of through truck traffic.

Caltrans initiated a System Analysis Study of Focus Routes 101, 152, and 156 in 2007 in cooperation with the Council of San Benito County Governments, the Santa Clara Valley Transportation Authority, the Association of Monterey Bay Area Governments, the Merced County Association of Governments, and the Metropolitan Transportation Commission. The study investigated potential investments in the roadway system designed to improve east-west travel through the region, and analyzed eight scenarios comprehensively. These scenarios corresponded, for the most part, to the alternatives proposed in the Santa Clara Valley Transportation Authority's *Southern Gateway Transportation and Land Use Study, Final Report* from August 2006. The environmental analysis for the System Analysis Study was prepared from a regional planning level rather than a single corridor or project-by-project level. The preliminary analysis determined that all of the scenarios evaluated would likely result in some level of adverse environmental impacts, primarily involving scenic resources, farmlands, biological resources (sensitive species, wildlife movement corridors, wetlands), and cultural resources, including Section 4(f) resources. The estimated cost for each scenario was over $1 billion because several of the scenarios required multiple bridges, railroad crossings, intersections, and acres of right-of-way acquisition.

1.3.4 Identification of the Preferred Alternative

Four alternatives were under consideration, including the No-Build Alternative. Due to public comments received during the two public hearings held on September 25 and 26, 2007, Alternative 6 was modified to provide a safer route for emergency response vehicles. After circulation of the Draft Environmental Impact Report/Environmental Assessment, Caltrans selected Alternative 6, as modified, as the preferred alternative based on engineering and environmental analysis, and

community and agency input. While all the build alternatives would meet the purpose and need of the project, Alternative 6 requires minimal relocation of utilities, reduces the amount of farmland converted, and minimizes the disruption of traffic during construction. It also provides a safer route for pedestrians, bicyclists, and school transportation by removing this type of traffic from the expressway, while maintaining the existing northern residential access (driveways) for property owners and eliminating work north of existing State Route 156 at Bixby Road.

1.3.5 Alternatives Considered but Eliminated from Further Discussion

Ten Build Alternatives were developed and studied by the Project Development Team (comprised of Caltrans personnel from different functional branches, the Federal Highway Administration, local and state agency representatives, and other stakeholders). Seven of these alternatives were rejected because they did not reduce environmental impacts or they were not feasible to construct.

Alternative 1

Alternative 1 proposed a four-lane expressway with two-lane frontage roads, north and south, with the mainline alignment passing directly through the former San Justo School, a property eligible for the National Register of Historic Places. Moving the former school building was considered but rejected due to adverse effects under Section 106 of the 1966 National Historic Preservation Act and impacts under Section 4(f) of the 1966 Department of Transportation Act; the potential to damage the building; and the high costs for right-of-way acquisition. In addition, Nyland Road was to be extended as part of the new frontage road directly in front of the John Breen Adobe, also a historic property (See Section 2.1.8, Cultural Resources), constituting a potential adverse effect to that historic property. This alternative was dropped from further study in 2001 because it did not reduce environmental impacts.

Alternative 2A

This alternative proposed a four-lane expressway with two-lane frontage roads north and south, with the mainline alignment similar to Alternative 2 but shifting north of the former San Justo School. While this alternative avoided the former San Justo School building, this alignment potentially displaced three homes and a business. Right-of-way was required from approximately 27 parcels. This alternative was withdrawn in August 2003 because it did not reduce environmental impacts.

Alternative 3

This alternative proposed a four-lane highway/expressway with no frontage roads. The mainline passed directly through the former San Justo School building. Moving the former school building was also proposed and rejected, as in Alternative 1. Alternative 3 was thus dropped from further study in 2001 because it did not reduce environmental impacts.

Alternative 4

Alternative 4 proposed a four-lane conventional highway with no frontage roads. Left-turn lanes were proposed at the intersections of State Route 156 with Breen Road/Mission Vineyard Road, Lucy Brown Lane, Bixby Road, Flint Road, and Union Road/Mitchell Road. The mainline would have shifted north to avoid the former San Justo School building. This alternative potentially displaced two homes and a business, and required relocation of a large number of utilities. The Project Development Team dropped this alternative in August 2003 because it did not reduce environmental impacts.

Alternative 5

Alternative 5 proposed a four-lane expressway with a two-lane frontage road on the north side only (access easements would have been provided to parcels on the south side). The mainline shifted north of the former San Justo School building. This alternative potentially displaced five homes and a business and required relocation of a large number of utilities. Right-of-way was required from approximately 27 parcels. The Project Development Team dropped this alternative from further study in August 2003 because it did not reduce environmental impacts.

Alternative 5A

Alternative 5A proposed a four-lane expressway with a two-lane north frontage road and access easements on the south. The mainline shifted north of the former San Justo School building. This alternative affected 31 property parcels, and required the relocation of several homes and many utilities. An unsignalized intersection was planned at Lucy Brown Lane. The Project Development Team dropped Alternative 5A from further study in August 2003 because it was unfeasible and it did not reduce environmental impacts.

Alternative 6A

This alternative proposed a four-lane expressway with a two-lane frontage road on the north and access easements on the south. The main alignment would shift south of the former San Justo School building. An unsignalized intersection was planned at Lucy

Brown Lane. The Project Development Team dropped Alternative 6A from further study in August 2003 because it was unfeasible and did not reduce environmental impacts.

1.3.6 Transportation Systems Management Alternatives

Transportation Systems Management strategies consist of actions that increase the operational efficiency of existing roadways; they are actions that increase the number of vehicle trips a road can carry without increasing the number of through lanes. Examples of Transportation Systems Management strategies include ramp metering, auxiliary lanes, turn lanes, reversible lanes, and traffic signal coordination. Transportation Systems Management also encourages automobile, public and private transit, and ridesharing programs, as well as bicycle and pedestrian improvements as elements of a unified urban transportation system.

Transportation Systems Management strategies are usually used in more urban environments, but these strategies can be used in rural environments when they serve the purpose of a project. Use of such strategies would not serve the purpose of this project because additional lanes are required to serve the project need.

1.4 Environmentally Superior Alternative

The California Environmental Quality Act requires the identification of the "Environmentally Superior Alternative," the Build Alternative with the fewest adverse environmental impacts. The No-Build Alternative is not to be considered as the Environmentally Superior Alternative for the purposes of this discussion.

The Build Alternatives do not differ greatly in their environmental impacts. The loss of farmland is considered an adverse environmental impact and the extent of that impact appears to correspond to the amount of land or right-of-way required for each Build Alternative under consideration—the more area needed, the more loss of farmland. Although Alternative 4A requires the least amount of farmland, only 109 acres compared to 187 acres for Alternatives 2, and 145 acres for Alternative 6, it also proposes relocation of aboveground and underground utilities. Alternative 6 results in more farmland conversion than Alternative 4A (17 acres), but would use the existing State Route 156 as the northern frontage road, eliminating most of the utility relocation. Alternative 4A, based on the least amount of farmland conversion, would be the Superior Environmental Alternative; however, it requires the relocation of aboveground and underground utilities.

1.5 Permits and Approvals Needed

Before construction, the following permits, approvals, and consultation would be required:

Table 1.4 Permits and Approvals

Agency	Permit/Approval	Status
U.S. Fish and Wildlife Service	Section 7 Consultation for Threatened and Endangered Species and review Section 404 Permit	Biological Opinion from the U.S. Fish and Wildlife Service was issued on September 19, 2008
U.S. Army Corps of Engineers	Section 404 Permit for filling or dredging Waters of the United States	Application for Section 404 permits anticipated after final environmental document distribution
Regional Water Quality Control Board	Section 401 Water Quality Certification	Application for Section 401 permit anticipated after final environmental document distribution
California Department of Fish and Game	1602 Agreement for Streambed Alteration, Section 2080.1 for work within the San Juan Creek	Application for Section 1602 permit anticipated after final environmental document distribution

1.6 Alternative Maps and Cross Sections

The Build Alternatives are shown in Figures 1-4 through Figure 1-6, including Alternative 6, as modified. The old cross sections for the Build Alternatives with a 62-foot median (only Alternatives 2 and 6) are shown in Figure 1-7. The cross sections for the preferred alternative with a 46-foot median are shown in Figures 1-8 and 1-9. They are titled according to their approximate location, and include the preliminary designs for the proposed realignment of San Juan Hollister Road east of Union Road.

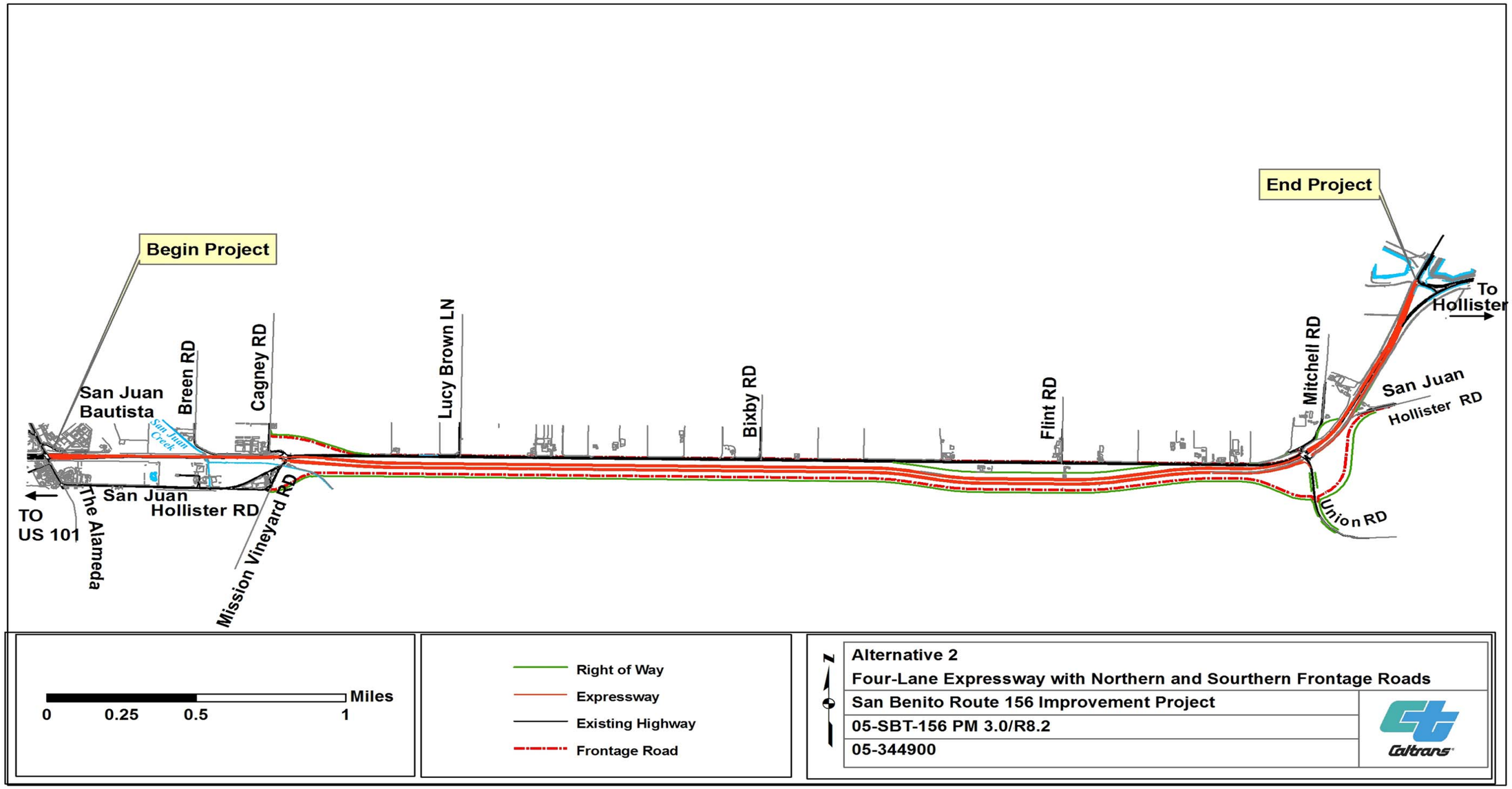


Figure 1-4 Alternative 2

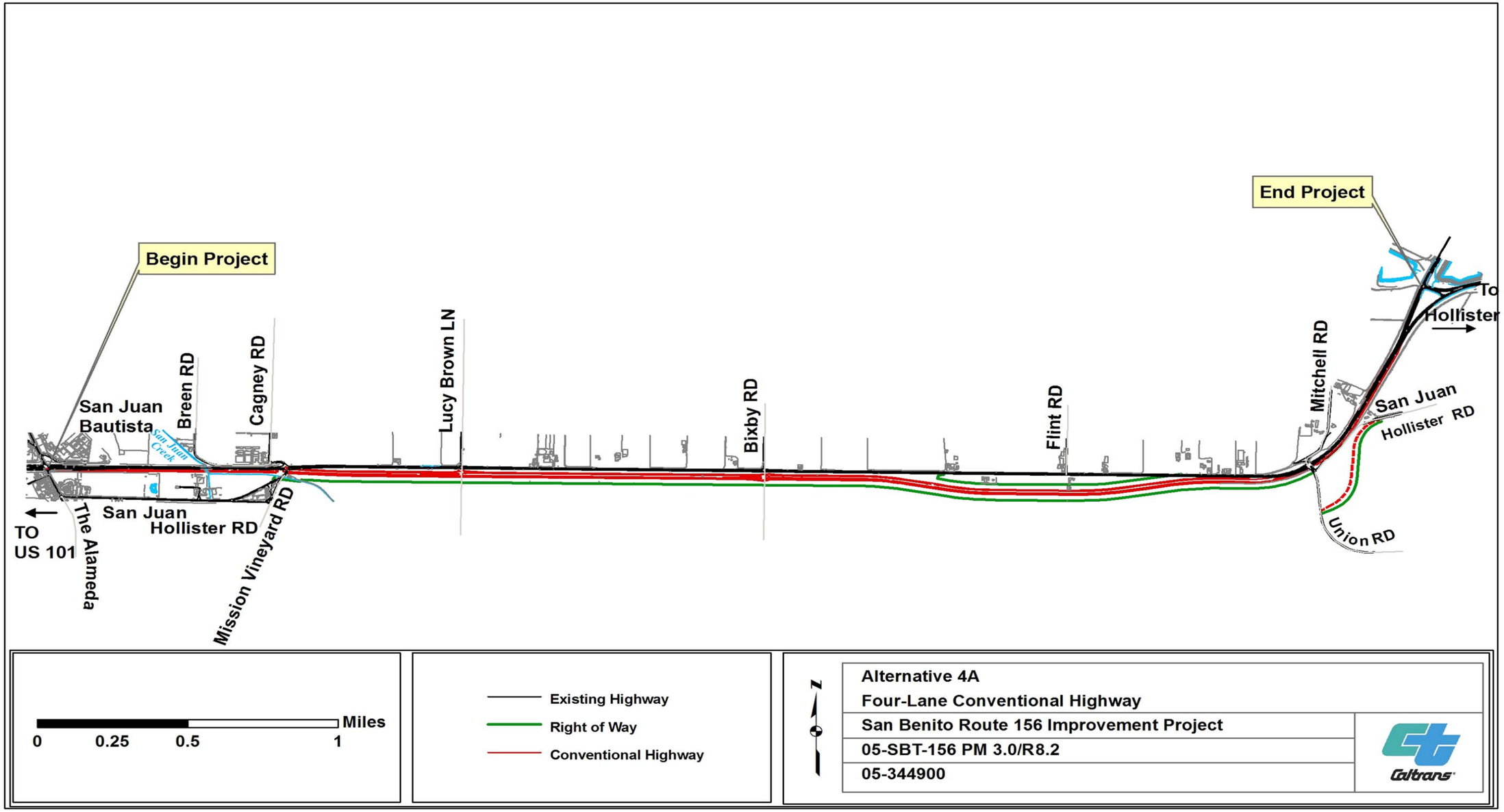


Figure 1-5 Alternative 4A

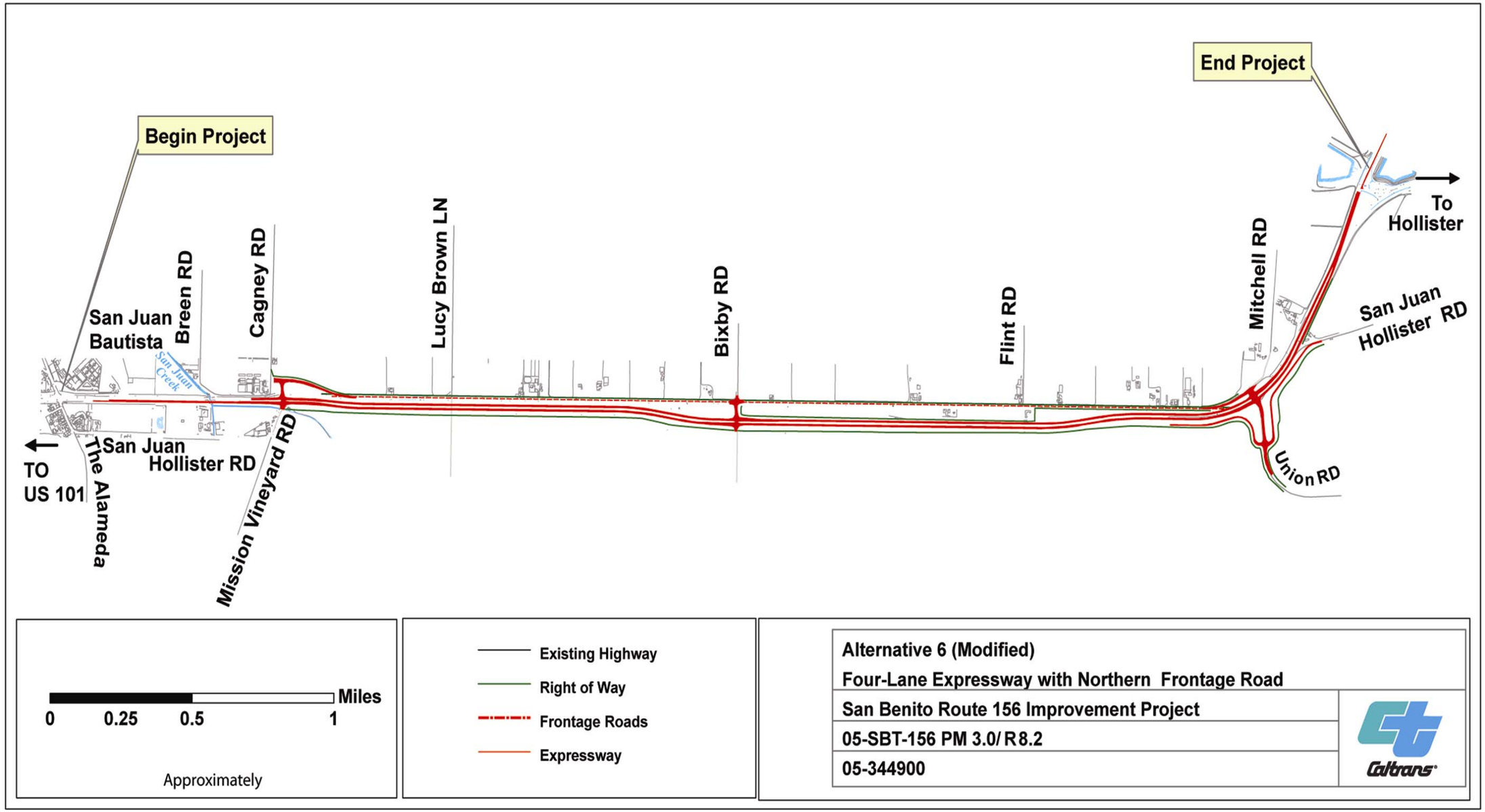
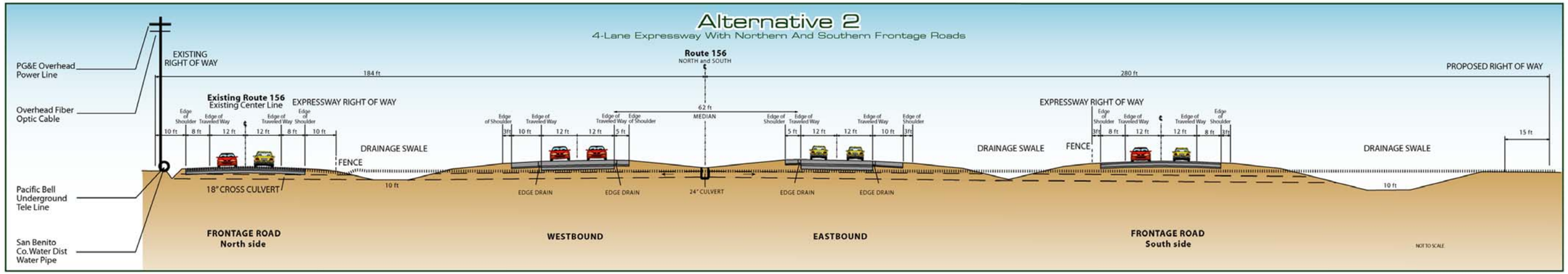
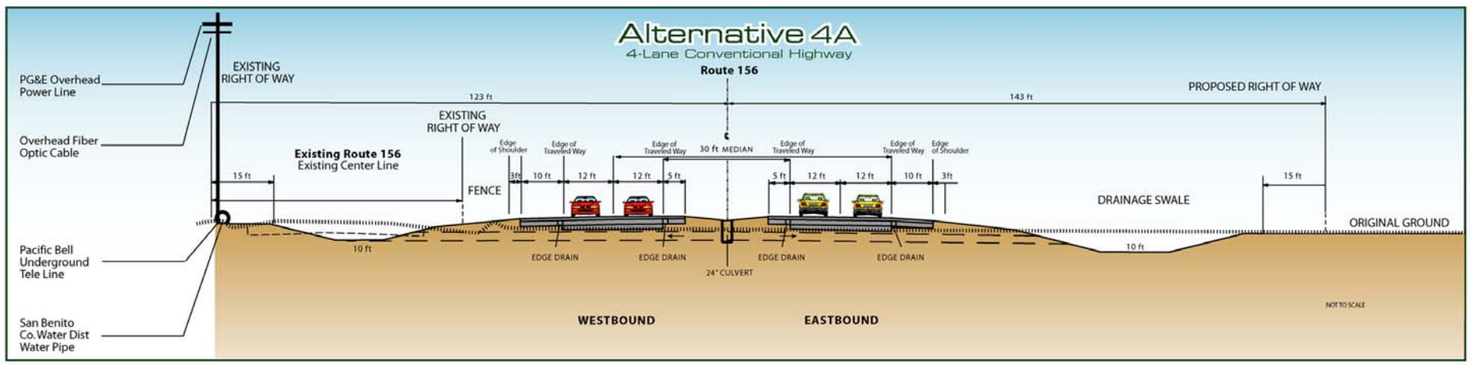


Figure 1-6 Alternative 6





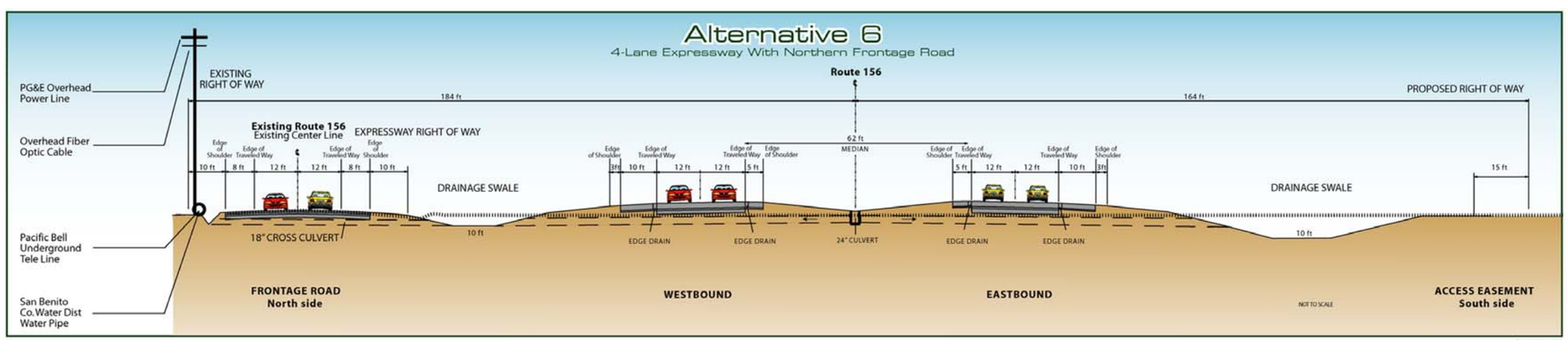
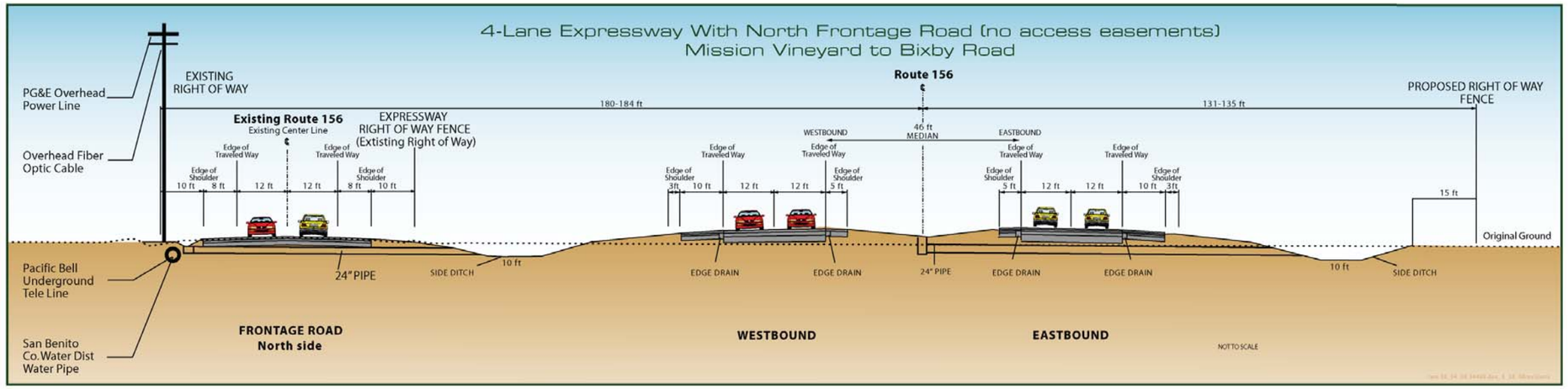


Figure 1-7 Typical Cross Sections (30- to 62-foot median)



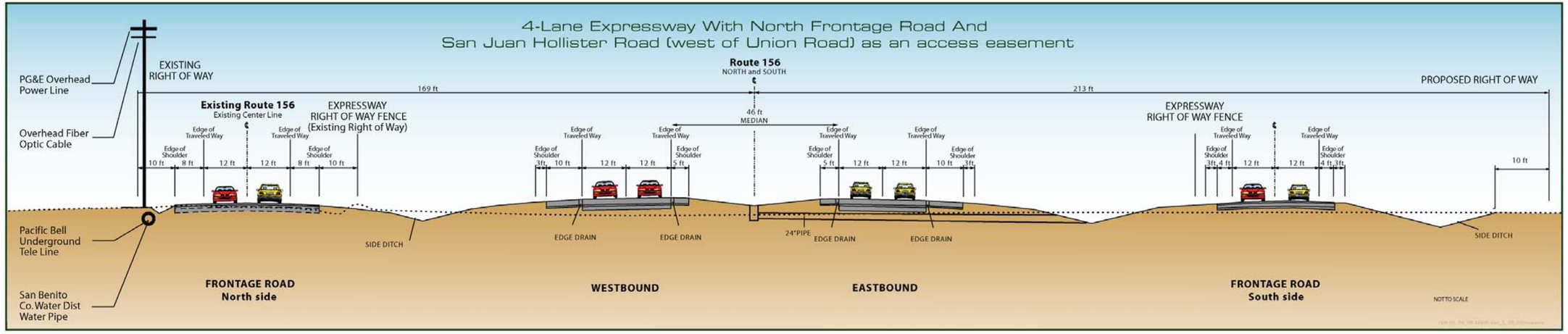
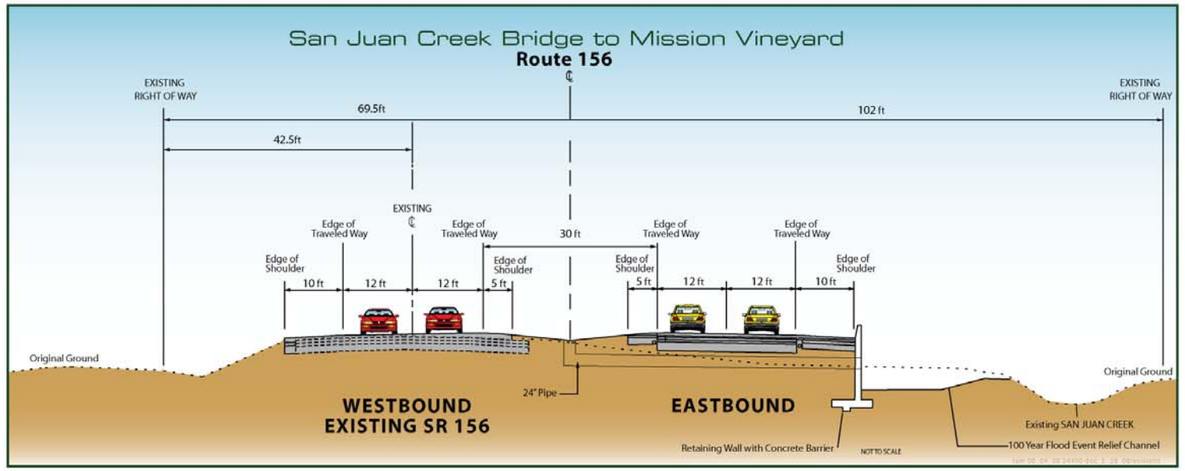


Figure 1-8 Preferred Alternative Cross Sections



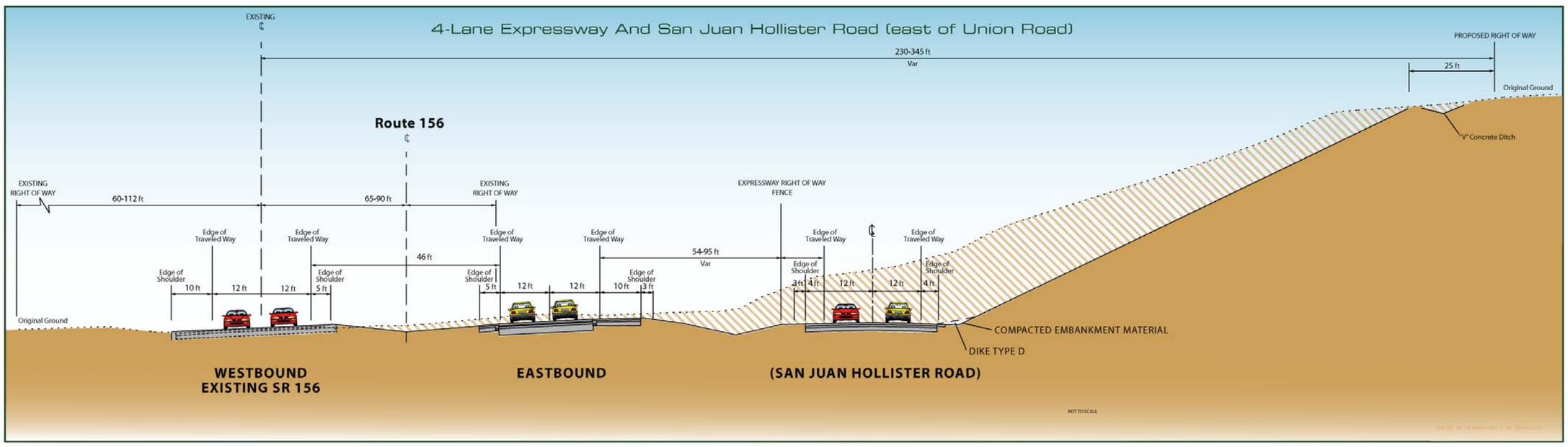


Figure 1-9 Preferred Alternative Cross Sections

Chapter 2 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 environment in the project area. It describes the existing environment that could be affected by the project, potential impacts from each of the alternatives, and proposed avoidance, minimization, and/or mitigation measures. Indirect and cumulative impacts are included in the general impacts analysis and discussions in Chapters 2 and 3.

As part of the preliminary scoping and environmental analysis conducted for the project, the following environmental issues were considered but no adverse impacts were identified. Consequently, there is no further discussion regarding these issues in this document.

- Coastal Zone - The proposed project is not located in the coastal zone.
- Wild and Scenic Rivers - No rivers classified as Wild and Scenic were identified in the proposed project area.
- Parks and Recreation - No parks or recreation facilities were identified in the proposed project area.
- Farmland/Timberlands – No timberlands are located in the proposed project area. Farmland impacts are discussed in Section 2.1.3, Farmlands/Timberlands.
- Energy - Energy use during construction would not substantially affect energy delivery or supply.
- Paleontology - The proposed project is entirely underlain by Quaternary Alluvium. This material has a low potential for the discovery of terrestrial vertebrate remains; therefore, no paleontological impacts are expected. If any vertebrate or plant fossils are found during construction, the Resident Engineer is required to stop construction in the discovery area within a 33-foot radius until the District Paleontology Coordinator reviews the discovery.

2.1 Human Environment

2.1.1 Land Use

2.1.1.1 Existing and Future Land Use

Affected Environment

The land use element of the San Benito County General Plan, last amended in December 2002, defines most land use surrounding the proposed project as "agriculturally productive." This classification generally applies to prime agricultural lands, but may include agriculturally productive lands of any type, such as grazing land. Agricultural land use is discussed in greater detail in Section 2.1.3, Farmland/Timberland.

Urban development is concentrated east and west of the project area in the incorporated cities of San Juan Bautista and Hollister. State Route 156 travels about one mile through the southern portion of the city limits of San Juan Bautista. The Alameda on the west, San Juan Hollister Road on the south, and Mission Vineyard Road on the east define the city limits south of State Route 156. Within this southern portion of San Juan Bautista, adjacent to the proposed project, approximately 20 acres are zoned for commercial, high-density residential, and industrial uses. This zoned area includes the Mission Farm RV Park (which features about 140 spaces with access to water, sewer, electricity, showers, and restrooms), the San Juan Inn (a motel), and a few single-family residences.

Beyond the city limits, the majority of the project travels through rural-residential farmland with numerous farms and farming structures scattered north of the existing highway.

South of the existing highway, near Flint Road, there are two small residential properties, one of which is the former San Justo School. Closer to Bixby Road, there is the Ferry-Morse Seed complex on a 112-acre parcel. These properties are surrounded on the south by over 600 acres of farmland. The former San Justo School and the Ferry-Morse Seed Complex are discussed in detail in Section 2.1.8, Cultural Resources. Residences are addressed in detail in Section 2.1.4, Community Impacts.

The east end of the proposed project area includes land classified as "rural transitional," which is seen as traditional rural development becoming more urban over time. "Rural transitional" assumes development will occur, but that it should adhere to rural standards. These transitional areas also buffer denser residential development from encroaching on exclusively agricultural areas to minimize the

potential premature conversion of agricultural lands to urban uses. Such transitional areas are usually located close to major transportation routes and existing non-agricultural land uses, including residential and business use.

Development at the east end of the proposed project is primarily within the 2,000 aces of the San Juan Oaks Golf Club. This approved future development will include 187 single-family residences, a 200-room resort hotel, two golf courses, and commercial buildings. Construction is anticipated to begin late in 2010. The entrance to the San Juan Oaks Golf Club is approximately 900 feet south of State Route 156 on Union Road.

On a regional scale, the Monterey County Land Use Plan indicates that land use west of the proposed project in Monterey County is primarily agricultural and sparsely residential. The Santa Cruz County Geographic Information System database indicates that southern Santa Cruz County land use northwest of the proposed project is primarily agricultural.

Impacts

The proposed project would not require nor encourage a change in the existing and planned land use. The proposed project requires linear strips of additional right-of-way adjacent to the existing State Route 156. Most of the right-of-way needed is currently used for agricultural purposes and no residences would be acquired.

Avoidance, Minimization, and/or Mitigation Measures

Farmland impacts are addressed in Section 2.1.3.

2.1.1.2 Consistency with State, Regional, and Local Plans

Affected Environment

San Benito County

San Benito County is classified as a non-urban area and is not required to develop a Congestion Management Plan. A Congestion Management Plan assures that all reasonably available travel demand reduction and operational management strategies have been adopted for the proposed project and that it is consistent with the State Congestion Management Plan developed for urban areas.

The proposed project is compatible with the Regional Transportation Plan and the San Benito County General Plan. In 2006, the San Benito County Board of Supervisors and the San Benito Council of Governments passed separate resolutions

identifying their three top transportation priorities: widening Highways 25, 152, and 156.

City of San Juan Bautista

The City of San Juan Bautista included the widening of State Route 156 to four lanes between The Alameda and Hollister in their General Plan as part of the expected road improvements needed by 2015. The road improvements are needed to meet the needs of future city growth and the expected increase in tourist traffic.

City of Hollister

The City of Hollister lists the widening of State Route 156 from two to four lanes in their General Plan as one of the circulation improvements assumed to be in place by the year 2024. The road improvement is designed to maintain or improve the current Levels of Service and meet future traffic demand within their city and San Benito County.

Impacts

The proposed project is listed as one of the county's transportation goals in the 2005 Draft Regional Transportation Plan, which sets the goals, policies, and projects for transportation improvements in San Benito County. However, the City of San Juan Bautista has expressed concerns about the proposed project in City Council Resolution 2000-02 and public meetings. Included are concerns that the proposed project would:

- Diminish the small town atmosphere
- Reduce farmland acreage
- Encourage development
- Affect city irrigation water and drainage systems
- Negatively affect business
- Increase noise

The City Council of San Juan Bautista has indicated that Caltrans' efforts to meet regional and interregional highway demand in the area should focus on other existing east/west routes; e.g., 152 and 25, or on a new alignment, such as the Farm Bureau's 3-in-1 Alternative.

The proposed 3-in-1 Alternative has greater environmental impacts than the proposed State Route 156 project because the route requires a new alignment and right-of-way

acquisition that affects unique and prime farmland used for organic farming, wetlands, and critical habitat for endangered or threatened species.

Improvements to State Route 152 and 25 are proposed; however, any highway improvement other than on State Route 156 itself would not meet the full Purpose and Need of the proposed project—to improve route continuity, safety, and the level of service of the existing State Route 156.

Avoidance, Minimization, and/or Mitigation Measures

There would be no business relocations or reduction in business access and/or parking with the proposed project. Measures to reduce impacts to farmland are discussed in Section 2.1.3 Farmlands/Agricultural Lands. Growth inducement is discussed in Section, 2.1.2 Growth. Irrigation and drainage are discussed in Section 2.2.1 Hydrology/Floodplain. Noise impacts are discussed in Section 2.2.6.

2.1.2 Growth

This section addresses the relationship between the proposed project and area growth patterns.

Growth inducement is defined as the relationship between the proposed project and growth within the project area. Factors affecting growth patterns depend on a range of economic forces that can be local, statewide, or even national in scope.

Regulatory Setting

The Council on Environmental Quality regulations, which implement the federal National Environmental Policy Act of 1969, require evaluation of the potential environmental consequences of all proposed federal activities and programs. This provision includes a requirement to examine indirect consequences, which may occur in areas beyond the immediate influence of a proposed action and at some time in the future. The Council on Environmental Quality regulations, 40 Code Federal Regulations 1508.8, refer to these consequences as secondary impacts. Secondary impacts may include changes in land use, economic vitality, and population density, which are all elements of growth.

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

Affected Environment

Caltrans completed a Community Impact Assessment for the proposed project in July 2004, supplemented with additional research by Caltrans in 2006. The Community Impact Assessment requires an analysis of the proposed project for growth inducement.

The "Land Use Goals and Objectives" of the San Benito County General Plan emphasize managing growth to maintain the county's rural atmosphere, character, and amenities. With managed growth, a goal of balanced housing types, locations, and a relatively wide range of prices would accommodate families from all socioeconomic backgrounds. The General Plan also emphasizes a diversified economic base with commercial developments that are compatible with other land uses.

The U.S. Census Bureau indicates the population of San Benito County has grown at a rapid rate. Between 1990 and 2000, the county experienced a 45.1 percent population increase, while the state's increase in population was only 13.6 percent. Recently, the growth trend has slowed down for San Benito County and between 2003 and 2004 only a 1.4 percent increase in the population occurred. The City of San Juan Bautista, on the other hand, has avoided the growth trend of the state and county, adding only 82 people to its population, an increase of only 5 percent between 1990 and 2005 (see Table 2.2).

There were 16,499 housing units in 2000 and 926 non-farm businesses in San Benito County. The county's land area measures 1,389 square miles, averaging 38.3 persons per square mile. This compares to the state's average of 217.2 persons per square mile.

Table 2.1 displays year 2000 census data in detail for the county and state. Annual and 10-year population/employment trends for San Benito County far exceed the statewide average.

Table 2.1 Population Data for San Benito County and California

Residents	San Benito County	California
Population, 2001 estimate	55,098	34,501,130
Population percent change, April 1, 2000-July 1, 2001	3.5%	1.9%
Population, percent change, 1990 to 2000	45.1%	13.6%
Travel time to work 16 minutes +, 2000	33.7	27.7
Housing units, 2000	16,499	12,214,549
Business	**San Benito County**	**California**
Private non-farm establishments, 1999	926	784,935
Private non-farm employment, 1999	10,147	12,356,363
Private non-farm employment, percent change 1990-1999	26.1%	9.2%
Geography	**San Benito County**	**California**
Land area, 2000 (square miles)	1,389	155,959
Persons per square mile, 2000	38.3	217.2

Source: U.S. Census Bureau State & County Quick Facts

Table 2.2 displays the growth trend in San Benito County and its two incorporated cities. Included is the percentage of employees over the age of 16 who travel outside San Benito County for work.

Table 2.2 Population Data Comparison

Residents	San Benito County	City of Hollister	City of San Juan Bautista
Population, 1990	36,697	19,212	1,570
Population, 2000	53,234	34,413	1,549
Population, 2005 (estimated)	55,936	35,941	1,652
Percentage Commuting to Work Outside San Benito County	48.5	48.6	49.8

Source: U.S. Census Bureau Factfinder

Impacts

The relationship between the proposed project and growth in the San Juan Bautista and Hollister areas is expected to be one of accommodating planned growth, rather than growth inducement.

Most of the land adjacent to the proposed project is zoned for agricultural use. Zoning is under local jurisdiction and is not subject to change without a local decision. The proposed project would not preclude continued agricultural uses.

The proposed project conforms to the growth-related policies of the San Benito County Regional Transportation Plan, the San Benito County General Plan, and the City of San Juan Bautista General Plan.

The proposed project would not provide additional access points (driveways or easements) or result in zoning changes; therefore, it is doubtful that fast food restaurants, service stations, or lodging would result from the project.

Avoidance, Minimization, and/or Mitigation Measures

No mitigation measures pertaining to growth inducement are included in the proposed project because there is no evidence of residential or business growth resulting from construction of any Build Alternative.

2.1.3 Farmlands/Timberlands

Regulatory Setting

The National Environmental Policy Act and the Farmland Protection Policy Act (7 U.S. Code 4201-4209; and its regulations, 7 Code of Federal Regulations Part 658) require federal agencies, such as the Federal Highway Administration, and Caltrans as assigned, to coordinate with the Natural Resources Conservation Service if their activities may irreversibly convert farmland (directly or indirectly) to nonagricultural use. For purposes of the Farmland Protection Policy Act, farmland includes Prime Farmland, Unique Farmland, and Land of Statewide or Local Importance.

The California Environmental Quality Act requires the review of projects that would convert Williamson Act contract land to non-agricultural uses. The main purposes of the Williamson Act are to preserve agricultural land and to encourage open space preservation and efficient urban growth. The Williamson Act provides incentives to landowners through reduced property taxes to deter the early conversion of agricultural and open space lands to other uses.

Affected Environment

Agriculture is the predominant land use and economic source for San Benito County. The California Department of Conservation reports that 76 percent or 677,238 acres of San Benito County's 889,387 acres are farmland. San Benito County divides this classification into two density zones: agricultural productive and agricultural rangeland. In addition to agriculture, the county allows grazing, wildlife refuges, very low-density residential, mineral extraction, low-intensity recreational, and institutional land uses on farmland. However, according to the Natural Resources Conservation Services, for purposes of the Farmland Protection Policy Act, only 86,937 acres is considered prime farmland, unique farmland, and land of statewide or local importance.

The 2002 United States Department of Agriculture Census of Agriculture (latest available) indicates that there are 677 farms in San Benito County with an average size of 854 acres. The Natural Resource Conservation Service indicates that farms in the proposed project area average 982 acres. San Benito County's 2005 Crop Report stated that the county had approximately 30 organic growers, growing 50 different crops on approximately 4,000 acres. The report also stated that the county's gross value of agricultural production was over $268 million. The top three crops were lettuce (salad), nursery stock, and miscellaneous vegetable and row crops.

Impacts

A Natural Resource Conservation Service Farmland Conversion Impact Rating was completed for the proposed project. The Natural Resource Conservation Service determines the relative value of farmland to be converted by using a formula that weighs farmland classification, soil characteristics, irrigation, acreage, creation of non-farmable land, availability of farm services, and other factors. The Natural Resource Conservation Service determined that the proposed project would convert farmland having a relative value between 92 and 94 out of 100 possible points under these criteria. Because acreage converted is only one of several factors, alternatives may be allotted similar points even with dissimilar acreage conversion. An additional 94 points were factored in on the Natural Resource Conservation Service form using other criteria for a total impact rating ranging from 185 to 187 points for the Build Alternatives. The Natural Resource Conservation Farmland Conversion Impact Rating Form (AD 1006) was updated in June 2008 and is included in this document in Appendix F. The update reflects less acreage due to the narrower median width.

Based on the California Department of Conservation, Office of Land Conservation's Farmland Mapping and Monitoring Program, the proposed project is surrounded by Prime Farmland or Farmland of Statewide Importance.

Table 2.3 displays farmland conversion information by alternative. Alternative 4A would affect the least amount of property parcels and require the least amount of farmland (109 acres). Alternative 2 would convert the most farmland (approximately 187 acres) and Alternative 6 would convert approximately 145 acres of farmland. Alternative 6 proposes using the existing State Route 156 as a frontage road with an unsignalized intersection at Bixby Road. This requires additional right-of-way south of existing State Route 156 to provide adequate distance between the frontage road intersection at Bixby Road (existing State Route 156) and the intersection of the

newly aligned State Route 156/Bixby Road. However, it eliminates all work north of existing State Route 156.

Table 2.3 Farmland Conversion by Alternative

Farmland Breakdown	Alternative 2	Alternative 4A	Alternative 6
Total number of property parcels affected	16	11	17
Total Land Converted	187 acres	109 acres	145 acres
Prime/Unique Farmland Converted	187 acres	109 acres	145 acres
Percent of Farmland Converted in County	0.21	0.13	0.17
Farmland Conversion Impact Rating	186	184	185

Source: Natural Resource Conservation Service

Comments from the farming community disclosed that water must be pumped under the highway from the north side of the existing State Route 156 to the south side of the highway. Therefore, during construction, water pipes would have to be replaced. One advantage to replacing the pipes is that water release valves can be placed on the south side of the highway. Currently, farmers must cross the highway to regulate the water to the south.

Although the No-Build Alternative would not convert any farmland, adverse impacts to the transport and processing of local produce may occur as projected traffic increases lead to delays and/or re-routing of farm equipment and produce trucks.

Williamson Act

According to the Natural Resource Conservation Service, the average farm size in the project area is 892 acres. Five parcels affected by the project are under Williamson Act contracts. Two farms/families appear to own all five parcels, according to the San Benito County property records. The Build Alternatives would not acquire enough farmland from any single parcel to result in the cancellation of any Williamson Act contracts. All the farmland under the Williamson Act affected by the project is considered prime farmland. Table 2.4 displays the parcels and the acreage required from each Williamson Act parcel with a median width of 62 feet. The acreage for the preferred alternative, Alternative 6, with a median width of 46 feet, is displayed in Table 2.4, also. The acreage affected includes the consolidated access easements east and west of Bixby Road, which would be acquired but titled to the property owners. Williamson Act parcels directly affected by the project are displayed in Figure 2-1.

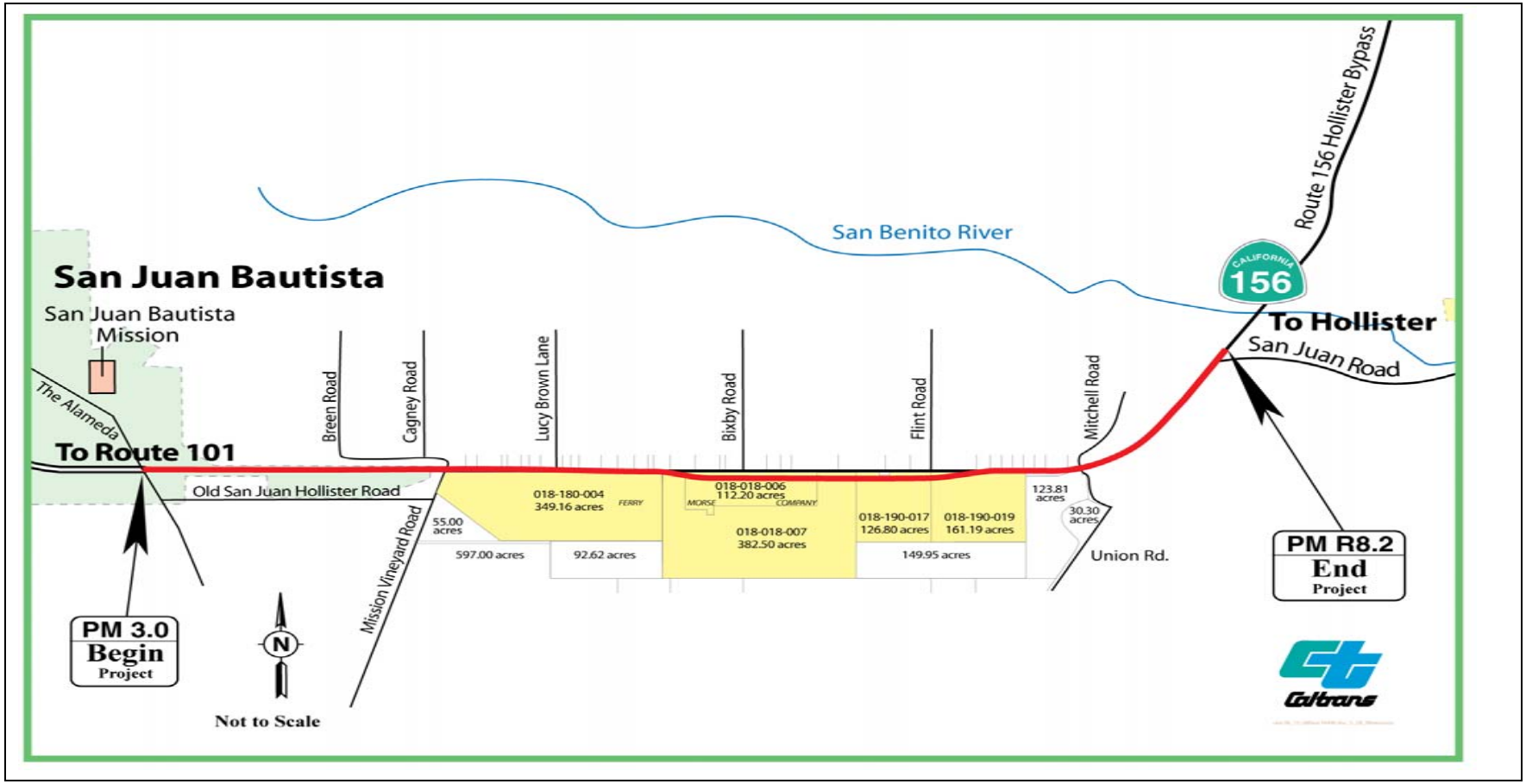


Figure 2-1 Williamson Act Parcels Affected

Table 2.4 Williamson Act Properties Affected

Assessor's Parcel Number	Acres in Parcel	Estimated Acres Needed			
		Alternative 2	Alternative 4A	Alternative 6	Preferred Alternative 6
018-180-004	349.16	58.13	35.67	47.77	34.63
018-180-006	112.20	33.31	21.50	33.14	34.86
018-180-007	382.50	18.76	12.48	18.13	10.61
018-190-017	126.80	22.84	15.25	21.17	13.00
018-190-019	161.19	25.91	17.71	24.09	16.47
TOTAL	**1131.85**	**159.25**	**102.61**	**113.57**	**109.57**

Avoidance, Minimization, and/or Mitigation Measures

Impacts to farmland cannot be avoided, because farmland surrounds the proposed project area. Farmland acquisition would occur with any of the Build Alternatives.

The Farmland Protection Policy Act requires consideration of impacts from those alternatives exceeding 160 points on the Natural Resource Conservation Service Farmland Conversion Impact Rating. Measures to minimize impacts include selecting the alternative with the least potential impacts that still meets the Purpose and Need of the project. Selection of the preferred alternative took place after the public circulation phase was completed. Farmland impact was a consideration in determining which alternatives would warrant further consideration and which alternatives would be withdrawn.

After the public hearings were held and, with consideration of the public comments received, Caltrans selected a preferred alternative, Alternative 6. The San Benito Council of Governments concurred with that decision. Alternative 6 was modified to help minimize farmland conversion but has the potential to result in approximately 27 acres of excess land. As part of the right-of-way process for purchasing land, Caltrans tries to negotiate parcel exchanges with neighboring farmers to reconfigure split farmland parcels for resale so that the parcels would continue to be farmed and not contribute further to the segmentation and conversion of farmland. Generally, when Caltrans resells or reconfigures land in an area zoned for agriculture as buffers or conservation easements, deed restrictions limiting future use to agriculture would be included to keep land in agricultural use in perpetuity.

During the construction phase, farms that have their water pumped from the north side of State Route 156 may experience a disruption in irrigation resources while the pipelines are relocated, but with careful planning and cooperation between Caltrans and the farming community, any disruption would be avoided or minimized.

Cumulative Impacts

The current San Benito County zoning maps indicate that most of the project area will continue to be preserved for agriculture. Most of the farmland in the project area is Prime and Unique Farmland. It would be impossible to build the project without converting farmland due to the rural nature of the project. The only option to avoid the conversion of farmland would be the No-Build Alternative, which does not meet the Purpose and Need of the project.

Cumulative impacts to farmland are occurring as planning for the area includes new housing development and the infrastructure to support it. Sections of State Route 156 west and east of the proposed project were upgraded to expressway in the late 1990s with some resulting conversion of farmland. A 2,000-acre approved housing development at the east end of the proposed project would convert up to 113 acres of county farmland. These projects, taken in conjunction with the other proposed projects in the area, would result in cumulative impacts to farmland in the area.

Caltrans considered measures to convert fewer acres of farmland. The conversion of farmland was considered during the design of the intersections and frontage roads at Union Road by keeping the alignment as close to the new highway as permitted. Remnant parcels of farmland were avoided as much as possible by acquiring right-of-way in “slivers” or linear strips of property adjacent to the existing parcels. Caltrans also tries to negotiate parcel exchanges with neighboring farmers to reconfigure split farmland parcels for resale so that the parcels could continue to be farmed and not contribute further to the segmentation and conversion of farmland. When possible, Caltrans will allow farmland to be kept in production (after purchase) until it is needed for construction. Caltrans would provide relocation advisory assistance to any person, business, farm, or non-profit organization that would be displaced, or have onsite investments, such as wells and irrigation systems, displaced as a result of acquisition of real property for public use. Relocation resources would be available to all displaced individuals, free of discrimination.

The proposed project would offer a safer route for through traffic since it would remove slow-moving farm equipment from the main roadway by providing an additional travel lane or frontage roads. Frontage roads would offer a safer route for local traffic, farm equipment, pedestrians, and bicyclists. Farm equipment would be moved north and south of State Route 156 via safer intersections. Measures were taken to provide access to all farmland and residential properties.

2.1.4 Community Impacts

2.1.4.1 Community Character and Cohesion

A Community Impact Analysis (August 2004) was completed as part of the environmental review for this project. Information from the Community Impact Analysis has been incorporated into the following discussion.

Regulatory Setting

The National Environmental Policy Act of 1969, as amended, established that the federal government use all practicable means to ensure for all Americans a safe, healthful, productive, and aesthetically and culturally pleasing surroundings [42 U.S. Code 4331(b)(2)]. The Federal Highway Administration in its implementation of the National Environmental Policy Act [23 U.S. Code 109(h)] directs that final decisions regarding projects be to be made in the best overall public interest. This requires taking into account adverse environmental impacts, such as, destruction or disruption of human-made resources, community cohesion, and the availability of public facilities and services.

Under the California Environmental Quality Act, an economic or social change by itself is not to be considered a significant effect on the environment. However, if a social or economic change is related to a physical change, then social or economic change may be considered in determining whether the physical change is significant. Since this project would result in physical change to the environment, it is appropriate to consider changes to community character and cohesion in assessing the significance of the project's effects.

Affected Environment

The proposed project begins at The Alameda within the southern city limits of San Juan Bautista. State Route 156 separates a small portion of the City of San Juan Bautista from downtown. South of State Route 156, the city limit is bordered by San Juan Hollister Road on the south, by Mission Vineyard Road on the east, and by a small single-family residential development west of The Alameda.

Within the city limits, in the southwest corner of the State Route 156/The Alameda intersection, is a small single–family residential development consisting of about 20 homes (see Appendix G). Across the highway, in the northwest corner of the same intersection is a market, which is separated from the highway by a parking lot and a small strip mall. On the northwest corner of the intersection, separated from the highway by Nyland Road, is the San Juan Elementary School. In the southeast corner

of the intersection, separated from the highway by a small open field, is the San Juan Inn. The Mission Farm RV Park is also within the city limits of San Juan Bautista.

Less than one mile of the five-mile project would be within the city limits of San Juan Bautista. The larger portion of the project travels through an area of unincorporated San Benito County consisting of rural residential housing, farmhouses, farm buildings/structures, and developed farmland. However, the City has passed several resolutions in the past few years against the proposed widening of State Route 156 in favor of another east-west route to the north.

The City of San Juan Bautista has been designated a Preserve America Community and a 2008 Distinctive Destination by the National Trust for Historic Preservation. The city is an historical town first established by the Spaniards as part of their mission program and located along the El Camino Real as an important stagecoach stop between Los Angeles and San Francisco. The Mission San Juan Bautista remains active today and hosts thousands of tourists yearly. The mission is located next to the San Juan Bautista State Historic Park, which is part of a nationally recognized historic landmark. The park site includes several structures built in the 1800s and park visitors are offered an opportunity to gain appreciation of California history.

Impacts

No direct impacts to the City of San Juan Bautista are expected. No change to the city limits is expected, because the proposed project is not acquiring additional right-of-way between The Alameda and Mission Vineyard Road. The project would extend the existing four lanes at The Alameda to Mission Vineyard Road within the state right-of-way, which would not make any changes to public access within the city limits and would not impact community cohesion. The project is not expected to make changes to the existing growth patterns established by the City of San Juan Bautista.

Outside the city limits, given the rural nature of the area, the project is not expected to disrupt public access, divide neighborhoods, promote growth, or increase isolation of any communities. The project would not be expected to result in any reduction of regional transit service. No change in the quality of life is expected except a safer highway with safer access and intersections.

Avoidance, Minimization, and/or Mitigation Measures

In the past, the City of San Juan Bautista has expressed concerns that the project would result in adverse impacts to the rural setting and an increase in noise and air

pollution. Noise abatement is recommended within the city limits. A sound wall may be constructed with consideration for aesthetic treatment and landscaping to soften the view. Tree removal would be minimized. An uncongested highway, however would decrease air pollution, rather than increase it.

In the rural area of the project, all Build Alternatives align to the south of the existing highway to reduce residential impacts. There is a potential to affect existing automobile and pedestrian access to residences during construction, but provisions would be made to limit the disruption.

2.1.4.2 Relocations

Regulatory Setting

Caltrans' Relocation Assistance Program is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations, Part 24. The purpose of the Relocation Assistance Program is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. Please see Appendix D for a summary of the Relocation Assistance Program.

All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 U.S. Code 2000d, et seq.). Please see Appendix C for a copy of Caltrans' Title VI Policy Statement.

Affected Environment

Caltrans completed a Draft Relocation Impact Report in May 2004 for this project, and a final Relocation Impact Report was completed in June 2008.

Impacts

Although linear strips of right-of-way are needed along State Route 156 for the proposed project, the right-of-way acquisition does not result in the relocation of any residences or businesses. To avoid the former San Justo School, an historic structure, the new alignment to the south may result in the relocation of a non-residential building or storage shed near a residence on Flint Road, but does not require the relocation of the residence. At Mission Vineyard Road, one well and pump house would be relocated as a result of the intersection design. East of Union Road, a barn would also need to be relocated.

Avoidance, Minimization, and/or Mitigation Measures

Design modifications reduced the median width of the project between The Alameda and Mission Vineyard Road, eliminating the need for additional right-of-way from properties adjacent to State Route 156 between The Alameda and Mission Vineyard Road.

The project requires additional right-of-way and may result in the relocation of two non-residential buildings or storage sheds, a well, and a pump house. At the time of acquisition, when relocation would become necessary, all activities would then be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended (see Appendix D).

2.1.4.3 Environmental Justice

Regulatory Setting

All projects involving a federal action (funding, permits, or land) must comply with Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, signed by President Clinton on February 11, 1994. This Executive Order directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. Low income is defined based on the Department of Health and Human Services poverty guidelines. For 2006, this was $20,000.00 for a family of four.

All consideration under the Title VI of the Civil Rights Act of 1964 and related statutes have also been included in this project. Caltrans' commitment to upholding the mandates of the Title VI is evidenced by its Title VI Policy Statement, signed by the Director, which can be found in Appendix C of the document.

Affected Environment

In 2004, Caltrans completed a Community Impact Assessment for the project, which included information from the 2000 U.S. Census and field reviews of the project area and surrounding communities.

There is minimal residential development in the actual project area, but the community most affected by the proposed project is San Juan Bautista. The project begins within the city limits at the intersection of State Route 156/The Alameda before it travels east into San Benito County and rural residential/farmland. There are approximately 20 single-family residences southwest of the intersection of State

Route 156/The Alameda. Southeast of the intersection, but separated by a small open field, is the San Juan Inn, a motel. Northwest of the intersection, but separated by a parking lot, is a grocery store and small strip mall. Northeast of the intersection is the San Juan Bautista Elementary School, which has a frontage road between the school grounds and State Route 156. There are approximately 24 residences/farmhouses within the county along the existing State Route 156 between Mission Vineyard Road and Union Road/Mitchell Road.

The 2000 U.S. Census reported a total population of 5,437 residents in Census Tract 2, which includes the proposed project. There are 1,811 housing units in the census tract; of those, 1,168 are owner-occupied and 643 are renter-occupied. The average household size in owner-occupied housing units within the census tract is 2.49, and the average household size for renter-occupied housing units is 3.91.

According to the Census, San Juan Bautista had a population of 1, 549 citizens and the 1999 median household income was $43,355.00. The majority population was 62.3 percent White. The median household income for the County of San Benito was $56,319.00 in 2003, the latest year the data was provided, and the majority population was 65.2 percent White.

Impacts

No minority or low-income populations were identified within the project limits. No minority or low-income populations would be adversely affected by the proposed project. Therefore, this project is not subject to the provisions of Executive Order 12898.

Avoidance, Minimization, and Mitigation Measures

No mitigation is required.

2.1.5 Utilities/Emergency Services

Affected Environment

The City of San Juan Bautista does not have a city police department but is under the jurisdiction of the San Benito County Sheriffs Department, which has a substation located there. The office of the County Sheriff's Department is located in Hollister. The City of Hollister has its own police department. Both cities have their own fire departments, which handle fires and provide emergency medical and rescue services. The California Highway Patrol is responsible for traffic enforcement in unincorporated areas of the County.

Utilities identified within the proposed project area include:

- Pacific Gas and Electric power poles and associated overhead lines. Pacific Gas and Electric also operates a 12-inch underground high-pressure gas line in the project area.
- Pacific Bell telephone poles and associated overhead lines. Pacific Bell also has two fiber optic lines and two copper lines in the south shoulder of the existing highway.
- Charter Communications provides cable television access to the proposed project area. Charter has seven poles on a private easement.
- San Benito County Water District operates a 27- to 30-inch waterline and associated laterals. These waterlines are located in both private easements and public right-of-way on the north side of the existing State Route 156 and across the roadway at a number of locations along the highway. Private lines, which are supplied by this pipeline, are also located within the easements according to the San Benito County Water District.

Impacts

The project would have a beneficial impact on fire protection, law enforcement, emergency, and other public services by providing a safer and upgraded highway. In addition, the project would increase access to the project area and facilitate faster fire and medical response times to emergencies in the area by providing additional travel lanes, passing opportunities, and improved intersection crossings. In the same way, public and school transportation would also benefit from the improvements proposed by the project.

Construction impacts on traffic and transportation would not be substantial for any of the Build Alternatives because the proposed project would be aligned south of the existing State Route 156. If any traffic delays occur, fire protection, law enforcement, emergency, and other public services would be detoured to local roads.

Construction of all the Build Alternatives would require relocation of some utility facilities within the project limits. An underground gas line and overhead electrical lines are located parallel to the existing State Route 156. Alternatives 2 and 6 propose using the existing State Route 156 in place as the northern frontage road, which would eliminate the majority of utility relocations. However, the frontage road intersections at Cagney, Bixby, and Mitchell roads would require the relocation of a portion of the overhead electrical lines and buried gas lines. Alternative 4A requires

the relocation of the majority of utilities, because the four-lane conventional highway would be constructed on new alignment south of the existing State Route 156.

Relocating utilities may require temporary construction easements and new permanent easements.

Avoidance, Minimization, and/or Mitigation Measures

During construction, a Traffic Management Plan would be developed to accommodate local traffic patterns and reduce delay, congestion, and accidents. Traffic delays would be minimal because the Build Alternatives would be constructed on new alignment. By building the proposed project in construction phases and rerouting traffic to local roads, disruption to local and regional traffic would be minimized with all Build Alternatives.

Relocation of aerial and underground electric, telephone, cable, and water lines would be coordinated with the affected utilities.

2.1.6 Traffic and Transportation/Pedestrian and Bicycle Facilities

Regulatory Setting

Caltrans, as assigned by the Federal Highway Administration, directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (see 23 Code of Federal Regulations 652). It further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

Caltrans is committed to carrying out the 1990 Americans with Disabilities Act by building transportation facilities that provide equal access for all persons. The same degree of convenience, accessibility, and safety available to the general public would be provided to persons with disabilities.

Affected Environment

Caltrans completed a Traffic Analysis Report for the proposed project in July 2006. The Design Hourly Volume and the Average Daily Traffic figures were updated in April 2008. The traffic study included analysis on turning movements at intersections. Intersection peak-hour turning movement counts were taken along State Route 156 at The Alameda, Mission Vineyard Road, Lucy Brown Lane, Bixby Road, and Union

Road/Mitchell Road. The intersections were evaluated using the adjusted counts in the level of service analysis with and without the project. The 2006 Traffic Analysis Report was performed for the existing conditions (2005), for the year 2011 (the construction year), and for the year 2030 (future conditions). Based on the intersection data analyzed, depending on the Build Alternative, left- and right-turn lanes for eastbound and westbound traffic would be needed for all Build Alternatives. During the Plans, Specifications, and Estimate phase of the project, final turning lanes and length of widening would be determined based on the final design year turning movements.

Table 2.5 shows the existing conditions for eastbound and westbound traffic based on the 2006 Traffic Analysis Report. Average Annual Daily Traffic for both lanes (eastbound and westbound) totals 24,700 vehicles.

Table 2.5 Existing Average Annual Daily Traffic

	Eastbound Traffic (Average Annual Daily Traffic = 12,600)			**Westbound Traffic (Average Annual Daily Traffic = 12,100)**		
	Design Hourly Volume	Truck	Miles per Hour	Design Hourly Volume	Truck	Miles per Hour
AM Peak	913	8%	57	1,387	7%	56
PM Peak	1,275	5%	49	768	9%	53

Tables 2.6 and 2.7 are based on the traffic data from the 2006 Traffic Analysis Report. Table 2.6 shows the current and projected Level of Service (See Figure 1-3) at peak hours for eastbound and westbound traffic for the existing two-lane highway. The Level of Service indicates the quality of traffic flow, ranging from “A” (free flowing) to “F” (gridlock). The table also provides the average travel speed in miles per hour and the percent of time spent following another vehicle.

Table 2.6 LOS for Two-lane Highway or Existing Conditions

Direction		LEVEL OF SERVICE (LOS)								
		Existing (2005)			No-Build (2011)			No-Build (2030)		
		LOS	PTSF	ATS	LOS	PTSF	ATS	LOS	PTSF	ATS
Two-way	AM	E	91.6%	46.4	F	95.1%	30.2	F	96.2%	28.7
	PM	E	89.6%	42.3	E	93.1%	31.8	F	94.8%	29.6
Eastbound	AM	E	90.4%	42.4	F	91.4%	31.0	F	92.8%	29.5
	PM	E	88.4%	40.7	E	94.0%	32.4	F	96.1%	30.0
Westbound	AM	E	93.1%	45.8	F	96.3%	31.0	F	97.6%	29.5
	PM	E	85.1%	38.8	E	92.8%	32.3	F	96.6%	27.8

ATS = Average travel speed in miles per hour
PTSF = Percent of time spent following (another vehicle)

Table 2.7 shows the projected Level of Service for the proposed Build Alternatives at peak hours for eastbound and westbound traffic.

Table 2.7 LOS Proposed Alternatives

Alternative	Year 2011		Year 2030	
	Eastbound AM Peak	Westbound PM Peak	Eastbound AM Peak	Westbound PM Peak
Alternative 2 Four-lane Expressway with North/South Frontage Roads	B	B	B	B
Alternative 4A Four-lane Conventional Highway	B	B	C	B
Alternative 6 Four-lane Expressway with Northern Frontage Road	B	B	C	B

Caltrans' Historical Traffic Data provided in April 2008 shows that traffic on the segment of State Route 156 between The Alameda and Union Road has increased substantially. In the year 1992, the average daily traffic volume totaled 14,000 vehicles. The average daily traffic volume increased slowly to 16,000 vehicles through the year 1998. But by the year 1999, the average daily traffic volume had increased to 20,300 vehicles, and by the year 2004, 24,000 vehicles were reported on this segment of the highway. Currently, the average daily traffic volume totals 26,200 vehicles with trucks making up approximately 9 percent of the total traffic volume during peak hours.

Impacts

Based on the updated data provided in April 2008 for Design Hourly Volume and Average Annual Daily Traffic (number of vehicles), Table 2.8 shows the traffic conditions with, and without, the project for the year 2006 (existing), for the year 2014 (the construction year), and for the year 2034 (future conditions). The Level of Service indicates the quality of traffic flow, ranging from "A" (free flowing) to "F" (gridlock).

Table 2.8 Average Annual Daily Traffic and Level of Service

Year	Design Hourly Volume (DHV)	Average Annual Daily Traffic (number of vehicles)	Level of Service	
			Without Project	With Project
2006	2,400	26,200	E	N/A
2014	2,920	29,344	F	B
2034	4,221	37,204	F	C

Based on the most current data presented, the existing two-lane conventional highway is operating at capacity. Without the proposed project, traffic is expected to be congested by the year 2014, and by the year 2034, the road would operate at a Level of Service F, in a congested condition with considerable delays.

Public access is now available directly from State Route 156 to farms and residences north and south of the highway. Public access would continue to be available with all Build Alternatives via frontage road(s) or easements. The project would not have a negative affect on access to businesses, residences, public resources, or public transportation.

No bicycle facilities currently exist in the proposed project area that would be adversely affected by the proposed project. None of the Build Alternatives have any bicycle facilities planned. However, Alternative 4A would provide wider shoulders for pedestrians or bicyclists to use, and Alternatives 2 and 6 propose frontage roads, which would offer pedestrians, bicyclists, and slower-moving traffic (trucks and farm equipment) a safer route.

The project would alter traffic patterns by directing traffic on the frontage roads or easements to proposed intersections. However, this change in traffic patterns is expected to bring safer access on and off of State Route 156. The project would provide safer passing opportunities for traffic and reduce the conflict between slower-moving traffic (trucks and agricultural vehicles) and passenger vehicles. By

correcting the compound curve, the distance a driver can see ahead would be improved, thereby increasing safety. The height of the roadway would be raised and side ditches improved to prevent flooding on the highway.

Construction impacts on traffic and transportation would not be substantial because the proposed project would occur on new alignment.

Avoidance, Minimization, and/or Mitigation Measures

A comprehensive Traffic Management Plan to minimize delays will be developed after selection of a preferred alternative. Standard Caltrans construction practices include information on roadway conditions, portable changeable message signs, lane and road closures, advance warning signs, alternate routes, reverse and alternate traffic control, and a traffic contingency plan for unforeseen circumstances and emergencies. Prior to construction, Caltrans will meet with local public officials to review the plan as well as publicize plan details. Construction may be scheduled to avoid areas that need access during certain seasons, such as harvest season.

2.1.7 Visual/Aesthetics

Regulatory Setting

The National Environmental Policy Act of 1969, as amended, establishes that the federal government use all practicable means to ensure all Americans safe, healthful, productive, and *aesthetically* (emphasis added) and culturally pleasing surroundings [42 U.S. Code 4331(b)(2)]. To further emphasize this point, the Federal Highway Administration in its implementation of the National Environmental Policy Act [23 U.S. Code 109(h)] directs that final decisions regarding projects are to be made in the best overall public interest taking into account adverse environmental impacts, including among others, the destruction or disruption of aesthetic values.

Likewise, the California Environmental Quality Act 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)]

Affected Environment

Caltrans completed a Draft Visual Impact Assessment in June 2004, which was updated in November 2004. Another updated Visual Impact Assessment was completed in May 2007.

The importance of preserving "the look and feel" of the San Juan Bautista area and the local community's sensitivity to the aesthetic character of the region have been identified by several city and county policies and planning documents. The *San Juan Bautista 1998 General Plan*, especially the *Community Design Element*, the *Historic San Juan Bautista Plan 2002*, and the *San Juan Bautista Municipal Code* all affirm long-range goals, objectives, and policies for protection of visual resources that strengthen the identity of the city, and sustain quality of life. Community members have identified the following scenic qualities and landscape resources as being valued in the visual character of the region:

- Expansive views of open space, distant hills, and night sky observation
- The natural world is readily apparent (varied terrain, oaks, and grassy hills)
- Rural environment including agriculture and ranching
- Historic town atmosphere

The San Juan Bautista community has defined an aesthetic identity for itself, but that identity is within the wider context of neighboring Hollister and surrounding San Benito County. The transportation needs and aesthetic sensitivities of the regional population are also affected.

The project setting consists mainly of flat open space, with farm row crops or orchards bordered by distant hills, and of scattered rural residential development, with denser suburban, commercial, and light industrial development near downtown San Juan Bautista and Hollister. The highway is also a major component of the view. A typical pattern of oak and grass-covered hillsides combined with agricultural land uses creates a predominately rural feeling and characterizes the region's scenic beauty.

Impacts

Construction of any of the Build Alternatives proposed for the project would result in alteration of the rural agricultural character in general and may lessen the visual compatibility with the existing surroundings.

The proposed new lanes, intersections, and raised profile would be placed in the context of an existing highway with similar features at each end. Initially, their contrast with the existing two-lane road would be very high and most notable to local residents familiar with the route. Other motorists will have less sensitivity to elements in the highway environment, especially if they are unfamiliar with the area or are commuters passing through. Multiple lanes are a common sight along State Route

156 and would not be unduly noted by most drivers. Truck drivers and commercial travelers would be expected to have the lowest sensitivity to the proposed project and would tend to view it from an improved safety perspective rather than an aesthetic one. However, inclusion of the proposed median strip, frontage roads, and drainage channels would make the proposed footprint of any of the three project alternatives considerably wider than other segments of the route.

The proposed project would raise the road's elevation up to five feet to protect the highway from flooding. Such a change could be seen from multiple locations, angles, and distances. The elevated profile would be more noticeable to surrounding neighbors, especially those positioned below on the flat valley floor. The quality of their view may decrease because the raised profile would block the horizon line. Grading for drainage channels would result in a loss of cultivated land and would contrast with both the existing elevation of the level agricultural terrain and the higher road section.

The higher vantage point of the raised profile would give motorists better access to panoramic views. The proposed project would not block highway users' views of the surrounding hills, which contribute greatly to the scenic quality of the corridor. However, motorists would also view a much wider expanse of pavement and human-made elements, and visual proximity to foreground details of agricultural planting would become more distant. Expressways are typically fenced to prevent public access, which would also place a human-made element between the viewer and the agricultural fields.

Local residents, especially those with homes on or near the existing route or proposed alignment, are very sensitive to the visual quality of their neighborhood and are likely to have a negative impression of the proposed changes. A diminished view of farms, the loss of vegetation, and the addition of a substantial width of pavement and related human-made structures, such as signs and utilities, into an area with moderate to low previous encroachments would result in an overall loss of rural character. Homes in the project area would be preserved by the proposed alternatives, so characteristic views of rural farms or historic structures such as the former Ferry-Morse Seed Company, the Breen Adobe, and the former San Justo School would still exist.

The views from the new highway looking north, east, and west toward the former schoolhouse (now a residence) are screened along the rear and side property lines by

dense vegetation, outbuildings, and fences, so there are no notable existing views of the former schoolhouse building from these vantage points.

The San Juan Bautista General Plan, Community Design Element, specifically cites the visual benefit of the mature redwood trees buffering the Mission Farm RV Park. The potential sound wall bordering the Mission Farm RV Park would partially block motorists' view of these trees but no trees would be removed. Reconfiguration of the Union Road/Mitchell Road intersection would result in the loss of some scattered vegetation, and the realignment of the San Juan-Hollister frontage road east of Union Road would result in a cut slope along the hillside.

Avoidance, Minimization, and/or Mitigation Measures

Design changes have narrowed the median width between The Alameda and Mission Vineyard Road to minimize impacts to trees for all alternatives.

Visual mitigation seeks to preserve or enhance existing scenic qualities, frame desirable vistas, screen or distract from undesirable views, use forms and materials that relate well to existing elements, and apply aesthetic treatments that fit the visual character of the area. Each type of impact, its location, and potential cumulative impacts determine which measures would be most effective in reducing the impacts.

Based on the visual quality assessment of the proposed alternatives and local community planning guidelines, the following measures would be incorporated into the final project design for all proposed alternatives:

- Grading would be minimized as much as possible to preserve existing vegetation, especially to avoid the loss of mature trees.
- A sound wall, if built, would match the aesthetic of the other Mission-style noise barriers in the area. However, landscaping in front of the wall may not be possible due to space limitations.
- New fencing, where required, would be consistent with existing fencing in rural areas.
- Traffic signage would be limited to the greatest extent possible and obsolete signs would be removed.
- Any proposed light fixtures would be shielded to help preserve dark, night-sky views and low-pressure sodium lighting is preferred.
- Landscaping, including scattered skyline trees, would be planted where appropriate to distract from the visibility and dominance of wide-paved expanses

and as needed to unify the region's distinct visual identity. Landscape planting would not block major views of agricultural fields or distant mountains.

- Planting would include a variety of sizes of plant material to increase the density of cover and screen more quickly and to lend a more mature blended appearance to the overall project.
- Signature landscape planting at "entry" points would emphasize the sense of arrival or departure from the San Juan Bautista community.
- Medians would be left unpaved and would be seeded with low-growing grasses and wildflowers.
- Intersection slopes, drainage channels, and areas adjacent to frontage roads would be similarly seeded and left to grow into a natural and rural appearance.

Cumulative Impacts

State Route 156 was built in 1961 as a two-lane conventional highway with the concept that two additional lanes would be added at some future date. Since then, the route has undergone many changes near the project area: an interchange for State Routes 101/156 was constructed; a two-mile segment of State Route 156 was expanded to a four-lane expressway from State Route 101 to Monterey Street in San Juan Bautista; west of the project limits, the route was widened from two lanes to four lanes with a concrete median; and in 2005 an additional concrete barrier was placed along the same stretch. In 2002, turn lanes and the entrance to Rocks Road was altered; in 1996, the Hollister Bypass was constructed to the east; and Union Road was constructed to facilitate residential development south of Hollister and State Route 156. Further improvements to the intersection of Union Road and Mitchell Road are under consideration.

The cumulative effect of multiple previous transportation projects would become more noticeable with this latest proposed change to the five-mile stretch of State Route 156, which is the only remaining two-lane section of the original rural highway. San Benito County's transition from a rural county to a more urbanized county has placed tremendous pressure on the county's transportation system. Two-lane undivided rural highways that were used primarily for the movement of agricultural equipment and goods are now carrying large numbers of suburban commuters.

Most viewers unfamiliar with the area would perceive the project as just another part of the route because the project would look like the existing expressways at either end of the project limits. Changes to the intactness of the view outside the confines of the

existing highway edge, such as the loss of farmland or blocking of distant view by development, are most likely to contribute to a decrease in the scenic rural character of the area, especially when combined with the expected sensitivity of local viewers of the roadway and surrounding neighbors.

2.1.8 Cultural Resources

Regulatory Setting

"Cultural resources" as used in this document refers to all historical and archaeological resources, regardless of significance. Laws and regulations dealing with cultural resources include the following.

The National Historic Preservation Act of 1966, as amended, sets forth national policy and procedures regarding historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for the National Register of Historic Places. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on such properties and to allow the Advisory Council on Historic Preservation the opportunity to comment on those undertakings, following regulations issued by the Advisory Council on Historic Preservation (36 Code of Federal Regulations Part 800). On January 1, 2004, a Section 106 Programmatic Agreement among the Advisory Council on Historic Preservation, the Federal Highway Administration, the State Office of Historic Preservation, and Caltrans went into effect for Caltrans projects, both state and local, with Federal Highway Administration involvement. The Programmatic Agreement implements the Advisory Council on Historic Preservation's regulations, 36 Code of Federal Regulations Part 800, streamlining the Section 106 process and delegating certain responsibilities to Caltrans. The Federal Highway Administration's responsibilities under the agreement have been assigned to Caltrans as part of the Surface Transportation Delivery Pilot Program (23 Code of Federal Regulations 773) (July 1, 2007).

Historic properties may also be covered under Section 4(f) of the U.S. Department of Transportation Act, which regulates the "use" of land from historic properties.

Historical resources are considered under the California Environmental Quality Act, as well as California Public Resources Code Section 5024.1, which established the California Register of Historical Resources. Section 5024 of the Public Resources Code requires State agencies to identify and protect State-owned resources that meet listing criteria for the National Register of Historic Places.

Affected Environment

Caltrans prepared a Historic Property Survey Report and supporting technical documents in November 2002 and forwarded them to Federal Highway Administration for processing and transmittal to the State Office of Historic Preservation. The State Office of Historic Preservation concurred with the eligibility determinations documented in the Historical Property Survey Report (See Appendix E, State Office of Historic Preservation Concurrence Letters). In accordance with the implementing regulations for Section 106, Caltrans, as assigned by the Federal Highway Administration, has prepared a finding of effect report in consultation with the State Office of Historic Preservation. The State Historic Preservation Officer concurred with Caltrans' finding of no adverse effect in March 2008 (See Appendix E).

The area of potential effect for the San Benito 156 Improvement Project extends from the intersection of State Route 156 and The Alameda eastward to just beyond the intersection of State Route 156 and Union Road/Mitchell Road. The area of potential effect represents the area within which the proposed project has the potential to affect, whether directly or indirectly, significant archaeological or built-environment resources.

Archaeology

The archaeological area of potential effect encompasses the anticipated ground-disturbing activities for all of the project alternatives and includes all construction areas, equipment staging and material storage areas, easements, and areas where additional right-of-way is needed. A 100-foot buffer around the outer limits of these zones is also included within the archaeological area of potential effect to accommodate minor design changes.

The archaeological resources investigation was designed to locate previously recorded sites, survey the project vicinity for previously undiscovered historic and prehistoric archaeological sites, and collect archival information from various facilities. All prehistoric archaeological site records for the Chittenden, San Felipe, Three Sisters, San Juan Bautista, Hollister, and Tres Pinos 7.5' U.S. Geological Survey quadrangles were obtained to look at regional patterns. The investigation also included consultation with several Native American tribes/communities regarding project findings, sacred lands, and special tribal concerns.

Thirteen archaeological surveys have been conducted within the project's area of potential effect since 1973, resulting in no prehistoric archaeological sites being discovered. In 1999, archaeological consultants from the Archaeological Research Center, California State University, Sacramento, conducted an archaeological field inventory of the project's area of potential effect. In 1999 and 2007, Caltrans archaeologists conducted additional surveys due to design modifications. In 2001, Caltrans conducted a Historic Study Report and an Extended Phase I Archaeological Study of the John Breen Adobe. Also in 2001, Foothill Resources, Ltd. and the Anthropological Studies Center, Sonoma State University, conducted a Historic Study Report/Phase II Archaeological Evaluation of the Breen Road Site.

In 2003, Caltrans contracted with Far Western Anthropological Research Group, Inc., to conduct a geo-archaeological study of the southern Santa Clara, Hollister, and San Juan valleys in Santa Clara and San Benito counties in an effort to obtain information on the potential of discovering buried archaeological deposits that might be present in the area of potential effect.

None of the research or surveys identified the presence of archaeological resources in the archaeological area of potential effect for the project.

Historic Properties

The architectural area of potential effect includes not only the area delineated by the archaeological area of potential effect, but also parcels (or portions of parcels) occupied by buildings and structures constructed in 1954 or earlier. Thirty-four properties were constructed prior to 1955 and the remaining properties were constructed after 1960. All of the historic-period resources within the limits of the architectural area of potential effect were evaluated for eligibility for listing in the National Register of Historic Places.

Identification of historic properties involved review and study of pertinent literature to date, including updates of National Register listings and appropriate inventories, as well as consultation with the San Benito County Historical Society and Mission San Juan Bautista. A records and literature search of the files at the Northwest Information Center of the California Historical Resources Information System was initially conducted in 1999. The record search area encompassed the project's area of potential effect as well as a one-mile radius beyond the area of potential effect. In 2003, an additional record search was conducted as part of the geo-archaeological study of the Southern Santa Clara, Hollister, and San Juan valleys.

Through a combination of this archival research, field investigations, and analysis, seven historic properties were identified. They are listed here in order of their occurrence, from west to east and are shown in Figure 2-2:

- The Benjamin Wilcox House, at 315 The Alameda, was listed in the National Register of Historic Places in February 1982. It is listed under Criterion C and at the local level of significance for its architectural merit as a representative of the Gothic Revival style of the late 1850s and a method of construction that combined timber framing with balloon framing, as well as an example of the work of a local master, George Chalmers.
- The Frank M. Avilla, Sr., House, at 411 The Alameda, was determined eligible for listing in the National Register of Historic Places on June 9, 2003, under Criterion C and at the local level of significance, for its architectural merit as an unusual example of the Craftsman style.
- The John Breen Adobe, at 120 Nyland Drive, was determined eligible for listing in the National Register of Historic Places on June 9, 2004 under Criterion B and at the local level of significance, for its association with John Breen and his family, and under Criterion C, at the local level of significance, as an example of a mid-19th century adobe ranch house. The residential landscaping surrounding the John Breen Adobe is considered an element that contributes to the resource's eligibility. In 1989, the John Breen Adobe was found eligible as an individual resource and as an element of a "John Breen Farm historic district." Additional research conducted in connection with the San Benito 156 Improvement Project, however, revealed that there was no justification for delineating a historic district, and the eligibility determination for the district was accordingly reversed on June 9, 2003 (the adobe remains eligible as an individual resource.)
- The former Ferry-Morse Seed Company complex at 2191 San Juan Hollister Road (State Route 156), was determined eligible for listing in the National Register of Historic Places on June 9, 2003, under Criterion A, at the statewide level of significance. It is listed as a highly intact example of a significant production facility for one of the most important seed producers on the Pacific Coast during its era of significance (1910-1949). It is also eligible under Criterion C, at the local level of significance, for its association with renowned local architect, William Binder.
- The former San Justo School at 2981 San Juan Hollister Road (State Route 156), was determined eligible for listing in the National Register of Historic Places on June 9, 2003. The school was built in 1923, used from 1923 to 1968 (the period of significance), and is now a private residence. The school building is eligible at the

local level of significance under Criterion C, because it embodies the distinctive characteristics of the Spanish Colonial Revival style and because it represents the work of a local master architect, Ralph Wyckoff.

- The Mitchell Fruit Farm, at 3680 San Juan Hollister Road (State Route 156), was determined eligible for listing in the National Register of Historic Places on June 9, 2003, at the local level of significance, under Criterion A for its association with the development of the apricot industry in San Benito County, and under Criterion C as a representative example of an early apricot-processing facility.
- The Tebbetts Orchard/Nutting Property at 5070 San Juan Hollister Road (State Route 156) was determined eligible for listing in the National Register of Historic Places on June 9, 2003, at the local level of significance, under Criterion C for its architectural merit as an example of a rare double tankhouse type.

Eligible Historic Properties

Number	A.P.N.	CULTURAL RESOURCES	Number	A.P.N.	CULTURAL RESOURCES
1	002-560-023	Benjamin Wilcox House 315 The Alameda	5	018-180-006	Ferry Morse Seed Company 2191 Route 156
2	018-170-021	Tebbets Orchard/Nutting Property 4070 San Juan Hollister Road	6	018-190-001	San Justo School 2981 Route 156
3	018-170-015	Mitchell Fruit Farm 3680 San Juan Hollister Road	7	002-530-012	Frank Avilla Sr House 411 The Alameda
4	012-130-028	John Breen Adobe 120 Nyland Drive			

Eligible Historic Properties
Existing State Route156
SBT-156-PM 3.0/8.2
05-344900

Figure 2-2 Historic Properties Map

Impacts

Archaeology

No impacts to archaeological resources are anticipated in connection with any of the proposed alternatives currently under discussion. Based on all available background information, previous studies within the area, and a geo-archaeological study of the project area, archaeological properties are not likely to be discovered during construction of this project.

Historic Properties

Ten Build Alternatives were developed and studied for the proposed project. All ten required purchasing new right-of-way from the northernmost edge of the 112.2-acre parcel occupied by the historic Ferry-Morse Seed Company complex. Seven of the ten Build Alternatives were withdrawn because they did not avoid historic properties or they were not prudent and/or feasible. The three remaining Build Alternatives reflect Caltrans' efforts to avoid and minimize impacts to historic properties.

The proposed project would acquire a linear strip of land, a maximum width of 400 feet, at the northernmost edge of the former Ferry-Morse Seed Company parcel. Over 70 percent of the parcel would remain untouched, including the historic Ferry-Morse Seed Company complex and all the buildings in the complex. Alternative 2 would require approximately 33.4 acres; Alternative 4A would require 21.0 acres; and Alternative 6 would require 30.3 acres. Based on public comments received, Alternative 6 was modified: the intersection north of the existing State Route 156 was eliminated; the new alignment was extended to the west before curving north; and the median was reduced from 62 feet to 46 feet. The total acreage from this parcel totals 34.86 acres, but includes a 60-foot easement adjacent to the state right-of-way fence. This easement would be purchased from the property owner, but titled back to the owner for an access easement.

Caltrans has applied the Criteria of Adverse Effect set forth in 36 Code of Federal Regulations Section 800.5(a)(1), taking into account the views provided by consulting parties and the public to evaluate any effects the proposed project would have on the seven properties identified as eligible for the National Register of Historic Places. Public concerns expressed since the project was initiated have focused on preserving the rural character of the San Juan Valley area in general, and on preserving the former San Justo School, in particular.

Caltrans has determined, as a whole, the proposed project would have no adverse effect. Specifically, the proposed project would have no adverse effect on the Ferry-Morse Seed Company, and no effect on the following six properties: the Benjamin Wilcox House; the Frank M. Avilla, Sr. House; the John Breen Adobe; the San Justo School; the Tebetts Orchard/Nutting Property; and the Mitchell Fruit Farm.

In April 2007, Caltrans consulted with the State Office of Historic Preservation regarding a potential de minimis impact to one of the historic properties, the Ferry-Morse Seed Company. Caltrans proposed a reduction in the historic property boundary from the 112-acre legal property parcel to the more appropriate perimeter of a smaller 18-acre portion of the legal parcel, which is the portion occupied by the two dozen buildings making up the seed-processing complex. The State Office of Historic Preservation concurred with the new boundary determinations documented in the Caltrans correspondence dated April 27, 2007 (See Appendix E).

Caltrans submitted a Findings of Effect for the project to the State Office of Historic Preservation in February 2008. The determination was a Finding of No Adverse Effect for the San Benito 156 Improvement Project. The State Office of Historic Preservation concurred with a Finding of No Adverse Effect determination on March 24, 2008 (See Appendix E).

Avoidance, Minimization, and/or Mitigation Measures

Archaeology

If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

If human remains are discovered during construction, State Health and Safety Code Section 7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission, which will then notify the Most Likely Descendent. At this time, the person who discovered the remains would contact the Central Coast Specialist Branch, San Luis Obispo, so that they may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code Section 5097.98 are to be followed as applicable.

Historic Properties

All three proposed Build Alternatives reduce the Section 106 impacts as much as possible while still meeting the project Purpose and Need. Ten Build Alternatives were developed and studied for the proposed project, but seven were withdrawn because they did not avoid the historic properties or they were not prudent and/or feasible. The three remaining Build Alternatives reflect Caltrans' efforts to avoid and minimize impacts to historic properties.

2.2 Physical Environment

2.2.1 Hydrology and Floodplain

Regulatory Setting

Executive Order 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. Requirements for compliance are outlined in 23 Code of Federal Regulations Part 650 Subpart A.

To comply, the following must be analyzed:

- The practicability of alternatives to any longitudinal encroachments
- Risks of the action
- Impacts on natural and beneficial floodplain values
- Support of incompatible floodplain development
- Measures to minimize floodplain impacts and to preserve/restore any beneficial floodplain values affected by the project

The base floodplain is defined as "the area subject to flooding by the flood or tide having a one percent chance of being exceeded in any given year." An encroachment is defined as "an action within the limits of the base floodplain."

Affected Environment

Caltrans has conducted several preliminary hydraulic studies for the project. The most recent Location Hydraulic Study was conducted in February 2004 to identify and evaluate the base floodplain within the limits of the proposed project and address the flow of water as it affects the state highway, the base floodplain, and the surrounding area.

The U.S. Geological Survey classifies the proposed project area as the Central California Coastal Region Pajaro Watershed. This area of land, which drains across State Route 156, originates in the foothills and flows through the floor of the San Juan Valley on its way to the San Benito River. Three distinct sub-basins in the watershed drain across State Route 156.

The San Juan Canyon sub-basin and measures approximately 10.5 square miles and is drained by the San Juan Creek. As the creek approaches the highway and city of San Juan Bautista, it is channeled, piped, and re-routed through the developed area. Caltrans Location Hydraulics Study describes the San Juan Creek as about four times too narrow to carry large floods and the entire area has been subject to severe flooding. However, according to the San Benito County Water District, the San Juan Creek channel was rerouted during the mid-1950s when State Route 156 was realigned. The creek originally crossed the current highway route at an angle. During the realignment construction, a new channel parallel to the highway was constructed, which included a new bridge crossing for the channel. The realignment created a berm across the floodplain, which, according to the Water District, reduced the channel cross section available for flow. The creek is not typically enclosed in a pipeline with the exception of crossing culverts at some roadway locations. The San Juan Creek passes on the outskirts of the developed area of San Juan Bautista, through farmland, which acts as the channel floodway during peak flow events. The San Benito County Water District states the existing State Route 156 encroaches on the floodplain.

According to the 2004 Location Hydraulic Study, the second sub-basin is the San Andreas Rift Zone, which measures approximately 12 square miles. This sub-basin starts at an elevation of approximately 2,700 feet near the Monterey County line and also runs in a northwesterly direction towards its ultimate destination, the San Benito River (no named creek is depicted on the U.S. Geological Survey topography map). As it approaches the valley floor, farming has obliterated the river's tributaries. On the south side of State Route 156, water no longer drains and collects in the McCormick-Selph Lake. A levee has been constructed south of, and parallel, to State Route 156 along property lines. Water has been channeled via ditches and re-diverted westward to San Juan Creek. A row of telephone stumps running in a southeasterly direction towards Mission Vineyard Road at one time marked the last remnant of the natural channel.

The third sub-basin is the flatland north of the highway, which measures approximately 4.3 square miles. Water has historically drained toward the San Benito River and, therefore, away from the highway. Farming operations have altered this flow at several locations causing storm water to occasionally drain toward the highway. However, the San Benito County Water District disagrees with the Caltrans study and states the drainage direction is incorrect.

The San Benito County Water District states that the flatland north of State Route 156 between Lucy Brown Lane and Mitchell Road has a natural slope to the west and south, and in some locations, the runoff is directed toward State Route 156, but runoff does not flow north toward the San Benito River. The District further states that this condition (flow toward the highway) is naturally occurring and has not resulted from any agricultural land grading because the eastern San Juan Basin valley floor is shaped similar to a half-bowl opening to the west. The highest elevations are along the San Bento River, the edge of the valley floor near Mitchell Road, and along the edge of the San Andreas Rift Zone. The lowest relative elevations are located south of State Route 156. A drainage ditch, which discharges into the San Juan Creek, has been cut in the low elevations south of State Route 156. Runoff does not flow directly north toward the river because natural topography adjacent to the river generally directs valley storm water runoff southward and away from the river. The slope of the valley is generally westerly in the higher elevations at the east end of the valley. The District states that some runoff would flow southwesterly toward State Route 156 between Flint Road and Bixby Road based on natural topography, however, and just west of Bixby Road, the natural topography directs flow to the west-northwest. Overland flow in the areas north of State Route 156 would generally be moving away from the highway in the areas west of Lucy Brown Road, and would continue and flow roughly parallel to the San Benito River until they reach the San Juan Creek, which discharges into the Pajaro River. The westward flows are intercepted by the highest elevation north-south roadways (local roads) where they may pond and either flood the roadway or flow southward along the roadway. Some of these flows reach State Route 156.

Both Caltrans and the San Benito County Water District agree that this area has a long history of flooding. The two entities disagree with whether the leveling of farmland and hydrologic changes related to agricultural land use have altered the natural drainage patterns of the area and compounded flooding. It is not the intention of Caltrans to blame the current flooding problems on farming practices, but during the public meetings, several local residents relayed stories about how the streambeds

were grubbed and graded by property owners and how tractors were driven under the bridge to cross the highway.

During the rainy season, some water appears to be intentionally drained to the highway by farmers, and creek beds have been destroyed in the lower elevations to maximize the amount of available farmland. These hydrologic changes, along with vegetation growth, choke the flow of water downstream of the San Juan Creek Bridge. The resulting backwater suppresses the flow of water in the area southeast of the Mission Vineyard Road/State Route 156 intersection. Water collects at the lowest ground elevation of 194 feet. The extremely high water table limits the depth of potential water storage basins, and a shallow impervious clay layer limits downward percolation. This action has resulted in extensive ponding (flooding) at the highway between Mission Vineyard Road and Lucy Brown Lane.

Flooding has been observed on a regular basis along the north side of the existing State Route 156. There is no consistent ditch and culvert system to convey water that is collected along the north side of the roadway.

Impacts

Caltrans does not consider the proposed project to constitute a significant floodplain encroachment as defined in 23 Code of Federal Regulations, Section 650.105(q). No impact to the floodplain is expected. This project is within an area described by the Federal Emergency Management Agency as a floodplain, but with careful hydraulic engineering, the proposed project would not increase the base flood backwater elevations. The project would not support incompatible floodplain development, and there would be no substantial impact on natural and beneficial floodplain values. However, the risk of flood damage to adjacent property would continue because pre-construction hydrologic patterns would not be modified by the proposed project.

Floodplain mapping is located in the Location Hydraulic Study, which is available during the circulation period identified on the inside cover of this document and in Appendix K.

Avoidance, Minimization, and/or Mitigation Measures

Once construction details are prepared, a detailed hydraulic analysis will assess any changes in profile grade and/or the widening of the highway profile that could result in changes to the existing flood zones. The information provided by the San Benito County Water District has been taken into consideration and will be put to constructive use. Caltrans intends to raise the highway profile above floodwater level

and to remove highway runoff. This would make the highway safe from flooding, but would not correct regional flooding problems. New cross-culverts would be required between Mission Vineyard Road and Lucy Brown Lane to mimic current flooding patterns now occurring at the highway. This project should also include the installation of a sufficient number of additional cross culverts to safely pass all water with the potential to back up against any proposed new alignments.

All highway drainage would be disposed of via a new drainage collection system, and all offsite water would flow per the existing drainage patterns. The proposed sound wall would require special floodplain engineering consideration once sound wall placement is determined.

2.2.2 Water Quality and Storm Water Runoff

Regulatory Setting

Section 401 of the Clean Water Act requires water quality certification from the State Water Resources Control Board or from a Regional Water Quality Control Board when the project requires a Clean Water Act Section 404 permit to dredge or fill within a water of the United States.

Along with Section 401 of the Clean Water Act, Section 402 of the Clean Water Act establishes the National Pollutant Discharge Elimination System permit for the discharge of any pollutant into waters of the United States. The federal Environmental Protection Agency has delegated administration of the National Pollutant Discharge Elimination System program to the State Water Resources Control Board and nine Regional Water Quality Control Boards. The State Water Resources Control Board and Regional Water Quality Control Boards 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 State Water Resources Control Board has developed and issued a statewide National Pollutant Discharge Elimination System 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 State Water Resources Control Board’s Statewide General Construction Permit. All construction projects require a Storm Water Pollution Prevention Plan to be prepared and implemented during construction.

Affected Environment

Caltrans completed a Water Quality Assessment Report (April 2003) for the proposed project, which was updated in June 2007. The quality of water in an area depends upon several factors, including topography, geology, soils, groundwater, land use, climate, and precipitation.

This project area lies within the Coast Ranges Geomorphic Province in the San Benito Valley. Elevation at roadway level within the valley ranges from 195 to 250 feet. The San Andreas Rift Zone, the Gabilan Range, and the Diablo Range border the San Benito Valley. The surrounding mountains are oriented from northwest to southeast with elevations ranging from 2,000 to 5,000 feet.

Groundwater ranges from 10 to 35 feet below ground surface. Due to poor soil conditions and the presence of intermittent clay layers, drainage or infiltration is poor, causing waterlogged conditions.

No complete characterization of groundwater quality has been found in the published literature; however, incomplete water quality analysis indicates that the groundwater in the sub basin is somewhat hard and contains significant concentrations of sulfate and chloride. The ground water management plan for the San Benito County part of the Gilroy-Hollister groundwater basin states the groundwater quality is marginally acceptable for potable and irrigation use. Water quality constituents of greatest concern were salinity, nitrate, boron, and hardness.

In regards to the current storm water drainage facilities, according to the San Benito County Water District, storm water from agricultural lands north of State Route 156 typically flows south toward a constructed earth channel that discharges into the San Juan Creek near the San Juan Creek bridge over State Route 156. A culvert that is 18 inches in diameter crosses State Route 156 slightly east of Mission Vineyard Road. This culvert connects the drainage on the north side of the highway with the channel carrying the flows from the south side of the highway. Runoff from the north side of the highway typically flows through this culvert to the south and enters San Juan Creek. However, runoff can flow either direction in the culvert depending on the relative water surface elevations on the north and south side of the roadway. There is another existing cross culvert on State Route 156 between Mission Vineyard Road and Flint Road, located just east of the former San Justo School. Crossing culverts are subject to blockage due to siltation from heavy sediment loads during storms.

Impacts

The project would not be expected to have short- or long-term impacts to surface water quality, because storm water runoff would not be directly discharged to a receiving water. In addition, short- and long-term impacts to groundwater would also not be expected because storm water runoff would likely be of better quality than the groundwater underlying the project area.

Total approximate acreage of new impervious (paved) surfaces as a result of the proposed project is provided in Table 2.9. The paved acreage for the existing State Route 156 within the project limits (post miles 3.0 to R8.2) is approximately 31 acres, and is included in the total paved area in acres.

Table 2.9 Anticipated Paved Acreage and Storm Water Volumes

Anticipated Paved Acreage and Storm Water Volumes	Alternative		
	2	4A	6
Total length in miles	5.2	5.2	5.2
Total paved area in acres	88	54.6	78.0
Approximate Water Quality Volume in acre feet	3.48	1.96	2.83
Approximate Storm Water Quality Flow in Cubic Feet/Second (cfs)	13.2 cfs	7.5 cfs	10.8 cfs

cfs=cubic feet per second

In addition, the report completed for this project indicated that short-term surface water quality impacts are expected during construction but no groundwater impacts are expected. The short-term surface water quality impacts could include:

- Increases in sediments, turbidity (clarity), and total dissolved solids
- Toxicity due to chemical substances originating from construction activities
- Inadequate storm water drainage

Avoidance, Minimization, and/or Mitigation Measures

During construction, a Storm Water Pollution Prevention Plan would be implemented to help identify the sources of sediments and other pollutants that affect the quality of storm water discharges. This plan would also describe and ensure the implementation of Best Management Practices to reduce or eliminate sediment and other pollutants in storm water as well as non-storm water discharges. By incorporating proper and accepted engineering practices and Best Management Practices, the proposed project would have minimal impacts to water quality during construction. Project-specific storm water Best Management Practices would be selected during the development of the Storm Water Pollution Prevention Plan, and are designed to satisfy National

Pollutant Discharge Elimination System permit and Clean Water Act Best Conventional Technology/Best Available Technology requirements.

By using the Water Quality Volume and Storm Water Quality Flow from Table 2.9, the Best Management Practices for the project can be determined. According to the Caltrans Storm Water Quality Handbook, unlike flood control measures that are typically designed to store or convey the peak volumes or flows of infrequent storms (i.e., return period typically over 5 years), Treatment Best Management Practices are designed to treat the lower volume or flow of more frequent (i.e. return period less that 1 year) storms. The volume or flows associated with the frequent events are commonly referred to as the Water Quality Volume for Best Management Practices designed based on volume, and Water Quality Flow for Best Management Practices designed based on flow.

During the project development phase, plans are developed using the Caltrans Project Planning and Design Guide to ensure there would be no detrimental discharge into receiving waters. During the construction phase, the contractor is responsible, as stated in Caltrans' Standard Specifications Section 7-1.01G, for taking the necessary steps to eliminate potential impacts during construction.

Standard Specifications Section 7-1.01G requires the construction contractor to implement pollution control practices related to construction projects via a Water Pollution Control Program or a Storm Water Pollution Prevention Plan, as noted above.

The proposed project would disturb more than one acre of soil and the following would be required:

1. A Notification of Construction would be submitted to the appropriate Regional Water Quality Control Board at least 30 days before the start of construction. The Notification of Construction form requires a tentative start date and duration, location, description of project, estimate of affected area, and name of resident engineer (or other construction contact) with telephone number, etc.

2. A Storm Water Pollution Prevention Plan would be prepared and implemented during construction to the satisfaction of the resident engineer.

3. A Notice of Construction Completion would be submitted to the Regional Water Quality Control Board upon completion of the construction and stabilization of

the site. A project will be considered complete when the criteria for final stabilization in the State General Construction Permit are met.

The primary pollutants of concern following construction are petroleum distillates and metals. A Storm Water Management Plan would be required to minimize long-term water quality impacts. Caltrans has currently implemented the statewide Storm Water Management Plan to address runoff impacts on water quality standards, development of Total Maximum Daily Loads, and watershed planning.

During the post-construction, long-term operational phase, and maintenance, permanent pollutant controls (design and treatment Best Management Practices) would be implemented to meet the Maximum Extent Practicable standard.

2.2.3 Geology/Soils/Seismic/Topograhy

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 California Environmental Quality Act.

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. Caltrans' Office of Earthquake Engineering is responsible for assessing the seismic hazard for Caltrans projects. The current policy is to use the anticipated Maximum Credible Earthquake from young faults in and near California. The Maximum Credible Earthquake is defined as the largest earthquake that can be expected to occur on a fault over a particular period of time.

Affected Environment

Caltrans completed a Preliminary Geotechnical Report for this project in June 2002 to assess groundwater conditions. The report also discussed geology and seismicity.

The project area occurs within the Coast Ranges Geomorphic Province. It lies in the San Benito Valley, which is bounded to the southwest by the San Andreas Rift Zone and the Gabilan Range, and to the north and east by the Diablo Range. The San Benito River lies to the north of State Route 156.

The surrounding mountains are oriented from northwest to southeast. The elevation at roadway level in the project area ranges from 195 feet to 250 feet above sea level.

The elevation of the surrounding mountains ranges from 2,000 feet to 5,000 feet above sea level.

Deposits near the surface within the project area are primarily Quaternary stream terrace deposits consisting of discontinuous layers of silts, sands, clays, and gravels. These deposits are underlain at depths of zero to 195 feet by the Pliocene Purisima Formation, which is similar to the overlying alluvium (material deposited by running water), but more consolidated. There is an exposure of Purisima Formation at the easterly end of the project, southeast of the highway alignment.

Although groundwater is high in some locations, cohesive soils predominate within the project limits. In most locations clay, silty clay, and clayey silt layers occur at or near the surface and extend to depths ranging from less that 1.5 feet to 26 feet. Muddy conditions and standing water are evident for many days after a substantial rainfall event.

Caltrans identified four faults near the project area: San Andreas/N. Sargent, Calaveras-Pacines-San Benito, and Zayante-Vergales. Geological maps show the San Andreas Fault crossing State Route 156 just east of The Alameda, at the beginning of the proposed project. According to the 2005 San Benito County Regional Transportation Plan, the San Andreas Fault was mapped from the northern portion of the county, a short distance east of Aromas, diagonally through the entire length of the county, passing immediately east of San Juan Bautista and emerging at the southern border of the county, approximately 3.5 miles west of Priest Valley. The other faults range from 1.5 miles to 2.8 miles away from the project.

Impacts

The fault having the greatest potential to affect the project site is the San Andreas. The Maximum Credible Magnitude for an earthquake on the San Andreas Fault, as determined by Caltrans, is 8.0, and at a distance of 2,000 feet from the fault, the maximum credible bedrock acceleration in the project area due to an earthquake along this fault is .74 (gravity).

Liquefaction potential in the project area is expected to be low because cohesive soils are not normally susceptible to liquefaction. Liquefaction is a phenomenon that occurs when a sudden shock, or cyclic loading, causes soil pore pressure to temporarily increase until the effective pressure is zero, as occurs during an earthquake. Embankments founded on liquefiable soils may be subject to slope

instability and settlement during an earthquake event. Earth-retaining structures may settle or overturn should the silts beneath them liquefy.

Avoidance, Minimization, and/or Mitigation Measures

Once a rough profile grade has been established for the preferred alternative, a Geotechnical Design Report would be requested to determine final design recommendations. In addition, during the design phase of the project, consideration would be given to the stability and settlement of embankments, particularly at the approaches to structures. The subsurface clay layers are thick and extensive so settlement of the higher embankments may be substantial, and consolidation can be expected to occur over a long period of time. The near-surface soils can be saturated and soft, so the weight-bearing capacity of the foundation soil may be an issue during construction of the embankments.

Cumulative Impacts

The proposed project cannot avoid the San Andreas Fault because any east-west route crosses the fault, which runs diagonally through the entire San Benito County. However, the soil is not unstable and would not become unstable as a result of the project. The potential for offsite landslides, lateral spreading, subsidence, liquefaction or collapse is low.

2.2.4 Hazardous Waste Materials

Regulatory Setting

Many state and federal laws regulate hazardous materials and hazardous wastes. 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.

The primary federal laws regulating hazardous wastes/materials are the Resource Conservation and Recovery Act of 1976 and the Comprehensive Environmental Response, Compensation and Liability Act of 1980. The purpose of the Comprehensive Environmental Response, Compensation and Liability Act, often referred to as Superfund, is to clean up contaminated sites so that public health and welfare are not compromised. The Resource Conservation and Recovery Act provides for “cradle to grave” regulation of hazardous wastes. Other federal laws include the following:

- Community Environmental Response Facilitation Act of 1992
- Clean Water Act
- Clean Air Act

- Safe Drinking Water Act
- Occupational Safety & Health Act
- Atomic Energy Act
- Toxic Substances Control Act
- Federal Insecticide, Fungicide, and Rodenticide Act

In addition to the acts listed above, Executive Order 12088, Federal Compliance with Pollution Control, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

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

Field investigations and a search of the Leaking Underground Storage Tank Information Systems (LUSTIS) and the VISTA Information Solutions, Inc. database were used to complete an Initial Site Assessment (January 2002), which identified the following potential hazardous waste sites:

- Nineteen registered and 10 unregistered underground storage tanks were identified within 1,000 feet of the project right-of-way. Only eight of the tanks (each with leaded, unleaded, or diesel fuel) were next to the proposed project area. No tanks are within the project area.
- Two investigations were completed for aerially deposited lead: one along the existing highway in the project area (February 1, 2001) and one within the area of the Build Alternatives (November 12, 2002). The soils from the proposed alternatives as a whole had less than the regulatory threshold level of 1,000 milligrams/kilogram. Based on the laboratory results, the soil can be handled without restrictions.
- Pesticide applications involving land acquired may be a concern for worker health and safety. Herbicides and pesticides applied to cropland have very short lives

and do not pose a risk unless spilled in large quantities. No agri-chemical spills or accidents have been reported for land that may be acquired.

Impacts

After review of the VISTA Information Solutions, Inc. database, the Leaking Underground Storage Tank Information System, and field review, Caltrans determined:

- There are no substantial hazardous waste concerns with underground storage tanks.
- Aerially deposited lead samples are below regulatory threshold.
- No pesticide spills are on record.
- Hazardous waste would not pose a substantial risk to construction personnel or residents in the proposed construction area.

Avoidance, Minimization, and/or Mitigation Measures

The presence of lead in the soil is measurable but less than the regulatory threshold. However, project-specific Non-Standard Special Provisions for aerially deposited lead would be required in the construction contract and the contractor would provide a project-specific Lead Compliance Plan to address worker health and safety and to prevent or minimize worker exposure to lead while handling material containing aerially deposited lead.

2.2.5 Air Quality

Regulatory Setting

The Clean Air Act, 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 concentration of pollutants that can be in the air. At the federal level, these standards are called National Ambient Air Quality Standards. Standards have been established for six criteria pollutants that have been linked to potential health concerns: carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), particulate matter (PM), lead (Pb), and sulfur dioxide (SO_2).

Under the 1990 Clean Air Act Amendments, the U.S. Department of Transportation cannot fund, authorize, or approve federal actions to support programs or projects that are not first found to conform to the State Implementation Plan for achieving the goals of the Clean Air Act requirements. Conformity with the Clean Air Act takes place on two levels—first, at the regional level, and second, at the project level. The proposed project must conform at both levels to be approved.

Regional level conformity is concerned with how well the region is meeting the standards set for carbon monoxide, nitrogen dioxide, ozone, and particulate matter. California is in attainment for the other criteria pollutants. At the regional level, Regional Transportation Plans 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 Regional Transportation Plan, 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 Council of San Benito County Governments and the appropriate federal agencies, such as the Federal Highway Administration, make the determination that the Regional Transportation Plan is in conformity with the State Implementation Plan for achieving the goals of the Clean Air Act. Otherwise, the projects in the Regional Transportation Plan must be modified until conformity is attained. If the design and scope of the proposed transportation project are the same as described in the Regional Transportation Plan, then the proposed project is deemed to meet regional conformity requirements for purposes of the project-level analysis.

Conformity at the project-level also requires “hot spot” analysis if an area is in “non-attainment” or “maintenance” for carbon monoxide (CO) and/or particulate matter. A region is a “non-attainment” area if one or more monitoring stations in the region fail to attain the relevant standard. Areas that were previously designated as non-attainment areas but have recently met the standard are called “maintenance” areas. “Hot spot” analysis is essentially the same, for technical purposes, as carbon monoxide or particulate matter analysis performed for National Environmental Policy Act and California Environmental Quality Act purposes. Conformity does include some specific standards for projects that require a hot spot analysis. In general, projects must not cause the carbon monoxide standard to be violated, and in “non-attainment” areas, the project must not cause any increase in the number and severity of violations. If a known carbon monoxide or particulate matter violation is located in the project vicinity, the project must include measures to reduce or eliminate the existing violation(s) as well.

Affected Environment

Caltrans prepared an Air Quality Study on December 29, 2004, which was updated in March 2007. The proposed project is located in the North Central Coast Air Basin, which consists of Monterey, Santa Cruz, and San Benito counties. A semi-permanent high-pressure cell over the eastern Pacific Ocean influences the project area’s climate.

The generally northwest-southeast orientation of the mountain ranges tends to restrict and channel the summer airflow. This airflow is occasionally reversed in a weak offshore movement, allowing pollutants to build up over a period of days. During the fall, north or easterly winds develop, often bringing in pollutants from California's Central Valley or from the San Francisco Bay area.

During the winter months, the high-pressure cell migrates southward and has less influence on the air basin. Air frequently flows in a southeasterly direction out of the San Benito Valley, especially during the night and morning hours. Northwest winds are still dominant during the winter, but easterly flow is more frequent. The general absence of deep, persistent inversions and the passage of the occasional storm systems usually result in good air quality during the winter and early spring.

Regional Air Quality Conformity

The Monterey Bay Unified Air Pollution Control District is the agency with jurisdictional control of the basin's air quality. The North Central Coast Air Basin is currently classified as "in attainment/unclassified" for all current federal air quality standards. Therefore, conformity requirements do not apply.

Project-Level Conformity

The State and federal standards and attainment status for priority pollutants for the North Central Coast Air Basin are summarized in Table 2.10.

Table 2.10 Attainment Status for San Benito County

Criteria Pollutant	Averaging Time	Federal Standard (National Ambient Air Quality Standards)	*Federal Attainment Status	State Standard	*State Attainment Status
Ozone (O_3)	1 Hour	---	Attainment/unclassified	0.09 ppm (180 ug/m^3)	Non-attainment/ transitional
	8 Hour	0.08 ppm (157 ug/m^3)		0.070 ppm (137 ug/m^3)	Not Available
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	35 ug/m^3	Attainment/unclassified	No Separate State Standard	Attainment
	Annual Arithmetic Mean	15 ug/m^3		12 ug/m^3	
Respirable Particulate Matter (PM_{10})	24 Hour	150 ug/m^3	Attainment/unclassified	50 ug/m^3	Attainment
	Annual Arithmetic Mean	---		20 ug/m^3	
Carbon Monoxide (CO)	8 Hour	9 ppm (10 mg/m^3)	Attainment/unclassified	9.0 ppm (10 mg/m^3)	Unclassified
	1 Hour	35 ppm (40 mg/m^3)		20 ppm (23 mg/m^3)	

*2006 State of California Air Resources Board
ppm = parts per million
ug/m^3= micrograms per cubic meter
mg/m^3=milligrams per cubic meter

The air pollutants of concern in the North Central Coast Air Basin are ozone (O_3), inhalable particles (PM_{10}), and carbon monoxide (CO).

- Ozone is composed of reactive organic gases and oxides of nitrogen that combine in the presence of sunlight. Ozone is the main constituent of smog. Reactive organic gas comes from the combustion of fossil fuels and from organic solvents. Major sources of fuel combustion are motor vehicles, the fuel industry, and power plants.
- Particulate matter (PM) is a complex mixture of tiny particles that consists of dry solid fragments, solid cores with liquid coatings, and small droplets of liquid. These particles vary greatly in shape, size, and chemical composition, and can be made up of many different materials such as metals, soot, soil, and dust. Particles 10 microns or less in diameter are defined as “respirable particulate matter” or PM_{10}. Fine particles are 2.5 microns or less in diameter ($PM_{2.5}$) and can contribute to regional haze and reduction of visibility in California.

San Benito County is currently classified as "Attainment/unclassified" for all federal ambient air quality standards. The County, however, for State ambient air quality standards, is only classified "Attainment" for fine particulate matter ($PM_{2.5}$). It is classified "Non-attainment" for ozone (O_3) and respirable particulate matter (PM_{10}), and "Unclassified" for carbon monoxide (CO).

Ambient air quality for the project area was monitored at the Hollister, California monitoring station and the data was used for a qualitative analysis for ozone and particulate matter measuring 10 microns and smaller. The latest version of the data available is dated March 15, 2006 and covered the 3-year period from 2003 through 2005.

Ozone Analysis

The project is located in an "attainment/unclassified" area for ozone for federal standards; therefore, federal conformity is not required. The project is in a "non-attainment-transitional" area for 1-hour State standards. There is currently no 8-hour State standard. The monitoring station in Hollister, California did not register any violation of the ozone national standard during the three years from 2003 through 2005.

Particulate Matter (PM_{10}) Analysis

The project is located in an "attainment/unclassified" area for particulate matter that is 10 microns or less in diameter for federal standards; therefore, federal conformity is not required. The project is in a "non-attainment" area for State standards.

Because the U.S. Environmental Protection Agency has not released modeling guidance on how to perform quantitative particulate matter hot spot analysis, such analysis is not currently required. For the qualitative analysis, the monitoring station in Hollister, California did not register any violation of the PM_{10} national standard during the three years from 2003 through 2005.

Particulate Matter ($PM_{2.5}$) Analysis

The project is located in an "attainment/unclassified" area for federal standards and in an "attainment" area for state standard for fine particulate matter ($PM_{2.5}$); therefore, no further analysis is needed.

CO Hot Spot Analysis

The project is located in an “attainment/unclassified” area for federal standards and in an “unclassified” area for state standards for carbon monoxide (CO); therefore, no further analysis is needed.

In addition to the criteria pollutants discussed above, the U.S. Environmental Protection Agency also regulates air toxics, including particulate matter contained in diesel exhaust. Diesel engine exhaust contains a complex mixture of gases and particulates that have raised concerns about their potential for adverse health effects. Human exposure to diesel engine exhaust comes from both highway and non-highway sources. Studies of the risks are inconclusive, however, and the Environmental Protection Agency has yet to establish air quality standards or guidelines for assessing the project level effects of mobile air toxics. Such limitations make the study of mobile air toxic concentrations, exposures, and health impacts difficult and uncertain, especially on a quantitative basis.

Mobile Source Air Toxics (MSATs)

In addition to the criteria pollutants discussed above, the U.S. Environmental Protection Agency also regulates air toxics, including particulate matter contained in diesel exhaust. Diesel engine exhaust contains a complex mixture of gases and particulates that have raised concerns about their potential for adverse health effects. Human exposure to diesel engine exhaust comes from both highway and non-highway sources. Studies of the risks are inconclusive, however, and the Environmental Protection Agency has yet to establish air quality standards or guidelines for assessing the project level effects of mobile air toxics. Such limitations make the study of mobile air toxic concentrations, exposures, and health impacts difficult and uncertain, especially on a quantitative basis. Most air toxics originate from human-made sources, including on-road mobile sources, non-road mobile sources (e.g., airplanes), area sources (e.g., dry cleaners) and stationary sources (e.g., factories or refineries).

Mobile source air toxics are a subset of the 188 air toxics defined by the Clean Air Act. The mobile source air toxics are compounds emitted from highway vehicles and non-road equipment. Some toxic compounds are present in fuel and are emitted to the air when the fuel evaporates or passes through the engine unburned. Other toxics are emitted from the incomplete combustion of fuels or as secondary combustion products. Metal air toxics also result from engine wear or from impurities in oil or gasoline.

The Environmental Protection Agency is the lead Federal Agency for administering the Clean Air Act and has certain responsibilities regarding the health effects of mobile source air toxics. The Environmental Protection Agency issued a Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources. 66 Federal Regulation 17229 (March 29, 2001). This rule was issued under the authority in Section 202 of the Clean Air Act. In its rule, the Environmental Protection Agency examined the impacts of existing and newly promulgated mobile source control programs, including reformulated gasoline (RFG) program, national low emission vehicle (NLEV) standards, Tier 2 motor vehicle emissions standards and gasoline sulfur control requirements, and its proposed heavy duty engine and vehicle standards and on-highway diesel fuel sulfur control requirements.

Unavailable Information for Project Specific Mobile Source Air Toxics Impact Analysis: This Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact includes a basic analysis of the likely mobile source air toxics emission impacts of this project. However, available technical tools do not enable us to predict the project-specific health impacts of the emission changes associated with the alternatives in this environmental document. Due to these limitations, the following discussion is included in accordance with Council on Environmental Quality regulations (40 Code of Federal Regulations 1502.22(b)) regarding incomplete or unavailable information

Information that is Unavailable or Incomplete: Evaluating the environmental and health impacts from mobile source air toxics on a proposed highway project would involve several key elements, including emissions modeling, dispersion modeling in order to estimate ambient concentrations resulting from the estimated emissions, exposure modeling in order to estimate human exposure to the estimated concentrations, and then final determination of health impacts based on the estimated exposure. Each of these steps is encumbered by technical shortcomings or uncertain science that prevents a more complete determination of the mobile source air toxics health impacts of this project.

- **Emissions:** The Environmental Protection Agency tools to estimate mobile source air toxics emissions from motor vehicles are not sensitive to key variables determining emissions of mobile source air toxics in the context of highway projects. While MOBILE 6.2 is used to predict emissions at a regional level, it has limited applicability at the project level. MOBILE 6.2 is a trip-based model--emission factors are projected based on a typical trip of 7.5 miles, and on average

speeds for this typical trip. This means that MOBILE 6.2 does not have the ability to predict emission factors for a specific vehicle operating condition at a specific location at a specific time. Because of this limitation, MOBILE 6.2 can only approximate the operating speeds and levels of congestion likely to be present on the largest-scale projects, and cannot adequately capture emissions effects of smaller projects. For particulate matter, the model results are not sensitive to average trip speed, although the other mobile source air toxics emission rates do change with changes in trip speed. Also, the emissions rates used in MOBILE 6.2 for both particulate matter and mobile source air toxics are based on a limited number of tests of mostly older-technology vehicles. Lastly, in its discussions of particulate matter under the conformity rule, the Environmental Protection Agency has identified problems with MOBILE6.2 as an obstacle to quantitative analysis.

These deficiencies compromise the capability of MOBILE 6.2 to estimate mobile source air toxics emissions. MOBILE6.2 is an adequate tool for projecting emissions trends, and performing relative analyses between alternatives for very large projects, but it is not sensitive enough to capture the effects of travel changes tied to smaller projects or to predict emissions near specific roadside locations.

- **Dispersion.** The tools to predict how mobile source air toxics disperse are also limited. The Environmental Protection Agency 's current regulatory models, CALINE3 and CAL3QHC, were developed and validated more than a decade ago for the purpose of predicting episodic concentrations of carbon monoxide to determine compliance with the National Ambient Air Quality Standards. The performance of dispersion models is more accurate for predicting maximum concentrations that can occur at some time at some location within a geographic area. This limitation makes it difficult to predict accurate exposure patterns at specific times at specific highway project locations across an urban area to assess potential health risk. The National Cooperative Highway Research Program (NCHRP) is conducting research on best practices in applying models and other technical methods in the analysis of mobile source air toxics. This work also will focus on identifying appropriate methods of documenting and communicating mobile source air toxics impacts in the National Environmental Policy Act process and to the general public. Along with these general limitations of dispersion models, The Federal Highway Administration is also faced with a lack of monitoring data in most areas for use in establishing project-specific mobile source air toxics background concentrations.

- **Exposure Levels and Health Effects.** Finally, even if emission levels and concentrations of mobile source air toxics could be accurately predicted, shortcomings in current techniques for exposure assessment and risk analysis preclude us from reaching meaningful conclusions about project-specific health impacts. Exposure assessments are difficult to accurately calculate annual concentrations of mobile source air toxics near roadways, and to determine the portion of a year that people are actually exposed to those concentrations at a specific location. These difficulties are magnified for 70-year cancer assessments, particularly because unsupportable assumptions would have to be made regarding changes in travel patterns and vehicle technology (which affects emissions rates) over a 70-year period. There are also considerable uncertainties associated with the existing estimates of toxicity of the various mobile source air toxics, because of factors such as low-dose extrapolation and translation of occupational exposure data to the general population. Because of these shortcomings, any calculated difference in health impacts between alternatives is likely to be much smaller than the uncertainties associated with calculating the impacts. Consequently, the results of such assessments would not be useful to decision makers, who would need to weigh this information against other project impacts that are better suited for quantitative analysis.

Summary of Existing Credible Scientific Evidence Relevant to Evaluating the Impacts of Mobile Source Air Toxics. Research into the health impacts of mobile source air toxics is ongoing. For different emission types, there are a variety of studies that show that some either are statistically associated with adverse health outcomes through epidemiological studies (frequently based on emissions levels found in occupational settings) or that animals demonstrate adverse health outcomes when exposed to large doses.

Exposure to toxics has been a focus of a number of the environmental protections agency's efforts. Most notably, the agency conducted the National Air Toxics Assessment (NATA) in 1996 to evaluate modeled estimates of human exposure applicable to the county level. While not intended for use as a measure of or benchmark for local exposure, the modeled estimates in the National Air Toxics Assessment database best illustrate the levels of various toxics when aggregated to a national or State level.

The Environmental Protection Agency is in the process of assessing the risks of various kinds of exposures to these pollutants. The Environmental Protection

Agency's Integrated Risk Information System (IRIS) is a database of human health effects that may result from exposure to various substances found in the environment. The Integrated Risk Information System database is located at http://www.epa.gov/iris. The following toxicity information for the six prioritized mobile source air toxics was taken from the Integrated Risk Information System database *Weight of Evidence Characterization* summaries. This information is taken verbatim from Environmental Protection Agency's Integrated Risk Information System database and represents the Agency's most current evaluations of the potential hazards and toxicology of these chemicals or mixtures.

- **Benzene** is characterized as a known human carcinogen.
- The potential carcinogenicity of **acrolein** cannot be determined because the existing data are inadequate for an assessment of human carcinogenic potential for either the oral or inhalation route of exposure.
- **Formaldehyde** is a probable human carcinogen, based on limited evidence in humans, and sufficient evidence in animals.
- **1,3-butadiene** is characterized as carcinogenic to humans by inhalation.
- **Acetaldehyde** is a probable human carcinogen based on increased incidence of nasal tumors in male and female rats and laryngeal tumors in male and female hamsters after inhalation exposure.
- **Diesel exhaust** (DE) is likely to be carcinogenic to humans by inhalation from environmental exposures. Diesel exhaust as reviewed in this document is the combination of diesel particulate matter and diesel exhaust organic gases.
- **Diesel exhaust** also represents chronic respiratory effects, possibly the primary noncancer hazard from mobile source air toxics. Prolonged exposures may impair pulmonary function and could produce symptoms, such as cough, phlegm, and chronic bronchitis. Exposure relationships have not been developed from these studies.

Some recent studies have reported that proximity to roadways is related to adverse health outcomes -- particularly respiratory problems. Much of this research is not specific to mobile source air toxics, instead surveying the full spectrum of both criteria and other pollutants. The Environmental Protection Agency cannot evaluate the validity of these studies, but more importantly, they do not provide information that would be useful to alleviate the uncertainties listed above and enable us to perform a more comprehensive evaluation of the health impacts specific to this project.

Because of the uncertainties outlined above, a quantitative assessment of the effects of air toxic emissions impacts on human health cannot be made at the project level. While available tools do allow us to reasonably predict relative emissions changes between alternatives for larger projects, the amount of mobile source air toxics' emissions from each of the project alternatives and mobile source air toxics concentrations or exposures created by each of the project alternatives cannot be predicted with enough accuracy to be useful in estimating health impacts. (As noted above, the current emissions model is not capable of serving as a meaningful emissions analysis tool for smaller projects.) Therefore, the relevance of the unavailable or incomplete information is that it is not possible to make a determination of whether any of the alternatives would have "significant adverse impacts on the human environment."

Project Level Analysis

The risk of exposure to these pollutants is higher nearer to the roadway; therefore, the exposure risk is lessened when the highway is moved further away from a sensitive receptor. Exposures are thought to be higher within 100 yards of the highway. Three categories of projects have been established for varying levels of mobile source air toxics analysis:

Category 1: No Meaningful Potential Mobile Source Air Toxics Effects – projects qualifying as a categorical exclusion under 23 Code of Federal Regulations 771.117(c); projects exempt under the Clean Air Act conformity rule under 40 Code of Federal Regulations 93.126; or other projects with no meaningful impacts on traffic volumes or vehicle mix.

Category 2: Low Potential Mobile Source Air Toxics Effect – projects that improve highway operations, but have an annual average daily traffic (AADT) less than 150,000 in the design year.

Category 3: Higher Potential Mobile Source Air Toxics Effect – project that would alter an intermodal freight facility near sensitive receptors that have the potential to concentrate high levels of diesel particulate in one location, or project that would construct new highways, or add capacity to existing highways, where the annual average daily traffic is greater than 150,000.

The average annual daily traffic counts for the project in the year 2006 (existing conditions) is 26,200 vehicles. This annual daily traffic is expected to increase to 29,344 vehicles by the year 2014 (construction year) and 37,531 vehicles by the year 2034 (future conditions).

The project would not fall into Category 1 because it is not a categorical exclusion or exempted by the Clean Air Act conformity rule. The project also does not fall into Category 3 because it would not alter an intermodal freight facility nor would it create new or add significantly to the capacity of a roadway where the annual average daily traffic would exceed 150,000 vehicles.

For preferred alternative, the amount of mobile source air toxics emitted would be proportional to the amount of vehicle miles traveled. The volume of miles traveled is estimated higher than that of the No Build Alternative because of the additional capacity increases the efficiency of the roadway. This increase in volume of miles traveled would lead to higher mobile source air toxics emissions for the preferred alternative. The emissions increase is offset somewhat by lower mobile source air toxics emission rates due to increased speeds. According to Environmental Protection Agency's the MOBILE6 emissions model, emissions of all of the priority mobile source air toxics except for diesel particulate matter decrease as speed increases. The extent to which these emissions decreases will offset volume of miles traveled-related emissions increases cannot be reliably projected due to the inherent deficiencies of technical models.

San Juan Elementary School is a sensitive land use identified in the vicinity of the project. The school grounds are less than 100 yards from the edge of the nearest traveled lane of State Route 156. A two-lane paved frontage road separates the school grounds from the existing State Route 156. The proposed project would widen the existing roadway to the south; therefore the distance between the school and the roadway (and to the vehicle emissions) would remain the same. Slower (eastbound) truck traffic that generally uses the outer (slow) lane would actually be moved further away from the school.

Emissions will likely be lower than present levels in the design year as a result of the Environmental Protection Agency's national control programs that are projected to reduce mobile source air toxics emissions by 57 to 87 percent from 2000 to 2020. Local conditions may differ from these national projections in terms of fleet mix and turnover, vehicle miles traveled growth rates, and local control measures. However, the Environmental Protection Agency -projected reductions are so significant (even after accounting for vehicle miles traveled growth) that mobile source air toxics emissions in the study area are likely to be lower in the future as well.

Asbestos

The California Environmental Quality Act requires that environmental documents address human exposure to both naturally occurring and structural airborne asbestos. The U.S. Environmental Protection Agency, the California Air Resources Board, and most air pollution control districts regulate asbestos as an airborne toxic material. According to the Caltrans technical reports for air quality and hazardous waste, there is no known naturally occurring asbestos or structural asbestos found within the project limits.

Impacts

The project is not expected to create carbon monoxide hotspots or increase the levels of carbon monoxide because the project would provide additional travel lanes and passing opportunities, which would increase the level of service and reduce slow-moving traffic. The project would relieve congestion and provide upgraded intersections, which would reduce idling time; therefore, providing an overall air quality benefit. Based on the data available, the project would not create a new violation or worsen an existing violation of the state standards for ambient air quality.

Construction

Project construction would take approximately 24 months. There would be a temporary increase in air emissions during the construction period. The Monterey Bay Unified Air Pollution Control District requires the calculation of inhalable particulate matter (PM_{10}) emissions from construction activities and includes emissions of ozone precursors (oxides of nitrogen and reactive organic gases) in its emissions inventory.

Air pollutants come from three sources on a construction project: the vehicles doing the construction, the application of asphalt products, and construction grading. Asphalt application is not discussed because the emissions from asphalt are reactive organic compounds (ROCs) that are already accounted for by the Monterey Bay Unified Air Pollution Control District.

The County considers emissions, including construction emissions, of greater than 82 pounds per day of PM_{10} to be an adverse effect. Projects that grade more than 2 acres per day have the potential to exceed the 82 pounds per day limit. Based on the preliminary project plans, the maximum area that the project would disturb is 173 acres or an approximate average daily grading of 1.3 acres; therefore, the project would be within the 2-acres per day limit and not expected to produce emissions

greater than the 82 pounds per day limit. The project is not expected to exceed the thresholds for other construction emissions established by the air pollution control district. See Appendix H.

Caltrans has calculated the emissions expected from grading and summarized the results in Table 2.11.

Table 2.11 Estimated Construction Emissions from Grading

Air Pollution Control District's Threshold Daily Pounds	Air Pollution Control District's Threshold Quarterly Pounds	Alternative (Quarterly tons and daily pounds of PM_{10})*		
		2	**4A**	**6**
	2.5 tons	1.5 tons	1.0 tons	1.5 tons
82		49 pounds	32 pounds	49 pounds

*At 38 pounds per acre per day, 66 days grading/quarter

Avoidance, Minimization, and/or Mitigation Measures

The daily and quarterly grading acreage and emissions from fugitive dust appear to be within the limits established by the Monterey Bay Unified Air Pollution Control District. The District recommends the following minimization measures, (in addition to daily watering of all disturbed areas required by Caltrans Standard Specifications):

- Water all active construction areas at least twice daily (frequency should be based on the type of operation, soil, and wind exposure)
- Prohibit all grading activities during periods of high wind (over 15 miles per hour)
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro-seed area
- Maintain at least 2.0 feet of "freeboard" (space between the surface of the load and top of the truck bed) on haul trucks
- Cover all trucks that haul dirt, sand, or loose materials
- Cover inactive storage piles
- Sweep streets if visible soil is carried out from the construction site
- Plant windbreaks on the windward side of construction projects adjacent to open land (consult with project biologist prior to plant selection)
- Plant vegetative cover in disturbed areas as soon as possible (consult with project biologist prior to plant selection)
- Limit the area under construction at any one time

Applications of appropriate measures from this list can further reduce emissions of fugitive dust from the project.

The contractor would use on-road diesel fuel approved by the California Air Resources Board in diesel construction vehicles when it is locally available.

Caltrans Standard Specifications pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission impacts during construction. Typical dust and emission control methods include watering the construction site, runoff and erosion control, traps on diesel-exhaust systems, and emission-control retrofits on older, higher polluting vehicles. These impacts are addressed through Caltrans Standard Specifications, Section 7-1.0F, “Air Pollution Control” and Section 10, “Dust Control.”

The Monterey Bay Unified Air Pollution Control District administers air quality regulations developed at the federal, state, and local levels. According to Caltrans Standard Specifications that may apply to all state construction projects, the contractor must comply with Monterey Bay Unified Air Pollution Control District’s rules, ordinances, and regulations.

2.2.6 Noise

Regulatory Setting

The National Environmental Policy Act of 1969 and the California Environmental Quality Act provide the broad basis for analyzing and abating the effects of highway traffic noise. The intent of these laws is to promote the general welfare and to foster a healthy environment. The requirements for noise analysis and consideration of noise abatement and/or mitigation, however, differ between the National Environmental Policy Act and the California Environmental Quality Act.

California Environmental Quality Act

The California Environmental Quality Act requires a strictly no-build versus build analysis to assess whether a proposed project will have a noise impact. If a proposed project is determined to have a significant noise impact under the California Environmental Quality Act, then the act dictates that mitigation measures must be incorporated into the project unless such measures are not feasible. The rest of this section will focus on the National Environmental Policy Act-23 Code of Federal Regulations Part 772 noise analysis; please see Chapter 3 for further information on noise analysis under the California Environmental Quality Act.

National Environmental Policy Act and 23 Code of Federal Regulations Part 772

For highway transportation projects with Federal Highway Administration (and Caltrans, as assigned) involvement, the Federal-Aid Highway Act of 1970 and the associated implementing regulations (23 Code of Federal Regulations Part 772) govern the analysis and abatement of traffic noise impacts. The regulations require that potential noise impacts in areas of frequent human use be identified during the planning and design of a highway project. The regulations contain noise abatement criteria that are used to determine when a noise impact would occur. The noise abatement criteria differ depending on the type of land use under analysis. For example, the criterion for residences (67 decibels) is lower than the criterion for commercial areas (72 decibels). The following table lists the noise abatement criteria for use in the National Environmental Policy Act and 23 Code of Federal Regulations Part 772 analysis, and Table 2.13 shows the noise levels of typical activities.

Table 2.12 Activity Categories and Noise Abatement Criteria

Activity Category	Noise Abatement Criteria, A-weighted Noise Level (dBA), Leq(h)*	Description of Activities
A	57 Exterior	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose
B	67 Exterior	Picnic areas, recreation areas, playgrounds, active sport areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals
C	72 Exterior	Developed lands, properties, or activities not included in Categories A or B above
D	--	Undeveloped lands
E	52 Interior	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums

Source: Caltrans Traffic Noise Analysis Manual, 2006
*A-weighted decibels (dBA) are adjusted to approximate the way humans perceive sound. Leq(h) is the steady A-weighted level that is equivalent to the same amount of energy as that contained in the actual time-varying levels over one hour.

Table 2.13 Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	110	Rock Band
Jet Fly-over at 300m (1000 ft)		
	100	
Gas Lawn Mower at 1 m (3 ft)		
	90	
Diesel Truck at 15 m (50 ft), at 80 km (50 mph)		Food Blender at 1 m (3 ft)
	80	Garbage Disposal at 1 m (3 ft)
Noisy Urban Area, Daytime		
Gas Lawn Mower, 30 m (100 ft)	70	Vacuum Cleaner at 3 m (10 ft)
Commercial Area		Normal Speech at 1 m (3 ft)
Heavy Traffic at 90 m (300 ft)	60	
		Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime		
	30	Library
Quiet Rural Nighttime		Bedroom at Night, Concert Hall (Background)
	20	Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

In accordance with Caltrans' *Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects,* August 2006, a noise impact occurs when the future noise level with the project results in a substantial increase in noise level (defined as a 12-decibel or more increase) or when the future noise level with the project approaches or exceeds the noise abatement criteria (see Table 2.12). Approaching the noise abatement criteria is defined as coming within 1 decibel of the criteria.

If it is determined that the project would have noise impacts, then potential abatement measures must be considered. Noise abatement measures that are determined to be reasonable and feasible at the time of final design are incorporated into the project plans and specifications. This document discusses noise abatement measures that would likely be incorporated in the project.

Caltrans' *Traffic Noise Analysis Protocol* sets forth the criteria for determining when an abatement measure is reasonable and feasible. Feasibility of noise abatement is basically an engineering concern. A minimum 5-decibel reduction in the future noise level must be achieved for an abatement measure to be considered feasible. Other considerations include topography, access requirements, other noise sources, and safety considerations. The reasonableness determination is basically a cost-benefit analysis. Factors used in determining whether a proposed noise abatement measure is reasonable include: residents' acceptance, the absolute noise level, build versus existing noise, environmental impacts of abatement, public and local agencies input, newly constructed development versus development pre-dating 1978, and the cost per benefited residence.

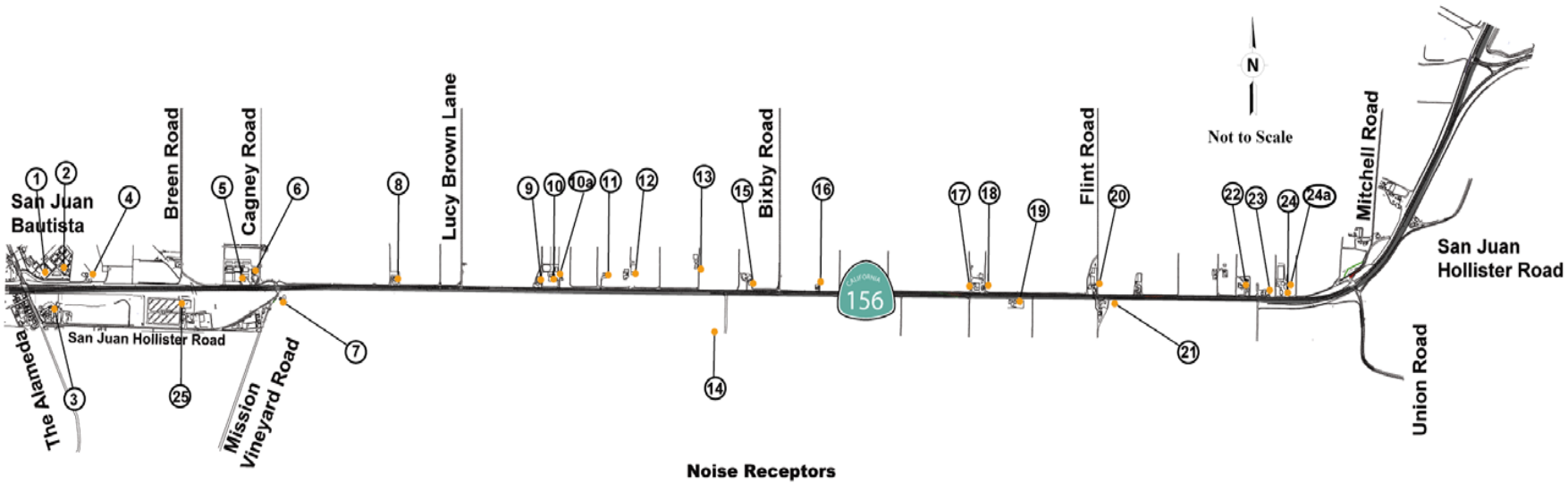
Affected Environment

Caltrans completed a Noise Study (June 2002), which was updated in May 2007.

The project is in the San Juan Valley where the terrain is relatively flat with elevations sloping from 252 feet mean sea level on the east to 195 feet mean sea level on the west. The majority of the project's area consists of rural residential/farmhouses and developed agricultural properties or farms. Within the city limits of San Juan Bautista at the beginning of the project, the San Juan Elementary School, several commercial businesses, some undeveloped open fields, and the Mission RV Park border the highway.

Current noise levels at peak hours of traffic were measured for receptors along the project route using the Sound 32 traffic noise prediction program. The Sound 32 program is compatible with the Federal Highway Administration 77-RD-109 Model.

Caltrans identified 27 receptors, which were chosen to represent other sensitive receptors that could be affected by the proposed project. Receptors 10 and 24 include an additional structure labeled 10a and 24a respectively. The receptors and their location are shown in Figure 2-3. Tables 2.14, 2.15, and 2.16 show the existing (2005) noise levels for the three Build Alternatives at existing receptors in the project area.



Noise Receptors

Receptor Number	Description of Receptor	Approximate Post Mile	Receptor Number	Description of Receptor	Approximate Post Mile	Receptor Number	Description of Receptor	Approximate Post Mile
1	School	3.10	10	Residence	4.73	18	Residence	6.04
2	School	3.14	10a	Residence	4.73	19	Residence	6.06
3	Business	3.11	11	Residence	4.86	20	Residence	6.40
4	Residence	3.23	12	Residence	4.93	21	Residence	6.52
5	Business	3.71	13	Residence	5.16	22	Residence	6.89
6	Residence	3.74	14	Residence	5.16	23	Residence	6.94
7	Pumphouse	3.84	15	Residence	5.32	24	Residence	7.01
8	Residence	4.18	16	Residence	5.42	24a	Residence	7.01
9	Residence	4.65	17	Residence	5.54	25	Business	3.46

Caltrans

Noise Receptors
Existing State Route156
SBT-156-PM 3.0/8.2
05-344900

Figure 2-3 Noise Receptors

Table 2.14 2005 Existing and 2030 Predicted Noise Levels—Alternative 2

Receptor Number	2005 Existing (dBA Leq)	2030 No-build Predicted (dBA Leq)	2030 Build Predicted (dBA Leq)	Predicted Noise Level with Barriers of Varying Heights (feet)									Reasonable	Feasible
				8	9	10	11	12	13	14	15	16		
1	64	67	**67**	School requested no barriers									n/a	n/a
2	64	67	**67**											
3	64	67	**67**	Commercial property no barriers									n/a	n/a
4	70	73	**70**	-	-	69	69	69	68	68	67	67	n/a	NO
5	69	72	**69**	-	-	66	66	66	65	65	65	**64**	NO	YES
6	66	69	**66**	-	-	64	63	63	62	62	62	**61**	NO	YES
7	-	-	-	Right-of-Way Acquisition									n/a	n/a
8	69	72	**67**	64	64	63	63	**62**	62	62	61	-	NO	YES
9	69	72	**67**	64	64	63	63	**62**	62	62	61	-	NO	YES
10	69	72	**67**	64	64	63	63	**62**	62	62	61	-	NO	YES
10a	69	72	**67**	64	64	63	63	**62**	62	62	61	-	NO	YES
11	64	67	64	-	-	-	-	-	-	-	-	-	n/a	n/a
12	64	67	64	-	-	-	-	-	-	-	-	-	n/a	n/a
13	62	65	62	-	-	-	-	-	-	-	-	-	n/a	n/a
14	58	61	63	-	-	-	-	-	-	-	-	-	n/a	n/a
15	74	77	**67**	64	63	63	**62**	61	61	60	60	60	NO	YES
16	74	77	**67**	64	63	63	**62**	61	61	60	60	60	NO	YES
17	74	77	64	-	-	-	-	-	-	-	-	-	n/a	n/a
18	74	77	64	-	-	-	-	-	-	-	-	-	n/a	n/a
19	73	76	**68**	65	64	64	63	**63**	63	62	62	-	NO	YES
20	73	76	64	-	-	-	-	-	-	-	-	-	n/a	YES
21	73	76	**68**	65	64	64	63	**63**	63	62	62	-	NO	YES
22	69	72	**67**	64	64	63	62	**62**	61	61	61	-	NO	YES
23	75	78	**70**	67	67	66	66	**65**	65	65	64	-	NO	YES
24	75	78	**70**	67	67	66	66	**65**	65	65	64	-	NO	YES
24a	75	78	**70**	67	67	66	66	**65**	65	65	64	-	NO	YES
25	67	70	**71**	67	**66**	66	65	65	64	64	64	-	YES	YES

Highlights indicate 5-dBA attenuation (+/-60 degree exposure angle)

Table 2.15 2005 Existing and 2030 Predicted Noise Levels—Alternative 4A

Receptor Number	2005 Existing (dBA Leq)	2030 No-build Predicted (dBA Leq)	2030 Build Predicted (dBA Leq)	Predicted Noise Level with Barriers of Varying Heights (feet)									Reasonable	Feasible
				8	9	10	11	12	13	14	15	16		
1	64	67	**67**	School requested no barriers									n/a	n/a
2	64	67	**67**											
3	64	67	**67**	Commercial property no barriers									n/a	n/a
4	70	73	70	-	-	69	69	69	68	68	67	67	n/a	NO
5	69	72	69	-	-	66	66	66	65	65	65	**64**	NO	YES
6	66	69	66	-	-	64	63	63	62	62	62	**61**	NO	YES
7	-	-	-	Right-of-Way Acquisition									n/a	n/a
8	69	72	68	64	64	**63**	63	62	62	62	61	-	NO	YES
9	69	72	68	64	64	**63**	63	62	62	62	61	-	NO	YES
10	69	72	68	64	64	**63**	63	62	62	62	61	-	NO	YES
10a	69	72	68	64	64	**63**	63	62	62	62	61	-	NO	YES
11	64	67	65	-	-	-	-	-	-	-	-	-	n/a	n/a
12	64	67	65	-	-	-	-	-	-	-	-	-	n/a	n/a
13	62	65	62	-	-	-	-	-	-	-	-	-	n/a	n/a
14	58	61	63	-	-	-	-	-	-	-	-	-	n/a	n/a
15	74	77	69	66	65	65	**64**	64	63	63	63	63	NO	YES
16	74	77	69	66	65	65	**64**	64	63	63	63	63	NO	YES
17	74	77	65	-	-	-	-	-	-	-	-	-	n/a	n/a
18	74	77	65	-	-	-	-	-	-	-	-	-	n/a	n/a
19	73	76	69	65	64	**64**	63	63	63	62	62	-	NO	YES
20	73	76	64	-	-	-	-	-	-	-	-	-	n/a	YES
21	73	72	69	65	64	**64**	63	63	63	62	62	-	NO	YES
22	69	78	68	64	64	**63**	62	62	61	61	61	-	NO	YES
23	75	78	72	**67**	67	66	66	65	65	65	64	-	NO	YES
24	75	78	72	**67**	67	66	66	65	65	65	64	-	NO	YES
24a	75	78	72	**67**	67	66	66	65	65	65	64	-	NO	YES
25	67	73	71	67	**66**	66	65	65	64	64	64	-	YES	YES

Highlights indicate 5-dBA attenuation (+/-60 degree exposure angle)

Table 2.16 2005 Existing and 2030 Predicted Noise Levels—Alternative 6

Receptor Number	2005 Existing (dBA Leq)	2030 No-build Predicted (dBA Leq)	2030 Build Predicted (dBA Leq)	Predicted Noise Level with Barriers of Varying Heights (feet)									Reasonable	Feasible
				8	9	10	11	12	13	14	15	16		
1	64			School requested no barriers									n/a	n/a
2	64													
3	64			Commercial property no barriers									n/a	n/a
4	70	73	70	-	-	69	69	69	68	68	67	67	n/a	NO
5	69	72	69	-	-	66	66	66	65	65	65	**64**	NO	YES
6	66	69	66	-	-	64	63	63	62	62	62	**61**	NO	YES
7	-	-	-	Right-of-Way Acquisition									n/a	n/a
8	69	72	67	64	64	63	63	**62**	62	62	61	-	NO	YES
9	69	72	67	64	64	63	63	**62**	62	62	61	-	NO	YES
10	69	72	67	64	64	63	63	**62**	62	62	61	-	NO	YES
10a	69	72	67	64	64	63	63	**62**	62	62	61	-	NO	YES
11	64	67	65	-	-	-	-	-	-	-	-	-	n/a	n/a
12	64	67	65	-	-	-	-	-	-	-	-	-	n/a	n/a
13	62	65	63	-	-	-	-	-	-	-	-	-	n/a	n/a
14	58	61	63	-	-	-	-	-	-	-	-	-	n/a	n/a
15	74	77	68	65	64	64	**63**	63	62	62	62	62	NO	YES
16	74	77	68	65	64	64	**63**	63	62	62	62	62	NO	YES
17	74	77	65	-	-	-	-	-	-	-	-	-	n/a	n/a
18	74	77	65										n/a	n/a
19	73	76	68	65	64	64	63	**63**	63	62	62	-	NO	YES
20	73	76	64	-	-	-	-	-	-	-	-	-	n/a	YES
21	73	72	68	65	64	64	63	**63**	63	62	62	-	NO	YES
22	69	78	67	64	64	63	62	**62**	61	61	61	-	NO	YES
23	75	78	71	67	67	66	**66**	65	65	65	64	-	NO	YES
24	75	78	71	67	67	66	**66**	65	65	65	64	-	NO	YES
24a	75	78	71	67	67	66	**66**	65	65	65	64	-	NO	YES
25	67	73	71	67	**66**	66	65	65	64	64	64	-	YES	YES

Highlights indicate 5-dBA attenuation (+/-60 degree exposure angle)

Impacts

Tables 2.14 through 2.16 also show predictions of future peak hour noise levels for the year 2030, with and without the project. The results of the analysis showed that the three Build Alternatives affected the same receptors similarly, but the predicted noise levels differed slightly.

Seven of the 27 receptors would not experience traffic noise impacts approaching or exceeding the acceptable level for outdoor residential noise abatement (67 decibels) for any of the Build Alternatives. These receptors are 11 through 14, 17, 18, and 20. Receptor 7 is not a sensitive receptor (water pump house) and would be acquired for the construction project.

The remaining 19 receptors would experience traffic noise impacts approaching or exceeding the acceptable level for outdoor residential noise abatement (67 decibels) from all Build Alternatives. These receptors are 1 through 6, 8 through 10a, 15, 16, 19, and 21 through 25. Even without the project, these receptors are expected to experience an increase in noise based on the anticipated increase in traffic volumes from planned growth in the surrounding areas. With the construction of the project, traffic would be moved away from the majority of these receptors, decreasing future noise levels.

Construction

It is inevitable that most of the residences will experience an increase in noise levels in the vicinity of the project due to construction activities. Night construction is expected for the project, and there would be an increased potential for noise impacts on neighboring areas. Specific information on noise from night construction such as hours of impact or decibel level restrictions will be provided at a later stage. Project construction is expected to last about two years.

Noise produced by construction equipment would occur with varying intensity and duration during the various phases of construction. Table 2.17 shows the range of noise emissions from various types of construction equipment at a distance of 50 feet. Temporary barriers can be effective for residences within 200 feet of the right-of-way line. Pile driving is a construction method that generates higher than normal noise levels, as shown in Table 2.17. A pile driver could be used when the San Juan Creek Bridge, at Breen Road, is expanded or replaced.

Table 2.17 Construction Equipment Noise Ranges

Equipment Type	Average Noise Level (dBA) at 50 feet
Pile Driver	100
Dump Truck	80
Front Loader	80
Backhoe	79
Excavator	76
Dozer	71
Compressor	74
Pump	70

Sources: U.S. Army Corps of Engineers, Noise Control: Pile Driver Demonstration Project

Avoidance, Minimization, and/or Abatement Measures Under the National Environmental Policy Act

Caltrans' *Traffic Noise Analysis Protocol* sets forth the criteria for determining when an abatement measure is reasonable and feasible. Feasible means that when the barrier is constructed at the height and length recommended the barrier would reduce local noise levels by 5 decibels or more.

Abatement is considered reasonable if a cost/benefit analysis indicates it to be a prudent expenditure of public funds. Whether or not the recommended sound abatement is a reasonable expenditure will be determined by comparing the reasonable costs to the engineer's estimate for each barrier. The total reasonable cost allowance, calculated in accordance with Caltrans' *Traffic Noise Analysis Protocol*, is $44,000 per residence benefited.

The Project Development Team and the concerned residents also have a voice in whether or not sound barriers determined to be a reasonable expenditure are actually constructed. Tables 2.14 through 2.16 show the noise reduction achieved from barriers of varying heights and whether the abatement was determined reasonable and feasible.

Receptors 1 and **2** represent the San Juan Elementary School. Discussions between Caltrans and officials from the San Juan Elementary School revealed that the school does not want barriers constructed along existing State Route 156. **Receptor 3**, the San Juan Inn, is a commercial establishment, and Caltrans does not generally provide noise abatement for commercial receptors. Noise abatement is not feasible for **Receptor 4**, the Breen Adobe.

Caltrans determined sound abatement was feasible for the remaining 15 receptors identified for all Build Alternatives, but only reasonable for **Receptor 25**.

Barrier 1 would abate noise at **Receptors 5** and **6**, which represent two homes located at the intersection of Cagney Road and Breen Road, slightly north of State Route 156. The existing noise level at Receptor 5 is 69 decibels and the future noise level for all the Build Alternatives is predicted to be 69 decibels. The existing noise level at Receptor 6 is 66 decibels and the future noise level for all the Build Alternatives is predicted to be 66 decibels. To achieve a 5-decibel reduction, for all the Build Alternatives, a sound wall 16 feet high and 630 feet long would be needed. The reasonable cost for this barrier is $88,000. The current estimated cost of the wall is $285,700. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 2 would abate noise at **Receptor 8**, which represents one residence located midway between Cagney Road and Lucy Brown Lane on the north side of State Route 156. The existing noise level at Receptor 8 is 69 decibels and the future noise level is predicted to be 67 decibels for Alternatives 2 and 6, and 68 decibels for Alternative 4A. To achieve a 5-decibel reduction, a sound wall 12 feet high for all the Build Alternatives would be needed. The reasonable cost for this barrier is $44,000. The recommended length of the wall for Alternative 2 is 840 feet long at a current estimated cost of $289,400. The recommended length of the wall for Alternative 4A is 670 feet at a current estimated cost of $230,800. The recommended length of the wall for Alternative 6 is 840 feet long at a current estimated cost of $289,400. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 3 would abate noise at **Receptors 9, 10**, and **10a**, which represent three homes located east of Lucy Brown Lane on the north side of State Route 156. The existing noise level at Receptors 9, 10, and 10a is 69 decibels and the future noise level is predicted to be 67 decibels for Alternatives 2 and 6, and 68 decibels for Alternative 4A. To achieve a 5-decibel reduction, a sound wall 12 feet high for all the Build Alternatives is needed. The reasonable cost for this barrier is $132,000. The recommended length of the wall for Alternative 2 is 1,320 feet long at a current estimated cost of $454,500. The recommended length of the wall for Alternative 4A is 780 feet at a current estimated cost of $268,600. The recommended length of the wall for Alternative 6 is 760 feet long at a current estimated cost of $261,700.

Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 4 would abate noise at **Receptor 15**, which represents one home located west of Bixby Road at State Route 156. The existing noise level at Receptor 15 is 74 decibels and the future noise level is predicted to be 67 decibels for Alternative 2, 69 decibels for Alternative 4A, and 68 decibels for Alternative 6. To achieve a 5-decibel reduction, a sound wall 11 feet high for all the Build Alternatives is needed. The reasonable cost for this barrier is $44,000. The recommended length of the wall for Alternative 2 is 860 feet long at a current estimated cost of $278,200. The recommended length of the wall for Alternative 4A is 680 feet at a current estimated cost of $240,000. The recommended length of the wall for Alternative 6 is 840 feet long at a current estimated cost of $296,500. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 5 would abate noise at **Receptor 16**, which represents one home located east of Bixby Road at State Route 156. The existing noise level at Receptor 16 is 74 decibels and the future noise level is predicted to be 67 decibels for Alternative 2, 69 decibels for Alternative 4A, and 68 decibels for Alternative 6. To achieve a 5-decibel reduction, a sound wall 11 feet high for all the Build Alternatives is needed. The reasonable cost for this barrier is $44,000. The recommended length of the wall for Alternative 2 is 710 feet long at a current estimated cost of $229,800. The recommended length of the wall for Alternative 4A is 560 feet at a current estimated cost of $197,700. The recommended length of the wall for Alternative 6 is 700 feet long at a current estimated cost of $247,200. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 6 would abate noise at **Receptor 19**, which represents one home located west of Flint Road on the south side State Route 156. The existing noise level at Receptor 19 is 73 decibels and the future noise level is predicted to be 68 decibels for Alternatives 2 and 6, and 69 decibels for Alternative 4A. To achieve a 5-decibel reduction, a sound wall 12 feet high for all the Build Alternatives is needed. The reasonable cost for this barrier is $132,000. The recommended length of the wall for Alternative 2 is 480 feet long at a current estimated cost of $136,900. The recommended length of the wall for Alternative 4A is 580 feet at a current estimated cost of $165,400. The recommended length of the wall for Alternative 6 is 440 feet

long at a current estimated cost of $125,500. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 7 would abate noise at **Receptor 21**, which represents one home located on the south side of State Route 156 at Flint Road. The existing noise level at Receptor 21 is 73 decibels and the future noise level is predicted to be 68 decibels for Alternatives 2 and 6, and 69 decibels for Alternative 4A. To achieve a 5-decibel reduction, a sound wall 12 feet high for all the Build Alternatives is needed. The reasonable cost for this barrier is $44,000. The recommended length of the wall for Alternative 2 is 510 feet long at a current estimated cost of $145,400. The recommended length of the wall for Alternative 4A is 640 feet at a current estimated cost of $182,500. The recommended length of the wall for Alternative 6 is 480 feet long at a current estimated cost of $136,900. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 8 would abate noise for **Receptors 22, 23, 24**, and **24a**, which represent four homes located on the north side of State Route 156 east of Central Avenue. The existing noise level at Receptor 22 is 69 decibels and the future noise level is predicted to be 67 decibels for Alternatives 2 and 6, and 68 decibels for Alternative 4A. The existing noise level at Receptors 23, 24, and 24a is 75 decibels and the future noise level is predicted to be 70 decibels for Alternative 2, 72 decibels for Alternative 4A, and 71 decibels for Alternative 6. To achieve a 5-decibel reduction, a sound wall 12 feet high for all the Build Alternatives is needed. The reasonable cost for this barrier is $176,000. The recommended length of the wall for Alternative 2 is 1,300 feet long at a current estimated cost of $468,000. The recommended length of the wall for Alternative 4A is 1,280 feet at a current estimated cost of $460,800. The recommended length of the wall for Alternative 6 is 1,330 feet long at a current estimated cost of $457,950. Because the estimated cost of the barrier exceeds the reasonable cost allowance, the construction of a barrier at this location is considered unreasonable.

Barrier 9 would abate noise for **Receptor 25**, the Mission Farm RV Park located at 400 San Juan-Hollister Road. For facilities like this one, each 100 front feet (along the highway) counts as a residential equivalent. The facility has approximately 656 feet of frontage on State Route 156; therefore, this receptor represents seven residential equivalents. The existing noise level at Receptor 25 is 67 decibels and the

future noise level is predicted to be 71 decibels for all the Build Alternatives. To achieve a 5-decibel reduction, a sound wall 9 feet high would be needed for all Build Alternatives. The reasonable cost for this barrier is $308,000. The recommended length of the wall for Alternative 2 is 940 feet long at a current estimated cost of $270,700. The recommended length of the wall for Alternative 4A is 800 feet at a current estimated cost of $230,400. The recommended length of the wall for Alternative 6 is 870 feet long at a current estimated cost of $250,600. Because the estimated cost of the barrier does not exceed the reasonable cost allowance, the construction of a barrier at this location is considered reasonable.

Based on the studies completed to date, Caltrans intends to incorporate noise abatement in the form of a barrier at the Mission Farm RV Park. Due to the drainage ditch and redwood trees within the existing right-of-way, the sound barrier would be placed on top of a retaining wall, as shown in Figure 2-4. If during final design, conditions have substantially changed, noise abatement may not be necessary. The final decision on noise abatement will be made on completion of the project design and the public involvement processes.

Several methods are proposed in the Federal Highway Administration's *Highway Noise Manual* for dealing with construction noise. Methods that could be applicable to this project include the following:

- Keep the public advised of high noise level operations through media announcements.
- When applicable, use temporary noise barriers, which may be effective in minimizing construction noise, dust, glare, and visual impacts.
- Install special telephones in the resident engineer's office to receive noise complaints. The telephone numbers would be publicized in local newspapers and by letter to residences near the construction area. Studies show the public is more tolerant of short-term noise if construction schedules are publicized well in advance because residents can adjust their schedules in advance for a few noisy nights.
- When possible, schedule noisier operations in daylight hours when they are least likely to disturb local residents or businesses.
- Minimize nighttime construction.
- When possible, construct proposed barriers before the construction project begins, which would also protect residents from construction noise, dust, and glare.

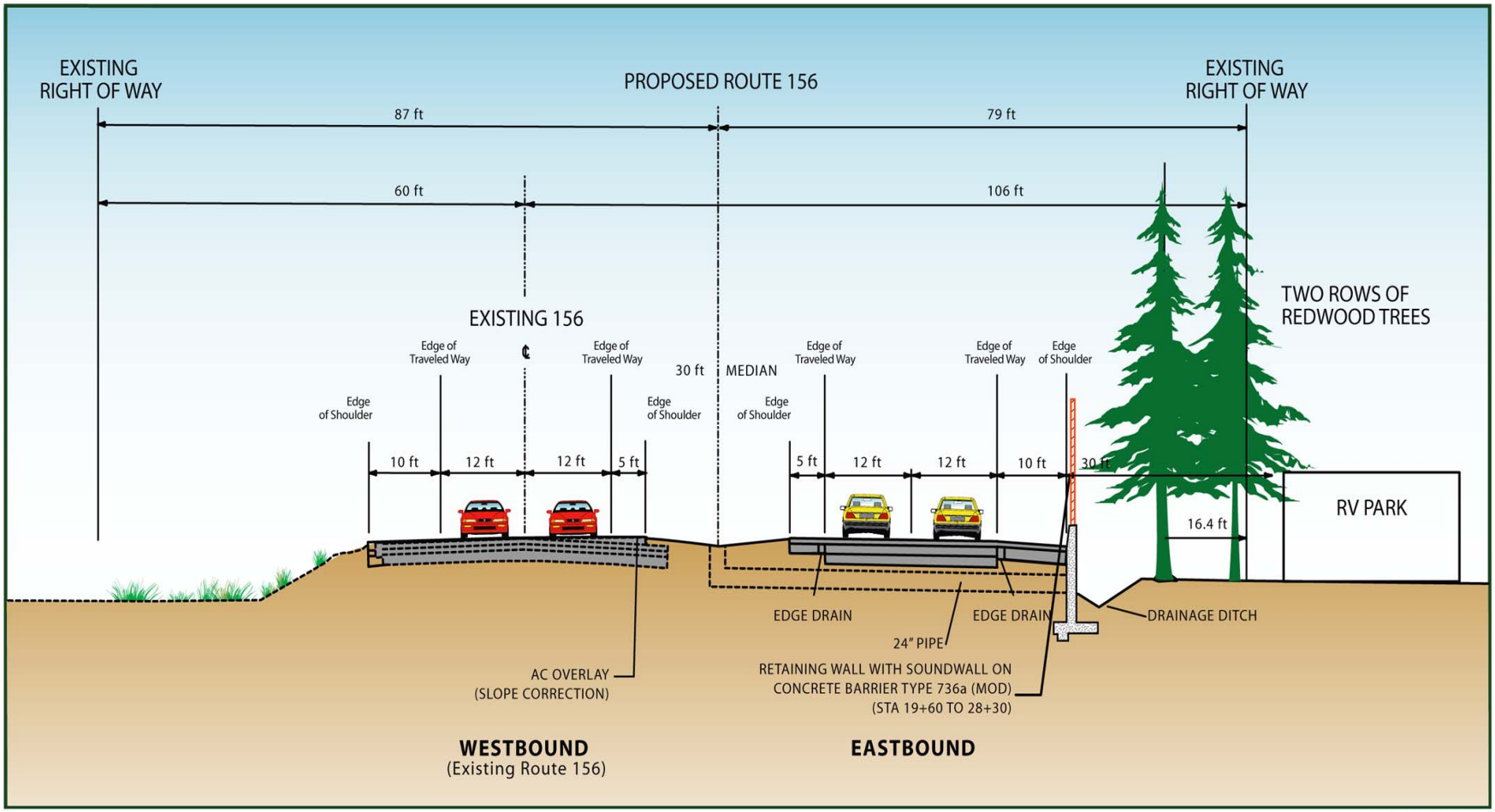


Figure 2-4 Soundwall Cross Sections

Cumulative Impacts

The proposed project would not contribute to a significant cumulative adverse impact but may actually decrease noise levels within the project limits. Except for one mile within San Juan Bautista's city limits, the majority of the proposed project would be constructed in an area that is primarily rural where noise receptors are scattered throughout the area. The noise study determined that the predicted noise levels in the year 2030 for all the Build Alternatives would be less than the predicted noise levels (2030) without the project except for Receptor 25, which is an RV park within the city limits. The Noise Study also determined that sound abatement would decrease the noise levels for Receptor 25 below the noise abatement criterion for outdoor residential uses (67 decibels).

2.3 Biological Environment

Caltrans biologists prepared a Natural Environment Study for the project in March 2007. The study provides information needed to comply with a variety of state and federal laws, regulations, and executive orders relating to the natural environment. Potential effects on natural resources, including federal and state special-status species and their habitats, were analyzed.

Caltrans biologists searched the California Natural Diversity Data Base Rarefind (San Juan Bautista, Hollister, Watsonville East, Prunedale, Salinas, Natividad, Mr. Harlan, Paicines, Tres Pinos, Three Sisters, San Felipe, and Chittenden U.S. Geological Survey Quadrangles), examined topographical maps, and conducted field surveys to determine the potential impacts of this project on the biological resources of the area.

2.3.1 Natural Communities

Regulatory Setting

This section of the document discusses natural communities of concern. The focus of this section is on biological communities, not individual plant or animal species. This section also includes information on wildlife corridors and habitat fragmentation. Wildlife corridors are areas of habitat used by wildlife for seasonal or daily migration. Habitat fragmentation involves the potential for dividing sensitive habitat and thereby, lessening its biological value.

Habitat areas that have been designated as critical habitat under the Federal Endangered Species Act are discussed in Threatened and Endangered Species, Section 2.3.5. Wetlands and other waters are discussed in Section 2.3.2.

Affected Environment

The project runs through the San Juan Valley where agriculture is the dominant land use. The project area consists of row crops and orchards with some rural residential/farmhouses along the highway.

The biological study area (see Figure 2-5) is primarily non-native grasslands, which consist of non-native ruderal grasses, wild oats, Italian thistle, black mustard, cockle burr, fiddleneck, long-beaked filaree, burr clover, scarlet pimpernel, California poppy, and plantain. Along the San Juan Creek there is some riparian scrub habitat consisting of primarily nettles and willows. The dominant plant species are ruderal grasses and non-native thistles. Ruderal refers to disturbed areas, such as unpaved highway shoulders, with mostly weedy species.

Impacts

No natural communities of concern would be impacted by the project.

Avoidance, Minimization, and/or Mitigation Measures

No mitigation measures are necessary.

2.3.2 Wetlands and Other Waters

Regulatory Setting

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Clean Water Act (33 U.S. Code 1344) is the primary law regulating wetlands and waters. The Clean Water Act regulates the discharge of dredged or fill material into waters of the United States, including wetlands. Waters of the United States include navigable waters, interstate waters, territorial seas, and other waters that may be used in interstate or foreign commerce. To classify wetlands for the purposes of the Clean Water Act, a three-parameter approach is used that includes the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils subject to saturation/inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act (Section 2.2.2).

Section 404 of the Clean Water Act establishes a regulatory program that provides that no discharge of dredged or fill material can be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the Nation’s waters would be significantly degraded. The Section 404 permit program is run by the

U.S. Army Corps of Engineers with oversight by the Environmental Protection Agency.

The Executive Order for the Protection of Wetlands (11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, this executive order states that a federal agency, such as the Federal Highway Administration, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: 1) that there is no practicable alternative to the construction and 2) the proposed project includes all practicable measures to minimize harm.

At the State level wetlands and waters are regulated primarily by the California Department of Fish and Game and the Regional Water Quality Control Boards. In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission) may also be involved. Sections 1600-1607 of the Fish and Game Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify the California Department of Fish and Game before beginning construction. If the California Department of Fish and Game determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. California Department of Fish and Game jurisdictional limits are usually defined by the tops of the stream or lake banks, or by the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of the Army Corps of Engineers may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the Department of Fish and Game.

The Regional Water Quality Control Boards were established under the Porter-Cologne Water Quality Control Act to oversee water quality. The Regional Water Quality Control Boards also issue water quality certifications in compliance with Section 401 of the Clean Water Act. Please see the Water Quality section for additional details.

Affected Environment

Caltrans biologists delineated wetlands and other waters of the U.S. on July 17, 2003 and July 23, 2003. No wetlands were identified within the project limits.

The only waters of the U.S. that occur within the project limits are within the San Juan Creek watershed. Sections of the creek upstream and downstream from State Route 156 have been realigned and are sparsely vegetated with willows, nettles, reed,

and thistles. A large drainage ditch, known as the "east ditch," enters the highway right-of-way near Mission Vineyard Road from the southeast. It then turns west and parallels the highway for a distance of approximately 1,273 feet before flowing into San Juan Creek just upstream of the San Juan Creek bridge. Another smaller ditch, known as the "west ditch," runs parallel to and south of the highway from The Alameda for about 256 feet to the east before it crosses the highway via a culvert. A wetland is located at the outlet of the culvert, but it is outside the project limits.

Impacts

All Build Alternatives would require a small amount of fill to be placed into waters of the U.S. in construction of the bridge over San Juan Creek and replacement of a culvert at Mission Vineyard Road, resulting in permanent impacts. Caltrans considered these impacts to waters of the U.S. Table 2.18 shows both temporary and permanent impacts.

Table 2.18 Impacts to Waters of the U.S.

Impacts	Location	Alternative		
		2	4A	6
Temporary	San Juan Creek Bridge	0.15 acre	0.15 acre	0.15 acre
	Mission Vineyard Culvert	0.07 acre	0.07 acre	0.07 acre
*Permanent	San Juan Creek Bridge	0.15 acre	0.15 acre	0.15 acre
	Mission Vineyard Culvert	0.06 acre	0.06 acre	0.06 acre
Total area affected		0.43 acre	0.43 acre	0.43 acre

* This impact is the maximum dependent on the bridge widening design chosen

Avoidance, Minimization, and/or Mitigation Measures

No wetlands were found within the proposed project area, but wetlands were identified next to State Route 156 north of the existing route. Environmentally Sensitive Area fencing would be placed around those wetlands to ensure that there would be no impacts to that area.

A nationwide Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, a Section 401 Certification from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game would be required for all Build Alternatives.

2.3.3 Plant Species

Regulatory Setting

The U.S. Fish and Wildlife Service and California Department of Fish and Game share regulatory responsibility for the protection of special-status plant species. "Special-status" species are selected for protection because they are rare and/or subject to population and habitat declines. Special-status is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act and/or the California Endangered Species Act. Please see Threatened and Endangered Species, Section 2.3.5, in this document for detailed information regarding these species.

This section of the document discusses all the other special-status plant species, including California Department of Fish and Game fully protected species and species of special concern, U.S. Fish and Wildlife Service candidate species, and non-listed California Native Plant Society rare and endangered plants.

The regulatory requirements for the Federal Endangered Species Act can be found at U.S. Code 16, Section 1531, et seq. See also 50 Code of Federal Regulations Part 402. The regulatory requirements for the California Endangered Species Act can be found at California Fish and Game Code, Section 2050, et seq. Caltrans projects are also subject to the Native Plant Protection Act, found at Fish and Game Code, Sections 1900-1913, and the California Environmental Quality Act, Public Resources Code, Sections 2100-21177.

Affected Environment

Caltrans biologists conducted field surveys on April 23, 2004 and July 16, 2004 to identify plant species within the project area.

Two plants with potential to occur in the project area, the Congdon's tarplant and the round-leaved filaree, are listed as California Native Plant Society special-status plant species. The Congdon's tarplant grows in alkaline areas of the valley and foothill grasslands. The round-leaved filaree grows in cismontane woodland and valley and foothill grasslands. These plants were not seen during the surveys.

Impacts

The proposed project would not have an impact to either the Congdon's tarplant or round-leaved filaree. Neither the Congdon's tarplant nor the round-leaved filaree was found in the proposed project area.

Avoidance, Minimization, and/or Mitigation Measures

No mitigation measures are necessary.

2.3.4 Animal Species

Regulatory Setting

Many state and federal laws regulate impacts to wildlife. The U.S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration Fisheries, and the California Department of Fish and Game are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with wildlife not listed or proposed for listing under the state or federal Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in Section 2.3.5. All other special-status animal species are discussed here, including California Department of Fish and Game fully protected species and species of special concern, and U.S. Fish and Wildlife Service or National Oceanic and Atmospheric Administration Fisheries candidate species.

Federal laws and regulations pertaining to wildlife include the following:

- National Environmental Policy Act
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act
- Marine Mammal Protection Act

State laws and regulations pertaining to wildlife include the following:

- California Environmental Quality Act
- Sections 1601 – 1603 of the Fish and Game Code
- Sections 4150 and 4152 of the Fish and Game Code

Affected Environment

Caltrans biologists conducted field surveys in September 2004, February 2007, and March 2007 to identify animal species.

On March 23, 2007, two western pond turtles were identified in an agricultural ditch that drains into San Juan Creek. The western pond turtle (*Emys marmorata*) is a California Department of Fish and Game species of special concern.

No other special-status animal species were identified within the project limits.

There are trees within the project limits, such as willows and the two rows of redwoods (*Sequoia sempervirens*) along State Route 156 next to the Mission Farm RV Park, which may be used by migratory birds.

Impacts

Habitat disturbance during construction of the bridge would place any western pond turtles in the area at risk. If western pond turtles enter the work area during construction, they could be injured or killed. No permanent net loss of aquatic habitat would occur with any of the Build Alternatives because all impacts to the western pond turtle and its habitat would be temporary impacts during construction. There may be a small amount (up to 0.01 acre) of permanent impact to riparian habitat dependent on the design method chosen for the bridge widening.

Avoidance, Minimization, and/or Mitigation Measures

Environmental Sensitive Area fencing will be used to exclude western pond turtles from the work area during construction.

The proposed project may require the relocation of any western pond turtles found in the work area during construction of the bridge at San Juan Creek (see Figure 2-6). A qualified biologist will monitor the project area during construction activities that occur in this portion of the project. If any turtles are found, they will be returned to a safe part of San Juan Creek or the drainage ditch, well away from construction activities. All riparian areas affected by the project would be replanted with willows to the maximum extent practical. At minimum, enough area would be planted to ensure that there would be no net loss of aquatic or riparian habitat as a result of this project.

2.3.5 Threatened and Endangered Species

Regulatory Setting

The primary federal law protecting threatened and endangered species is the Federal Endangered Species Act: 16 U.S. Code, Section 1531, et seq. See also 50 Code of Federal Regulations Part 402. This act and subsequent amendments provide for the conservation of endangered and threatened species and the ecosystems upon which

they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration, and Caltrans as assigned, are required to consult with the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration Fisheries to ensure that they are not undertaking, funding, permitting or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation under Section 7 is a Biological Opinion or an Incidental Take Statement. Section 3 of the Federal Endangered Species Act defines take as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct."

California has enacted a similar law at the State level, the California Endangered Species Act, California Fish and Game Code, Section 2050, et. seq. The California Endangered Species Act emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project-caused losses of listed species populations and their essential habitats. The California Department of Fish and Game is the agency responsible for implementing the California Endangered Species Act. Section 2081 of the Fish and Game Code prohibits "take" of any species determined to be an endangered species or a threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The California Endangered Species Act allows for take incidental to otherwise lawful development projects; for these actions an Incidental Take Permit is issued by the California Department of Fish and Game. For projects requiring a Biological Opinion under Section 7 of the Federal Endangered Species Act, the California Department of Fish and Game may also authorize impacts to the California Endangered Species Act species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

Affected Environment

The Biological Study Area for the project is shown in Figure 2-5. Caltrans biologists identified habitat for the California red-legged frog and the California tiger salamander within the project area, but determined there was no suitable habitat for the San Joaquin kit fox.

San Joaquin kit fox

No surveys were conducted for the San Joaquin kit fox, which was listed as threatened under the California Endangered Species Act in 1971, and as endangered under the Federal Endangered Species Act on March 11, 1967. All recorded kit fox occurrences for San Benito County are located east of the project limits, and there is no recorded evidence of the San Joaquin kit fox being observed within or adjacent to the project. According to the 2008 California Natural Diversity Data Base, the nearest observations were of a family group near Union Road and State Route 25. This citing, between 1972 and 1975, was south of Hollister, over four miles east of the eastern limits of the project. The project segment of State Route 156 does not cross or separate any known San Joaquin kit fox occurrences.

Furthermore, the areas surrounding the project are subjected to intensive agricultural practices, which according to several studies (California State University, Stockton, 2004; U.S. Fish and Wildlife Service, 1998; and Jameson and Peters, 1988) does not provide suitable habitat for the San Joaquin kit fox. No avoidance or minimization measures are necessary for this species because Caltrans biologists have determined that the species is not expected to occur in this area.

The U.S. Fish and Wildlife Service issued a Biological Opinion on September 19, 2008 concurring with this determination.

California Red-Legged Frog

The U.S. Fish and Wildlife Service listed the California red-legged frog as threatened. The U.S. Fish and Wildlife Service designated critical habitat for the California red-legged frog on March 13, 2001. On November 6, 2002, the U.S. Fish and Wildlife Service withdrew the critical habitat designation due to litigation. On April 13, 2004, the U.S. Fish and Wildlife Service re-proposed critical habitat for the California red-legged frog. The Biological Study Area does not currently fall within designated California red-legged frog critical habitat (April 13, 2006).

On October 11, 2000, Caltrans biologists conducted a survey for the California red-legged frog but did not find any. On October 17, 2003, Caltrans biologists found four adult California red-legged frogs in the large drainage ditch, approximately 50 feet from San Juan Creek (Figure 2-6). The primary source of water for this ditch is agricultural runoff and can be expected year round.

California red-legged frogs can range in size from 1.5 to 5 inches in length. The belly and hind legs of adult frogs are often red or salmon pink, henceforth its name. The

frog's back has small black flecks and larger dark blotches on a background of brown, gray, olive, or reddish-brown. Between late winter and early spring, during the few weeks of breeding season, the frogs can be recognized by their low, staccato grunts, except for the northern red-legged frog, which has no vocal sacs.

According to the U.S. Fish and Wildlife Service, the breeding season for California red-legged frogs can range from November through March with earlier breeding records occurring in southern localities. Red-legged frogs found in Northern California breed soon after the ice melts, from January to March. Red-legged frogs found in interior sites may hibernate, whereas, frogs living in coastal drainages are rarely inactive.

Females can lay between 2,000 and 5,000 eggs in a single mass, usually during or shortly following large rainfall events from late December to early April. The eggs are attached to vertical emergent vegetation, such as bulrushes or cattails. The eggs take 6 to 14 days to hatch, and tadpoles take anywhere from 3.5 months to 7 months to develop into frogs. Less than 1 percent of the hatched eggs become adult frogs. Tadpoles and young frogs feed on invertebrates, which they hunt day and night. Adult frogs feed and are mostly active at night when they can feed on insects, California mice, and Pacific tree frogs.

Their habitat is fairly distinctive, combining both specific aquatic and riparian components. Adults require dense, shrubby or emergent riparian vegetation closely associated with still or slow-moving deep water (at least 2 1/3 feet deep).

California Tiger Salamander

On August 5, 2004, the U.S. Fish and Wildlife Service listed the California tiger salamander (*Ambystoma californiense*) as threatened throughout its range.

Caltrans biologists conducted surveys around the ponds nearest to the project area for California tiger salamanders on December 11, 2003, and no salamanders were sighted. Surveys conducted at known California tiger salamander ponds the same night also produced negative results. This was a dry winter. A survey was attempted in January 2007, but ponds near the non-native grassland did not hold water sufficiently long enough to support California tiger salamander breeding.

The California tiger salamander (*Ambystoma californiense*) is an amphibian. It is large or stocky with a broad, rounded snout. Adult males are about 8 inches long, whereas, the females grow a little less than 7 inches long. They have white or pale

yellow spots or bars on a black background on the back and sides. Their bellies vary from almost uniform white or pale yellow to a variegated pattern of white or pale yellow and black. They have small eyes with black irises. The eyes protrude from their heads.

The species is restricted to grasslands and low (under 1,500 foot) foothill regions where lowland aquatic sites are available for breeding. They prefer natural seasonal pools or ponds that mimic them (stock ponds that are allowed to go dry).

California tiger salamanders are known to occur in several ponds on the San Juan Oaks Golf Course property, which is located west of Union Road and approximately 900 feet south of State Route 156. No California tiger salamander aquatic habitat occurred within the project footprint.

There is not continuous grassland habitat connecting the project footprint to the nearest California tiger salamander breeding ponds. The California tiger salamander spends about 95 percent of its lifecycle (its non-breeding period) in burrows. A small area of non-native grassland is located at the east end of the project at the southeast corner of the State Route 156 and Union Road intersection (see Figure 2-7). A low density of pocket gopher and California ground squirrel burrows, which may be used by California tiger salamanders, are located in an area of this non-native grassland. This area is periodically mowed adjacent to Union Road and is surrounded by agricultural fields on the west and north side of the project footprint.

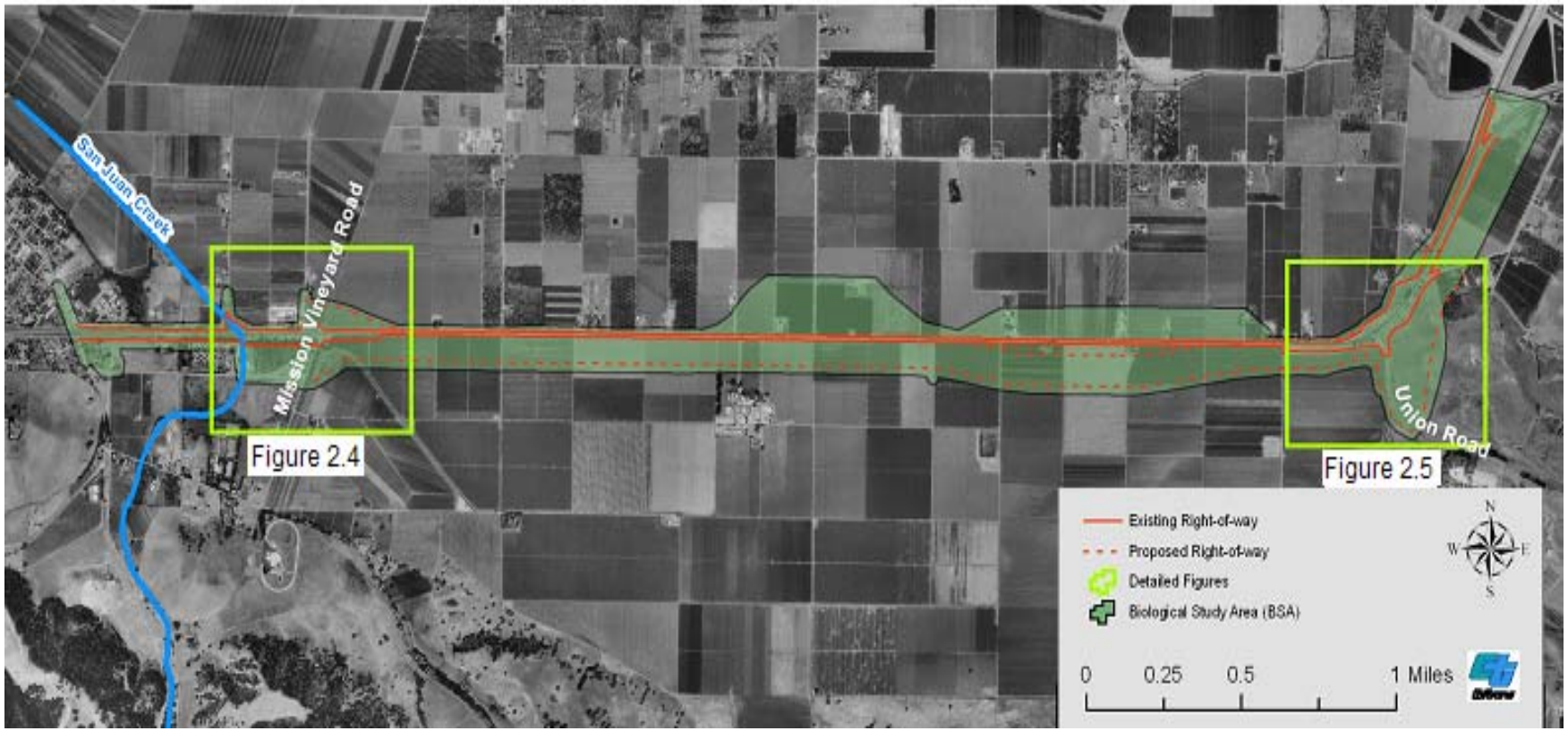
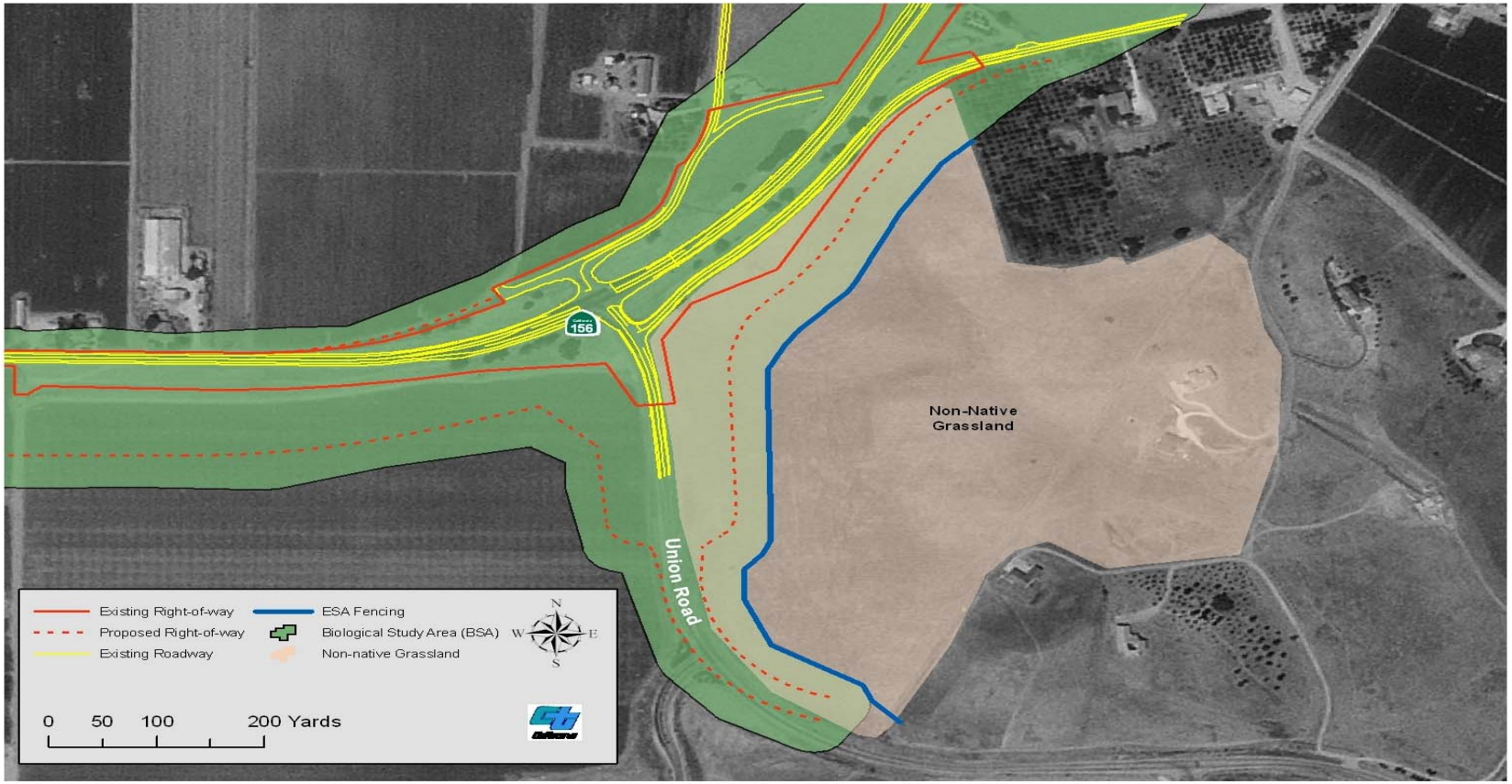


Figure 2-5 Biological Study Area (BSA) for the Project

This section shows the area of temporary and permanent impacts to the California red-legged frog (CRLF).

Figure 2-6 Biological Study Area (San Juan Creek area)



This section shows the placement of ESA fencing used to indicate the Environmentally Sensitive Area (ESA).

Figure 2-7 Biological Study Area (Union Road)

Impacts

California Red-Legged Frog

Formal Section 7 consultation with the U.S. Fish and Wildlife Service was initiated with a determination of "effect, not likely to adversely affect." This project qualified for the Programmatic Biological Opinion for California red-legged frog issued to the Federal Highway Administration. The U.S. Fish and Wildlife Service issued a Biological Opinion on September 19, 2008 concurring with that determination.

Biological surveys examined the possibility that widening the highway could increase road-induced mortality and "barrier effect" for California red-legged frogs ("barrier effect" refers to a reduction of habitat access). Studies cited by the U.S. Fish and Wildlife Service in the Final Rule designating California red-legged frog critical habitat (which was withdrawn) found that traffic volumes of 26 cars per hour reduced the survival rate of common toads (*Bufo bufo*) crossing roads to zero. The U.S. Fish and Wildlife Service further concluded that roads that averaged 30 cars or more per hour between the hours of 10:00 p.m. and 4:00 a.m. were barriers to California red-legged frog dispersal (USFWS, 2001). Research conducted by Caltrans for State Route 156 between U.S. 101 and Hollister indicates that traffic volumes substantially exceed the 30 cars per hour threshold during that time period.

Caltrans biologists have determined there would be no appreciable increase in road-induced mortality or "barrier effect" as a result of the project because the existing highway is already a barrier to California red-legged frogs.

Habitat disturbance during construction of the bridge would place frogs in the area at risk. If California red-legged frogs enter the work area during construction, they could be injured or killed. Although the project may result in the death of a small number of California red-legged frogs, its impacts to this population of California red-legged frogs and their habitat would be minor. No permanent net loss of California red-legged frog aquatic habitat would occur with any of the Build Alternatives because all impacts to the California red-legged frog and its habitat would be temporary impacts during construction. There may be a small amount (up to 0.01 acre) of permanent impact to riparian habitat dependent on the design method chosen for the bridge widening.

California Tiger Salamander

A Biological Assessment was prepared and Section 7 consultation with the U.S. Fish and Wildlife Service was initiated through Caltrans, as assigned by the Federal

Highway Administration, after the preferred alternative was selected. Initially, Caltrans biologists determined that there would be no temporary or permanent impacts to upland habitat occupied by the California tiger salamander. During formal consultation with the U.S. Fish and Wildlife Service, habitat was identified closer to the project area. Based on the late discovery of habitat, Caltrans biologists have changed the determination to, “may effect, likely to adversely affect” the California tiger salamander. The U.S. Fish and Wildlife Service issued a Biological Opinion on September 19, 2008 concurring with that determination.

The initial determination was based on the conclusion that the nearest breeding ponds for California tiger salamanders were over two miles away from the project area. In addition, because of the low density of rodent burrows and the lack of continuous grassland habitat connecting the project footprint (area that is affected) to the breeding ponds, there was a low likelihood of this non-native grassland being used as California tiger salamander upland habitat. However, California tiger salamander breeding ponds were recently discovered approximately 0.75 mile away. Therefore, there is a potential for impacts to adult salamanders within upland habitat during construction because the project footprint is within the 1.24-mile dispersal distance from known California tiger salamander breeding ponds.

Avoidance, Minimization, and/or Mitigation Measures

California Red-Legged Frog

The proposed project may require the relocation of any California red-legged frogs found in the work area during construction of the bridge at San Juan Creek (see Figure 2-5).

All riparian areas affected by the project will be replanted with vegetation similar to what was removed (such as willows) to the maximum extent practical. At minimum, enough area would be planted to ensure that there would be no net loss of California red-legged frog aquatic or riparian habitat as a result of this project. San Juan Creek and the ditch adjacent to the creek would be designated as an environmentally sensitive area and fenced to avoid impacts to California red-legged frog habitat (see Figure 2-5). For all Build Alternatives, the following measures would be taken to avoid or minimize impacts to the California red-legged frog:

- A qualified biologist would survey the portions of the east ditch and San Juan Creek within the footprint of the project. If any California red-legged frogs were found, then the biologist would relocate them to suitable habitat within San Juan Creek.

- Caltrans would identify all areas of suitable California red-legged frog habitat near the project but outside the footprint of the project as Environmentally Sensitive Areas. Caltrans would direct the contractor to avoid these areas (see Figure 2-3).
- During project activities, all trash that may attract predators would be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris would be removed from work areas.
- All refueling, maintenance, and staging of equipment and vehicles would occur at least 60 feet from riparian habitat or water bodies and preferably not in a location where a spill could drain directly toward aquatic habitat. Prior to the onset of work, the construction contractor would ensure that a plan is in place for prompt and effective response to any accidental spills. All workers would be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
- Project sites would be re-vegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials would be used to the extent practicable. Invasive, exotic plants would be controlled to the maximum extent practicable. This measure would be implemented in all areas disturbed by activities associated with the project unless it is not feasible or practical; i.e., an area disturbed by construction that would be used for future activities would not need to be re-vegetated.
- Habitat contours would be returned to their original configuration at the end of project activities. This measure would be implemented in all areas disturbed by activities associated with the project, unless it is not feasible or modification of original contours would benefit the California red-legged frog.
- Caltrans would attempt to schedule work activities for times of the year when impacts to the California red-legged frogs would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and informal consultation between Caltrans and the U.S. Fish and Wildlife Service during project planning should be used to assist in scheduling work activities to avoid sensitive habitats during key times of the year.
- To control sedimentation during and after project implementation, the construction contractor would implement best management practices outlined in

any authorizations or permits issued under the authorities of the Clean Water Act that it receives for the specific project.

- If a work site were to be temporarily dewatered by pumping, intakes would be completely screened with wire mesh not larger than 0.2 inch to prevent California red-legged frogs from entering the pump system. Water would be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any diversions or barriers to flow would be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the streambed would be minimized to the maximum extend possible; any imported material would be removed from the streambed upon completion of the project.
- Unless approved by the U.S. Fish and Wildlife Service, water would not be impounded in a manner that may attract California red-legged frogs.
- A biologist would permanently remove any individuals of exotic species, such as bullfrogs (*Rana catesbeiana*), crayfish, and centrarchid fishes from the project area, to the maximum extent possible. The biologist would be responsible for ensuring the activities are in compliance with the California Fish and Game Code.

California Tiger Salamander

Potential impacts to the California tiger salamander that could occur in the uplands habitat adjacent to the project area at State Route 156 and Union Road would be avoided or minimized by incorporating the following avoidance and minimization measures:

- To the maximum extent practicable, project activities within potential California tiger salamander upland and dispersal habitat will be implemented between May 15 ad October 15, which is timed to occur between the breeding season and the fall dispersal period for California tiger salamander.
- Exclusionary fencing will be installed to avoid impacts to adjacent non-native grasslands that potentially serve as California tiger salamander upland habitat (see Figure 2-7).
- During vegetation removal and grading activities a qualified biologist will survey for and relocate any California tiger salamanders identified within potential California tiger salamander habitat.
- A limited number of small mammal burrows within potential California tiger salamander habitat will be hand excavated prior to construction activities. Approximately 50 of the 300 rodent burrows identified in the eastern portion of the project area that are deemed most likely to contain California tiger

salamanders will be hand excavated by a Service-approved biologist to determine if California tiger salamanders are present. If a California tiger salamander is located during hand excavation activities, then all rodent burrows within potential California tiger salamander upland habitat will be excavated. If no California tiger salamanders are located during excavation of the 50 burrows most likely to contain the species, then hand excavation activities will be suspended, and construction activities may proceed. Any California tiger salamanders found during hand excavation activities will be relocated the shortest distance possible by a Service-approved biologist to a location that has suitable habitat and will not be affected by project activities. A rodent burrow hand excavation plan with protocol for hand excavation, potential relocation sites, protocol for determination of rodent burrows with highest likelihood of containing the Service at least 30 days before hand excavation activities are to begin.

Cumulative Impacts

California Red-Legged Frog

All impacts to the California red-legged frog and its habitat would be temporary or fully mitigated; therefore, the project would not contribute to any cumulative impacts.

California Tiger Salamander

There will be no permanent impacts to the California tiger salamander breeding or upland habitat; therefore, no mitigation is required, and the project would not contribute to any cumulative impacts.

2.3.6 Invasive Species

Regulatory Setting

On February 3, 1999, President Clinton signed Executive Order 13112 requiring federal agencies to combat the introduction or spread of invasive species in the United States. The order defines invasive species as “any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health.” Federal Highway Administration guidance issued August 10, 1999 directs the use of the State’s Noxious Weed List to define the invasive plants that must be considered as part of the National Environmental Policy Act analysis for a proposed project.

Affected Environment

Highway corridors provide opportunities for the movement of invasive species, which can travel on vehicles and in the loads they carry. Invasive plants can be moved from site to site during spraying and mowing operations. Weed seed can be inadvertently introduced into the corridor on equipment during construction and through the use of mulch, imported soil or gravel, and sod. Although the highway right-of-way provides ample opportunity for weeds in adjacent land to spread along the highway corridor, the proposed project is located in a cultivated area where invasive species outside the highway right-of-way are controlled by agricultural processes.

Impacts

The proposed project is not likely to introduce or promote the spread of any invasive species outside the highway corridor.

Avoidance, Minimization, and/or Mitigation Measures

Caltrans standard practice includes the prevention of the introduction and the proliferation of invasive plant species in the highway corridor. These standard practices may include the following:

- Bared soil will be landscaped with Caltrans' recommended seed mix from locally adapted species to preclude the invasion of noxious weeds. The use of site-specific materials, which are adapted to local conditions, increases the likelihood that revegetation of bare soil will be successful and maintains the genetic integrity of the local ecosystem.
- Trucks with loads carrying vegetation would be covered, and vegetative materials removed from the site would be disposed of in accordance with applicable laws and regulations.
- In areas of particular sensitivity, extra precautions will be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.

Chapter 3 California Environmental Quality Act Evaluation

The proposed project is a joint project by the California Department of Transportation (Caltrans) and the Federal Highway Administration and is subject to state and federal environmental review requirements. Project documentation, therefore, has been prepared in compliance with both the California Environmental Quality Act and the National Environmental Policy Act. The Federal Highway Administration's responsibility for environmental review, consultation, and any other action required in accordance with the National Environmental Policy Act and other applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S. Code 327. Caltrans is the lead agency under the California Environmental Quality Act and the National Environmental Policy Act.

One of the primary differences between the National Environmental Policy Act and the California Environmental Quality Act is the way significance is determined.

Under the National Environmental Policy Act, significance is used to determine whether an Environmental Impact Statement, or some lower level of documentation, will be required. The National Environmental Policy Act requires that an Environmental Impact Statement be prepared when the proposed federal action (project) *as a whole* has the potential to "significantly affect the quality of the human environment." The determination of significance is based on context and intensity. Some impacts determined to be significant under the California Environmental Quality Act may not be of sufficient magnitude to be determined significant under the National Environmental Policy Act. Under the National Environmental Policy Act, once a decision is made regarding the need for an Environmental Impact Statement, it is the magnitude of the impact that is evaluated and no judgment of its individual significance is deemed important for the text. The National Environmental Policy Act does not require that a determination of significant impacts be stated in the environmental documents.

The California Environmental Quality Act, on the other hand, does require Caltrans to identify each "significant effect on the environment" resulting from the project and ways to mitigate each significant effect. If the project may have a significant effect on any environmental resource, then an Environmental Impact Report must be prepared.

Each significant effect on the environment must be disclosed in the Environmental Impact Report and mitigated if feasible. In addition, the California Environmental Quality Act Guidelines list a number of mandatory findings of significance, which also require the preparation of an Environmental Impact Report. There are no types of actions under the National Environmental Policy Act that parallel the findings of mandatory significance under the California Environmental Quality Act. This chapter discusses the effects of this project and California Environmental Quality Act significance.

3.1 Determining Significance under the California Environmental Quality Act

"Significant effect" on the environment means substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant. A definitive statewide meaning for the term "significant effect" is not possible since the environmental effects caused by a project vary with the setting.

3.2 Discussion of Significant Impacts

See Chapter 2 for a discussion of affected environments, potential impacts, and avoidance, minimization and/or mitigation measures. Chapter 3 discusses the impacts addressed in Chapter 2 that fall under the jurisdiction of the California Environmental Quality Act.

3.2.1 Less than Significant Effects of the Proposed Project

Noise

When determining whether a noise impact is significant under the California Environmental Quality Act comparison is made between the no-build noise level and the build noise level. The California Environmental Quality Act noise analysis is completely independent of the National Environmental Policy Act-23 Code of Federal Regulations 772 analysis discussed in Chapter 2, which is centered on noise abatement criteria. Under the California Environmental Quality Act, the assessment

entails looking at the setting of the noise impact and then how large or perceptible any noise increase would be in the given area. Key considerations include the uniqueness of the setting, the sensitive nature of the noise receptors, the magnitude of the noise increase, the number of residences affected, and the absolute noise level.

Caltrans identified 27 noise receptors, which represent homes and businesses in the project area. Tables 2.14 through 2.16 in Chapter 2 show the existing and predicted noise levels at these receptors, with and without the project, based on 2005 traffic information supplied by Caltrans District 5 Transportation Planning in July 2006. All of the Build Alternatives would have similar effects on the receptors.

Caltrans noise policy is contained in Caltrans' August 2006 Traffic Noise Analysis Protocol ("Protocol"). This protocol, approved as California's official noise policy by the Federal Highway Administration on August 16, 2006, defines a substantial increase as an increase of 12 decibels over existing noise levels. At no location on the project, do project-related noise levels increase by more than 5 decibels over existing noise levels. Many of the project's sensitive receptors are north of the existing highway. At most of these receptors, 2030 Build noise levels would be lower than 2030 No Build noise levels because the realigned highway lanes would move traffic further south of them. The existing highway would become a frontage road carrying minimal traffic.

It is widely accepted that the average healthy ear can barely perceive noise level changes of 3 decibels in an outdoor setting, and for most people, the threshold of hearing is closer to 10 decibels (See "Section N-2211" of Caltrans Traffic Noise Analysis Protocol, August 2006). Since the project would not cause an increase of more than 5 decibels at any of the receptors and Caltrans' Protocol defines a substantial increase as an increase of 12 decibels, Caltrans has determined there are no significant impacts under the CEQA.

3.2.2 Significant Environmental Effects of the Proposed Project

Caltrans has determined, according to California Environmental Quality Act guidelines, the project has the potential to have significant effects to farmland. The Natural Resource Conservation Service Farmland Impact Rating indicates that each Build Alternative would result in significant effects on adjacent farmland.

3.2.3 Unavoidable Significant Environmental Effects

Farmland conversion was a consideration in determining which alternatives would warrant further consideration and which alternatives would be withdrawn. However, significant environmental effects to farmland are unavoidable because the existing State Route 156 is surrounded by farmland and any modification or new alignment of the route inevitably affects farmland. Alternatives to the north would lessen the farmland conversion but would result in numerous residential and utility relocations. The alternatives considered and withdrawn were discussed in Section 1.3.5.

3.2.4 Climate Change under the California Environmental Quality Act

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 emissions reduction and climate change research and policy have increased dramatically in recent years. These efforts are primarily concerned with the emissions of greenhouse gases related to human activity that include carbon dioxide (CO_2), methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (1, 1, 1, 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. Assembly Bill 1493 requires the California Air Resources Board (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 U.S. Environmental Protection Agency (EPA). The waiver was denied by Environmental Protection Agency in December 2007 and efforts to overturn the decision have been unsuccessful. See *California v. Environmental Protection Agency*, 9th Cir. Jul. 25, 2008, No. 08-70011.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's greenhouse gas 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 greenhouse gas emissions reduction goals while further mandating that California Air Resources Board 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 greenhouse gas reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing greenhouse gas emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the U.S. Environmental Protection Agency (EPA) to regulate greenhouse gas as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.,* 549 U.S. 497 (2007). The court ruled that greenhouse gases do fit within the Clean Air Act's definition of a pollutant, and that the Environmental Protection Agency does have the authority to regulate greenhouse gases. Despite the Supreme Court ruling, there are no promulgated federal regulations to date limiting greenhouse gas emissions.

According to *Recommendations by the Association of Environmental Professionals on How to Analyze Greenhouse Gas Emissions and Global Climate change in CEQA Documents* (March 5, 2007), an individual project does not generate enough greenhouse gas 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 greenhouse gases. 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. As discussed in the *Limitations and Uncertainties with Modeling* and the *Limitations and Uncertainties with Impact Assessment* sections below, 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 Scoping Plan, California Air Resources Board recently released an updated version of the greenhouse gas inventory for California (June 26, 2008). Shown below is a graph from that update that shows the total greenhouse gas emissions for California for 1990, 2002-2004 average, and 2020 projected if no action is taken.

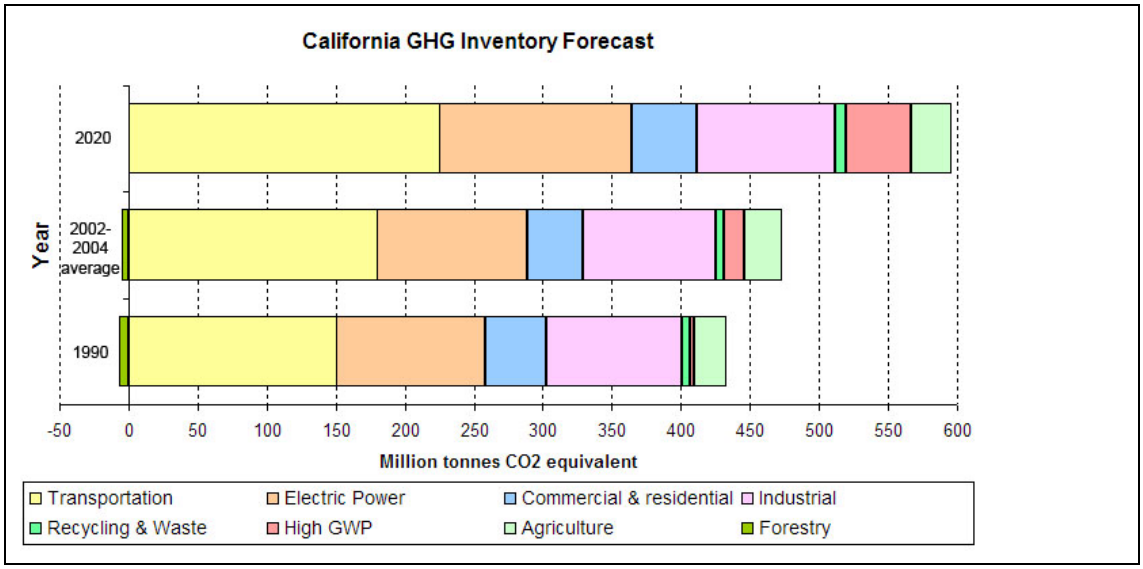


Figure 3-1 California Greenhouse Gas Inventory
Taken from : http://www.arb.ca.gov/cc/inventory/data/forecast.htm

Caltrans and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing greenhouse gas emission reduction and climate change. Recognizing that 98 percent of California's greenhouse gas emissions are from the burning of fossil fuels and 40 percent of all human made greenhouse gas emissions are from transportation (see *Climate Action Program at Caltrans* (December 2006)), Caltrans has created and is implementing the *Climate Action Program at Caltrans* that was published in December 2006. This document can be found at: http://www.dot.ca.gov/docs/ClimateReport.pdf

One of the main strategies in the Department's Climate Action Program to reduce greenhouse gas emissions is to make California's transportation system more efficient. Transportation's contribution to greenhouse gas emissions is dependent on 3 factors: the types of vehicles on the road, the type of fuel the vehicles use, and the time/distance the vehicles travel. The highest levels of CO_2 from mobile sources, such

as automobiles, occur at stop-and-go speeds (0-25 miles per hour). Optimum speeds are between 45 and 50 miles per hour (mph) (see Figure 3-2 for 2034 composite emission factors for this project). Looking at the state transportation system as a whole, enhancing operations and improving travel times in high congestion travel corridors will lead to an overall reduction in greenhouse gas emissions.

Project Analysis

Background

San Benito County is a largely rural, agricultural area uniquely surrounded by the more urban counties of Santa Clara, Santa Cruz, and Monterey (*San Benito County 2005 Short Range Transit Plan*). According to the 2000 U.S. Census Bureau http://factfinder.census.gov/home/saff/main.html?_lang=en, between 1990 and 2000, the county experienced a 45.1 percent population increase. During the same period, California grew at an annual average rate of 1.3 percent. According to the county's most recent Regional Transportation Plan (March 2005), the county had an estimated 53 thousand residents in 2001. This population growth was partly due to the economic growth in Santa Clara County during the 1990's, which created tremendous pressure for residential growth in San Benito County where housing was being developed at a lesser cost. As a result, the number of employed individuals and the number of registered vehicles and licensed drivers living in San Benito County has grown accordingly. The rate of growth in the number of employed individuals is expected to continue to exceed population growth at 2.1 percent. Furthermore, most of the increase of employed individuals will commute out of the county for work. If this projected growth trend is realized, the growth in transportation demand on State Route 156 can be expected to increase.

San Benito County's regional transportation system is composed of capital facilities, including approximately 918 centerline miles of streets and highways, 11.7 miles of heavy-rail track (Hollister Branch Line), two airports, (Hollister Municipal Airport and Frazier Lake Air Park), and limited bicycle facilities. The regional transportation system also includes operational systems, including transit and paratransit systems, taxi service, goods, movement, and transportation demand management capabilities. About 65 percent of the population of San Benito County lives in the city of Hollister. Mass transit in the county is limited (by lack of demand) to buses, minivans, and air transportation to and from the Hollister Airport. Commuter rail service to Santa Clara County and points north is available in nearby Gilroy in Santa Clara County.

The 2005 Regional Transportation Plan includes the short-term objective to accommodate short-term growth by improving the street and highway system so that

it operates at a better level of service during peak travel periods. One of the Plan's long-term objectives is to increase the capacity of the street and highway system to accommodate projected long-term growth. In regard to mass transit, the Plan includes alternative modes of transportation for commuters traveling between San Benito and Santa Clara Counties (development of commuter rail and the promotion of bus transit), but does not mention mass transit plans between San Benito and Monterey Counties, which affects State Route 156. The Plan, however, states it will promote improvements in all modes of transportation to respond to the growing demand for commuter and commodity travel. The 2005 Regional Transportation Plan also states that widening State Route 156 between San Juan Bautista and Hollister is a priority for San Benito policy makers.

The San Benito Route 156 Improvement Project would reduce congestion by improving traffic flow, which would improve the Level of Service. The current Level of Service is E and is expected to worsen without the Preferred Alternative. With the Preferred Alternative, the Level of Service is expected to improve to B in 2014 and C in 2034 as discussed in Chapter 2 of this document. To obtain a general idea of the comparison between the Preferred Alternative and the No Build Alternative, Caltrans has modeled the proposed project using the CT-EMFAC (Emission Factor 2007).

The project is located within the North Central Coast Air Basin, which is currently classified as "in attainment/unclassified" for all current federal air quality standards and in an "unclassified" area for state standards. Carbon dioxide is a common indicator of the various greenhouse gases. Carbon Dioxide and most of the greenhouse gases are not currently listed in the Clean Air Act as Priority Pollutants; therefore, there is no federal or state ambient air quality limit for these gases.

EMFAC Modeling and Results

In an attempt to analyze the effect of the project on local air quality, a burden analysis was completed using CT-EMFAC version 2.0. California Air Resources Board has approved the CT-EMFAC computer program for estimating the amounts of pollutants generated by mobile sources. Data entered into the program included the estimated traffic volumes for the Preferred Alternative and the No Build Alternative for the years 2006 (existing conditions), 2014 (construction year), and 2034 (future conditions); the predicted speeds for each of the five scenarios, the length of the highway segment (5.3 miles, and the county in which the project would be constructed (San Benito County). Annual average daily traffic volumes were divided

into automobiles, and heavy-duty trucks, and into peak (2-hour) and off peak (22-hour) traffic volumes.

Table 3.1 shows the Average Daily Traffic Volumes and a summary of the predicted annual tons of carbon dioxide predicted for the No Build and Preferred Alternative from the CT-EMFAC modeling. The traffic volumes have been updated from the Project Study Report Phase because the project construction and design years were changed.

Table 3.1 Average Daily Traffic Volumes and Predicted Carbon Dioxide Emissions (Existing and Future)

Alternative	Year	Average Annual Daily Traffic	Peak hour/ Off-peak hour	Speed Peak hour/ Average hour	Annual CO_2 Emissions (tons)
No Build	2007	26200	2400/973	40/65	77.86
	2014	27630	2553/975	39/65	75.62
	2034	35074	3116/1113	33/60	93.45
Preferred Build	2014	28106	2617/1044	58/65	84.96
	2034	35677	3322/1179	52/65	104.81

Source: 10/2/08 CT-EMFAC runs (District 5 Environmental Engineering Files)

The results indicate only a rough estimate of emissions based on project Annual Average Daily Traffic data. There are other influences on the total effect that a project would have on greenhouse gases.

According to EMFAC, both the Preferred Alternative and the No Build Alternative will result in more greenhouse gases, with the Preferred Alternative creating more greenhouse gases than the No Build condition. This is primarily because of EMFAC's focus on predicted traffic volumes and speeds, which would increase with the additional 2 lanes the project adds to the highway.

Table 3.2 shows the carbon dioxide emissions predicted for the project as speed increases at increments of 5 miles per hour. The lowest emission factors for CO_2 occur at about 45 miles per hour. As speeds both increase and decrease from this point, emission factors for CO_2 increase. As can be seen in Table 3.1, current speeds during peak hours are at 40 miles per hour. With the No Build Alternative, it is expected that the level of service will continue to deteriorate, and so emissions would likely increase. Any projects that would increase level of service, including the Preferred Alternative, would also likely increase emissions. The only way that emissions would not increase is with a project that allowed the facility to operate at 45 miles per hour during peak hours.

However, such a project, with minimal effects on level of service in 2014 and no effects in 2034, would not be undertaken as it would not meet the purpose and need.

Table 3.2 Carbon Dioxide Emissions 2034 Build Scenario

SPEED (Miles per hour)	Annual Emission Factor (Grams of carbon dioxide per mile)
5	1271.56
10	977.63
15	775.56
20	637.80
25	553.09
30	494.98
35	456.64
40	434.00
45	424.90
50	428.68
55	445.98
60	478.94
65	531.59
70	540.00
75	552.61
Source: 10/2/08 CT-EMFAC run (District 5 Environmental Engineering Files)	

Looking at the project alternatives solely in this manner creates an interesting situation. The highway segment is already operating at level of service E in the peak hour, which is considered failing, although it operates near the optimum speed of 45 mph for lower CO_2 emissions. Based on the traffic study conducted for this project, the level of service for the No Build Alternative will continue to deteriorate in the future years. As speeds sink further below 45 mph, CO_2 emissions would show a corresponding increase. In both the No Build and Build conditions in the future years, CO_2 emissions will increase. However, the Build alternative will improve mobility in the corridor.

Limitations and Uncertainties with Modeling

EMFAC

Although EMFAC can calculate CO_2 emissions from mobile sources, the model does have limitations when it comes to accurately reflecting CO_2 emissions. According to the National Cooperative Highway Research Program report, *Development of a Comprehensive Modal Emission Model* (April 2008), studies have revealed that brief but rapid accelerations can contribute significantly to a vehicle's carbon monoxide and hydrocarbon emissions during a typical urban trip. Current emission-factor models are insensitive to the distribution of such modal events (i.e., cruise, acceleration, deceleration, and idle) in the operation of a vehicle and instead estimate

emissions by average trip speed. This limitation creates an uncertainty in the model's results when compared to the estimated emissions of the various alternatives with baseline in an attempt to determine impacts. Although work by Environmental Protection Agency and the California Air Resources Board is underway on modal-emission models, neither agency has yet approved a modal emissions model that can be used to conduct this more accurate modeling. In addition, EMFAC does not include speed corrections for most vehicle classes for CO_2 – for most vehicle classes emission factors are held constant which means that EMFAC is not sensitive to the decreased emissions associated with improved traffic flows for most vehicle classes. Therefore, unless a project involves a large number of heavy-duty trucks, the difference in modeled CO_2 emissions due to speed change will be slight.

It is interesting to note that California Air Resources Board is currently not using EMFAC to create its inventory of greenhouse gas emissions. It is unclear why the California Air Resources Board has made this decision. Their website only states:

> REVISION: Both the EMFAC and OFFROAD Models develop CO_2 and CH_4 [methane] emission estimates; however, they are not currently used as the basis for [California Air Resources Board 's] official [greenhouse gas] inventory, which is based on fuel usage information. However, Air Resources Board is working towards reconciling the emission estimates from the fuel usage approach and the models.

Other Variables

With the current science, project-level analysis of greenhouse gas emissions is limited. Although a greenhouse gas analysis is included for this project, there are numerous key greenhouse gas variables that are likely to change dramatically during the design life of the proposed project and would thus dramatically change the projected CO_2 emissions.

First, vehicle fuel economy is increasing. The Environmental Protection Agency's annual report, *Light-Duty Automotive Technology and Fuel Economy Trends: 1975 through 2008* (http://www.epa.gov/oms/fetrends.htm), which provides data on the fuel economy and technology characteristics of new light-duty vehicles including cars, minivans, sport utility vehicles, and pickup trucks, confirms that average fuel economy, has improved each year beginning in 2005, and is now the highest since 1993. Most of the increase since 2004 is due to higher fuel economy for light trucks, following a long-term trend of slightly declining overall fuel economy that peaked in 1987. These vehicles also have a slightly lower market share, peaking at 52 percent in 2004 with projections at 48 percent in 2008.

Table 3.3 Required Miles Per Gallon by Alternative

MY 2015 Required Miles Per Gallon (mpg) by Alternative							
No Action		25% Below Optimized	Optimized (Preferred)	25% Above Optimized	50% Above Optimized	Total Costs Equal Total Benefits	Technology Exhaustion
Cars	27.5	33.9	35.7	37.5	39.5	43.3	52.6
Trucks	23.5	27.5	28.6	29.8	30.9	33.1	34.7

Table 3.3 shows the alternatives for vehicle fuel economy increases currently being studied by the National Highway Traffic Safety Administration in its Draft Environmental Impact Statement (EIS) for New Corporate Average Fuel Economy (CAFE) Standards (June 2008):

Second, near zero carbon vehicles will come into the market during the design life of this project. According to a March 2008 report released by University of California Davis (UC Davis), Institute of Transportation Studies:

> "Large advancements have occurred in fuel cell vehicle and hydrogen infrastructure technology over the past 15 years. Fuel cell technology has progressed substantially resulting in power density, efficiency, range, cost, and durability all improving each year. In another sign of progress, automotive developers are now demonstrating over 100 fuel cell vehicles (FCVs) in California – several in the hands of the general public – with configurations designed to be attractive to buyers. Cold-weather operation and vehicle range challenges are close to being solved, although vehicle cost and durability improvements are required before a commercial vehicle can be successful without incentives. The pace of development is on track to approach pre-commercialization within the next decade.
>
> "A number of the U.S. Department of Energy 2010 milestones for fuel cell vehicles development and commercialization are expected to be met by 2010. Accounting for a five to six year production development cycle, the scenarios developed by the U.S. DOE suggest that 10,000s of vehicles per year from 2015 to 2017 would be possible in a federal demonstration program, assuming large cost share grants by the government and industry are available to reduce the cost of production vehicles."[1]

Third and as previously stated, California has recently adopted a low-carbon transportation fuel standard. California Air Resources Board is scheduled to come out with draft regulations for low carbon fuels in late 2008 with implementation of the standard to begin in 2010.

[1] Cunningham, Joshua, Sig Cronich, Michael A. Nicholas. March 2008. *Why Hydrogen and Fuel Cells are Needed to Support California Climate Policy*, UC Davis, Institute of Transportation Studies, pp. 9-10.

Fourth, driver behavior has been changing as the U.S. economy and oil prices have changed. In its January 2008 report, *Effects of Gasoline Prices on Driving Behavior and Vehicle Market*, http://www.cbo.gov/ftpdocs/88xx/doc8893/01-14-GasolinePrices.pdf the Congressional Budget Office found the following results based on data collected from California: 1) freeway motorists have adjusted to higher gas prices by making fewer trips and driving more slowly; 2) the market share of sports utility vehicles is declining; and 3) the average prices for larger, less-fuel-efficient models have declined over the past five years as average prices for the most-fuel-efficient automobiles have risen, showing an increase in demand for the more fuel-efficient vehicles.

Limitations and Uncertainties with Impact Assessment

Taken from pp. 3-48 and 3-49 of the National Highway Traffic Safety Administration Draft Environmental Impact Statement for New Corporate Average Fuel Economy Standards (June 2008), Figure 3-2 illustrates how the range of uncertainties in assessing greenhouse gas impacts grows with each step of the analysis:

> "Cascade of uncertainties typical in impact assessments showing the "uncertainty explosion" as these ranges are multiplied to encompass a comprehensive range of future consequences, including physical, economic, social, and political impacts and policy responses."

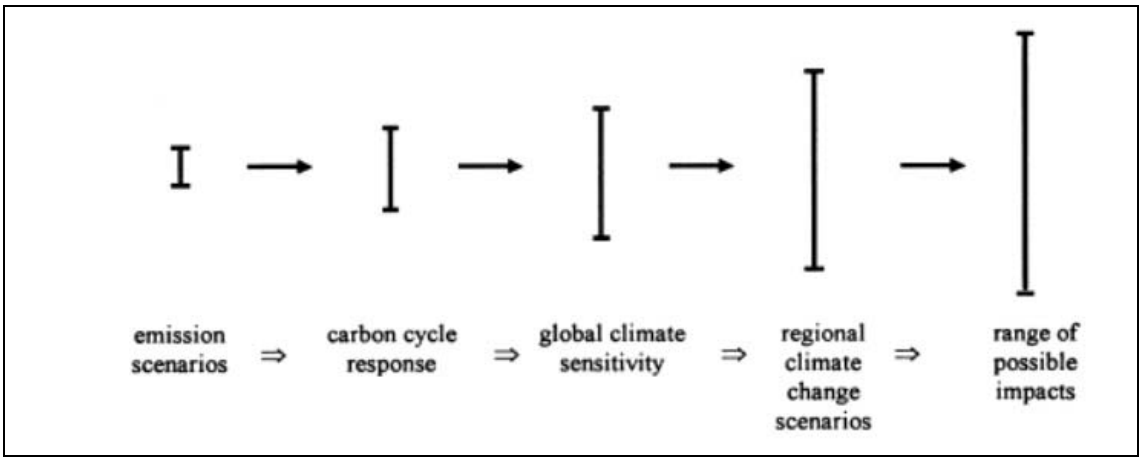


Figure 3-2 Cascade of Uncertainties

Much of the uncertainty in assessing an individual project's impact on climate change surrounds the global nature of the climate change. Even assuming that the target of meeting the 1990 levels of emissions is met, there is no regulatory or other framework in place that would allow for a ready assessment of what the modeled 11.4 to 20.9 ton increase in CO_2 emissions would mean for climate change given the overall California greenhouse gas emissions inventory of approximately 430 million

tons of $C0_2$ equivalent. This uncertainty only increases when viewed globally. The IPCC has created multiple scenarios to project potential future global greenhouse gas emissions as well as to evaluate potential changes in global temperature, other climate changes, and their effect on human and natural systems. These scenarios vary in terms of the type of economic development, the amount of overall growth, and the steps taken to reduce greenhouse gas emissions. Non-mitigation IPCC scenarios project an increase in global greenhouse gas emissions by 9.7 up to 36.7 billion metric tons CO_2 from 2000 to 2030, which represents an increase of between 25 and 90 percent.[2]

The assessment is further complicated by the fact that changes in greenhouse gas emissions can be difficult to attribute to a particular project because the projects often cause shifts in the locale for some type of greenhouse gas emissions, rather than causing "new" greenhouse gas emissions. For example, the CT-EMFAC model runs for this project were based on San Benito County data. It is difficult to assess whether some of the trip increases on Route 156 are "new" versus whether they are transferred from surrounding areas such as Monterey County. Although some of the emission increases might be new, the extent to which the modeled 11.4 to 20.9 ton increase in CO_2 emissions represents a net global increase, reduction, or no change, is uncertain and there are no models approved by regulatory agencies that operate at the global or even statewide scale.

The complexities and uncertainties associated with project level impact analysis are further borne out in the recently released Draft Environmental Impact Statement completed by the National Highway Traffic Safety Administration Corporate Average Fuel Economy standards, June 2008. As the text quoted below shows, even when dealing with greenhouse gas emission scenarios on a national scale for the entire passenger car and light truck fleet, the numerical differences among alternatives is very small and well within the error sensitivity of the model.

> "In analyzing across the Corporate Average Fuel Economy 30 alternatives, the mean change in the global mean surface temperature, as a ratio of the increase in warming between the B1 (low) to A1B (medium) scenarios, ranges from 0.5 percent to 1.1 percent. The resulting change in sea level rise (compared to the No Action Alternative) ranges, across the alternatives, from 0.04 centimeter to 0.07 centimeter. In summary, the impacts of the MY 2011-2015 Corporate Average Fuel Economy alternatives on global mean surface

[2] Intergovernmental Panel on Climate Change (IPCC). February 2007. Climate Change 2007: The Physical Science Basis: Summary for Policy Makers. http://www.ipcc.ch/SPM2feb07.pdf.

> temperature, sea level rise, and precipitation are relatively small in the context of the expected changes associated with the emission trajectories. This is due primarily to the global and multi-sectoral nature of the climate problem. Emissions of CO_2, the primary gas driving the climate effects, from the United States automobile and light truck fleet represented about 2.5 percent of total global emissions of all greenhouse gases in the year 2000 (EPA, 2008; CAIT, 2008). While a significant source, this is a still small percentage of global emissions, and the relative contribution of CO_2 emissions from the United States light vehicle fleet is expected to decline in the future, due primarily to rapid growth of emissions from developing economies (which are due in part to growth in global transportation sector emissions)." [NHTSA Draft Environmental Impact Statement for New Corporate Average Fuel Economy Standards, June 2008, pp.3-77 to 3-78]

CEQA Conclusion

Based on the above, it is Caltrans determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a determination regarding the project's direct impact and its contribution on the cumulative scale to climate change. However, Caltrans is firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the following section.

AB 32 Compliance – Caltrans continues to be actively involved on the Governor's Climate Action Team as California Air Resources Board works to implement AB 1493 and help achieve the targets set forth in Assembly Bill 32. Many of the strategies Caltrans is using to help meet the targets in Assembly Bill 32 come from the California Strategic Growth Plan, which is updated each year. Governor Arnold Schwarzenegger's Strategic Growth Plan calls for a $222 billion infrastructure improvement program to fortify the state's transportation system, education, housing, and waterways, including $107 in transportation funding during the next decade. As shown on the figure below, the Strategic Growth Plan targets a significant decrease in traffic congestion below today's level and a corresponding reduction in greenhouse gas emissions. The Strategic Growth Plan proposes to do this while accommodating growth in population and the economy. A suite of investment options has been created that combined together yield the promised reduction in congestion. The Strategic Growth Plan relies on a complete systems approach of a variety of strategies: system monitoring and evaluation, maintenance and preservation, smart land use and demand management, and operational improvements.

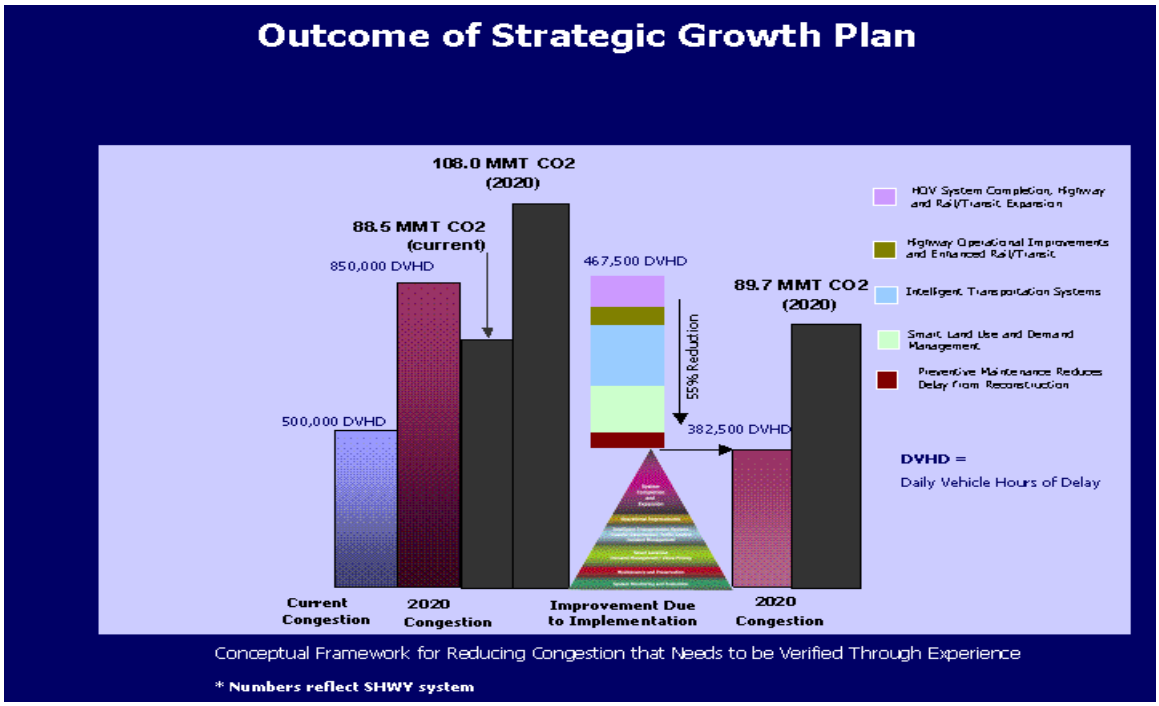


Figure 3-3 Outcome of Strategic Growth Plan

As part of the *Climate Action Program at Caltrans* (December 2006, http://www.dot.ca.gov/docs/ClimateReport.pdf), Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks; Caltrans is doing this by supporting on-going research efforts at universities, by supporting legislation efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by the United States Environmental Protection Agency and California Air Resource Board. Lastly, the use of alternative fuels is also being considered; the Department is participating in funding for alternative fuel research at the University of California Davis.

Table 3.4 summarizes the Department and statewide efforts that Caltrans is implementing in order to reduce greenhouse gas emissions. For more detailed information about each strategy, please see *Climate Action Program at Caltrans* (December 2006); it is available at http://www.dot.ca.gov/docs/ClimateReport.pdf.

Table 3.4 Climate Change Strategies

Strategy	Program	Partnership		Method/Process	Estimated CO2 Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review (IGR)	Caltrans	Local Governments	Review and seek to mitigate development proposals	Not Estimated	Not Estimated
	Planning Grants	Caltrans	Local and regional agencies & other stakeholders	Competitive selection process	Not Estimated	Not Estimated
	Regional Plans and Blueprint Planning	Regional Agencies	Caltrans	Regional plans and application process	0.975	7.8
Operational Improvements & Intelligent Trans. System (ITS) Deployment	Strategic Growth Plan	Caltrans	Regions	State ITS; Congestion Management Plan	.007	2.17
Mainstream Energy & Greenhouse Gas into Plans and Projects	Office of Policy Analysis & Research; Division of Environmental Analysis	Interdepartmental effort		Policy establishment, guidelines, technical assistance	Not Estimated	Not Estimated
Educational & Information Program	Office of Policy Analysis & Research	Interdepartmental, CalEPA, CARB, CEC		Analytical report, data collection, publication, workshops, outreach	Not Estimated	Not Estimated
Fleet Greening & Fuel Diversification	Division of Equipment	Department of General Services		Fleet Replacement B20 B100	0.0045	0.0065 0.45 .0225
Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team		Energy Conservation Opportunities	0.117	.34
Portland Cement	Office of Rigid Pavement	Cement and Construction Industries		2.5 % limestone cement mix 25% fly ash cement mix > 50% fly ash/slag mix	1.2 .36	3.6
Goods Movement	Office of Goods Movement	Cal EPA, CARB, BT&H, MPOs		Goods Movement Action Plan	Not Estimated	Not Estimated
Total					2.72	18.67

To the extent that it is applicable or feasible for the project and through coordination with the project development team, the following measures will also be included in the project to reduce the greenhouse gas emissions and potential climate change impacts from the project:

1. Caltrans and the California Highway Patrol are working with regional agencies to implement Intelligent Transportation Systems (ITS) to help manage the efficiency of the existing highway system. Intelligent Transportation Systems is commonly referred to as electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.
2. Landscaping reduces surface warming, and through photosynthesis, decreases CO_2. The project proposes planting in the intersection slopes, drainage channels, and seeding in areas adjacent to frontage roads and planting a variety of different-sized plant material and scattered skyline trees where appropriate but not to obstruct the view of the mountains. Caltrans has committed to planting a minimum of 40 trees. These trees will help offset any potential CO_2 emissions increase. Based on a formula from the Canadian Tree Foundation[3], it is anticipated that the planted trees will offset between 7-10 tons of $C0_2$ per year.
3. The project would incorporate the use of energy efficient lighting, such as LED traffic signals. LED bulbs — or balls, in the stoplight vernacular — cost $60 to $70 apiece but last five to six years, compared to the one-year average lifespan of the incandescent bulbs previously used. The LED balls themselves consume 10 percent of the electricity of traditional lights, which will also help reduce the projects CO_2 emissions.[4]
4. According to Caltrans Standard Specification Provisions, idling time for lane closure during construction is restricted to ten minutes in each direction; in addition, the contractor must comply with Monterey Bay Unified Air Pollution Control District's rules, ordinances, and regulations in regards to air quality restrictions.

[3] Canadian Tree Foundation at http://www.tcffca.ca/publications/pdf/english_reduceco2.pdf For rural areas the formula is: number of trees/360 x survival rate = tones of carbon/year removed for each of 80 years.

[4] Knoxville Business Journal, *LED Lights Pay for Themselves*, May 19, 2008 at http://www.knoxnews.com/news/2008/may/19/led-traffic-lights-pay-themselves/.

In addition, the Council of San Benito County Governments provides ridesharing services and park-and-ride facilities to help manage the growth in demand for highway capacity. These services, although not a project feature, are currently provided and are ongoing and also contribute to the reduction of regional greenhouse gas emissions.

3.2.5 Mitigation Measures for Significant Impacts under the California Environmental Quality Act

Caltrans policy is to avoid or minimize farmland impact to the maximum extent possible but Caltrans does not “replace” farmland. All potential land acquisition for this project would be subject to the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations Part 24.

This project conforms to the General Plans of San Benito County and San Juan Bautista, which envision this highway improvement. Most of the farmland in the project area is Prime and Unique farmland. The No-Build Alternative is the only alternative that would avoid farmland impacts, but it would not meet the Purpose and Need of the project. Alternative 4A would incur the least farmland impact of the Build Alternatives. The maximum acreage of farmland converted by the Build Alternatives is 198 acres (Alternatives 2 and 6), which represents less than .003 percent of the farmland identified in San Benito County by the Natural Resources Conservation Service.

Farm easements would not be effective for the proposed project because the majority of the farmland affected by the proposed project is under Williamson Act contracts. Currently, the use of agricultural or farm easements in California is very small in comparison to the use of the Williamson Act. Lands under the Williamson Act contracts make up 16 million acres of California's 27 million farmland acres.

Farm easements allow owners of farmland to voluntarily sell or trade development rights on their farms to government or nonprofit organizations in exchange for agreeing to keep land permanently available for agriculture. Owners with land contracted under the Williamson Act receive limited tax incentives to maintain land in agriculture for 10 years or more. The proposed project would not result in the full acquisition or severance of any farm operation nor would it result in the cancellation of Williamson contracts. In addition, San Benito County has a strong commitment to agriculture already as demonstrated by their policies and planning. The current San

Benito County zoning maps indicate that all of the project area will continue to be preserved for agriculture.

Chapter 4 Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including project development team meetings, interagency coordination meetings, and public contact. This chapter summarizes the results of Caltrans' efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

4.1 Project Development Team Meetings

The Project Development Team is a multi-disciplinary team that consists of Caltrans employees from various functional units, such as project management, design, environmental, and right-of-way, as well as other interested parties and representatives from the San Benito Council of Governments, Hollister, and San Juan Bautista.

Between 1999 and 2006, numerous meetings with the Project Development Team, various Caltrans functional units, and focused team meetings were held to discuss the development of the project. Meetings were held in 2005 and 2006 with the San Juan Bautista City Council and the San Benito Council of Governments to update the agencies on the progress of the project, gather input, and to address any concerns.

4.2 Notice of Preparation

A Notice of Preparation is required for Environmental Impact Reports and was sent to the State Clearinghouse on September 4, 2002. The following agencies and interested parties were also notified:

- City of San Juan Bautista Public Works Department
- City of Hollister Public Works Department
- City of Hollister Planning Department
- San Benito County Public Works Department
- San Benito County Water District

- Council of San Benito County Governments
- San Benito County Planning Department
- Monterey Bay Air Pollution Control District
- Association of Monterey Bay Area Governments
- Regional Water Quality Control Board
- California Department of Conservation
- California Department of Fish and Game
- California Highway Patrol
- State Water Resources Control Board
- State Office of Historic Preservation
- Natural Resource Conservation Service
- U.S. Fish and Wildlife Service
- U.S. Army Corps of Engineers

4.3 Consultation with Responsible/Cooperating Agencies and Interested Parties

Formal Section 7 consultation with the U.S. Fish and Wildlife Service was initiated for the California tiger salamander once a preferred alternative was selected with a possible determination of "may effect, likely to adversely affect." Initially, Caltrans biologists determined there would be no temporary or permanent impacts to upland habitat occupied by the California tiger salamander, but upland habitat was determined closer to the project during formal consultation.

Formal Section 7 consultation with the U.S. Fish and Wildlife Service was initiated for the California red-legged frog once a preferred alternative is selected with a possible determination of "effect, not likely to adversely affect."

In April 2007, Caltrans consulted with the State Office of Historic Preservation regarding a potential de minimis impact to one of the historic properties, the Ferry-Morse Seed Company. Caltrans proposed a reduction in the historic property boundary from the 112-acre legal property parcel to the more appropriate perimeter of a smaller 18-acre portion of the legal parcel, which is the portion occupied by the two dozen buildings making up the seed-processing complex. The State Office of Historic Preservation concurred with the new boundary determinations documented in the Caltrans correspondence dated April 27, 2007 (see Appendix E).

Caltrans submitted a Findings of Effect for the project to the State Office of Historic Preservation in February 2008. The determination was a Finding of No Adverse Effect for the San Benito 156 Improvement Project. The State Office of Historic Preservation concurred with a Finding of No Adverse Effect determination on March 24, 2008 (see Appendix E).

Representatives from the following Native American interests received general project information, archaeological survey reports, and invitations to monitor field excavations. The information and invitations were also sent to individual Native Americans.

- Amah San Juan Bautista Ohlone/Costanoan Indians (April 2000)
- San Juan Bautista Band Amah San Juan Bautista Ohlone/Costanoan Indians (July 2000).

Contact with the following agencies or interests occurred at various times during the environmental process:

- City of San Juan Bautista
- City of Hollister
- County of San Benito
- Council of San Benito County Governments
- Mission Farm RV Park

4.4 Public Information Meetings

The following discussions of public meetings were compiled from meeting minutes and press articles.

March 2001

A Public Information Meeting/Open House was held on March 7, 2001 at the San Juan Oaks Golf Club in Hollister. The purpose of the meeting was to provide the public and interested parties with information regarding the status of the project and to gain public input on the project alternatives. Caltrans staff specialists in engineering, environmental analysis, right-of-way, and landscape architecture were on hand to provide specific information about the proposed project.

Letters of invitation to the meeting were sent to federal, state, and local officials. Newsletter invitations were sent to property owners and businesses within the study

area. The meeting was also announced to the general public by advertisements in the local paper, *The Pinnacle*, on February 15, 2001 and February 22, 2001.

Attendees received an information sheet with a project map showing the location and detailing project purpose, background, description, cost, funding source, project timeline, and contact information. Attendees were provided comment cards and were encouraged to visit information stations to view maps, displays, and graphics. Caltrans Project Development Team staff members were available at each station to explain maps and displays, answer questions, and receive public input.

Upon arrival, attendees were asked to sign in and list their address. Of the 81 attendees, 30 lived in Hollister and 37 lived in San Juan Bautista. The remaining 14 lived in other San Benito County communities or Santa Cruz and Santa Clara counties.

Written comments were received from 32 attendees and 38 oral comments were recorded. Caltrans staff responded to written comments later by contacting the person who had submitted the comment. Caltrans staff responded to oral comments either onsite at the meeting or in a follow-up response.

The comments varied but many comments expressed concern or support of the following:

- Safety: Residents concerned over safely crossing or accessing the existing highway supported the safety improvement aspect.
- Visual, Landscaping, and Quality of Life: Residents were afraid of losing the small town feel of San Juan Bautista.
- Noise: Residents close to the highway expressed concern over noise increases.
- Flooding: Residents wanted to include drainage improvements or were concerned about additional flooding.
- Business: Business owners in San Juan Bautista expressed concern over changes in traffic patterns.
- Farmland: Residents expressed concern over the conversion of farmland.
- State Route 25: Residents indicated support for an alternate project on State Route 25 to serve through traffic.
- Increase Demand: Residents indicated concern that the project would increase traffic.

November 2005

A Town Hall Meeting was held November 30, 2005 in San Juan Bautista to give an update on the proposed San Benito Route 156 Improvement Project. Before breaking into groups to better understand and document community concerns, Caltrans personnel gave an overview of the project, as well as regional and interregional transportation concerns. The meeting, attended by about 35 primarily local residents, reinforced previously expressed opposition to the proposed project. The following summarizes comments opposing the proposed project:

- Caltrans continues to study the project despite local endorsement of the Farm Bureau's 3-in-1 Alternative.
- The Southern Gateway Transportation and Land Use Study Alternative 4 should also be considered. Alternative 4, one of six east/west 4-lane proposals is similar to the 3-in-1 Alternative in that it would be on new alignment and would replace proposed projects on State Routes 156, 152, and 25.
- Elevated portions of the proposed project would increase flooding. (Culverts and drainage improvements would maintain current hydrological patterns).
- The project would increase traffic noise, specifically from the use of "jake brakes" on trucks.
- Local use of the highway is fairly limited due to congestion and safe access problems so the project would be most beneficial to regional and interregional traffic, notably truck traffic.
- Highway demand is a state problem with the proposed project disproportionately impacting the local community.
- The San Juan Bautista Mission's atmosphere and the community's quality of life would be jeopardized with the completion of the proposed project.
- High truck traffic volume is the result of Caltrans traffic management so the solution should not rest on San Juan Bautista.
- The proposed project would take too much farmland.

The comment most often expressed was that a new alignment, which would replace proposed projects on State Routes 156, 152, and 25, should be considered. The meeting closed with an agreement to schedule future meetings that involve a larger group of interested parties.

4.5 Recent Action

Although the City of San Juan Bautista General Plan acknowledges the need to widen State Route 156, the San Juan Bautista City Council has opposed the project in the past. The City Council stated widening this segment of the highway would affect their small town atmosphere, would decrease farmland, and would increase truck traffic, air pollution, and noise.

On October 24, 2006, the San Benito County Board of Supervisors unanimously adopted and passed a resolution that identifies the top three transportation priorities for the region: construction of four lanes on State Routes 152, 156, and 25.

Subsequently, the San Benito Council of Governments also passed a similar resolution identifying the construction of four lanes on State Routes 152, 156, and 25 as the County's highest priorities.

4.6 Public Hearings

The Draft Environmental Impact Report/Environmental Assessment was circulated to the public from August 24, 2007 through October 15, 2007. Two public hearings were held to gain comment on the draft environmental document. The first public hearing was held in San Juan Bautista on September 25, 2007 at the San Juan Elementary School between 4 and 7 p.m. Twenty people attended this public hearing. Seven comment cards were received and four attendees submitted comments to the court reporter. The second public hearing was held in Hollister on September 26, 2007 at the R.O. Hardin Elementary School between 4 and 7 p.m. Seven people attended this public hearing. One comment card was received and no comments were submitted to the court reporter.

Comments on the draft environmental document were received from several state, regional, and local agencies including:

- California State Department of Conservation
- Monterey Bay Unified Air Pollution Control District
- San Benito County Board of Supervisors
- San Benito County Water District
- Council of San Benito County Governments
- San Juan Golf Club
- City of San Juan Bautista

Approximately 18 individuals submitted comments that expressed concerns for the following:

- An increase in noise from the project, ~~but~~ especially west of The Alameda
- An increase in truck traffic and diesel emissions
- The loss of farmland
- The loss of visual affect and open space
- Safety for pedestrians and school buses at the intersection of The Alameda and State Route 156
- The loss of the rural and historic characteristic of the City of San Juan Bautista
- An increase in flooding due to the raised profile of the project

Most individuals opposed the project in favor of supporting roadway improvements to State Routes 25 and 152 or in support of a new east-west alignment to the north.

Chapter 5 List of Preparers

The following California Department of Transportation Central Region Staff prepared this Environmental Impact Report/Environmental Assessment:

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Valerie A. Levulett, Senior Environmental Planner. M.A., PhD. Anthropology, University of California, Davis; 35 years of professional experience. Contribution: Prepared Historic Property Survey Report, responsible for oversight of all cultural and technical studies and Section 106 compliance.

John Magorian, Associate Right-of-Way Agent. B.S., Business Administration, California Polytechnic State University, San Luis Obispo; 17 years real estate appraisal and 5 years as right-of-way agent, acquisition branch, experience. Contribution: Relocation Impact Memorandum.

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Bobi Lyon-Ritter, Senior Environmental Planner. M.A., Landscape Architecture, University of Arizona; B.A., Fine Art, Elmira College; 15 years landscape design and construction experience, 8 years open space/trail planning and design experience, and 9 years environmental planning experience. Contribution: Draft Environmental Document review and approval.

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Tom Wheeler, Associate Environmental Planner. M.A. Anthropology, California State University, Sacramento; B.A., Anthropology, California State University, Sacramento; 40 years of experience. Contribution: Phase I and Extended Phase I studies at the Breen Adobe, and evaluation of historic archaeological sites.

Gerald White, Senior Environmental Planner. B.S., Biology, University of California, Riverside; 25 years hazardous waste management, air pollution, non-hazardous waste management experience. Contribution: Hazardous Waste document review and approval.

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Office of Planning and Research State Clearinghouse
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Distributed by the Office of Planning and Research State Clearinghouse:

- Department of Conservation
- Department of Fish and Game
- Department of Parks and Recreation
- Integrated Waste Management Board
- Resources Agency
- State Air Resources Board
- State Lands Commission
- State Water Resources Control Board

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Pat Loe – District 3
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San Benito County Sheriff's Department 451 Fourth Street Hollister, CA 95023-3840	**San Benito County Transit Administration Office** 3216 Southside Road Hollister, CA 95023
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Caltrans District 5 **Public Information Officer** 50 Higuera Street San Luis Obispo, CA 93401-5415	**Natural Resource Conservation Service** 2337 Technology Parkway Hollister, CA 95023-2544

U.S. Army Corps of Engineers Sacramento District 1325 “J” Street Sacramento, CA 95814-2922 Attn: Regulatory Branch	**Natural Resources Conservation Service** Attn: Conservation Communications Staff P.O. Box 2890 Washington, DC 20013
U.S. Fish and Wildlife Service Sacramento Office 2707 L Street, Suite 1 Sacramento CA 95816-5113	**California Highway Patrol** Hollister-Gilroy 740 Renz Lane Gilroy, CA 95020
Regional Water Quality Control Board Attn: Storm Water Branch 81 Higuera Street, Suite 200 San Luis Obispo, CA 93401-5427	**California Highway Patrol** Office of Special Projects P.O. Box 942898 Sacramento, CA 94298
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Pacific Bell 1250 East Ashlan Avenue Fresno CA 93762	**California Product Company** 305 Bloomfield Avenue Gilroy, CA 95020

Appendix A California Environmental Quality Act Checklist

The following checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.” Supporting documentation of all California Environmental Quality Act checklist determinations is provided in Chapter 2 of this Environmental Impact Report/Environmental Assessment. Documentation of “No Impact” determinations is provided at the beginning of Chapter 2. Discussion of all impacts, avoidance, minimization, and/or mitigation measures, except for noise, is under the appropriate topic headings in Chapter 2. Noise impacts under the California Environmental Quality Act are discussed in Chapter 3.

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
AESTHETICS - Would the project:				
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?		X		
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?				X
AGRICULTURE 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. 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?	X			
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?			X	
c) Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X
AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
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 that exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentration?				X
e) Create objectionable odors affecting a substantial number of people?				X
BIOLOGICAL RESOURCES - Would the project:				
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?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?			X	
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?			X	
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?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
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?				X
CULTURAL RESOURCES - Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
GEOLOGY AND SOILS - Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
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.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
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.				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
HAZARDS AND HAZARDOUS MATERIALS - Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
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?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site that 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?				X
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?				X
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?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
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?				X
HYDROLOGY AND WATER QUALITY - Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
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 that would not support existing land uses or planned uses for which permits have been granted)?				X
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 offsite?				X
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 that would result in flooding on or offsite?				X
e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
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?				X
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X
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?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
j) Result in inundation by a seiche, tsunami, or mudflow?				X
LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
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?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
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?				X
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?				X
NOISE - Would the project result in:				
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?		X		
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
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?				X
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?				X
POPULATION AND HOUSING - Would the project:				
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)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
PUBLIC SERVICES -				
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?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
RECREATION -				
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?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X
TRANSPORTATION/TRAFFIC - Would the project:				
a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patters, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
UTILITY AND SERVICE SYSTEMS - Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
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?				X

	Potentially Significant Impact	Less than Significant Impact with Mitigation	Less than Significant Impact	No Impact
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?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in determination by the wastewater treatment provider that 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?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
MANDATORY FINDINGS OF SIGNIFICANCE -				
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, 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?			X	
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)?			X	
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				X

Appendix B Resources Evaluated Relative to the Requirements of Section 4(f)

This section of the document discusses parks, recreational facilities, wildlife refuges, and historic properties found within or adjacent to the project area that do not trigger Section 4(f) protection either because: 1) they are not publicly owned, 2) they are not open to the public, 3) they are not eligible historic properties, 4) the project does not permanently use the property and does not hinder the preservation of the property, or 5) the proximity impacts do not result in constructive use.

Caltrans identified seven historic properties within or adjacent to the project area through a combination of field investigations, archival research, and analysis, which are discussed in detail in Section 2.1.8, Cultural Resources. The State Office of Historic Preservation concurred with the eligibility determinations documented in the 2002 Historical Property Survey Report (See Appendix E). Caltrans has determined, as a whole, the proposed project would have no adverse effect on the Ferry-Morse Seed Company, and no effect on the other six historic properties: the Benjamin Wilcox House; the Frank M. Avilla, Sr., House; the John Breen Adobe; the San Justo School; the Tebetts Orchard/Nutting Property; and the Mitchell Fruit Farm.

In April 2007, Caltrans consulted with the State Office of Historic Preservation regarding a potential de minimis impact to one of the historic properties, the Ferry-Morse Seed Company. Caltrans proposed a reduction in the historic property from the 112-acre legal property parcel to the more appropriate perimeter of a smaller 18-acre portion of the legal parcel, which is the portion occupied by the two dozen buildings making up the seed-processing complex. The State Office of Historic Preservation concurred with the new boundary determinations documented in the Caltrans correspondence dated April 27, 2007 (See Appendix E).

Caltrans has determined that the proposed project avoids all 4(f) properties identified within or adjacent to the proposed project, does not permanently use or hinder the preservation of any 4(f) property, and does not have any proximity impacts that would result in constructive use.

Appendix C Title VI Policy Statement

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY (916) 653-4086

Flex your power!
Be energy efficient!

January 14, 2005

TITLE VI
POLICY STATEMENT

The California Department of Transportation under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, and age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

WILL KEMPTON
Director

"Caltrans improves mobility across California"

Appendix D Summary of Relocation Benefits

California Dept. of Transportation Relocation Assistance Program

Relocation Assistance Advisory Services

The California Department of Transportation (Caltrans) would provide relocation advisory assistance to any person, business, farm, or non-profit organization displaced as a result of Caltrans' acquisition of real property for public use. Caltrans would assist residential displacees in obtaining comparable decent, safe, and sanitary replacement housing by providing current and continuing information on sales prices and rental rates of available housing. Non-residential displacees would receive information on comparable properties for lease or purchase.

Residential replacement dwellings would be in equal or better neighborhoods, at prices within the financial means of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, displacees would be offered comparable replacement dwellings that are open to all persons regardless of race, color, religion, sex, or national origin, and that are consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance would also include supplying information concerning federal- and state-assisted housing programs, and any other known services being offered by public and private agencies in the area.

Residential Relocation Payments Program

For more information or a brochure on the residential relocation program, please contact Julie Dick Tex by e-mail at julie_dick_tex@dot.ca.gov, by telephone at (559) 243-8299, or by mail at 2015 E Shields Ave., Suite 100, Fresno, CA 93726.

The brochure on the residential relocation program is also available in English at http://www.dot.ca.gov/hq/row/pubs/residential_english.pdf and in Spanish at http://www.dot.ca.gov/hq/row/pubs/residential_spanish.pdf.

If you own or rent a mobile home that may be moved or acquired by Caltrans, a relocation brochure is available in English at http://www.dot.ca.gov/hq/row/pubs/mobile_eng.pdf and in Spanish at http://www.dot.ca.gov/hq/row/pubs/mobile_sp.pdf.

The Business and Farm Relocation Assistance Program

For more information or a brochure on the relocation of a business or farm, please contact Julie Dick Tex by e-mail at julie_dick_tex@dot.ca.gov, by telephone at (559) 243-8299, or by mail at 2015 E Shields Ave., Suite 100, Fresno, CA 93726.

The brochure on the business relocation program is also available in English at http://www.dot.ca.gov/hq/row/pubs/business_farm.pdf and in Spanish at http://www.dot.ca.gov/hq/row/pubs/business_sp.pdf.

Additional Information

No relocation payment received would be considered as income for the purpose of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law (except for any federal law providing low-income housing assistance).

Persons who are eligible for relocation payments and who are legally occupying the property required for the project would not be asked to move without being given at least 90 days advance notice, in writing. Occupants of any type of dwelling eligible for relocation payments would not be required to move unless at least one comparable “decent, safe, and sanitary” replacement residence, open to all persons regardless of race, color, religion, sex, or national origin is available or has been made available to them by the state.

Any person, business, farm, or non-profit organization, which has been refused a relocation payment by Caltrans, or believes that the payments are inadequate, may appeal for a hearing before a hearing officer or the Caltrans’ Relocation Assistance Appeals Board. No legal assistance is required; however, the displacee may choose to obtain legal council at his/her expense. Information about the appeal procedure is available from Caltrans’ Relocation Advisors.

The information above is not intended to be a complete statement of all of Caltrans’ laws and regulations. At the time of the first written offer to purchase, owner-occupants are given a more detailed explanation of the state's relocation services. Tenant occupants of properties to be acquired are contacted immediately after the first written offer to purchase, and also given a more detailed explanation of Caltrans’ relocation programs.

Important Notice

To avoid loss of possible benefits, no individual, family, business, farm, or non-profit organization should commit to purchase or rent a replacement property without first contacting a Department of Transportation relocation advisor at:

State of California
Department of Transportation, District #05
50 Higuera Street
San Luis Obispo, CA 93701

Appendix E State Office of Historic Preservation Concurrence Letters

Concurrence determination for Ferry-Morse Seed Company complex, page 1 of 3

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TDD (805) 549-3259
http://www.dot.ca.gov/dist05/

Flex your power!
Be energy efficient!

April 27, 2007

Milford Wayne Donaldson
State Historic Preservation Officer
Office of Historic Preservation
PO Box 942896
Sacramento, CA 94296-0001

File: FHWA030122A
Ferry-Morse Seed Company

Dear Mr. Donaldson:

RE: PROPOSED REVISION OF HISTORIC PROPERTY BOUNDARY

Background

On behalf of the Federal Highway Administration, the Department of Transportation is requesting a revision of the property boundaries for a historic resource located on the outskirts of San Juan Bautista in northern San Benito County (Attachment A, Figure 1). The property, the former Ferry-Morse Seed Production Facility, located at 2191 San Juan-Hollister Road (State Route 156), was evaluated for eligibility to the National Register of Historic Places during architectural studies done in connection with the San Benito 156 Four-Lane Widening project.[1] The Ferry-Morse property was determined eligible, at the state level of significance, under Criteria A and C, and the State Historic Preservation Officer concurred in the property's eligibility on June 9, 2003 (FHWA030122A; see Attachment B).

The DPR 523 forms for the Ferry-Morse property (which accompanied the Historic Property Survey Report forwarded to the SHPO and which are appended to this letter as Attachment C) made the historic property boundaries coterminous with the boundaries of the property's current legal 112.2-acre parcel (San Benito County Assessor Parcel Number 018-180-006). Although this approach to the delineation of historic property boundaries is one that is frequently used, US Department of the Interior guidance clearly promotes delineating boundaries that are appropriate to the nature and significance of the resource in question. In this particular instance, it would have been more appropriate to delineate the boundary as the perimeter of a smaller 18-acre portion of the legal parcel – the portion occupied by the two dozen buildings making up the seed-processing complex.

[1] Stephen R. Wee, Historic Architectural Survey Report, Highway 156 Widening Project: Alameda Road to Mitchell-Union Road, San Benito County, CA, SBt 156 PM 1.6/5.2 (KP 2.5/7.8), prepared for the Department of Transportation, District 5, by JRP Historical Consulting Services, 1490 Drew Avenue, Suite 110, Davis, CA 95616, November 1999.

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Figure E-1 Ferry-Morse Boundary Concurrence

Concurrence determination for Ferry-Morse Seed Company complex, page 2 of 3

Milford Wayne Donaldson
State Historic Preservation Officer
April 26, 2007
Page 2

Eligibility Criteria

Under Criterion A the Ferry-Morse property (the headquarters of what was known as the San Juan Ranch) is significant for the important role it played in Ferry-Morse corporate history. The company acquired this property and adjacent acreage (totaling 900 acres) in 1910, when it decided to purchase a headquarters ranch that would not only increase the seed output of the company, but also function as a central base for the company's dispersed leased and contracted farming operations throughout central California (Figure 13).[2] As the headquarters of the production division, the seed complex received and processed vegetable and flower seed grown on the company's rapidly expanding acreage. By the 1920s the company owned or leased some 1,800 acres in the San Juan Valley alone. This vast acreage included tracts both north and south of State Route 156.

Under Criterion C the seed company complex is eligible for its architectural style as both the work of a regional master architect, William Binder, and a significant example of its resource type. Character-defining architectural features include the shingle-sided Craftsman style administrative and residential buildings, and also distinctive function-specific buildings that give the Ferry-Morse Seed Company complex its unique character and that illustrate its place in the continuum of the corporate history. The principal buildings include the two-story Headquarters Building, the Office Building, the Ranch House, and Dwellings 1 and 2, as well as the massive Seed Cleaning House and Chaff Yard/Mill.

Historic Property Boundaries

The significance of the historic property derives from the complex of buildings, both individually and aggregately. Although the DPR 523 forms refer to the fact that these resources exist in an expansive, rural agricultural setting, the fields are not specifically enumerated as character-defining features for the historic property. The reason for this is that it is the seed-processing aspects of the property, rather than the farming operations, that make the property a significant resource. The Ferry-Morse complex processed seeds that came from near and far, including from the company's own farms, farms owned by others, and leased farmland. The complex of buildings making up the seed-processing plant was evaluated from the perspective that the seed-processing operations and the farming operations were two distinct (albeit related) enterprises: one involved with processing and packaging, and the other involved with resource production and extraction.

In requesting a revision of the historic property boundaries, we wish to state that we have been in contact with the consultants who produced the DPR 523 forms and the Historic Architectural Survey Report (JRP Historical Consulting) in order to verify their original intent concerning the eligibility of the property and the delineation of the contributing and non-contributing features of the historic property. The legal parcel was, in fact, selected as a convenient, but arbitrary, amount

[2] The purchase of the original 900-acre parcel is recorded in San Benito County *Deeds* Book 44, pp. 270-2.

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Concurrence determination for Ferry-Morse Seed Company complex, page 3 of 3

JUL-03-2007 TUE 08:12 AM FAX NO. P. 04

Milford Wayne Donaldson
State Historic Preservation Officer
April 26, 2007
Page 3

of acreage. The 112.2 acres were not viewed as the amount of acreage needed to provide the optimal setting for the historic resource, and the agricultural fields located on the parcel were not called out as significant resources. If the legal parcel had happened to be 50 acres in extent, the historic property boundary would have been drawn at 50 acres. In other words, the 112.2-acre amount was dictated solely by the size of the modern parcel and not for any intrinsic significance.

We are therefore requesting that the State Historic Preservation Officer concur that the boundaries of the Ferry-Morse historic property should be revised to include only the 18-acre complex of buildings, as shown in Attachment A, Figure 2. If you have any questions, please contact Paula Juelke Carr, Associate Environmental Planner (Architectural History), at 805-549-3236.

Sincerely,

VALERIE A. LEVULETT
Chief, Central Region Technical Studies Branch
Department of Transportation
District 5
50 Higuera Street
San Luis Obispo, CA 93401
(805) 549-3669

I concur: Date: 03 July 2007

MILFORD WAYNE DONALDSON
State Historic Preservation Officer
Office of Historic Preservation

cc: Dominic Hoang, Federal Highway Administration

Attachments:
Attachment A: Figures
Figure 1: Project Vicinity and Location
Figure 2: Ferry-Morse Property Boundaries (Current and Proposed)
Attachment B: Previous Section 106 Correspondence
Attachment C: Original DPR 523 form for the Ferry-Morse property

"Caltrans improve mobility across California"

Concurrence determination for historic properties, page 1 of 3

STATE OF CALIFORNIA – THE RESOURCES AGENCY GRAY DAVIS, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.cal-parks.ca.gov

9 June 2003

In Reply Refer To
FHWA030122A

Gary N Hamby
Division Administrator
California Division
Federal Highway Administration
980 Ninth Street, Suite 400
Sacramento, California 95814-2724

RE: HDA-CA, FILE NO 05-SBT-156 K.P. 4.8-12.9, SAN JUAN BAUTISTA FOUR-LANE PROJECT, 05-344900, DOCUMENT NO. P 43231 [SECTION 106 CONSULTATION ON THE CONVERSION OF STATE ROUTE 156, CITY OF SAN JUAN BAUTISTA, SAN BENITO COUNTY]

Dear Mr. Hamby,

This letter is a response to your submission of the November 2002 *Historic Property Survey Report for the San Juan Bautista Four-Lane Project* (3 volumes) (HPSR). Your request and my comments here are made pursuant to 36 CFR Part 800, the regulations that implement Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended.

You request in your letter of 16 January 2003 that I concur that the subject undertaking's area of potential effects (APE) is adequate pursuant to 36 CFR § 800.4(a)(1), that the HPSR fulfills the requirements of Section 106 pursuant to 36 CFR §§ 800.4(a)(1–4), (b)(1), and (c)(1–2), and that I concur with a number of determinations that the Federal Highway Administration (FHWA) has made on the eligibility of the buildings, structures, and archaeological sites in the APE for inclusion in the National Register of Historic Places (National Register).

On the basis of my review of the HPSR, I concur that the FHWA's effort to determine and document the undertaking's APE, pursuant to 36 CFR § 800.4(a)(1), is adequate. I understand the present APE for the undertaking to include the *Area of Potential Effects (APE)*, the *SBt 156 Expansion Archaeological Survey*, the *Architectural APE (JRP 1999, 2000)*, and the *SBt 156 Expansion Architectural APE* in Attachment C of the HPSR [12 June 2002 *Figure 3. Project Location and Survey Area*. (13 sheets)].

When the FHWA reaches the point in the development of the undertaking where the agency feels it would be appropriate, I would like to consult with the agency on the scope of the effort that it anticipates for the identification of historic properties along the route of the preferred alternative where the construction of that alternative will involve ground disturbance.

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Figure E-2 Historic Properties Concurrence

Concurrence determination for historic properties, page 2 of 3

I concur with the FHWA's determinations that the 16 *Memorandum of Understanding Properties* in Enclosure I to your letter of 16 January 2003 qualify for treatment under the 1 June 2001 *Caltrans* [California Department of Transportation] *Interim Policy for the Treatment of Buildings Constructed in 1957 or Later*.

I also concur with the FHWA's determinations that the 35 *Formally Evaluated Properties Which Are Ineligible for listing in the National Register of Historic Places* in Enclosure I are *not* eligible for inclusion in the National Register.

The FHWA determines that the Benjamin Wilcox House (315 The Alameda), the Tebbets Orchard/Nutting Property (4070 San Juan-Hollister Road), the Mitchell Fruit Farm (3680 San Juan-Hollister Road), the John Breen Adobe Historic District (120 Nyland Drive), and the John Breen Adobe (120 Nyland Drive) were previously listed and/or determined eligible for the National Register. The agency reevaluated the John Breen Adobe Historic District. With the exception of the John Breen Adobe, the buildings in the district are not significant, do not retain integrity to the period of significance, and have no direct association with John Breen. I concur with the FHWA's determination that the

John Breen Adobe Historic District

is *not* eligible for inclusion in the National Register.

I concur with the FHWA's further determinations that

CA-SBn-215H **P-35-000293** **P-35-000294**

are *not* eligible for inclusion in the National Register.

I understand, on the basis of a 22 May 2003 telephone conversation between Valerie Levulett, Caltrans District 5 Heritage Resource Coordinator, on behalf of the FHWA, that the FHWA revises its 16 January 2003 determination on the San Juan Pacific Railroad that the entire property is not eligible for inclusion in the National Register to be that the *portion* of the San Juan Pacific Railroad that Caltrans' records in the 20 November 2002 *Archaeological Survey Report for a Highway Widening from Two Lanes to Four along Highway 156, San Benito County, California* (Attachment E to the HPSR) would not contribute to the National Register eligibility of the entire railroad should that property (P-35-000295) ever be found to be so eligible. I concur with the FHWA's revised determination.

The FHWA determines that the

Ferry-Morse Seed Company (FMSC) **production complex** (2191 Route 156)

is eligible for inclusion in the National Register, because it is a highly intact example of a significant production facility of one of the most important Pacific Coast seed producers of the era. As an agricultural and industrial facility, it appears to be eligible for listing under Criterion A at the statewide level of significance. The FMSC also appears to meet Criterion C because of

Concurrence determination for historic properties, page 3 of 3

GARY N. HAMBY
9 JUNE 2003
PAGE 3 of 3

FHWA030122A

its association with well known local architect, William Binder. The property's period of significance is 1910-1949. I concur with the FHWA's determination for the property.

The FHWA determines further that the

San Justo School

is eligible for inclusion in the National Register under Criterion C, because it embodies the distinctive characteristics of well-designed Spanish Colonial Revival architecture and because of its association with well known local architect, Ralph Wyckoff. Its period of significance is from 1923-1968. The school is one of the best remaining examples of a rural schoolhouse from its era in San Benito County. I concur with the FHWA's determination for the property.

And the FHWA determines that the

Frank M. Avilla, Sr. house (411 The Alameda)

is eligible for inclusion in the National Register under Criterion C for its importance to architecture. This property, built around 1916, is eligible at the local level of significance as a significant example of a Bungalow style home, a style that is well-represented in San Juan Bautista. While there are many modest examples of working class bungalows, none rival this building in its execution of style. The building also has a remarkable degree of integrity with all of its character defining features present and in good condition. I concur with the FHWA's determination for the property.

Please direct any questions or concerns that you may have to Project Review Unit archaeologist Mike McGuirt at 916.653.8920 or at mmcguirt@ohp.parks.ca.gov.

Sincerely,

Dr. Knox Mellon
State Historic Preservation Officer

WKM:mdm

SHPO concurrence determination with the Findings of No Adverse Effect for the project, page 1 of 1

STATE OF CALIFORNIA -- THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P O. BOX 942896
SACRAMENTO CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp parks ca gov
www ohp parks ca gov

March 24, 2008 Reply To: FHWA030122A

Gregory P. King
Chief, Cultural and Community Studies Office
Division of Environmental Analysis
Department of Transportation
PO Box 942874
Sacramento, CA 94274-0001

Re: Finding of No Adverse Effect for the San Benito Route 156 Improvement Project, San Benito County, CA

Dear Mr. King:

Thank you for consulting with me about the subject undertaking in accordance with the *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (PA).

The California Department of Transportation is requesting my concurrence that a finding of no adverse effect is appropriate for this undertaking. Based on my review of the submitted documentation, I concur with this finding.

Thank you for considering historic properties as part of your project planning. If you have any questions, please contact Natalie Lindquist of my staff at your earliest convenience at (916) 654-0631 or e-mail at nlindquist@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Figure E-3 Findings of Effect Concurrence

Appendix F National Resource Conservation Service Farmland Conversion Impact Rating

U.S. Department of Agriculture

FARMLAND CONVERSION IMPACT RATING

PART I *(To be completed by Federal Agency)*	Date Of Land Evaluation Request 6/5/08
Name Of Project San Benito 156 Improvement Project	Federal Agency Involved CA Dept of Transportation/ FHWA
Proposed Land Use Transportation	County And State San Benito County, California
PART II *(To be completed by NRCS)*	Date Request Received By NRCS

Does the site contain prime, unique, statewide or local important farmland? *(If no, the FPPA does not apply -- do not complete additional parts of this form).*	Yes ☑	No ☐	Acres Irrigated 86,937 / Average Farm Size 892 Acres
Major Crop(s) Small Veg-Row Crops; Orchard	Farmable Land In Govt. Jurisdiction Acres: 86,937 % 3		Amount Of Farmland As Defined In FPPA Acres: 86,937 % 3
Name Of Land Evaluation System Used Storrie Index	Name Of Local Site Assessment System Soil Survey of San Benito County		Date Land Evaluation Returned By NRCS 6/23/08

PART III *(To be completed by Federal Agency)*	Alternative Site Rating Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	187.0	109.0	145.0	
B. Total Acres To Be Converted Indirectly				
C. Total Acres In Site	187.0	109.0	145.0	0.0
PART IV *(To be completed by NRCS)* Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	187.0	109.0	145.0	
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 Criterion Relative Value Of Farmland To Be Converted *(Scale of 0 to 100 Points)*	93	94	92	0

PART VI *(To be completed by Federal Agency)* Site Assessment Criteria *(These criteria are explained in 7 CFR 658.5(b)*	Maximum Points				
1. Area In Nonurban Use	15	14	14	14	
2. Perimeter In Nonurban Use	10	9	9	9	
3. Percent Of Site Being Farmed	20	19	19	19	
4. Protection Provided By State And Local Government	20	18	18	18	
5. Distance From Urban Builtup Area	0	0	0	0	
6. Distance To Urban Support Services	0	0	0	0	
7. Size Of Present Farm Unit Compared To Average	10	0	0	0	
8. Creation Of Nonfarmable Farmland	25	0	0	0	
9. Availability Of Farm Support Services	5	5	5	5	
10. On-Farm Investments	20	19	19	19	
11. Effects Of Conversion On Farm Support Services	25	0	0	0	
12. Compatibility With Existing Agricultural Use	10	9	9	9	
TOTAL SITE ASSESSMENT POINTS	160	93	93	93	0
PART VII *(To be completed by Federal Agency)*					
Relative Value Of Farmland *(From Part V)*	100	93	94	92	0
Total Site Assessment *(From Part VI above or a local site assessment)*	160	93	93	93	0
TOTAL POINTS *(Total of above 2 lines)*	260	180	187	185	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes ☐ No ☒

Reason For Selection: No Build Alternative would avoid farmland. Alternative 6 (Site C) reduces more farmland that Alternative 2 (Site A) while meeting the project's purpose and need. Alternative 4A (Site B) was rejected because, although it affects less farmland and meets the project's purpose and need, it would not provide for future growth, which would eventually result in additional improvements to Alternative 4A.

(See Instructions on reverse side) **Form AD-1006 (10-83)**

This form was electronically produced by National Production Services Staff

Appendix G Photographs at The Alameda and Mission Farm RV Park

The San Juan Elementary School north of State Route 156 and east of The Alameda.

The single-family residential development west of the project limits and the hotel south of State Route 156 on The Alameda.

The Mission Farm RV Park south of State Route 156 on San Juan Hollister Road

Appendix H Construction Equipment Emissions

Table H.1 Estimated Construction Emissions (vehicles)

Factor	Alternative (day/quarter)		
	2	**4A**	**6**
CO	72/6.0	47/3.8	62/5.2
ROG	18/1.5	11/0.9	16/1.3
NOx	143/11.9	84/6.9	126/10.5
PM_{10}	24/2.0	15/1.2	21/1.8

Revised 8/19/04

Table H.2 Estimated Construction Emissions (asphalt use)

Factor	Alternative		
	2	**4A**	**6**
Total asphalt concrete (tons)	109,129	54,123	88,185
Emulsion (.0025% AC) (tons)	273	135	220
Asphalt (6% of AC, 65% of emulsion) (tons)	6548+177	3247+88	5291+143
ROG (.04 lb/ton ac) (lb.)	269	133	217
Days paving (Construction Emission sheets)	109	54	88
Daily emissions of ROG (lb.)	2.5	2.5	2.5
Quarterly emissions of ROG (tons)	.083	.083	.083

Revised 8/19/04

Table H.3 Estimated Construction Emissions (PM_{10} from grading)

Activity	Alternative		
	2	**4A**	**6**
Total area to grade (acres)	173	111	168
Exposed for (quarters)	8	8	8
Active daily grading (acres)*	1.3	.84	1.3
Quarterly PM_{10} (tons)**	2.9	1.9	2.9
Total PM_{10} (Tons)	23	15	23

Revised 8/19/04
*Assumes each acre graded 4 times
** At 68 pounds per acre per day, 66 days grading/quarter

Table H.4 Estimated Quarterly Construction Emissions (in tons)

Factor	Air District Threshold		Activity	Alternative		
	Daily (Pounds)	**Quarterly (Tons)**		**2**	**4A**	**6**
CO	NA	NA	Vehicles	6.0	3.8	5.2
ROG	NA	NA	Vehicles	1.5	0.9	1.3
ROG			Asphalt	0.1	0.1	0.1
Nox	NA	NA	Vehicles	11.9	6.9	10.5
PM_{10}	85 lb	2.5 tons	Vehicles	2.0	1.2	1.8
PM_{10}			Grading	2.9	1.9	2.9

Revised 8/19/04

Appendix I Minimization and/or Mitigation Summary

Resource	Level of Significance	Permit or Approval
Farmland	Significant	None
Minimization and/or Mitigation Measures		
It is not possible to avoid farmland impacts with any of the Build Alternatives; however, the preferred alternative, Alternative 6, was modified to help minimize farmland conversion but has the potential to result in approximately 27 acres of excess land. As part of the right-of-way process for purchasing land, Caltrans tries to negotiate parcel exchanges with neighboring farmers to reconfigure split farmland parcels for resale so that the parcels would continue to be farmed and not contribute further to the segmentation and conversion of farmland. Generally, when Caltrans resells or reconfigures land in an area zoned for agriculture as buffers or conservation easements, deed restrictions limiting future use to agriculture would be included to keep land in agricultural use in perpetuity.		

Resource	Level of Significance	Permit or Approval
Relocations	Non-significant	None
Minimization and/or Mitigation Measures		
The project requires additional right-of-way and may result in the relocation of two non-residential buildings or storage sheds, a well, and a pump house. At the time of acquisition, when relocation would become necessary, all activities would then be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended (see Appendix D).		

Resource	Level of Significance	Permit or Approval
Utilities	Non-significant	None
Minimization and/or Mitigation Measures		
During construction, a Traffic Management Plan would be developed to accommodate local traffic patterns and reduce delay, congestion, and accidents. Traffic delays would be minimal because the Build Alternatives would be constructed on new alignment. By building the proposed project in construction phases and rerouting traffic to local roads, disruption to local and regional traffic would be minimized with all Build Alternatives. Relocation of aerial and underground electric, telephone, cable, and water lines would be coordinated with the affected utilities.		

Resource	Level of Significance	Permit or Approval
Geology/Soils/Seismic/Topography	Non-significant	None
Minimization and/or Mitigation Measures		
Once a rough profile grade has been established for the preferred alternative, a Geotechnical Design Report will be requested to determine final design recommendations. In addition, during the design phase of the project, consideration would be given to the stability and settlement of embankments, particularly at the approaches to structures. The subsurface clay layers are thick and extensive so settlement of the higher embankments may be substantial, and consolidation can be expected to occur over a long period of time. The near-surface soils can be saturated and soft, so the weight-bearing capacity of the foundation soil may be an issue during construction of the embankments.		

Resource	Level of Significance	Permit or Approval
Visual/Scenic Resources	Non-significant	None

Minimization and/or Mitigation Measures

Design changes have narrowed the median width between The Alameda and Mission Vineyard Road to minimize impacts to trees for all alternatives.

Visual mitigation seeks to preserve or enhance existing scenic qualities, frame desirable vistas, screen or distract from undesirable views, use forms and materials that relate well to existing elements, and apply aesthetic treatments that fit the visual character of the area. Each type of impact, its location, and potential cumulative impacts determine which measures would be most effective in reducing the impacts.

Based on the visual quality assessment of the proposed alternatives and local community planning guidelines, the following measures would be incorporated into the final project design for all proposed alternatives:

- Grading would be minimized as much as possible to preserve existing vegetation, especially to avoid the loss of mature trees.
- A sound wall, if built, would match the aesthetic of the other Mission-style noise barriers in the area. However, landscaping in front of the wall may not be possible due to space limitations.
- New fencing, where required, would be consistent with existing fencing in rural areas.
- Traffic signage would be limited to the greatest extent possible and obsolete signs would be removed.
- Any proposed light fixtures would be shielded to help preserve dark, night-sky views and low-pressure sodium lighting is preferred.
- Landscaping, including scattered skyline trees, would be planted where appropriate to distract from the visibility and dominance of wide-paved expanses and as needed to unify the region's distinct visual identity. Landscape planting would not block major views of agricultural fields or distant mountains.
- Planting would include a variety of sizes of plant material to increase the density of cover and screen more quickly and to lend a more mature blended appearance to the overall project.
- Signature landscape planting at "entry" points would emphasize the sense of arrival or departure from the San Juan Bautista community.
- Medians would be left unpaved and would be seeded with low-growing grasses and wildflowers.
- Intersection slopes, drainage channels, and areas adjacent to frontage roads would be similarly seeded and left to grow into a natural and rural appearance.

Resource	Level of Significance	Permit or Approval
Cultural Resources	Non-significant	None
Minimization and/or Mitigation Measures		
Archaeology: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. If human remains are discovered during construction, State Health and Safety Code Section 7050.5 states that further disturbances and activities will cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission, which will then notify the Most Likely Descendent. At this time, the person who discovered the remains would contact the Central Coast Specialist Branch, San Luis Obispo, so that they may work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code Section 5097.98 are to be followed as applicable. *Historic Properties* All three proposed Build Alternatives reduce the Section 106 impacts as much as possible while still meeting the project Purpose and Need. Ten Build Alternatives were developed and studied for the proposed project, but seven were withdrawn because they did not avoid the historic properties or they were not prudent and/or feasible. The three remaining Build Alternatives reflect Caltrans' efforts to avoid and minimize impacts to historic properties.		

Resource	Level of Significance	Permit or Approval
Traffic Circulation	Non- significant	None
Minimization and/or Mitigation Measures		
A comprehensive Traffic Management Plan to minimize delays will be developed after selection of the preferred alternative. Advance media announcements will be made to alert the public of construction staging and potential delays during construction. Standard Caltrans construction practices include information on roadway conditions, portable changeable message signs, lane and road closures, advance warning signs, alternate routes, reverse and alternate traffic control, and a traffic contingency plan for unforeseen circumstances and emergencies. Prior to construction, Caltrans would meet with local public officials to review the plan as well as publicize plan details. Construction may be scheduled to avoid areas that need access during certain seasons, such as harvest season.		

Resource	Level of Significance	Permit or Approval
Hazardous Waste	Non-significant	None
Minimization and/or Mitigation Measures		
The presence of lead in the soil is measurable but less than the regulatory threshold. However, project-specific Non-Standard Special Provisions for aerially deposited lead would be required in the construction contract and the contractor would provide a project-specific Lead Compliance Plan to address worker health and safety and to prevent or minimize worker exposure to lead while handling material containing aerially deposited lead.		

Resource	Level of Significance	Permit or Approval
Floodplain/Hydrology	Non-significant	None
Minimization and/or Mitigation Measures		
Once construction details are prepared, a detailed hydraulic analysis will assess any changes in profile grade and/or the widening of the highway profile that could result in changes to the existing flood zones. The information provided by the San Benito County Water District has been taken into consideration and will be put to constructive use. Caltrans intends to raise the highway profile above floodwater level and to remove highway runoff. This would make the highway safe from flooding, but would not correct regional flooding problems. New cross-culverts would be required between Mission Vineyard Road and Lucy Brown Lane to mimic current flooding patterns now occurring at the highway. This project should also include the installation of a sufficient number of additional cross culverts to safely pass all water with the potential to back up against any proposed new alignments. All highway drainage would be disposed of via a new drainage collection system, and all offsite water would flow per the existing drainage patterns. The proposed sound wall would require special floodplain engineering consideration once sound wall placement is determined.		

Resource	Level of Significance	Permit or Approval
Air Quality	Non-significant	None

Minimization and/or Mitigation Measures

The daily and quarterly grading acreage and emissions from fugitive dust appear to be within the limits established by the Monterey Bay Unified Air Pollution Control District. The District recommends the following minimization measures, (in addition to daily watering of all disturbed areas required by Caltrans Standard Specifications):

- Water all active construction areas at least twice daily (frequency should be based on the type of operation, soil, and wind exposure)
- Prohibit all grading activities during periods of high wind (over 15 miles per hour)
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days)
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro-seed area
- Maintain at least 2.0 feet of "freeboard" (space between the surface of the load and top of the truck bed) on haul trucks
- Cover all trucks that haul dirt, sand, or loose materials
- Cover inactive storage piles
- Sweep streets if visible soil is carried out from the construction site
- Plant windbreaks on the windward side of construction projects adjacent to open land (consult with project biologist prior to plant selection)
- Plant vegetative cover in disturbed areas as soon as possible (consult with project biologist prior to plant selection)
- Limit the area under construction at any one time

Applications of appropriate measures from this list can further reduce emissions of fugitive dust from the project.

The contractor would use on-road diesel fuel approved by the California Air Resources Board in diesel construction vehicles when it is locally available.

Caltrans Standard Specifications pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission impacts during construction. Typical dust and emission control methods include watering the construction site, runoff and erosion control, traps on diesel-exhaust systems, and emission-control retrofits on older, higher polluting vehicles. These impacts are addressed through Caltrans Standard Specifications, Section 7-1.0F, "Air Pollution Control" and Section 10, "Dust Control."

The Monterey Bay Unified Air Pollution Control District administers air quality regulations developed at the federal, state, and local levels. According to Caltrans Standard Specifications that may apply to all state construction projects, the contractor must comply with Monterey Bay Unified Air Pollution Control District's rules, ordinances, and regulations.

Resource	Level of Significance	Permit or Approval
Water Quality	Non-significant	Clean Water Act: Section 402 permit

Minimization and/or Mitigation Measures

During construction, a Storm Water Pollution Prevention Plan would be implemented to help identify the sources of sediments and other pollutants that affect the quality of storm water discharges. This plan would also describe and ensure the implementation of Best Management Practices to reduce or eliminate sediment and other pollutants in storm water as well as non-storm water discharges. By incorporating proper and accepted engineering practices and Best Management Practices, the proposed project would have minimal impacts to water quality during construction. Project-specific storm water Best Management Practices would be selected during the development of the Storm Water Pollution Prevention Plan, and are designed to satisfy National Pollutant Discharge Elimination System permit and Clean Water Act Best Conventional Technology/Best Available Technology requirements.

By using the Water Quality Volume and Storm Water Quality Flow from Table 2.9, the Best Management Practices for the project can be determined. According to the Caltrans Storm Water Quality Handbook, unlike flood control measures that are typically designed to store or convey the peak volumes or flows of infrequent storms (i.e., return period typically over 5 years), Treatment Best Management Practices are designed to treat the lower volume or flow of more frequent (i.e. return period less than 1 year) storms. The volume or flows associated with the frequent events are commonly referred to as the Water Quality Volume for Best Management Practices designed based on volume, and Water Quality Flow for Best Management Practices designed based on flow.

During the project development phase, plans are developed using the Caltrans Project Planning and Design Guide to ensure there would be no detrimental discharge into receiving waters. During the construction phase, the contractor is responsible, as stated in Caltrans' Standard Specifications Section 7-1.01G, for taking the necessary steps to eliminate potential impacts during construction. Standard Specifications Section 7-1.01G requires the construction contractor to implement pollution control practices related to construction projects via a Water Pollution Control Program or a Storm Water Pollution Prevention Plan, as noted above.

The proposed project would disturb more than one acre of soil and the following would be required:

1. A Notification of Construction would be submitted to the appropriate Regional Water Quality Control Board at least 30 days before the start of construction. The Notification of Construction form requires a tentative start date and duration, location, description of project, estimate of affected area, and name of resident engineer (or other construction contact) with telephone number, etc.
2. A Storm Water Pollution Prevention Plan would be prepared and implemented during construction to the satisfaction of the resident engineer.
3. A Notice of Construction Completion would be submitted to the Regional Water Quality Control Board upon completion of the construction and stabilization of the site. A project will be considered complete when the criteria for final stabilization in the State General Construction Permit are met.

The primary pollutants of concern following construction are petroleum distillates and metals. A Storm Water Management Plan would be required to minimize long-term water quality impacts. Caltrans has currently implemented the statewide Storm Water Management Plan to address runoff impacts on water quality standards, development of Total Maximum Daily Loads, and watershed planning.

- During the post-construction, long-term operational phase, and maintenance, permanent pollutant controls (design and treatment Best Management Practices) would be implemented to meet the Maximum Extent Practicable standard.

Resource	Level of Significance	Permit or Approval
Biology	Non-significant	The Clean Water Act: Sections 401 permit Section 404 permit Section 1602 permit

Minimization and/or Mitigation Measures

Wetlands and Other Waters

No wetlands were found within the proposed project area, but wetlands were identified next to State Route 156 north of the existing route. Environmentally Sensitive Area fencing would be placed around those wetlands to ensure that there would be no impacts to that area.

A nationwide Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, a Section 401 Certification from the Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game would be required for all Build Alternatives.

Animal Species

Environmental Sensitive Area fencing will be used to exclude western pond turtles from the work area during construction.

The proposed project may require the relocation of any western pond turtles found in the work area during construction of the bridge at San Juan Creek (see Figure 2-6). A qualified biologist will monitor the project area during construction activities that occur in this portion of the project. If any turtles are found, they will be returned to a safe part of San Juan Creek or the drainage ditch, well away from construction activities. All riparian areas affected by the project would be replanted with willows to the maximum extent practical. At minimum, enough area would be planted to ensure that there would be no net loss of aquatic or riparian habitat as a result of this project.

Threatened and Endangered Species

California Red-Legged Frog: The proposed project may require the relocation of any California red-legged frogs found in the work area during construction of the bridge at San Juan Creek (see Figure 2-5).

All riparian areas affected by the project will be replanted with vegetation similar to what was removed (such as willows) to the maximum extent practical. At minimum, enough area would be planted to ensure that there would be no net loss of California red-legged frog aquatic or riparian habitat as a result of this project. San Juan Creek and the ditch adjacent to the creek would be designated as an environmentally sensitive area and fenced to avoid impacts to California red-legged frog habitat (see Figure 2-5). For all Build Alternatives, the following measures would be taken to avoid or minimize impacts to the California red-legged frog:

- A qualified biologist would survey the portions of the east ditch and San Juan Creek within the footprint of the project. If any California red-legged frogs were found, then the biologist would relocate them to suitable habitat within San Juan Creek.
- Caltrans would identify all areas of suitable California red-legged frog habitat near the project but outside the footprint of the project as Environmentally Sensitive Areas. Caltrans would direct the contractor to avoid these areas (see Figure 2-3).
- During project activities, all trash that may attract predators would be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris would be removed from work areas.

- All refueling, maintenance, and staging of equipment and vehicles would occur at least 60 feet from riparian habitat or water bodies and preferably not in a location where a spill could drain directly toward aquatic habitat. Prior to the onset of work, the construction contractor would ensure that a plan is in place for prompt and effective response to any accidental spills. All workers would be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
- Project sites would be re-vegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials would be used to the extent practicable. Invasive, exotic plants would be controlled to the maximum extent practicable. This measure would be implemented in all areas disturbed by activities associated with the project unless it is not feasible or practical; i.e., an area disturbed by construction that would be used for future activities would not need to be re-vegetated.
- Habitat contours would be returned to their original configuration at the end of project activities. This measure would be implemented in all areas disturbed by activities associated with the project, unless it is not feasible or modification of original contours would benefit the California red-legged frog.
- Caltrans would attempt to schedule work activities for times of the year when impacts to the California red-legged frogs would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and informal consultation between Caltrans and the U.S. Fish and Wildlife Service during project planning should be used to assist in scheduling work activities to avoid sensitive habitats during key times of the year.
- To control sedimentation during and after project implementation, the construction contractor would implement best management practices outlined in any authorizations or permits issued under the authorities of the Clean Water Act that it receives for the specific project.
- If a work site were to be temporarily dewatered by pumping, intakes would be completely screened with wire mesh not larger than 0.2 inch to prevent California red-legged frogs from entering the pump system. Water would be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any diversions or barriers to flow would be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the streambed would be minimized to the maximum extend possible; any imported material would be removed from the streambed upon completion of the project.
- Unless approved by the U.S. Fish and Wildlife Service, water would not be impounded in a manner that may attract California red-legged frogs.
- A biologist would permanently remove any individuals of exotic species, such as bullfrogs (*Rana catesbeiana*), crayfish, and centrarchid fishes from the project area, to the maximum extent possible. The biologist would be responsible for ensuring the activities are in compliance with the California Fish and Game Code.

California Tiger Salamander: Potential impacts to the California tiger salamander that could occur in the uplands habitat adjacent to the project area at State Route 156 and Union Road would be avoided or minimized by incorporating the following avoidance and minimization measures:

- To the maximum extent practicable, project activities within potential California tiger salamander upland and dispersal habitat will be implemented between May 15 ad October 15, which is timed to occur between the breeding season and the fall dispersal period for California tiger salamander.
- Exclusionary fencing will be installed to avoid impacts to adjacent non-native grasslands that potentially serve as California tiger salamander upland habitat (see Figure 2-7).
- During vegetation removal and grading activities a qualified biologist will survey for and relocate any California tiger salamanders identified within potential California tiger salamander habitat.
- A limited number of small mammal burrows within potential California tiger salamander habitat will behind excavated prior to construction activities. Approximately 50 of the 300 rodent burrows identified in the eastern portion of the project area that are deemed most likely to contain California tiger salamanders will be hand excavated by a Service-approved biologist to determine if California tiger salamanders are present. If a California tiger salamander is located during hand excavation activities, then all rodent burrows within potential California tiger salamander upland habitat will be excavated. If no California tiger salamanders are located during excavation of the 50 burrows most likely to contain the species, then hand excavation activities will be suspended, and construction activities may proceed. Any California tiger salamanders found during hand excavation activities will be relocated the shortest distance possible by a Service-approved biologist to a location that has suitable habitat and will not be affected by project activities. A rodent burrow hand excavation plan with protocol for hand excavation, potential relocation sites, protocol for determination of rodent burrows with highest likelihood of containing the Service at least 30 days before hand excavation activities are to begin.

Invasive Species

Caltrans standard practice includes the prevention of the introduction and the proliferation of invasive plant species in the highway corridor. These standard practices may include the following:

- Bared soil will be landscaped with Caltrans' recommended seed mix from locally adapted species to preclude the invasion of noxious weeds. The use of site-specific materials, which are adapted to local conditions, increases the likelihood that revegetation of bare soil will be successful and maintains the genetic integrity of the local ecosystem.
- Trucks with loads carrying vegetation would be covered, and vegetative materials removed from the site would be disposed of in accordance with applicable laws and regulations.

In areas of particular sensitivity, extra precautions will be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.

Resource	Level of Significance	Permit or Approval
Noise	Non- significant	None

Minimization and/or Mitigation Measures

Barrier 9 would abate noise for **Receptor 25**, the Mission Farm RV Park located at 400 San Juan-Hollister Road. For facilities like this one, each 100 front feet (along the highway) counts as a residential equivalent. The facility has approximately 656 feet of frontage on State Route 156; therefore, this receptor represents seven residential equivalents. The existing noise level at Receptor 25 is 67 decibels and the future noise level is predicted to be 71 decibels for all the Build Alternatives. To achieve a 5-decibel reduction, a sound wall 9 feet high would be needed for all Build Alternatives. The reasonable cost for this barrier is $308,000. The recommended length of the wall for Alternative 2 is 940 feet long at a current estimated cost of $270,700. The recommended length of the wall for Alternative 4A is 800 feet at a current estimated cost of $230,400. The recommended length of the wall for Alternative 6 is 870 feet long at a current estimated cost of $250,600. Because the estimated cost of the barrier does not exceed the reasonable cost allowance, the construction of a barrier at this location is considered reasonable.

Based on the studies completed to date, Caltrans intends to incorporate noise abatement in the form of a barrier at the Mission Farm RV Park. Due to the drainage ditch and redwood trees within the existing right-of-way, the sound barrier would be placed on top of a retaining wall, as shown in Figure 2-4. If during final design, conditions have substantially changed, noise abatement may not be necessary. The final decision on noise abatement will be made on completion of the project design and the public involvement processes.

Several methods are proposed in the Federal Highway Administration's Highway Noise Manual for dealing with construction noise. Methods that could be applicable to this project include the following:

- Keep the public advised of high noise level operations through media announcements.
- When applicable, use temporary noise barriers, which may be effective in minimizing construction noise, dust, glare, and visual impacts.
- Install special telephones in the resident engineer's office to receive noise complaints. The telephone numbers would be publicized in local newspapers and by letter to residences near the construction area. Studies show the public is more tolerant of short-term noise if construction schedules are publicized well in advance because residents can adjust their schedules in advance for a few noisy nights.
- When possible, schedule noisier operations in daylight hours when they are least likely to disturb local residents or businesses.
- Minimize nighttime construction.

When possible, construct proposed barriers before the construction project begins, which would also protect residents from construction noise, dust, and glare.

Appendix J Project History and Status

State Route 156 is classified as a Rural Minor Arterial from U.S. 101 (post mile 0.1) to State Route 152 (post mile 18.4). The highway, designated as a Federal Aid Primary Route, is on the Freeway and Expressway System, although most of it is conventional highway.

State Route 156 was built in 1961 as a two-lane conventional highway, with plans for eventual expansion to four lanes. In 1965, the highway was expanded to a four-lane expressway from the interchange at U.S. 101 (post mile 0.1) to Monterey Street in San Juan Bautista (post mile 2.3).

The County of San Benito initiated this project on State Route 156 as part of the Regional Transportation Plan to decrease congestion and delays. This project is sometimes referred to as the "Gap" because of completed highway projects located at each end of the project area. The completed projects were partially funded through the 1988 State Transportation Improvement Plan. The local share of funding for these projects came from San Benito County Measure A, which was passed through a voter initiative in 1988. The measure adopted a half percent (0.5 percent) increase in sales tax for the purpose of transportation improvements. The measure generated approximately $15.5 million over its 10-year life, which ended in 1999. Approximately $10 million remain in the fund for short-term projects in this year's Regional Transportation Plan. The two state highway projects stipulated by the measure were:

- State Route 156 (post mile 2.3/3.3) - Extended the four-lane expressway on State Route 156 from the existing four-lane expressway to a location just east of The Alameda. This project included the installation of a traffic signal at the intersection of State Route 156 and The Alameda. This project was completed in November 1995.
- State Route 156 (post mile 7.3/R14.3) - Construction of a two-lane expressway on a new alignment known as the Hollister Bypass. This project was completed in 1997.

Appendix K Floodplain Maps

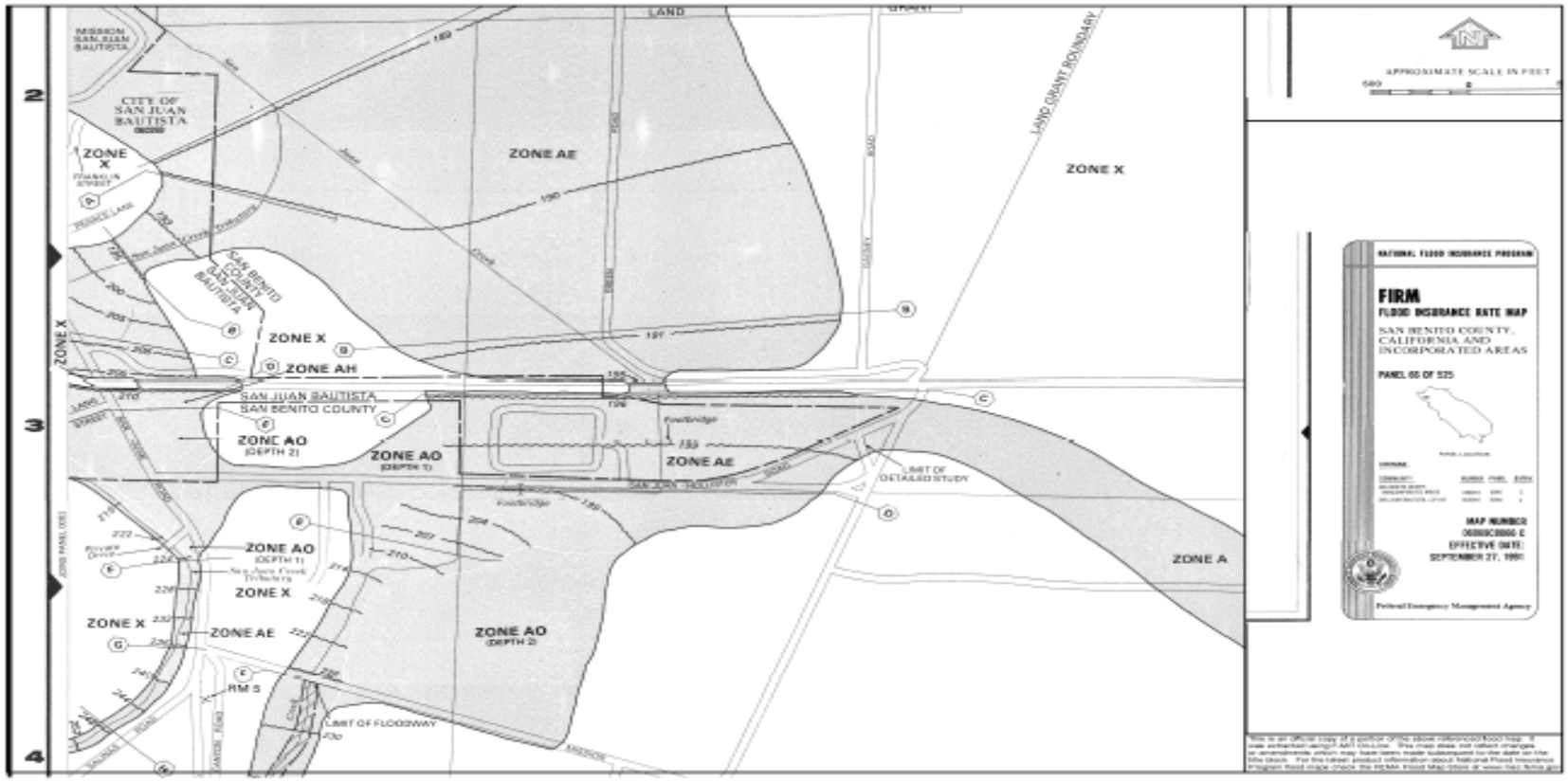

Figure K-1 Floodplain Zones near the City of San Juan Bautista

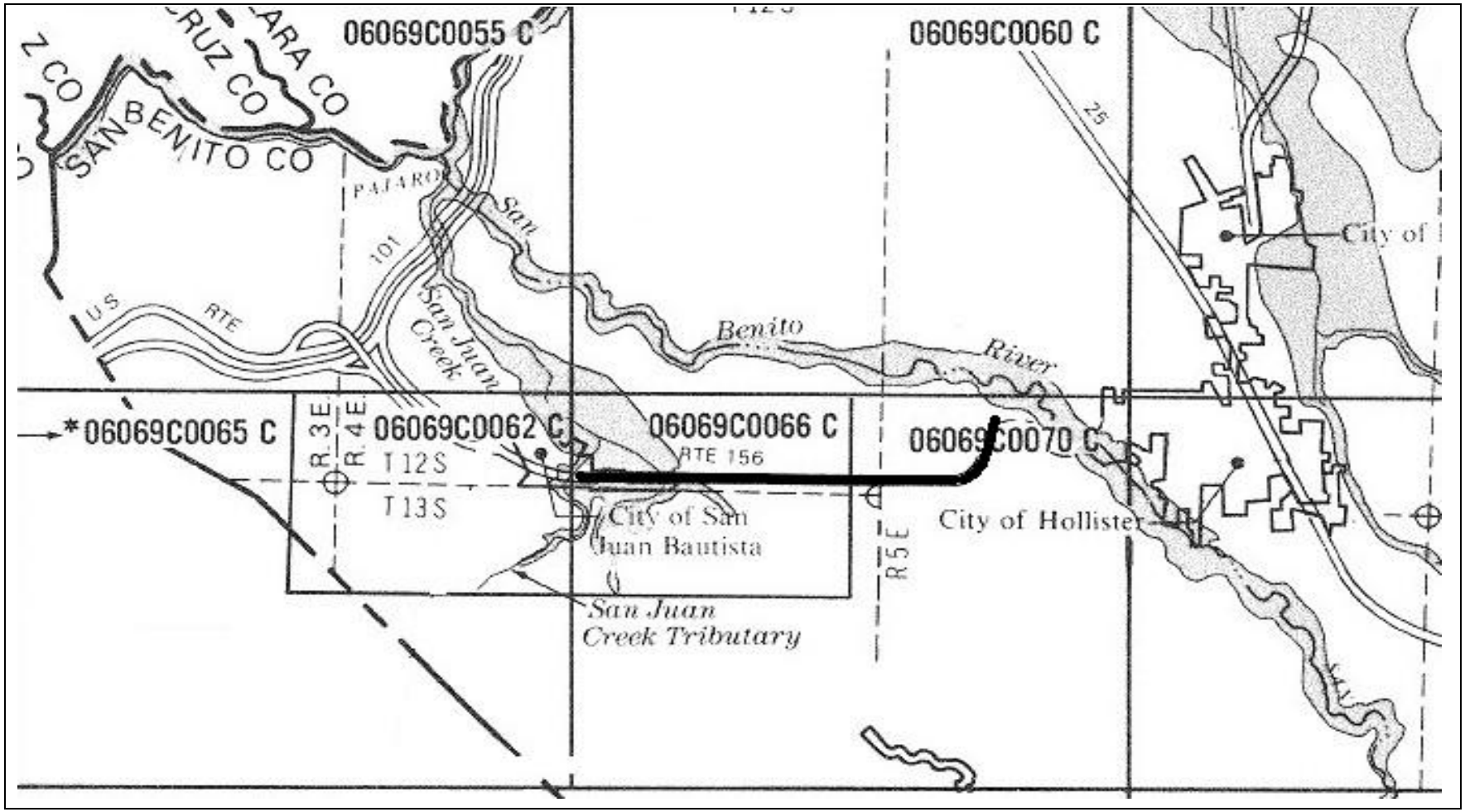

Figure K-2 Floodplain Zones of the project area

Appendix L Public Comment and Responses

Introduction to Response to Comments

Appendix L addresses the comments received on the Draft Environmental Impact Statement/Environmental Assessment for the San Benito 156 Improvement Project. The Draft Environmental Impact Statement/Environmental Assessment was circulated for public comment between August 24, 2007 and October 15, 2007. Two public hearings were held to further solicit public comment on the document. The first public hearing was held in the City of San Juan Bautista on September 25, 2007, and the second public hearing was held in the City of Hollister on September 26, 2007.

This appendix presents all the written comments received on the Draft Environmental Impact Statement/Environmental Assessment and responses to those comments, including comments received after the comment period ended.

Some of the comments received on the Draft Environmental Impact Statement/Environmental Assessment expressed approval of the proposed improvements to State Route 156, but also expressed concerns in the following categories:

- Flooding and Drainage
- Farmland Conversion
- Cultural Resources and Historic Properties
- Truck Traffic
- Noise
- Air Pollution
- Scenic and Visual Resources
- Growth

Organization

This appendix is organized according to the parties commenting on the Draft Environmental Impact Statement/Environmental Assessment as follows:

- Section 1.0 State Agencies
- Section 2.0 Local and Regional Agencies
- Section 3.0 Individuals
- Section 4.0 Comment Cards from Public Hearings
- Section 5.0 Transcripts from Public Hearings
- Section 6.0 Late Comments and Other Materials

No comments were received from any federal agencies or organizations. No Petitions or map and information requests were received.

For Sections 1.0 through 3.0, responses are provided after each letter or e-mail. Corresponding numbers assigned to the comments are in the right-hand margin.

For Sections 4.0 and 5.0, responses are withheld until the end of each section and then provided. Responses are identified by the surname of the person making the comment and by using the corresponding number assigned to the comment in the right-hand margin.

Section 6.0 displays late comments and additional material attached to comments.

Several approaches have been used to respond to comments. Some comments were statements of information or opinion; these comments have been acknowledged for the public record. Other comments asked for additional information or for clarification of information in the Draft Environmental Impact Statement/ Environmental Assessment. Where appropriate, the responses to these comments are provided in this appendix. Where the response is presented in the text of the ***Final*** Environmental Impact Statement/Environmental Assessment, reference is made to the text section in response to the comment.

Section 1.0 State Agencies

State Clearinghouse and Planning Unit, page 1 of 1

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

October 11, 2007

Bobi Lyon-Ritter
California Department of Transportation
2015 E. Shields Avenue, Suite 100
Fresno, CA 93726

Subject: 05-SBT-156 EA 05-344900, PM 3.0/8.2 San Benito 156 Improvement Project
SCH#: 2002091009

Dear Bobi Lyon-Ritter:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on October 10, 2007, and no state agencies submitted comments by that date. 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 call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts

Terry Roberts
Director, State Clearinghouse

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Response to State Clearinghouse

No response necessary.

California Department of Conservation, page 1 of 5

STATE OF CALIFORNIA, RESOURCES AGENCY ARNOLD SCHWARZENEGGER, GOVERNOR

DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

October 4, 2007

VIA EMAIL:bobi_lyon_ritter@dot.ca.gov
Bobi Lyon-Ritter
California Department of Transportation
2015 E. Shields Avenue Suite 100
Fresno, CA 93726

Subject: San Benito State Route 156 Improvement Project Draft Environmental Impact Report; APN Nos. 018-180-004, -006, -007, -017, and -019 (San Benito County) **SCH# 2002091009**

Dear Ms. Lyon-Ritter: 1

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

Project Description

The purpose of the San Benito State Route 156 Improvement Project (project) proposes improvements to Route 156 between the cities of San Juan Bautista and Hollister in San Benito County (County). Five parcels in the project area are under Williamson Act contracts. Most of the farmland in the project area is Prime and Unique Farmland. The DEIR notes that 128 or 206 acres of Prime or Unique Farmland would be converted to non-agricultural uses (depending on which build alternative is ultimately chosen). As the DEIR notes that the impact of the project is potentially significant and unavoidable, the Department recommends that any subsequent CEQA documentation (such as a Final EIR) address the following items to provide a comprehensive discussion of potential impacts of the project on agricultural land activities.

The Department of Conservation's mission is to protect Californians and their environment by: Protecting lives and property from earthquakes and landslides; Ensuring safe mining and oil and gas drilling; Conserving California's farmland; and Saving energy and resources through recycling

California Department of Conservation, page 2 of 5

Ms. Bobi Lyon-Ritter
October 4, 2007
Page 2

Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly from project implementation and growth inducement, respectively.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely projects in the future.

2

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

3

http://www.consrv.ca.gov/DLRP/qh_lesa.htm

Mitigation Measures

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department recommends the use of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. If a Williamson Act contract is terminated, or if growth inducing or cumulative agricultural impacts are involved, the Department recommends that this ratio of conservation easements to lost agricultural land be increased. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

4

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements.

California Department of Conservation, page 3 of 5

Ms. Bobi Lyon-Ritter
October 4, 2007
Page 3

The conversion of agricultural land should be deemed an impact of at least regional significance. Hence the search for replacement lands should be conducted regionally or statewide, and not limited strictly to lands within the project's surrounding area. 5

Other forms of mitigation may be appropriate for this project, including:

- Protecting farmland in the project area or elsewhere in the County through the use of less than permanent long-term restrictions on use such as 20-year Farmland Security Zone contracts (Government Code Section 51296 et seq.) or 10-year Williamson Act contracts (Government Code Section 51200 et seq.).
- Directing a mitigation fee to invest in supporting the commercial viability of the remaining agricultural land in the project area, County or region through a mitigation bank that invests in agricultural infrastructure, water supplies, marketing, etc.

The Department also has available a listing of approximately 30 "conservation tools" that have been used to conserve or mitigate project impacts on agricultural land. This compilation report may be requested from the Division at the address or phone number below. General information about agricultural conservation easements, the Williamson Act, and provisions noted above is available on the Department's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

http://www.conservation.ca.gov/dlrp/index.htm

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Williamson Act Lands

Under California Code of Regulations Section 15206(b)(3), a project is deemed to be of statewide, regional or area-wide significance if it will result in cancellation of a Williamson Act contract for a parcel of 100 or more acres. Since lands under Williamson Act contracts and/or in agricultural preserves exist in the project area, the Department recommends that the following information be provided in any subsequent CEQA documentation: 6

- A map detailing the location of agricultural preserves and contracted land within each preserve. The documentation should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to implement the project. The documentation should discuss the probable impacts on nearby properties resulting from the termination of adjacent Williamson Act contracts. For example, a termination of a Williamson Act contract may have a growth-inducing impact.

California Department of Conservation, page 4 of 5

Ms. Bobi Lyon-Ritter
October 4, 2007
Page 4

In other words, a termination may not only lift a barrier to development, but also result in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development.

- As a general rule, land can only be withdrawn from a Williamson Act contract through the nine-year non-renewal process. Immediate termination via cancellation is reserved for "extraordinary circumstances" (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Under Government Code section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the documentation. Finally, a notice of the hearing to approve the tentative cancellation and a copy of the landowner's petition must be mailed to the Director of the Department ten working days prior to the hearing. (The notice should be mailed to Bridgett Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)
- Under Government Code Section 51243, if a city annexes land under a Williamson Act contract, the city must succeed to all rights, duties, and powers of the county under the contract. However, under Section 51243.5, a city may exercise its option not to succeed to the contract if certain conditions are met. LAFCO must notify the Department within 10 days of a city's proposal to annex land under a contract (Government Code Section 56753.5). Additionally, LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless certain conditions are met (see Government Code Sections 51296.3, 56426, 56426.5, 56749 and 56856.5).
- If portions of the planning area are under Williamson Act contracts (and will continue to be under contract after project implementation) the documentation should discuss the proposed uses for those lands. Uses of contracted land must meet compatibility standards identified in Government Code Sections 51238 - 51238.3. Otherwise, contract termination (see paragraph above) must occur prior to the initiation of the land use.
- An agricultural preserve is a zone authorized by the Williamson Act and established by the local government to designate qualified land to be placed under the Williamson Act's 10-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing agricultural use. Under Government Code Section 51230, "An agricultural preserve may contain land other than agricultural land, but the use of any land within the preserve and not under contract shall within two years of the effective date of any contract on land within the preserve be restricted by zoning, including appropriate minimum parcel sizes that are at a minimum consistent with this chapter, in such a way as not to be incompatible with the agricultural use of the land." Therefore, the documentation should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

California Department of Conservation, page 5 of 5

Ms. Bobi Lyon-Ritter
October 4, 2007
Page 5

Thank you for giving us the opportunity to comment on this DEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Elliott Lum, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0869. 7

Sincerely,

Dennis J. O'Bryant
Program Manager

cc: State Clearinghouse

Response to the California Department of Conservation

1. Caltrans appreciates the comments submitted by the California Department of Conservation.

2. Comments noted. Section 2.1.3, Farmlands/Timberlands has been modified to include some additional discussion on farmland impacts as requested. The draft environmental document, however, included the type, amount, and location of farm parcels affected. In regards to vandalism, Caltrans cannot predict whether vandalism will decrease or increase. Caltrans has made efforts to minimize farmland conversion and avoid land-use conflicts. Cumulative farmland impacts are discussed in Chapter 3.

3. The Farmland Conversion Impact Rating System used by the Natural Resources Conservation Service is the one adopted by the Federal Highway Administration to evaluate farmland impacts, and is the functional equivalent of the Land Evaluation and Site Assessment model. Use of the Land Evaluation and Site Assessment model is recommended, but not required by the California Environmental Quality Act for land use conversions and site assessments.

4 & 5. Information regarding agricultural conservation easements has been noted. As part of the right-of-way process for purchasing land, Caltrans tries to negotiate parcel exchanges with neighboring farmers to reconfigure split farmland parcels for resale so that the parcels would continue to be farmed and not contribute further to the segmentation and conversion of farmland. Generally, when Caltrans resells or reconfigures land in an area zoned for agriculture as buffers or conservation easements, deed restrictions limiting future use to agriculture would be included to keep land in agricultural use in perpetuity.

6. Section 2.1.3, Farmlands/Timberlands has been modified to include additional discussion of Williamson Act properties with a map as suggested. For this project, it was not feasible to avoid Williamson Act parcels; however, the partial acquisition from parcels under Williamson Act contract will not reduce any parcel below the minimum size required to remain under contract. Once the project is approved and it appears this land will be converted, notification will be made to the Director of the Department of Conservation with the necessary data within 10 working days of acquisition.

7. Thank you for your offer of assistance.

Section 2.0 Local and Regional Agencies

Monterey Bay Unified Air Pollution Control District, page 1 of 2

MONTEREY BAY
Unified Air Pollution Control District
serving Monterey, San Benito, and Santa Cruz counties

AIR POLLUTION CONTROL OFFICER
Douglas Quetin

24580 Silver Cloud Court • Monterey, California 93940 • 831/647-9411 • FAX 831/647-8501

DISTRICT BOARD MEMBERS

CHAIR:
Reb Monaco
San Benito County

VICE CHAIR:
Jerry Smith
Monterey County

Lou Calcagno
Monterey County

Tony Campos
Santa Cruz County

Dennis Donohue
City of Salinas

Doug Emerson
San Benito County Cities

Ila Metee-McCutchon
Monterey Peninsula Cities

Ellen Pirie
Santa Cruz County

Simon Salinas
Monterey County

Sam Storey
Santa Cruz County Cities

George Worthy
South Monterey County Cities

October 10, 2007

Ms. Bobi Lyon-Ritter, Branch Chief
Central Region Planning Branch
Dept. of Transportation
50 Higuera Street
San Luis Obispo, CA 93401-5415

Transmitted Electronically To:
bobi_lyon_ritter@dot.ca.gov

Original by First Class Mail

SUBJECT: STATE ROUTE 156 IMPROVEMENT PROJECT

Dear Ms. Lyon-Ritter:

Table 2.10 Estimated Construction Emissions from Grading, Page 71. 1
The District's threshold of significance for PM_{10} is 82 lbs/day. This is the only threshold of significance, so the District requests that Caltrans quantify estimated daily emissions based on the project schedule, not daily averages over the twenty-four month project. The 82 lb/day figure has been shown to equate to 2.2 acres/day of excavation or 8.1 acres/day of grading.

Appendix H. Construction Equipment Emissions. 2
The District requests that the emissions of ROG, NOx, PM_{10} and CO be recalculated on a daily basis and compared to District thresholds of 137 lbs/day for NOx, 137 lbs/day for ROG, 82 lbs/day for PM_{10}, and 550 lbs/day of CO

Impacts of Diesel Exhaust 3
Given the proximity of the project to San Juan Elementary School, single-family residences and a hotel, please contact the District to discuss potentially adverse impacts on sensitive receptors.

Highway Shoulders, Apron Access Points and Measures to Avoid "Track Out" 4
The District appreciates the design that includes 8-10 foot shoulders, which should minimize "track-out" onto the new highway. Paving apron access points to the highway from any unpaved surfaces and establishing ground cover to the paved edge of the highway should also reduce track-out, which can increase fugitive dust emissions. PM_{10} constitutes almost half the mass of fugitive dust; measures that reduce fugitive dust, also reduce PM_{10}.

Monterey Bay Unified Air Pollution Control District, page 2 of 2

Thank you for the opportunity to review the Draft EIR.

Yours truly,

Jean Getchell
Supervising Planner
Planning and Air Monitoring Division

cc: David M. Murray, Caltrans
Bob Nunes, Planning and Air Monitoring Division

Response to Monterey Bay Unified Air Pollution Control District

1. Recommendations noted. In regards to estimated construction emissions from grading, Caltrans standards do not allow calculating construction equipment emissions because Caltrans does not know what kind of equipment will be used in construction, the age of the equipment, or what schedule the contractor will use. However, the contractor will have to conform to the air quality regulations established by the Monterey Bay Unified Air Pollution Control District

2. As much as Caltrans would like to honor your request to recalculate total organic gas (ROG), carbon monoxide (CO), and oxides of nitrogen (Nox), Caltrans standards do not allow the calculation of construction equipment emissions because there are too many variables, as stated in Response #1. However, the Caltrans specialist recalculated the emissions for particulate matter that is 10 microns or less in diameter on a daily basis for grading. These were compared to the Monterey Bay Unified Air Pollution Control District's thresholds of 82 pounds per day for PM_{10}. The calculation used was: 173 acres graded in 66 days = 2.64 acres per day. Caltrans Standard Specification requires a 50% reduction with daily watering of disturbed areas (2.64 acres per day x 50% = 1.32 acres per day). 1.32 acres per day x 10.25 pounds per acre = 13.5 pounds PM_{10} per day from grading, which is below the threshold of 82 pounds per day established by the Monterey Bay Unified Air Pollution Control District.

3. On November 15, 2007, a discussion was held between a representative from the Monterey Bay Unified Air Pollution Control District and a Caltrans specialist on the potential adverse impacts to the San Juan Elementary School, San Juan Hotel, and residences at The Alameda from diesel exhaust. Although the beginning of the proposed project on State Route 156 starts at the intersection of The Alameda, the widening of State Route 156 doesn't start until approximately 0.3 mile east of The Alameda. The existing State Route 156 has four lanes at the intersection of State Route 156 and The Alameda, where residences are located in the southwest corner, the San Juan Hotel is located in the southeast corner, and the San Juan Elementary School is located in the northeast corner and separated from State Route 156 by a frontage road. The project does not move traffic closer to any of these facilities; therefore, potential diesel effects to these facilities would not change.

4. In regards to comment regarding the 8- to 10-foot shoulders, which should minimize "tracking out," Caltrans appreciates your acknowledgement. Thank you.

Caltrans appreciates the comments submitted by the Monterey Bay Unified Air Pollution Control District and hopes your comments have been answered adequately.

San Benito County Board of Supervisors, Page 1 of 2

COUNTY OF SAN BENITO
BOARD OF SUPERVISORS

481 Fourth St • Hollister, CA 95023
Phone: 831-636-4000 • Fax: 831-636-4010

Don Marcus, District No. 1
Anthony Botelho, District No. 2
Pat Loe, District No. 3
Reb Monaco, District No. 4
Jaime De La Cruz, District No. 5

October 9, 2007

Bobi Lyon-Ritter
Branch Chief, California Department of Transportation District 5
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428

Subject: Comments regarding Draft Environmental Impact Report/Environmental Assessment for San Benito Route 156 Improvement Project

Dear Bobi Lyon-Ritter:

Thank you for the opportunity to review and comment on the proposed San Benito Route 156 Improvement project. The County, as you know, strongly supports further improvements to State Highways 25, 152, and 156. This project is a very high priority in order to insure traffic flows smoothly through San Benito County. 1

The San Benito Route 156 Improvement Project proposes improvements to State Route 156 between the cities of San Juan Bautista and Hollister in San Benito County. The purpose of the much needed project is to improve route continuity, reduce congestion, and increase safety on Highway 156. The need for the proposed project is based on increasing congestion, the lack of passing opportunities due to slower trucks and agricultural vehicles, the existing non-standard compound curve, non-continuous expressway on the route, and flooding issues along the route.

San Benito County feels the following areas of concern may need to be more thoroughly reviewed and mitigated for this project.

1. Farmland Impacts: The proposed project would affect Prime Farmland and Farmland of Local Importance as shown on California Department of Conservation, Division of Land Resource Protection maps. 2
2. Noise: All three build alternatives would increase noise levels to approaching or exceeding Noise Abatement Criteria (as listed in the Caltrans Traffic Noise Analysis Protocol) for outdoor residential use at six receptors. (Abatement criteria units measured in decibels). 3
3. Air Quality: Temporary increase in air emissions due to construction activities and possible increased emissions due to a potentially higher volume of vehicles. 4

San Benito County Board of Supervisors, Page 2 of 2

4. Possible impacts to eligible historical properties: Ferry-Morse, The Benjamin Wilcox House, The Frank M. Avilla, Sr , House, The John Breen Adobe, Mitchell Fruit Farm, The Tebbetts Orchard/Nutting Property and The former San Justo School properties have been determined to be eligible for the National Registry of Historical Places. 5
5. Ensure that possible drainage and flooding issues existing in this corridor, arising from this project, are mitigated. 6

Currently, this project is not fully funded; however, the proposed project is being partially funded through Caltrans and the collection of Regional Traffic Impact Fees. The funding available will move the project through the design stage and a portion of right of way. This project may be eligible for regional Caltrans funds for future funding. Again San Benito County strongly supports this project and we will continue to work with you and other local agencies to find ways to effectively improve Highway 156. 7

Thank you again for the opportunity to review and comment on the proposed San Benito Route 156 Improvement project.

Respectfully,

Don Marcus, Chair
San Benito County Board of Supervisors

cc: Board of Supervisors
Susan Thompson, CAO

Response to the San Benito County Board of Supervisors

1. Caltrans appreciates the comments submitted by the San Benito County Board of Supervisors. Comments are noted in regards to the priority of the project and objectives established by the San Benito County Board of Supervisors.

2. Unfortunately, State Route 156 is surrounded by farmland, and any build alternative that would modify the existing highway or any new alignment would inevitably convert farmland. Farmland conversion was a consideration in determining which alternatives would warrant further consideration and which alternative would be withdrawn (See the final environmental document Chapter 1, Section 1.3.5). Alternatives to the north would lessen the farmland conversion, but would result in numerous residential and utility relocations. Caltrans was able to reduce the farmland conversion by narrowing the median of the new alignment east of Mission Vineyard Road from 62 feet to 46 feet and combining the offsite and onsite drainage system proposed for the project. These design changes have reduced the farmland conversion considerably from 206 acres to 145 acres for the preferred alternative, Alternative 6 as modified.

3. The draft environmental document condensed the noise report conducted for the project. The noise report contained an analysis of current and future noise levels at representative receptors along the project alignment and analyzed each receptor for noise abatement. Noise abatement measures were recommended when they were determined to be reasonable and feasible according to Caltrans Traffic Noise Analysis Protocol. How noise abatement is determined reasonable and/or feasible is discussed in Section 2.1.6, Noise, *Avoidance, Minimization, and/or Abatement Measures Under the National Environmental Policy Act* of the environmental document for the project.

4. Construction of the project would take approximately 24 months, and the potential for an increase in air emissions due to construction activities exists. However, based on comments submitted by the Monterey Bay Unified Air Pollution Control District, Caltrans recalculated the emissions for PM_{10}, on a daily basis for grading and the results were below the threshold of 82 pounds per day established by the Monterey Bay Unified Air Pollution Control District. Please refer to the responses to the Monterey Bay Unified Air Pollution Control District in this document.

The project would relieve congestion, provide upgraded intersections, and reduce idling time, which benefits air quality overall. Based on the data available, including an increase in traffic volume, the project is not expected to worsen air quality or create any new violation of the state standards for ambient air quality.

5. Caltrans completed a Findings of Effect, which was submitted to the State Office of Historic Preservation. In applying the *Criteria of Adverse Effect (*36 Code of Federal Regulations 800.5), Caltrans found that the project would have an effect on the Ferry-Morse Seed Company, but that the effect is not adverse. Caltrans also found that the project would have no effect on the remaining six historic properties. The State Office of Historic Preservation concurred with the Finding of No Adverse Effect for the project as a whole on March 24, 2008. A copy of the concurrence letter can be found in Appendix E of this document.

6. During the design phase of the project, Caltrans will prepare a more detailed Hydraulic Analysis to size the new bridge and minimize potential floodplain impacts. With careful hydraulic engineering of the new roadway, the project is not expected to increase the base flood backwater elevation; however, the project would not modify the preconstruction hydrologic patterns. In other words, the project is not expected to worsen or make better the existing flooding conditions; therefore, any risk of flood damage to adjacent property would be expected to continue as in the past. No mitigation is proposed because the project is not expected to result in any impacts or changes to the existing conditions. Please refer to the responses to the San Benito County Water District in this document for more discussion on hydraulics and flooding.

7. Caltrans appreciates the comments of support from the San Benito County Board of Supervisors. Since receiving your letter, the project has been fully funded and Caltrans looks forward to working with you.

San Benito County Water District, page 1 of 15

San Benito County Water District

30 Mansfield Road • P.O. Box 899 • Hollister, CA 95024-0899 • (831) 637-8218 • Fax (831) 637-7267

October 16, 2007

Bobi Lyon-Ritter
Branch Chief
California Department of Transportation
2015 East Shields Ave, Suite 100
Fresno, CA 93726-5428

Re: Comments on the Draft Environmental Impact Report/Environmental Assessment for the San Benito Route 156 Improvement Project

Dear Ms. Lyon-Ritter:

The San Benito County Water District (SBCWD) appreciates the opportunity to comment on the draft EIR/EA for the above mentioned project. Our primary concerns are related to the Utilities/Service, Hydrology and Floodplain, and Water Quality and Storm Water Runoff sections. 1

Based on our review, we believe the project analyses should include two additional studies: 2

- Review of the Highway 156 bridge hydraulic conditions and potential redesign to reduce potential flooding
- Review of potential reduction in project impacts with combining the onsite and offsite runoff in a single conveyance and flood management system.

Preliminary hydraulic studies by the SBCWD have found that the existing bridge crossing of the San Juan Creek on Highway 156 creates a significant encroachment of the floodplain. This encroachment was created in the mid 1950s when the roadway was realigned. The relatively narrow opening creates very high upstream water levels, and increases the flooding risk for structures and the lower profile areas of the existing highway. This encroachment may be responsible for the roadway overtopping that has been experienced near the site. We request and recommend that Caltrans redesign the bridge crossing as part of this project to remove the floodplain encroachments and reduce upstream water levels. This would significantly reduce the risk of highway overtopping and structure flooding that occurs in a 100-year event near the existing bridge crossing. 3

The SBCWD is currently reviewing flood management options that could convey runoff in the northern San Juan Basin. One option includes a new surface drainage channel from SR 156 near Lucy Brown Lane to a detention basin and outfall at the San Benito River. These options could be further developed to convey higher amounts of runoff, including

1

San Benito County Water District, page 2 of 15

higher runoff expected from the added impervious highway surfaces in the proposed project. We request that Caltrans review possible joint flood management projects that combine offsite and onsite runoff. These joint projects may allow the reduction in profile height of the project which may reduce other identified impacts such as loss of prime farmland and the raised profile visual/aesthetics issues. The potential cost reduction available from the lowered profile should also be identified.

We have also identified a number of comments regarding the text included in the draft EIR/EA. Our detailed comments on these items are included in the attached document. 4

Thank you for the opportunity to provide comments on this draft EIR/EA. Please contact me at (831) 637-8218 if you have any further questions.

Very truly yours,

Lance W. Johnson, P.E.
District Manager

2

San Benito County Water District, page 3 of 15

Attachment to SBCWD Comment Letter.

Detailed Comments on Draft Environmental Impact Report/Environmental Assessment for the San Benito Route 156 Improvement Project (July 2007)

Following are our specific comments on the draft EIR/EA sections. The page number is listed with the draft EIR/EA text in italics. Our comments on the text follow each italicized text section

Summary

Page viii. *Table S.1 Summary of Major Potential Impacts from Alternatives, Physical Environment, Hydrology and Floodplain*

Page viii. *Would not constitute a significant floodplain encroachment* 5

The construction of the widened roadway across the San Juan Creek floodplain may be classified as a significant encroachment, although it may be mitigated by revising the bridge opening design. (See later comments for more detailed description).

Page viii. *Maintains existing drainage patterns* 6

The existing drainage pattern includes combining of onsite and offsite runoff with discharge into the San Juan Creek. Based on draft EIR/EA text, onsite and offsite runoff will be separated and all onsite runoff will be held on site with no discharge. This conflicting text should be clarified.

Page viii. *Separates onsite and offsite drainage* 7

This text conflicts with previous statement and should be clarified.

Page viii. *Requires new cross culverts between Mission Vineyard Road and Lucy Brown Lane* 8

The new cross culverts would mimic existing overtopping flooding occurring in this area after the roadway profile is raised in this project. However, the overtopping flooding conditions may be prevented by revising the existing bridge opening at San Juan Creek to remove the existing floodway encroachment. This could allow the road to remain at the existing profile level. (See later comments for more detailed description)

Page viii. *Raises the highway profile above floodwater, stores all highway runoff in side ditches, and disposes all highway drainage via a new drainage collection system* 9

This text should be clarified to describe the new drainage collection system. Is this new collection system different than storing all highway runoff in side ditches? Will all disposal be accomplished by percolation and evaporation from storage?

3

San Benito County Water District, page 4 of 15

Section 1.2 Purpose and Need – Flooding

Page 9. *The 27-square-mile watershed of San Juan Creek drains across this particular section of State Route 156.* 10

Can you confirm the size of the watershed or the location of the watershed discharge location? It is not clear from the text. The FEMA Flood Insurance Study (FIS) for this creek notes the watershed size is 19.1 square miles at the Highway 156 crossing.

Page 10: *There are no significant flood control facilities within the influence of this project, and State Route 156 is located on the flat San Juan Valley floor where the stream channels have limited capacity. Often these stream channels are choked with vegetation, causing the waters to exceed channel capacities during major floods. The overflow generally spreads out as slow-moving shallow flooding. Runoff and flooding occur behind irrigation canal levees and road embankments that cross the area.* 11

This paragraph should be clarified to note the existing conditions which include a floodway along the stream channels. The channel capacity of some areas of the San Juan Creek from San Juan Bautista to the San Benito River has been estimated at sufficient to convey between a 2-year and 5-year storm event. This makes the channel floodway area extremely important in conveying all flood flows larger than the channel capacity, and an integral part of the flood management system. Please note that the floodway along the stream channel conveys the flow at larger events. Any encroachment into this floodway can create flooding issues for surrounding areas.

Page 10: *Further complicating area drainage is local farming and irrigation practice. The area has been re-graded without consideration for the overall drainage patterns. The natural watershed creek beds have also been ditched, bermed, and/or obliterated. Farmers have channeled the water around their properties to maximize the amount of available land. When it rains, water is rerouted to the property lines and eventually ends up on the local county roads and ultimately the State highway. Roadside ditches, intended to hold highway runoff, have become drainage canals carrying offsite storm runoff to San Juan Creek.* 12

It is not clear what is meant by "re-graded without consideration for the overall drainage patterns." There have been some areas that have been laser leveled within the San Juan Valley; however, these grading projects have served merely to provide more of a planar (level) condition that still follows the existing ground slopes. If the overall drainage pattern of the land was not considered, the laser leveling would require significantly greater movement of soil.

The channeling of water around the individual properties would appear to be more of a result of grading of the fields for irrigation practices than an attempt to maximize land. As winter rains provide excess runoff, the runoff flows along the irrigation routes which typically end at the property boundary. All excess runoff would pond at that location or

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continue to move as overland flow off the property. Excess runoff is typically not an issue with irrigation, since water application rates are more closely controlled.

Since the County roads and the State highway are elevated along most property boundaries, these roads become dams for excess flows. Ponding and overtopping typically occurs unless cross culverts are provided to allow water to pass. The flow typically moves along the edge of the roadway until it overtops the roadway. It then is conveyed as overland flow through an adjacent property.

Page 10: *Prior to Caltrans studies, San Benito County Water District performed a study to install a system to drain floodwater directly into the San Benito River, but the project was not implemented.* 13

The study listed on Page 10 was performed in the late 1990s and was limited to areas north of SR 156 and east of Lucy Brown Lane. It did not include the entire San Juan Basin. The study reviewed the costs for installation of storm drain pipelines from Highway 156 north to the San Benito River along some of the roadway right of way. This project was sized for approximately a 2-year event to resolve minor flooding issues occurring in this area. Significant excavation was needed near the San Benito River since the ground elevations near the river were five to ten feet higher than at Highway 156.

Page 10: *In comparison, the existing bridge crossing at San Juan Creek appears adequate, although Caltrans maintenance work has made the streambed lower than the upstream creek, which results in a tendency for water to backup at the highway.* 14

It is not clear how the assessment for hydraulic adequacy at the bridge was made. Based on a preliminary hydraulic study by the SBCWD, the existing bridge has created an increased upstream water level due to the encroachment of the floodway and flow constriction at the bridge entrance. This constriction creates relatively high velocities through the bridge opening, which could be causing the erosion of the streambed at the bridge.

This constriction can also cause the upstream water level to exceed the Highway 156 roadway elevations east of Mission Vineyard Road at flows lower than the 100-year event. This condition could have caused the roadway overtopping that has been experienced in that location. Prior to the realignment of Highway 156 in the mid-1950s, the lower elevation bridges along San Juan-Hollister Road (former state highway) created a more limited floodplain encroachment compared to the existing roadway.

A bridge hydraulic study is recommended to determine the impacts of the existing bridge and the proposed bridge widening planned for the project. The study should also review the changes in flooding levels created by the realignment of Highway 156 in the mid-1950s. The study should include an assessment of potential overtopping of the roadway at lower elevation locations at a distance from the bridge crossing. The proposed project should include bridge revisions to restore the floodway along the San Juan Creek.

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Page 10: *All Build Alternatives would elevate the current profile of the highway and provide drainage systems for storm water runoff. The elevated roadway and additional drainage capacity would prevent driving hazards, such as pooling and flooding.* 15

Although the elevated roadway reduces the driving hazard from pooling and flooding of the roadway, it increases the risk of higher flooding levels being developed alongside the roadway. Where flood waters currently cross over the roadway to relieve flooding, a higher roadway will increase ponded water levels. These higher flooding levels may put some structures adjacent to the roadway at risk. The Location Hydraulic Study notes that cross culverts will be used near Mission Vineyard Road to maintain existing levels, but other cross culvert locations may also be necessary along the roadway.

Page 22. *Figure 1-7 Typical Cross Sections* 16

The SBCWD water pipeline is shown as an exposed pipeline in the cross section. This pipeline is buried and is exposed only at the turnout locations.

Based on the figure, it is not clear how the offsite and onsite runoff will remain separate. If the offsite channels are currently shown on the outside edge of the cross section, they are directly connected to the onsite drainage facilities. If the offsite channels are not shown, they should be included on the cross section.

Based on the Location Hydraulic Study, Caltrans intends to store all the highway runoff in side ditches. This should clearly be called out on the figure. The existing drainage swales should be noted as retention storage. Due to the slope of the basin along the roadway profile, numerous dikes will be required in each ditch to prevent runoff from flowing to the west end.

Section 2.1.3 Farmlands/Timberlands

Pages 30-34. Prime farmland impacts may be reduced by improvement in storm water management in the San Juan Basin. The right of way requirements would be reduced by lowering the roadway profile and combining storm water management facilities for both onsite and offsite runoff. (Further details provided in comment on Section 3.2.2) 17

Section 2.1.5 Utilities/Emergency Services

Page 38-39. *Affected Environment, Impacts and Mitigation* 18

- *San Benito Water District operates a 27- to 30-inch waterline and associated laterals. This waterline is on a private easement.*

The word "County" should be added to the name.

The SBCWD irrigation supply pipeline is located in both private easements and public right of way on the north side of the existing SR 156 and crosses the roadway at a number

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of locations along the highway. There are also private lines which are supplied by this pipeline that are located within the easement.

Any relocation of the SBCWD water line proposed by Caltrans must also include relocation of any private laterals to restore the system to complete operations after the relocation is complete. Suitable right of way must be provided to allow access for pipeline inspection and repair.

Page 43-48. Visual/Aesthetics – Affected Environment, Impacts and Mitigation

19

Page 45. *The proposed project would raise the road's elevation up to five feet to protect the highway from flooding.*

The visual impacts from raising the road by five feet could be reduced by providing a roadway at the current elevation and developing flood management facilities to prevent the roadway from overtopping in a peak storm event. The SBCWD is currently reviewing flood management options that could convey runoff in the northern San Juan Basin. These options could be developed further to convey higher amounts of runoff, including higher runoff expected from the added impervious highway surfaces. We request that Caltrans review and consider the potential cost savings, as well as reduction in other identified impacts such as visual/aesthetics, that would be available from a joint flood management project that combines offsite and onsite runoff.

Page 56-58, Section 2.2.1- Hydrology and Floodplain

20

Page 56. *Affected Environment*

There is no general description of the current drainage facilities and conditions for the existing roadway included in the draft EIR/EA. Storm water from agricultural lands north of the highway is currently combined with Highway 156 runoff as it travels along the north side of the roadway. Storm water from agricultural lands on the south side of Highway 156 typically flows south toward a constructed earth channel that discharges into San Juan Creek near the bridge on Highway 156.

Flooding has been observed on a regular basis along the north side of the existing SR 156. There is no consistent ditch and culvert system to convey water that is collected along the north side of the roadway. A property owner at Lucy Brown Road reported a belief that a Caltrans shoulder leveling project following Highway 156 resurfacing had filled the existing drainage ditch. Roadway widening for construction of turning lanes at Lucy Brown Road may have also impacted the roadside ditches.

Flooding was also influenced by roadway crossing culverts at existing approach locations. In the past, culverts at driveway entrances were filled with silt and debris or were damaged or crushed by traffic. These blockages caused water to pond at driveways and enter the shoulder and driving lane. The San Benito County Department of Public

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Works replaced the existing north side driveway and roadway culverts between Lucy Brown Road and Cagney Road in 2004 to reduce roadway flooding.

An 18-inch diameter culvert crossing Highway 156 is located slightly east of Mission Vineyard Road. This culvert connects the drainage on the north side of the highway with the channel carrying the flows from the south side of the highway. Runoff from the north side of the highway typically flows through this culvert to the south and enters San Juan Creek. However, runoff can flow either direction in the culvert depending on the relative water surface elevations on the north and south sides of the roadway.

There is one other existing cross culvert on Highway 156 between Mission Vineyard Road and Flint Road, located just east of San Justo School site. Crossing culverts are subject to blockage due to siltation from heavy sediment loads during storm events.

Page 56. *The San Juan Canyon sub-basin measures approximately 10.5 square miles and is drained by the San Juan Creek. As the creek approaches the highway and city of San Juan Bautista, it is channeled, piped, and re-routed through the developed area.* 21

Please note that Caltrans rerouted the creek channel during construction of the realigned SR 156 highway during the mid-1950s. The creek originally crossed the current highway route at an angle. During the realignment construction, Caltrans constructed a new channel parallel to the highway and constructed a new bridge crossing for the channel. The realignment created a berm across the floodplain which reduced the channel cross section available for flow. This is the currently existing condition with the roadway base encroaching on the floodplain.

The creek is not typically enclosed in a pipeline with the exception of crossing culverts at some roadway locations. The creek passes on the outskirts of the developed area of San Juan Bautista, through farmland which acts as the channel floodway during peak flow events.

Page 57. *The third sub-basin is the flatland north of the highway, which measures approximately 4.3 square miles. Water has historically drained toward the San Benito River and, therefore, away from the highway. Farming operations have altered this flow at several locations causing storm water to occasionally drain toward the highway.* 22

This paragraph is not clear regarding historical flows and is not correct regarding drainage direction. The flatland north of the highway between Lucy Brown Lane and Mitchell Road has a natural slope to the west and south. In some locations, the runoff is directed toward the highway. It does not flow north toward the San Benito River. This condition is naturally occurring and has not resulted from any agricultural land grading.

The eastern San Juan Basin valley floor is shaped similar to a half-bowl opening to the west. The highest elevations are along the San Benito River, the edge of the valley floor near Mitchell Road, and along the edge of the San Andreas Rift Zone. The lowest relative elevations are located south of Highway 156. A drainage channel has been cut in the low

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elevations south of SR 156. The channel discharges into the San Juan Creek channel near the Highway 156 bridge.

Although the San Benito River is deeply incised along the northern edge of the San Juan Valley, runoff does not flow directly north toward the river. The high elevations of the San Juan Basin natural topography adjacent to the river generally direct valley storm water runoff southward and away from the river. The slope of the valley is generally westerly in the higher elevations at the east end of the valley. Some runoff would flow southwesterly toward Highway 156 in the area between Flint Road and Bixby Road based on natural topography. Just west of Bixby Road, the natural topography directs flow to the west-northwest. Overland flow in the areas north of Highway 156 will generally be moving away from Highway 156 in areas west of Lucy Brown Road. These overland flows continue and flow roughly parallel to the San Benito River until they reach the San Juan Creek. San Juan Creek discharges into the Pajaro River.

As noted in previous comments, the westward flows are intercepted by the higher elevation north-south roadways. These flows pond and either overtop the roadway or flow southward along the roadway. Some of these flows reach Highway 156. There are no drainage systems to convey this runoff westward, except for the limited ditch system along the northern edge of Highway 156.

Page 57. *This area has a long history of flooding compounded by the leveling of farmland. Hydrologic changes related to agricultural land use have altered the natural drainage patterns of the area. During the rainy season, some water appears to be intentionally drained to the highway by farmers, and creek beds have been destroyed in the lower elevations to maximize the amount of available farmland.* 23

The flooding that occurs in the basin is due to the lack of a comprehensive drainage management system and the ponding created at the raised roadways crossing the relatively flat valley floor. Roadway crossing culverts are often installed in a "bubble up" condition, and are easily blocked by silt deposits. The draft EIR/EA text can be interpreted in a manner that indicates the existing creek beds were destroyed by farmers, which has in turn created the lack of drainage network and consequent flooding. Can this be clarified?

Page 57. *These hydrologic changes, along with vegetation growth, choke the flow of water downstream of the San Juan Creek Bridge. The resulting backwater suppresses the flow of water in the area southeast of the Mission Vineyard Road/State Route 156 intersection. Water collects at the lowest ground elevation of 194 feet. The extremely high water table limits the depth of potential water storage basins, and a shallow impervious clay layer limits downward percolation. This action has resulted in extensive ponding (flooding) at the highway between Mission Vineyard Road and Lucy Brown Lane.* 24

The vegetation growth along San Juan Creek limits the creek channel flow capacity as described previously. However, when flooding occurs, the water spreads out across the floodplain, creating a wide, shallow flooding area along the channel. Based on a

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preliminary study by the SBCWD, the downstream water level creates a backwater effect only at low flow conditions. The backwater influences the upstream level at the bridge for flows less than 600 cfs. Water surface elevations are less than 193 feet, compared with the lowest roadway elevations of about 196 feet and the bridge crossing deck elevation of 200 feet. These flows do not create high flooding levels on either side of the bridge, although the water levels do extend into the channel floodway.

At higher flows, a greater energy level is needed to pass the water through the constricted bridge opening. This requires a greater depth upstream of the bridge opening. A critical flow section based on bridge geometry is created downstream of the bridge and controls the upstream water level. At higher flows, including those which would overtop the Highway 156 roadway east of Mission Vineyard Road, the upstream water level appears to be controlled by the bridge opening size and geometry. The text should be clarified to note that the bridge opening size causes the high upstream water levels at high flow rates.

We request that Caltrans review the bridge geometry during the design to determine bridge opening configurations that reduce the upstream flooding levels. This will reduce the risk of flooding of the mobile home park and other areas located on the south side of the roadway.

The text pertaining to high water table and the shallow impervious clay layer appears to indicate limited viability of retention for storm water disposal. However, it appears that Caltrans is planning to use retention as a storm water disposal method. Presentation materials developed by Caltrans indicate a storm water storage basin is planned for this area. Can this be clarified?

The ponding that exists at the bridge during dry weather would be a result of the low point in the channel at that location. The ponding that floods the highway between Mission Vineyard Road and Lucy Brown Lane during peak wet weather flows appears to result from the constriction at the bridge.

Page 57. *Impacts*
Caltrans does not consider the proposed project to constitute a significant floodplain encroachment as defined in 23 Code of Federal Regulations, Section 650.105(q). No impact to the floodplain is expected. This project is within an area described by the Federal Emergency Management Agency as a floodplain, but with careful hydraulic engineering, the proposed project would not increase the base flood backwater elevations 25

The proposed project includes the continuing encroachment of the Highway 156 roadway base on the San Juan Creek floodplain and the additional encroachment of widening of the existing roadway through the floodplain. The widened roadway will increase the length of the bridge crossing, which may further increase the upstream water level on the south side of the roadway. This would increase the depth of flooding in those areas. The widened roadway will also reduce floodplain storage by a minor amount.

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Due to the potential for increased flooding offsite, the impact should be considered potentially significant, although the impact could be less than significant with mitigation. Mitigation measures, such as widening of the bridge opening as noted above should be reviewed and implemented.

The draft EIR/EA does not mention potential for additional flows that could increase flooding. The proposed projects will include the construction of additional impervious surfaces for the new roadways. The additional impervious surfaces will increase the storm water runoff rate and volume from the project location. The draft EIR/EA is not clear regarding the management of the additional storm water runoff, in particular the disposal of storm water or discharge of the storm water from the project site. If storm water is released from the project site into the watershed with higher rates or volumes than currently occur, the flooding will be increased. The increased flooding would be a potentially significant impact that can be reduced to less than significant with adequate mitigation measures. These mitigation measures should be specified in the final EIR/EA document.

Page 57. *However, the risk of flood damage to adjacent property would continue because pre-construction hydrologic patterns would not be modified by the proposed project.* 26

It is not clear how the preconstruction hydrologic patterns could be perpetuated by the proposed project if Alternative 4A is selected. This alternative would remove the existing SR 156 roadway, changing the offsite hydraulic conditions which have been created by the existing roadway.

The SBCWD is currently reviewing options for reducing flooding in the San Juan Basin area north of SR 156. These options could include additional capacity for management of a portion and potentially all of the additional storm water generated from the highway project. However, these options would not substantially influence the flooding currently occurring along San Juan Creek at the existing bridge crossing.

Page 58. *Avoidance, Minimization, and/or Mitigation Measures*
Caltrans intends to raise the highway profile above floodwater level and to remove highway runoff. This would make the highway safe from flooding but would not correct regional flooding problems. New cross-culverts would be required between Mission Vineyard Road and Lucy Brown Lane to mimic current flooding patterns now occurring at the highway. This project should also include the installation of a sufficient number of additional cross culverts to safely pass all water with the potential to back up against any proposed new alignments. Once construction details are prepared, a hydraulic analysis will assess any changes in profile grade and/or the widening of the highway profile that could result in changes to the existing flood zones. 27

As noted previously, the raised highway profile could increase flooding levels by blocking flow releases that currently occur with the lower highway profile. This text indicates that crossing culverts should be used to safely pass all water. Will this include

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only the area near Mission Vineyard Road, or will it also include other areas along the roadway?

Page 58. *All highway drainage would be disposed of via a new drainage collection system, and all offsite water would flow per the existing drainage patterns. The proposed sound wall would require special floodplain engineering consideration once sound wall placement is determined.* 28

The new drainage collection system for the project is not described in sufficient detail in the draft EIR/EA to determine potential environmental impacts. The hydrology and floodplain section does not explicitly state the method for storm water disposal. In other text in this section, the use of retention is described but only to the extent that the percolation option is of limited viability. In order to determine whether impacts are occurring, an analysis of the proposed storm water management system is necessary.

The existing roadway runoff is currently combined with offsite runoff and discharged to the San Juan Creek. Based on Figure 1-7, both Alternative 2 and 4 utilize the existing SR 156 roadway and would appear to continue to discharge highway runoff into a ditch that would carry offsite runoff. Will the existing crossing culvert system and discharge into San Juan Creek near Mission Vineyard Road be utilized for any highway runoff from the proposed project? Earlier Caltrans Hydraulics recommendations (January 10, 2001) indicated that if the existing roadway profile was used, the highway runoff from the frontage road would continue to be mixed with the offsite discharge. These conditions are not clear in the draft EIR/EA.

Please specify the proposed method of drainage collection and disposal for the project. If the project site will include retention basins along the roadside for storm water disposal, please note the size and design requirements (e.g. return period for design rainfall, total amount of storm water generated, estimated percolation rates, and other design criteria). If the facilities are sized for less than a 100-year design storm, some runoff may overflow the system and contribute to flooding in a 100-year event.

If the project site will include an outfall to the San Juan Creek or any other location within the basin that may contribute to flooding in a 100-year return period storm, please specify the proposed location. Also note any potential impacts and proposed mitigation to reduce the potential impacts to less than significant. Any additional increase in flow rate or flow volume from the project site will be a significant impact that further exceeds the capacity of the existing system and results in additional flooding offsite.

Section 2.2.2 Water Quality and Storm Water Runoff

Page 59. *Total approximate acreage of new impervious (paved) surfaces as a result of the proposed project is provided in Table 2.8.* 29

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Please indicate the amount of existing paved acreage in the table. Please define "storm water quality volume" and "storm water quality flow" and identify how these quantities will be used to determine storm water quality management best management practices (BMPs).

Section 3.2.2 Significant Environmental Effects of the Proposed Project

30

Page 104. *Caltrans has determined, according to California Environmental Quality Act guidelines, the project has the potential to have significant effects to farmland.*

The proposed project creates a rather large footprint in prime farmland due to the proposed raising of the roadway profile and separate independent storm water management facilities for onsite and offsite runoff. The footprint size could be reduced by lowering the roadway profile and providing a single storm water management system for both onsite and offsite runoff.

The proposed retention basin/ditch sizes could be reduced by instead providing storm water detention facilities. These detention facilities would be limit discharges to flow rates that do not exceed existing runoff rates. The continuous discharge would reduce basin size and the necessary area for construction. It may be possible to site detention storage on lands near the San Benito River which have a lower NRCS total impact rating. An increased basin depth may also be available at locations further downstream and outside of the San Juan Basin, compared with the ditches adjacent to the roadway.

The SBCWD is currently reviewing options for a new surface drainage channel from SR 156 near Lucy Brown Lane to a detention basin and outfall at the San Benito River. The storm water channel would collect runoff that currently causes relatively frequent flooding of lands and roadway intersections north of SR 156. There are a number of potential routes possible across the basin which must be studied to identify their feasibility, costs and impacts. This new channel could be designed to allow Caltrans to transport excess runoff from the project site.

We request that Caltrans study the potential reduction in significant impacts that may be realized by a combined onsite and offsite runoff management approach. The study should also include a review of potential cost savings, as well as management and legal issues regarding shared responsibilities of the storm water discharge with the SBCWD.

Appendix A California Environmental Quality Act Checklist

Page 132. *HYDROLOGY AND WATER QUALITY - Would the project:*

31

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 that would result in flooding on or offsite? NO IMPACT marked.

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e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? NO IMPACT marked.

The increases in paved area at the site will substantially increase the amount of surface runoff and could result in flooding offsite if it is released. If storm water runoff will overflow from the project site during a 100-year event, there will be potential for significant impacts from the exceeding of existing storm water drainage systems. Depending on the hydraulic design developed, both (d) and (e) may need to be marked as "Less than Significant Impact with Mitigation." The mitigation would maintain future flows after the project is constructed at the existing flow rates.

h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? NO IMPACT marked.

The proposed crossing of San Juan Creek will place structures that would impede or redirect flood flows, and may increase upstream water levels. This should be marked "Less than Significant Impact with Mitigation." The mitigation would retain the future upstream water levels at existing or lower conditions.

Appendix I Minimization and/or Mitigation Summary

Page 158. *Resource – Floodplain/Hydrology- Level of Significance. Non-Significant* 32

New cross culverts will be required between Mission Vineyards Road and Lucy Brown Lane to mimic current flooding patterns now occurring at the highway. This project should also include the installation of a sufficient number of additional cross culverts to safely pass all water with the potential to back up against any proposed new alignments. Once construction details are prepared, a hydraulic analysis needs to be made to assess any changes in profile grade and/or the width of the highway profile, which could result in changes to the existing flood zones. Caltrans intends to engineer this project to separate onsite and offsite drainage. All highway drainage will be disposed of via a new drainage collection system, and all offsite water will flow per the existing drainage patterns. Also, proposed sound walls between The Alameda and Mission Vineyard Road will require special floodplain engineering consideration.

The summary included in this section should be revised to include items from previous comments.

Location Hydraulic Study Report included with Draft EIR/EA

Page 6 of 9. *The proposed project will not increase the base flood backwater elevations by careful hydraulic engineering of the new facility. The risk of flood damage to adjacent property will continue however.* 33

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This text should be changed to note that the proposed facility may increase upstream flooding levels due to the increased length of the bridge. Alternatively, a revised bridge design with less floodplain encroachment could reduce upstream flooding levels. The base flood elevation could be significantly reduced by revising the existing bridge crossing during this project, which could reduce risk of flooding to current structures in the floodplain.

Page 7 of 9 and Page 9 of 9. *Floodplain Description. Additional flooding occurs in an area to the east not depicted on the FEMA flood maps. This is because the natural drainage patterns of the watershed have been altered by local land use practice.* 34

This statement is not correct. The additional flooding occurs in an area located east of the detailed study limit utilized by FEMA and was not included in the original floodplain modeling. If this detailed study limit was extended further east, the lower roadway elevations (approximately 196 feet) along Highway 156 east of Mission Vineyard Road would be included. Preliminary flooding studies by SBCWD included this area. These studies indicated the flood waters at flows lower than the 100-year event would overtop the roadway east of Mission Vineyard Road. The Zone A area shown east of Mission Vineyard Road on the current floodplain maps was an estimated boundary along the existing channel and was not based on any detailed study.

Page 7 of 9. *Hydraulic Data tabled information*

Base Flood (Q_{100})	*206 cms*
100-year WSE at highway	*210-195 feet*
Overtopping Flood WSE (at highway)	*190 feet*

The hydraulic data appears to be incorrect. Based on the most recent FIS, the 100-year flood flow rate at Highway 156 on San Juan Creek was identified as 2,600 cfs (73.6 cms). The 100-year water surface elevation at the highway is 196 feet at the bridge entrance and 199 feet a few hundred feet upstream of the bridge. Based on preliminary studies by the SBCWD, the overtopping flood is about 2,000 cfs (56.6 cms). The overtopping flood level is 196 feet, which will overtop Highway 156 at a low profile area east of Mission Vineyard Road. The bridge deck elevation is about 200 feet.

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Response to the San Benito County Water District

1. Thank you. Caltrans welcomes your comments on the Draft Environmental Impact Report/Environmental Assessment. The primary concerns expressed are noted.

2. During the design phase of the project, Caltrans will prepare a more detailed Hydraulic Analysis to size the new bridge and minimize potential floodplain impacts. Caltrans considered using two ditches to separate the onsite (highway) runoff from offsite (agricultural) runoff, but the current plans for the proposed project include~~s~~ a single ditch, which will convey both onsite and offsite runoff.

3. Changing the floodplain to the original conditions that existed before the year 1962, when the San Juan Creek Bridge was built, has the potential to result in flooding downstream; therefore, plans to redesign the existing San Juan Creek Bridge are not included in the San Benito 156 Improvement Project. In addition, a larger bridge would impact the floodplain by decreasing the floodplain upstream and increasing the floodplain downstream, which would also result in flooding downstream. However, the existing San Juan Creek Bridge could be redesigned in the future if it is part of a flood management project that increases the channel capacity of the San Juan Creek to convey flow downstream of the existing bridge.

4. Caltrans took the many comments provided on the Draft Environmental Impact Report/Environmental Assessment into consideration, including the consideration for a joint flood management project. Most of the information regarding the existing drainage provided by the District was incorporated into the final environmental document where appropriate. Caltrans will prepare a more detailed Hydraulic Report/Analysis as the project design becomes more refined to size the new bridge structure over San Juan Creek but does not expect the project to correct pre-existing regional flooding problems.

5. Regarding the determination that the project would not constitute a significant floodplain encroachment, based on the 2004 Location Hydraulic Study, Caltrans does not consider the proposed project to constitute a significant floodplain encroachment as defined in 23 Code of Federal Regulations, Section 650.105(q) because with careful hydraulic engineering, the proposed project would not increase the base flood backwater elevations.

6. In regards to the Summary Table, the final environmental document has been edited to state, “Does not change pre-existing flooding patterns,” and, “combines on-site and off-site drainage patterns.” Thank you for pointing out our oversight.

7. In regards to the conflicting statements, please refer to Response #6 above for clarification.

8. Preliminary hydraulic analysis requires at least one culvert at Mission Vineyard Road to convey drainage from one side of the highway to the other. During the design phase of the project, the more detailed hydraulic study may recommend other areas needing culverts; however, the project does not include plans to widen the existing bridge opening at San Juan Creek. Please refer to #3 above for additional information.

9. The new collection system refers to constructing a new ditch and not necessarily a new way of storing runoff. Disposal of highway drainage would be accomplished by conveyance, percolation, and evaporation. Caltrans will treat onsite runoff with biofiltration strips. A biofiltration strip is one of the Caltrans Storm Water Management Plan’s approved Best Management Practices to treat storm water. The single ditch will combine the treated onsite runoff with offsite runoff. The ditch will be shallow (3 feet) and will have berms (mounds) to slowdown the flow rate and minimize infiltration. The ditch will not have the capacity to convey the 100-year flow rate, but State Route 156 will be elevated above the 100-year flow elevation, and the ditch will have the capacity to convey low flows, such as the 10-year storm, which would benefit properties adjacent to State Route 156. Although, there is no current plan to combine this project with a major flood management project, the proposed ditches could be enlarged and redesigned to accommodate a joint flood management project in the future.

10. Historically, the project has focused on hydraulics as an important environmental impact and through the years several studies have been completed to address different issues, such as drainage, flooding, the roadway elevation, etc. In reviewing the studies on file, the 27-square-mile figure was used in a preliminary hydraulics report for the project in the year 2000. After consulting with the Caltrans Hydraulics Unit, the final environmental document has been edited to reflect the updated information with a reference. Thank you for bringing the oversight to our attention.

11-14. Much of the information you provided in Comments 11 through 14 has been incorporated into the final environmental document. Thank you for the information.

15. Your comment expresses a concern that the plans to elevate the new alignment may perpetuate ponding and put properties adjacent to the roadway at risk. The profile of the new alignment is not expected to be elevated throughout the entire project and the elevation is not expected to be any higher than 5 feet. Currently, only one culvert is planned for the Mission Vineyard Road area, but Caltrans does not expect the project to worsen the existing flooding conditions. The detailed Hydraulic Analysis prepared during the design phase of the project is expected to identify other areas along the project that may need culverts.

16. The cross sections have been corrected to display the existing pipeline underground and to show the side ditches planned for the project.

    In regards to the offsite and onsite drainage, initially Caltrans considered using two separate ditches, one for offsite drainage (farmland) and one for onsite drainage (highway). However, with consideration to the public comments received on the amount for farmland that would be converted for the project, Caltrans decided to eliminate the offsite ditch and use only one ditch to store both runoffs. The decision to use only one ditch reduces farmland conversion and is expected to be sufficient for small flooding episodes.

17. This comment appears to be similar to comment #30 in regards to the impact to farmland and Section 3.2.2, Significant Environmental Effects of the Proposed Project. Caltrans has combined its response to this comment with comment #30. Please refer to response #30.

18. In regards to comments on Section 2.1.5 Utilities/Emergency Services, the water district's title was corrected in the final environmental document and edited to include the location of the waterlines. We apologize for the oversight and thank your for the additional information. Although we did not add the comment regarding restoration of the existing system and providing suitable right-of-way for systems maintenance to the final environmental document, the comment has been noted. The final environmental document appears to sufficiently address necessary coordination with the affected utilities.

19. In regards to comments on the Visual/Aesthetics – Affected Environment, Impacts and Mitigation, your comment appears to suggest developing flood management facilities to prevent the roadway from overtopping in a the project storm instead of elevating the roadway for prevent flooding. Currently, there are no plans to combine this project with a major flood management project but the proposed ditches could be enlarged and redesigned to accommodate a joint flood management project in the future. The preferred alternative would not be elevated throughout the project limits; and only the areas prone to flooding would require an elevated profile. The elevated areas of the highway would not exceed five feet.

20-22. Much of the information you have provided in Comments 20 through 22 has been incorporated into the final environmental document. Thank you for the information.

23. The final environmental document has been edited so it does not lead the reader to blame the farmer for all flooding in the area. Your comments have been noted.

24. Your comments regarding the bridge opening have been noted. As stated previously, during the design phase a more detailed Hydraulic Study will be completed. The information you have provided will be taken into consideration in the design phase and is very helpful.

    No storm water storage basin is planned for this area at this time.

25. As stated in the environmental document, Caltrans does not consider the proposed project to constitute a significant floodplain encroachment as defined in 23 Code of Federal Regulations, Section 650.105(q) because with careful hydraulic engineering, the proposed project would not increase the base flood backwater elevations. However, your comments are noted and will be taken into consideration in the design phase.

26. Because Alternative 4A was not chosen as the preferred alternative; a response to the comment regarding the perpetuation of the preconstruction hydrologic patterns is felt unnecessary.

    Thank you for sharing that you are reviewing options for reducing flooding in the San Juan Basin north of State Route 156. Caltrans will note your intention for future reference and coordination.

27. In reference to your questions regarding how many cross culverts are planned for the project, please refer to response #8 above for additional information.

28. The draft environmental document is a summary of technical studies and not in it itself a technical study, therefore, some technical details are not included. During the project development phase, plans are developed using the Caltrans Project Planning and Design Guide to ensure there would be no detrimental discharge into receiving waters. Once the sound wall placement is determined, Caltrans will prepare a more detailed Hydraulic Analysis and the details of the new drainage collection system for the project will be addressed. In regards to the description of the new drainage collection system for the project, the details are not (and at this stage, cannot be) finalized; however, Caltrans does not propose any retention basins and, in order to reduce farmland impacts, has decided to combine on-site and off-site runoff into one ditch. Your recommendations for information that needs to be included in the detailed analysis are noted and will be taken into consideration. Thank you for the input.

29. The paved acreage for existing State Route 156 was included in Table 2.9 as you requested. The definitions of storm water quality volume and flow are included in the text of Section 2.2.2 Water Quality and Storm Water Runoff, in the Impacts section. How these quantities will be used to determine best management practices for storm water quality are also included.

30. In regards to Section 3.2.2. Significant Environmental Effects of the Proposed Project, Farmland, your comment appears to suggest that lowering the profile of the new alignment and combining the separate independent storm water management facilities into one ditch can reduce farmland impacts. The preferred alternative has combined the on-site and off-site runoff into one ditch, which has helped reduce the footprint of the project. The project would not be elevated throughout the project limits and only the areas prone to flooding would require an elevated profile, which has helped in the reduction of the footprint and farmland impacts.

    Your comment also appears to suggest the use of storm water retention basins outside the existing project limits, which would require additional environmental studies to determine impacts. Caltrans has determined that the areas suggested for retention basins may carry a lower Natural Resources Conservation Resources Impact Rating, however the use of these areas also have a high potential for

impact to cultural resources due to the historical character of the San Juan Valley and the San Benito River. In addition, two Threatened and Endangered Species have been identified within the project limits and there is a potential to affect habitat for these species along the surrounding waterways.

Caltrans has considered the suggested retention facilities and has determined that work outside the existing project limits may actually result in more substantial impacts to another environmental resource. The suggestion may help reduce the acreage of farmland converted but not to a less than significant level because except for one mile at the beginning of the project, the project area is surrounded by prime and unique farmland.

31. Your comments are noted, and although, there is no current plan to combine this project with a major flood management project, the proposed ditches could be enlarged and redesigned to accommodate a joint flood management project in the future.

32. In regards to Appendix A and Caltrans' determination that the project would have no impact and that no mitigation is necessary, the determination will not be changed. Please refer to response #25.

33. In regards to Appendix I Minimization and/or Mitigation Summary, no editing will be completed because no additional minimization measures are necessary.

33 & 34. In regards to the 2004 Location Hydraulic Study Report, Caltrans will not modify the 2004 report. The data provided by the San Benito County Water District is appreciated and the comments provided will be taken into consideration during the design phase of the project.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

Council of San Benito County Governments, page 1 of 2

October 18, 2007

Bobi Lyon-Ritter
Branch Chief
Caltrans
2015 East Sheilds Avenue, Ste. 100
Fresno, CA 93726-5428

RE: Comments on the San Benito Route 156 Improvement Project

Dear Ms. Lyon-Ritter:

The Council of San Benito County Governments submits this letter for comment on the draft Environmental Impact Report/Environmental Assessment for the San Benito Route 156 Improvement Project.

The Council of Governments unanimously passed a resolution of support for the regions transportation priorities on November 16, 2006. The resolution (copy enclosed) supports State Route 156 between The Alameda and Union Road as four lanes. 1

Additionally, the Council of Governments has identified the San Benito Route 156 Improvement Project in the 2001 Regional Transportation Plan. The goals of the Regional Transportation Plan related to the State highway system are: 2

- Improve all modes of transportation to respond to growing demand for commuter and commodity travel.
- Increase the safety and security of the transportation system.
- Increase the accessibility and mobility options available to people
- Protect and enhance the environment, promote energy conservation and improve quality of life.
- Construct and maintain a highway system that is safe and accommodates well-managed demand from existing and future development

The Council of Governments is also committed to maintaining, to every extent possible, the rural and historic character of the County. Both Resolution 2006-38 and the Regional Transportation Plan identify preservation of prime agricultural land as a goal. 3

Council of San Benito County Governments, page 2 of 2

Ms. Lyon-Ritter
October 18, 2007
Page 2 of 2

Additionally, there are flooding and water issues throughout the San Juan Valley and the Council of Governments recommends that the project adequately address onsite water and allow for the natural flow of water through the Valley. 4

The Council of Governments urges Caltrans to select a project alternative which preserves prime agricultural land while increasing safety and improving mobility for commuters and commodity travel. 5

Thank you for the opportunity to comment on the San Benito Route 156 Improvement Project. If you have any questions, please contact Lisa Rheinheimer, Executive Director, at (831) 637-7665.

Sincerely,

Brad Pike
Vice-Chair

Enclosure: Council of Governments Resolution 2006-38

cc: Susan Thompson, CAO, San Benito County

Response to the Council of San Benito County Governments

1. Caltrans appreciates the support expressed for the San Benito 156 Improvement Project.

2. The goals of the Regional Transportation Plan related to the State highway system are noted.

3. The commitment expressed by the Council of Governments to maintain the rural and historic character of San Benito County, and the goal of preserving agricultural land contained in Resolution 2006-38 and the Regional Transportation Plan are noted.

4. The concerns presented regarding flooding and water issues have been forwarded to Caltrans' Design and Hydraulics Engineering for consideration. During the design phase of the project, Caltrans will prepare a more detailed Hydraulic Analysis to size the new bridge at San Juan Creek and minimize potential floodplain impacts.

5. Caltrans has taken all of the commitments and goals expressed by the Council of San Benito County Governments into consideration.

San Juan Oaks Golf Club, *Scott Fuller, General Manager, page 1 of 1*

"Scott Fuller"
<scott@sanjuanoaks.com>
10/10/2007 09:29 AM

To <bobi_lyon-ritter@dot ca gov>
cc
Subject FW: San Juan Oaks Comments on San Benito Route 156 Improvement Project DEIR

Ms. Ritter:

I'm emailing you on behalf of San Juan Oaks Golf Club regarding the Draft Environmental Impact Report (DEIR) for the San Benito Route 156 Improvement Project. San Juan Oaks Golf Club owns approximately 2,000 acres south/south west of Route 156/Union Road. San Juan Oaks has operated a public golf course on the site since October 1996, and currently has plans to add a resort hotel/spa and residences, with construction commencing within approximately two years. Our comments are as follows:

1. As a business that attracts customers from throughout the region, and that will cater to customers from throughout the world in the future, San Juan Oaks believes the proposed Highway 156 improvements are critical to insuring safe and convenient vehicular movement on this major route. San Juan Oaks supports the widening project, but is concerned that without needed improvements to other regional routes, Highway 156 will be burdened with ever increasing truck traffic. Thus, we urge Caltrans to comprehensively plan for, and obtain funding for, the improvement of other major routes in the region so that truck traffic is properly distributed. 1

2. San Juan Oaks owns several easements in the area of the Union Road/Highway 156 intersection. These include two monument sign easements on the property immediately south of Highway 156 and west of Union Road; storm drain and water line easements on properties both north and south of Highway 156 and west of Mitchell and Union Roads; and roadway and utility easements on the west side of Union Road from Highway 156 to our property's main entrance on Union Road. It appears that Caltrans' proposed improvements will encroach on one or more of these easements and San Juan Oaks wants to maintain the ability to fully utilize the easements in the future. At Caltrans' request, we will provide the recorded copies of these easements. 2

3 San Juan Oaks believes that Alternative 6 best meets the objectives of the proposed project while adequately addressing the environmental impacts of the project. 3

4. Alternatives 2, 4A, and 6 all include some connection to, or modification of, San Juan Hollister Road so that it intersects at a new location at Union Road. Alternatives 2 and 6 appear to create a new four-way intersection with Union Road, while Alternative 4A appears to include realignment of San Juan Hollister Road and a new connection on the east side of Union Road. San Juan Oaks is concerned that these new connections/intersections are close enough to our main entrance/exit driveway at Union Road that they may impact proper channelization and storage on Union Road between our driveway and Highway 156. Caltrans' design for this area needs to allow for proper storage and channelization from San Juan Oaks' main driveway at Union Road to Highway 156. 4

5 San Juan Oaks owns a 60-foot roadway and utility right-of-way from the western portion of our property to Highway 156. This roadway meets Highway 156 just west of the former San Justo School and is currently a dirt road, used by San Juan Oaks, and other landowners and farmers in the area to access the Highway. San Juan Oaks' future development includes the use of this roadway as a paved access to Highway 156. Depending on which alternative is chosen, Caltrans will need to maintain San Juan Oaks' access from our roadway right-of-way to either a paved frontage road with, or directly onto Highway 156. The access onto Highway 156 would be a right in/right out turn only. 5

This concludes San Juan Oaks' comments. Please feel free to contact me with any questions by responding to this email or calling me at (831) 636-6118. Thank you.

Scott Fuller, General Manager
San Juan Oaks Golf Club

Response to San Juan Oaks Golf Club, Scott Fuller, General Manager

1. Your comments of support for the route widening are appreciated. Your concern that State Route 156 will be burdened with an increase in truck traffic when this project is completed has been noted. With or without the project, traffic in general is expected to increase due to planned growth in the surrounding area. Caltrans has proposed comprehensive improvements to other major routes in the region, including State Routes 25 and 152 (See Chapter 1, Section 1.3.3, Comparison of Alternatives, Locally Preferred Alternative). With the completion of proposed improvements to the other major routes in the region, traffic would shift from State Route 156 to the other routes. Caltrans will continue to seek funding for these projects so that all traffic can be distributed.

2. The concerns you expressed regarding the potential for the project's proposed improvements to encroach on one or more of your property easements have been taken into consideration by Caltrans' Design engineering, and efforts have been made to design the project so that it would not hinder the use of these easements. Caltrans appreciates your offer to provide copies of the easements. Thank you.

3. Your preference for Alternative 6, which you believe best meets the objective of the project, has been noted. Alternative 6 was modified to eliminate the curve of frontage road to the north; thereby, maintaining the alignment of the existing State Route 156. The modified Alternative 6 proposes an intersection of Bixby Road and the new alignment of State Route 156 to the south. This change of design was made as a result of public comments received during the public hearings. Caltrans agrees that Alternative 6 meets the purpose and need for the project and adequately addresses the environmental impacts of the project.

4. The preferred alternative is a modification of Alternative 6, which includes realigning San Juan Hollister Road west of Union Road. It would also move the intersection of San Juan Hollister Road and Union Road to south of the intersection of State Route 156 and Mitchell Road/Union Road to provide room for traffic to wait at the intersection's traffic signal. On the west side of Union Road, a frontage road is proposed to provide easement access to the property parcels south of State Route 156. Both of these new roads would intersect with Union Road approximately 450 feet north of the San Juan Oak's main driveway. Caltrans does not anticipate any impact from the construction of the new intersection to San Juan Oak's main driveway.

5. The preferred alternative includes consolidated private driveways (access easements) for the adjacent property parcels on the south side of the expressway. The proposed intersection at Bixby Road would provide access opening to the expressway from the north frontage road and the south access easements, including the dirt road easement used by San Juan Oaks and farmers. The project includes access control, which means the number of access openings on the highway should be held to a minimum. (Private property access openings on freeways are not allowed.) Ordinarily, parcels that have access to another public road or street, as well as frontage on the expressway, are not allowed access to the expressway.

City of San Juan Bautista, page 1 of 6

City of San Juan Bautista

The "City of History"

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City Council
Mayor
Priscilla Hill

Vice Mayor
George Dias III

Councilmember
Bob Paradice

Councilmember
Ed Laverone

Councilmember
Rick Edge

City Manager
Janice McClintock

Fire Chief
Scott Freels

City Clerk
Vacant

City Treasurer
Vacant

City Planner
Matthew Sundt

October 2, 2007

Bobi Lyon-Ritter, Branch Chief
California Department of Transportation
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428

Re: San Benito Route 156 Improvement Project Draft EIR/EA

Bobi:

The City of San Juan Bautista has reviewed the *San Benito Route 156 Improvement Project EIR* prepared by the State of California Department of Transportation (Caltrans), and dated July 2007. Our comments are as follows

GENERAL COMMENTS 1

The EIR is insufficient as it does not reference the historical character of the community and the historic background of the San Juan Valley, which includes the historic De Anza Trail to the south of Highway 156 Please address the historic context of the community in the EIR

The City of San Juan Bautista is an historical town unlike any other historical town in California because of unique circumstances that occurred starting in the late 1800's Consequently, San Juan Bautista is a relatively secluded town with very little evidence of the modernization that has occurred elsewhere in the region

San Juan Bautista was established by the Spaniards as part of their mission program In 1797 the Mission San Juan Bautista was constructed It is the 15th of the 21 missions constructed in what was then known as "Alta California" As was the case throughout California, the Spaniards departed, secularization of church property ensued, the Mexican era followed, and then Chinese, Japanese, and Europeans arrived and redefined the political, cultural and economic landscape Therefore, San Juan Bautista is a confluence of civilizations The City was incorporated by Ulysses S Grant in 1869

The City was located along the El Camino Real and was an important stagecoach stop between Los Angeles and San Francisco The opening of the New Idria silver mine in southeast San Benito County in 1854 was a financial boon to the City By 1860, the City's population reached 3,000 However, San Juan's era of prosperity was short-lived

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City of San Juan Bautista

The "City of History"

A fire in the downtown and smallpox epidemic in the late 1860s halted the town's growth To this day there are empty lots as a result of that fire in the downtown About the same time, the railroad chose Hollister rather than San Juan Bautista for its station Although San Juan Bautista incorporated in 1869, the presence of the railroad in Hollister ensured that it, rather than San Juan, would become the county seat in 1874 By 1900, the City's population had declined to about 400 people The California Department of Finance -- Demographics Unit, reports the City's population as of January 2007 to be approximately 1,825

San Juan's fortunes were revived in 1906 when a Portland Cement plant was established near the mouth of San Juan Canyon south of the town. By 1907, a narrow gauge railroad connected San Juan Bautista to the major rail lines A large number of bungalows were built during the ensuing period, many of which are still standing today In 1929, the depression forced the closure of the cement plant and railroad spur While the plant re-opened after the depression (closed down permanently in, other factors began to shape the City's growth In 1931, Highway 101 opened two miles west of the City, leaving San Juan isolated from the state's main north-south artery

With the establishment of the State Park in 1935, San Juan Bautista's role as a tourist center was born The City's population has grown steadily during the last 60 years, but the town has been bypassed by the growth shaping neighboring Hollister, Gilroy, and Salinas In part due to its slow growth, the City boasts an impressive array of architecture from the 1800's forward

At this time the City of San Juan Bautista has an historic district adjacent to the San Juan Bautista State Historic Park and the historic Mission San Juan Bautista Currently, the City is processing an application for nomination of the Downtown Third Street Historic District as a National Register Historic District Therefore, it is imperative that Caltrans work with the City to the greatest extent possible to assure that this national historic treasure that is San Juan Bautista is adequately protected

In the 1960's Caltrans built Highway 156 that forever changed the City's character by introducing persistent and ever increasing levels of traffic noise Highway 156 also diverted traffic from downtown San Juan Bautista and the new highway was constructed at a higher elevation than the town whereby vehicle noise easily travels over the entire town; there is no place in the town that is not adversely impacted by the highway traffic noise As the highway sits at a higher elevation than the town it is also visible from many places including the historic district, the state park and the Mission Over the last few years, one particular type of motorcycle has become a major contributor to the noise environment The truck and motorcycle noise is relentless and has, unfortunately, redefined the character of the community – it is consistently noisy in San Juan Bautista

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City of San Juan Bautista

The "City of History"

Now the City must contend with another Highway 156 project that will further exacerbate the existing visual and noise impacts by extending the elevated highway The existing conditions are unacceptable for an historic town with structures that are very susceptible to vibrations and, with the proposed project, it is anticipated that more vehicles will be accommodated on Highway 156, thereby further exacerbating the noise impacts.

It is reasonable to conclude that the proposed project will exacerbate the noise impacts to such an extent that tourists will be uncomfortable to such an extent that their numbers will diminish The City is totally dependent on tourism so increased noise levels is a serious economic issue.

Existing Highway 156 is the source of continuous obnoxious noise and it is also an unfortunate defining feature of the City; it is elevated above the City; it is visible from throughout the historic town; it bisects the community thereby making a "safe route to school" impossible; it has also exacerbated drainage problems in the community; and, lastly, it has negatively impacted land values in the City

SPECIFIC COMMENTS

PAGE 3 Figure 1-2 shows the "begin project" to be west of The Alameda However, figures 1-4 through 1-6 on pages 19-21 show the "begin project" to be at The Alameda The project boundary must be properly identified in all the figures in order for the public review process to be fair and legally defensible 2

PAGE 11. Project Alternatives This section includes important information about state and federal law that allows construction of roads in the context of eliminating and/or reducing impacts to parks, recreation areas, historic site of national, state or local significance (read – San Juan Bautista) The City acknowledges this but the EIR must focus more attention on noise impacts associated with new construction as the ensuing comments suggest 3

PAGE 11 Last bullet The project boundary is identified to be between The Alameda and the Hollister Bypass east of Union Road Based on the conflicting graphics referenced above it cannot be determined what is the project boundary 4

PAGE 12 Second bullet This bullet reads "Raise sections of the highway up to five feet to prevent highway flooding" There are two issues of concern: "sections" and "up to five feet" As it pertains to "sections", where are these "sections"? The EIR needs to define exactly where these sections are and then adjust the environmental analysis accordingly, especially as it relates to noise impacts because elevated roads transfer noise differently than at-grade roads 5

Whether the project boundary starts west of The Alameda or starts at The Alameda, raising the road five feet will result in significant noise impacts to residents, students at the San Juan Elementary School and the City's tourism industry, which is the economic engine of the City

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City of San Juan Bautista, page 4 of 6

City of San Juan Bautista

The "City of History"

In the later case the issue I, how can tourism survive in San Juan Bautista if the City is subjected to a continuous and increasing level of noise from the highway? The City is currently subjected to vehicle noise as a result of the existing elevated section of Highway 156 west of the Alameda It appears that Caltrans will add to this noise impact by extending the elevated roadway (**Tie-in to PAGE 76**) Page 76 includes a figure (2-2) that shows the receptors along the proposed new Highway 156 alignment However, the EIR analysis fails to discuss the fact that sound travels great distances and that there will be noise impacts throughout the City especially because the City is at a lower elevation than the proposed project The EIR analysis is therefore inadequate in this regard

As it pertains to "up to five feet", it is not clear whether this is top of grade or top of road surface This is relevant to the noise discussion as there is substantial space between the top of grade and top of asphalt 6

The City's position in the matter of placement of elevated roads is that it should not be adjacent to the City Boundary and the elevated road should be placed far enough distant so that it does not increase noise levels in San Juan Bautista or the viewshed from the Historic Mission Plaza

PAGES 19 - 21. Figures 1-4 through 1-6 do not identify the location of San Juan Creek 7

PAGES 40 – 43. Traffic and Transportation/Pedestrian and Bicycle Facilities There is no discussion as to pedestrian access from one side of town to the other along The Alameda. How does the project affect pedestrian access? What infrastructure exists and what is proposed at this intersection to accommodate pedestrians, especially students walking between the south side of town and the San Juan Elementary School, and whether the project impacts "safe route to schools" What will the mitigations be if there is an impact identified? The City's contention is that highways and pedestrians do not mix at grade The conditions at The Alameda and Highway 156 are dangerous to pedestrians and students, are unacceptable, and must be properly and safely addressed by Caltrans Current pedestrian walkways from south The Alameda to north The Alameda is on the west side of the intersection The school is on the East side of the intersection requiring that children and parents cross The Alameda two times to reach the school 8

PAGES 48-55. Cultural Resources As stated previously, the City is historic It contains a substantial inventory of old structures dating back to the late 1700's. In addition, there are National Historic Register buildings, National Historic Register qualified buildings, and the City has two historic districts to include the downtown Third Street Historic District and the SJB State Historic Park Adjacent to these historic districts is the historic Mission San Juan Bautista Granted these are not within the Highway 156 project footprint but they are subject to impacts associated with highway noise and viewshed alterations

The noise impacts to the historical character of the City must be identified and mitigations provided if warranted The impact of the loss of the last rural mission viewshed must be identified and mitigations provided if warranted 9

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The "City of History"

PAGES 56-61. Hydrology and Floodplain With the new highway alignment there is the need for new drainage infrastructure This is stated on page 58 Associated with this infrastructure will be stagnant water and disease carrying vectors (e g , mosquitoes) How will the EIR address this matter? 10

Another concern relates to inadequate downstream storm water conveyance infrastructure The EIR on page 57 states that hydrological changes have historically occurred related to agricultural land use which has altered the natural drainage patterns of the area The EIR discusses the existing poor drainage system and that it is the result of local farmers changing the historical and natural drainage system so as to level the ground for farming, thus constraining the historic and natural flow The EIR then states on page 58 that the project will take care of its own impacts regardless of existing conditions and indicates that Caltrans will not correct pre-existing regional flooding problems In effect, the EIR states there to be an existing problem for which Caltrans does not claim responsibility The status quo is thus maintained The City does not agree with this as it would be detrimental to the City of San Juan Bautista 11

There is currently insufficient drainage capacity under the highway in the area of Highway 156 and The Alameda and this is not related to what farmers are doing downstream It is instead related to inappropriately sized culverts installed by Caltrans when Highway 156 was first constructed and not altered in a meaningful way later during subsequent changes to the highway A particularly representative example is the drainage culvert that collects drainage water from the southside of the highway and discharges to the north side of the highway in the area between the Windmill Market parking lot and the highway Until recently this culvert was plugged because of the lack of maintenance Though it appears to have been recently cleaned out in the area where the pipe daylights on the northside of the highway, it cannot be determined if the entire length of the pipe was cleaned out Regardless, the existing pipe was undersized as a result of insufficient hydrologic engineering by Caltrans resulting in under estimating the potential stormwater flow. Furthermore, there is inadequate storm water flow downstream of the Highway 156 infrastructure which is the result of inadequate engineering, planning, maintenance, and downstream control Therefore, stormwater associated with the existing Highway 156 through town just sits and it floods This is a pre-existing condition created by Caltrans when it constructed the existing highway Undersized pipe and inadequate downstream channels to accommodate this drainage must be addressed in the EIR and Caltrans must resolve this pre-existing problem 12

An additional example can be found at the San Juan Creek bridge Due to the lack of maintenance this underpass was allowed to silt up, which then caused reduced stormwater capacity Because of improper maintenance, Fish and Game has determined that the situation that exists has existed for such a long time that the silt can no longer be removed This ongoing condition is unacceptable and must be fixed by Caltrans as part of any future Highway 156 work 13

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The "City of History"

PAGE 64 – 66. Hazardous Materials The EIR must consider the matter of soil disturbance related to the project and DDT. DDT was used in the valley prior to its use becoming unlawful in the early 1970s. What are the Caltrans contingencies related to this extremely toxic environmental poison and the possibility that disturbing the soil will release more of the toxins? 14

PAGES 73 – 88. Noise This matter has been discussed at length above. In addition, the EIR noise section must be expanded to quantify the existing noise environment that exists in the City as a result of traffic noise on Highway 156. The City contends that the EIR noise analysis is insufficient in describing the impacts to historic San Juan Bautista and mitigation, if necessary. In addition, trucks traveling on Highway 156 are reported to cause vibration in the classrooms adjacent to San Juan Elementary School and the Breen Adobe (identified as receptor #4 on page 77). Damage to structures from vehicle vibration, especially one-of-a-kind historical structures, must be addressed 15 16

Recommended mitigations:

1. Drop the grade of the existing Highway 156 between The Alameda to the east and Monterey Street to the west. This would significantly reduce traffic noise impacting the City. This would also allow Caltrans a convenient source of fill material for the other sections of highway to be elevated up to five feet above existing natural grade east of the City limits 17
2. Install signs on Hwy 156 regarding engine brakes and motorcycle noise
3. Require that heavy trucks travel around San Juan Bautista through the Bolsa

PAGES 87 – 104 Biological Environment. Refer to comment regarding DDT above 18

This concludes the City's comments on the *San Benito Route 156 Improvement Project EIR*. The City looks forward to the Final EIR and public meetings that will resolve the issues we have identified herein. Should you have any questions, you may reach me at 831-623-4661. 19

Sincerely,

Janice L. McClintock

Janice L. McClintock, City Manager

Copy to: City Council; Planning Commission; San Benito County COG; City Planner

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Response to the City of San Juan Bautista

1. Thank you for your comments. Please keep in mind that the Draft Environmental Impact Report/Environmental Assessment is a summary of many technical studies over time, and while the draft environmental document does not necessarily discuss the historical character of the community and historic background of the San Juan Valley in detail, the various technical reports for Cultural Resources include this information.

   Your letter eloquently describes the rich historical heritage of San Juan Bautista, which is understood and appreciated by the Caltrans staff that conducted the technical studies for the San Benito 156 Improvement Project. In making its project assessments, Caltrans made appropriate distinctions between, and among, four separate entities: the San Juan Bautista Historic District, the City of San Juan Bautista, the San Juan Valley, and the project's Area of Potential Effects. This is not to say that these areas are mutually exclusive, but neither are they synonymous.

   One of the first steps taken at the beginning of Caltrans cultural resource studies is to determine the location and nature of historic properties within a one-mile radius of a project study area. This process, along with in-depth research into local history, allows Caltrans to delineate or identify an Area of Potential Effects—in other words, the area within which historic properties may be directly or indirectly affected by the project. Caltrans believes that the City of San Juan Bautista's Historic District is well buffered from both the direct and indirect effects of the proposed project, which is why this area was not included in the project's Area of Potential Effects. Caltrans also recognizes that the City of San Juan Bautista regards the entire city, including the areas south of State Route 156, as important historical resources. Caltrans understands that important historical resources can and do occur outside the boundary of the designated Historic District, and throughout the San Juan Valley, which is why particular properties such as the Wilcox House, the Avilla House, the Breen Adobe, the former San Justo School, and the former Ferry-Morse Seed Company were included in the project's Area of Potential Effects. The findings of the extensive archaeological and built-environment studies conducted by Caltrans were presented in the Historic Property Survey Report produced in connection with the proposed project. As a result of these studies, numerous design modifications have been made to avoid adverse impacts to the historical resources located along the State Route 156 corridor.

Caltrans has made a good faith effort to be informed about the needs and wishes of the residents of the City of San Juan Bautista, as expressed at a variety of public information meetings, in planning documents (such as the Historic San Juan Plan), and as codified in municipal ordinances concerning historic preservation and local values. The opinions most strongly expressed in these various formats include a desire to promote economic viability without compromising the rural, small-town atmosphere. Caltrans has been identified (and identifies itself) as a partner in securing the economic and environmental well being of the public and takes its responsibilities of stewardship very seriously.

In proposing the San Benito 156 Improvement Project, Caltrans is not only attempting to preserve and protect the historic resources of the City and the San Juan Valley, but is also trying to maintain the economic health of northern San Benito County while meeting the needs of people traveling locally and regionally along the State Route 156 corridor. Caltrans is confident that it is doing what it can to secure the economic vitality of the City of San Juan Bautista, the San Juan Valley, and San Benito County.

2. You are correct in pointing out that Figure 1-2 shows an incorrect “Begin Project” designation. The project does not begin west of The Alameda, and Figure 1-2 has been corrected.

3. Based on comments received from the public, the final environmental document includes more discussion on noise impacts where appropriate.

4. The “conflicting” graphic was addressed in Response #2 above. The last bullet has the correct boundaries for the project.

5. The project requires raising segments of the highway, but the exact location of all of these segments cannot be determined until the final design phase of the project. However, based on preliminary designs, State Route 156 will not be raised within the city limits of San Juan Bautista; therefore, residents, students at the San Juan Elementary School, and the City’s tourism industry would not be affected by a raised profile. The majority of the raised profiles would be located toward the eastern portion of the new alignment, and were considered during environmental analysis; therefore, no adjustments are necessary.

6. In regards to the height of the raised profile ("up to five feet"), the height refers to the top of the roadway from the existing ground level. Based on preliminary designs, it appears the highway may only be raised between 3 and 4 feet.

7. In regards to the labeling of San Juan Creek, the final environmental document design maps were revised and the creek is indicated.

8. Your concern regarding pedestrian access is noted. Please know that the project makes no changes to the existing pedestrian access on State Route 156, but safety is a top priority with any Caltrans project. Currently, there are pedestrian crossings on The Alameda north and south of State Route 156, and on the west side of State Route 156. The existing pedestrian crossings are consistent with requirements of the Americans with Disabilities Act and provide sidewalks with ramps for wheelchairs. According to Caltrans Maintenance and Operations, the existing design for the pedestrian crossing was put into place because the predominant destination for pedestrians coming from the residential area (southwest corner of the intersection) was the market (northwest corner of the intersection) and the school (northeast corner of the intersection). The pedestrian crossing is currently timed with the higher volume of southbound traffic. If the crosswalk were moved to the east side, the pedestrian crossing would be timed with the low volume of northbound traffic, which would increase delay time. Currently, pedestrians make one crossing to the market (State Route 156) and another to the school (The Alameda). Moving the pedestrian crosswalk to the east side of the intersection would require pedestrians from the southwest corner to cross The Alameda twice to get to the market. However, the number of street crossings to the elementary school would be the same no matter what side of State Route 156 the crosswalk is placed on. Therefore, moving the crosswalk does not appear to be beneficial-and is not recommended.

9. In regards to the noise impacts to the historical character of the City of San Juan Bautista, the 2002 Historic Property Survey Report completed for this project considered the potential impacts from noise, vibration, and visual changes to the community and individual historic structures. The project is not expected to have a substantial noise impact to the city because, as noted in several public responses, the source of the noise impact appears to be the elevated portion of State Route 156 west of The Alameda. On or about October 12, 2007, a meeting was held between representatives from the City of San Juan Bautista and Caltrans. Among the items discussed was the feasibility of a sound wall on the

State Route 156 Overcrossing bridge at Washington Street in San Juan Bautista. As a result of that meeting, Caltrans performed an initial assessment to find out whether the overcrossing could carry the load of a sound wall, and the study determined that structural modifications would be required. Caltrans recommended an engineering analysis (which could be quite costly) to determine the extent of the modifications, and suggested the Council of San Benito County Governments or the City of San Juan Bautista seek Transportation Enhancement funding for such a project.

As stated in Response #5, the portion of State Route 156 within the city limits of San Juan Bautista would not be elevated; therefore, no substantial increase in noise is anticipated from this project. In regards to the concern expressed for the loss of view from the San Juan Bautista Mission plaza, site visits were made to the plaza to determine whether the project's location and height would affect the view. No effects are expected.

10. In regards to a new drainage infrastructure, please see responses to the San Benito County Water District of this document for discussion. Safety is a top priority with any Caltrans project, including public health; therefore, any drainage structure constructed would be maintained to avoid standing water that could become stagnant.

11. In regard to the statements related to an inadequate downstream storm water conveyance infrastructure, the statement made that Caltrans does not claim responsibility for the existing drainage problems and that the project would maintain status quo is correct. The San Benito County Water District expresses the same concern for hydrology and floodplain impacts. Caltrans does not expect the project to worsen the existing flooding conditions but it does not expect the project to correct the existing flooding conditions, either.

12. The final environmental document has been edited to include information provided by the San Benito County Water District in regards to the existing drainage of the area. There is no current plan to combine this project with a joint flood management project; however, Caltrans has not ruled out this proposal for the future.

13. Comments regarding the inadequate drainage at The Alameda and State Route 156 have been forwarded to Caltrans Maintenance Division to assess the problem because the issue is outside the scope of this project. Based on the outcome of the

assessment, Caltrans may address the drainage problem with additional maintenance or propose a separate project.

14. The project requires the construction of a new bridge over San Juan Creek, which is under the jurisdiction of the California Department of Fish and Game. Any streambed alterations require formal consultation and a permit from that agency. During the design phase of the project, Caltrans will prepare a more detailed Hydraulic Analysis to size the new bridge and minimize potential floodplain impacts; however, changing the floodplain to the original conditions that existed before the year 1962, when the San Juan Creek Bridge was built, has the potential to result in flooding downstream; therefore, Caltrans does not plan to redesign the existing San Juan Creek Bridge (see responses to the San Benito County Water District for further discussion).

15. The January 2005 Initial Site Assessment completed for this project included agricultural pesticide applications, and a review of practices and spill information available through Environmental Data Resources, Inc., a database information system for toxic chemical spills and accidents. Pesticides and herbicides applied to cropland have a short half-life and do not pose a risk unless spilled in large quantities. No agri-chemical spill or accidents were reported for the project study area. Typically, Caltrans does not test for DDT because up until the 1970s it was used legally. However, in response to your concern, the shelf life of this poison is anywhere between 2 and 15 years depending on its dilution at the time of application; therefore, it would be anticipated that the substance is at less than 25 percent of its potency. Disturbing the soil will not release any toxins into the air.

16. The project is not expected to have a substantial noise impact on the city because, as noted in several public comments, the source of the noise impact cited is the elevated portion of State Route 156 west of The Alameda, which is outside the scope of this project. The concerns expressed for the existing noise environment in the City as a result of the traffic noise on State Route 156 west of The Alameda have been forwarded to the Branch Chief of the Central California Environmental Engineering Branch for evaluation. Chapter 3 of the Draft Environmental Impact Report/Environmental Assessment addresses potential noise impacts from the project and provides an explanation of significance under the California Environmental Quality Act. Based on the data gathered from the noise study completed for the project, it was determined that there would be no significant noise impact from the project under the California Environmental Quality Act

(see Chapter 3, California Environmental Quality Act Evaluation in the Draft Environmental Impact Report/Environmental Assessment for further discussion).

17. The 2002 Historic Property Survey Report completed for this project considered the potential impacts from noise and vibration to the historic structures identified within the project limits, including the Breen Adobe. It was determined that the project would have no effect on six of the seven identified eligible historic structures within the project limits, including the Breen Adobe, and no adverse effect to the seventh identified historic structure, the Ferry-Morse Seed Company. Concurrence was received from the State Office of Historic Preservation on this determination on March 28, 2008.

    In addition, the 2002 Noise Study, and 2007 update, determined that the existing noise level at the Breen Adobe was 3 decibels over the Caltrans *Traffic Noise Analysis Protocol* noise abatement criteria of 67 decibels. Without the project, by the year 2030, the noise level was predicted to increase to 73 decibels due to an increase in traffic volume and congestion. However, with the project, the noise level would remain the same at 70 decibels, since by increasing the capacity of the roadway, traffic would not be congested. Sound abatement was modeled and determined unfeasible for this receptor. The predicted noise level could be reduced to 67 decibels, but abatement is only considered feasible if the noise levels can be reduced by at least 5 decibels or more.

    In regards to the San Juan Elementary School and the reported vibration in the classrooms, the 2002 noise study, and 2007 update, determined that the project would increase the noise level by 3 decibels, which is considered barely perceptible to the human ear. The Noise Study determined that the noise level would approach 67 decibels with the project and abatement should be considered. However, discussions between Caltrans and officials from the San Juan Elementary School revealed that the school does not want barriers constructed along the existing State Route 156.

18. The recommended mitigations have been forwarded to the Traffic Operations for consideration; however, numbers 1 and 3 are outside the scope of this project.

19. In regards to DDT and the biological environment, please see response #14 on the previous page.

20. Caltrans welcomes your comments and cooperation. The Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact includes clarification of some of the concerns expressed; however, there are no public meetings planned.

Section 3.0 Individuals

E-Mail received from Tarasa "Penny" Bettencourt

"Tarasa \"Penny\" Bettencourt" <betten15@charter.net>
10/14/2007 07:45 PM

To <bobi_lyon-ritter@dot.ca gov>
cc
Subject Widen 156 SBC

I have lived in Hollister for 35 years. I have had the good fortune to have worker in Hollister while raising my two children It is a lot easier to parent by phone knowing you can get to your kids within minutes. I always said I would accept less pay to work local. Easy to say when you already have a well paid position with a local company.

But after eleven years with the same company and my children pursuing their own careers I found myself looking for something better. When you have outgrown your local position, you do have to move up and OUT. Let's face it, San Benito County is limited when you are at the height of your earning years I never dreamed I would be a commuter. But yes I now travel each day to Salinas where I am the controller for a sizable produce company.

I never took my short drive to work for granted and really try to make the best of my new routine to work each morning. **I must say that I am very excited about any proposed improvements for 156 from Hollister to San Juan Bautista**. Seven AM each morning, approaching 156 from Union Road, I can expect four-six light changes before I can make my left turn onto 156 Even worse is the long stream of vehicles at the end of the day, especially Friday, trying to get back to Hollister Sometimes one can not even move forward with a light change in San Juan Bautista because the traffic is backed-up from Union Road.

Needless to say I am FOR adding lanes to 156 between Hollister and San Juan Bautista. At the same time I respect the needs of those people who live and work along 156. In studying the proposed plans, I would only hope that the powers that be settle on a good balance between safety and convenience for both the commuters and local residents and workers 1

I thank you for all your hard work on this project.

Respectfully,

Tarasa D. Bettencourt

Response to Ms. Bettencourt

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and we would like to assure you that we are taking all submitted comments into consideration.

1. We appreciate hearing your favorable comments for this project. Although safety is a top priority for Caltrans, we also respect the needs of the people who live and work along State Route 156, as well as those who have to commute or use the highway for regional transportation. We think we have settled on a good balance in choosing the preferred alternative, Alternative 6 as modified.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

E-mail received from Mark Dickson

Mark Dickson
<mcd@paxil.stanford.edu>
10/05/2007 12:37 PM

To bobi_lyon-ritter@dot.ca.gov
cc
Subject san benito county projects

Hi bobi

i'm against pretty much all the projects in san benito county as planned. here's my suggestions. make an over pass at union road instead of widening the road and destroying farmland. the problem is the stoplight there that affects traffic, not the number of lanes. and the traffic is mostly restricted to 2 time windows, mostly on friday afternoons. 1

highway 25. basically your plans will allow an eventual 8-lane highway, along with the ridiculous development right there at 101 and 25. leave it alone. 2

our problem is the state government madating growth based on revenue needs from converting low property tax land to high property tax land, mostly in the form of housing. the more money we give you the more you spend, it's that simple.

we don't need more residents in hollister, we need more higher wage paying jobs so 75% of us don't have to commute. it is a false assumption to keep building houses and industry will come.

but, you guys will do all this anyway, because, well, you just can't fight government. sick how it is so much a part of our lives at this point.

just peein in the wind

Mark Dickson
60 Harbern Way
Hollister CA 95023
408 505 1622 cell
831 636 7280 residence

Mark C. Dickson
mcd@shgc.stanford.edu
Stanford Human Genome Center
975 California Ave.
Palo Alto, CA 94304
(650) 320-5829

Response to Mr. Dickson

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and we would like to assure you that we are taking all submitted comments into consideration.

1. In regards to your suggestion of an overcrossing at Mitchell Road/Union Road and State Route 156, according to the 2006 Traffic Analysis Report, the two-lane conventional highway is currently operating at a Level of Service E, which means drivers are spending most of their time following a vehicle at a speed about 10 miles per hours slower than the posted speed limit of 55 miles per hour. Without the proposed project, by the year 2014 traffic is expected to be congested, and by the year 2034, the road would operate at a Level of Service F, in a congested condition with considerable delays. Therefore, an overcrossing would not alleviate congestion.

2. In regards to the proposed project on State Route 25, your comments were forwarded to the Associate Environmental Planner, Central Region's Sierra Pacific Environmental Analysis Branch, for consideration.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

E-mail received from Tod duBois, page 1 of 1

"Tod duBois"
<tod-dubois@cwnet.com>
10/14/2007 08:09 AM

To <Bobi_lyon-ritter@dot.ca.gov>
cc
Subject comments for Hwy 156 Draft EIR

>
>
> CalTrans Hwy 156 Draft EIR
> Bobi Lyon-Ritter, Branch Chief, California Department of Transportation,
> 2015 East Shields Avenue, Suite 100, Fresno, CA 93726-5428
>
> RE: Hwy 156 Draft EIR Comments
>
> Dear EIR Team
>
> Enclosed are comments to the draft EIR for Hwy 156
>
> The greatest problem are the large trucks, with the Hollister Bypass of a
> decade ago and the coming flyover at 156/152 as well as this widening
> project the truck traffic has and will increase substantially. Therefore
> the noise level through San Juan will exceed allowable levels for
> single-family residential housing all along Hwy 156 through San Juan
> Bautista. 1
>
> This must be properly mitigated to lower noise level in and around the
> area of Hwy 156 from Muckelemi to the Alameda in San Juan Bautista
> (entrances to the City). 2
>
> Please see enclosed acoustical engineers comments to the EIR. Let me know
> if you have any trouble opening the .pdf document attached. 3
>
> Thank you,
>
>
> Tod duBois and Hwy 156 San Juan Bautista Residents
>
>
> Enclosures:
> 1. Review of Noise Section by Edward L. Pack Associates
>
> Tod duBois
> duBois Redevelopment

> www.silverartscohousing.com
>
> Tod duBois and Hwy 156 San Juan Bautista Residents
> PO Box 1210
> San Juan Bautista, CA 95045
>
>

Pack Comments to 156 EIR 39-032-A.pdf

Response to Mr. DuBois

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and we would like to assure you that we are taking all submitted comments into consideration.

1. Unfortunately, truck traffic is expected to increase with or without the project, and with the increase in the numbers of vehicles, including trucks, noise would be expected to increase, also. The noise study completed by Caltrans determined that of the 27 receptors tested along State Route 156, 19 of them already experience a noise level approaching or exceeding the noise abatement criteria of 67 decibels. Without the project, these residents would experience an increase in noise by at least 3 decibels. With the construction of the project, however, because traffic would be moved away from the majority of these receptors, the noise level would actually decrease.

   The Federal Highway Administration approved Caltrans Traffic Noise Analysis Protocol ("Protocol") as California's Official Noise Policy on August 16, 2006. The Protocol was developed in accordance with accepted federal and state noise policy (See "Appendix D" to "Protocol.") According to Caltrans Traffic Noise analysis Protocol (August 2006), a substantial increase in noise levels occurs when project design-year noise levels (20 years after the completion of a project) increase by 12-decibels on the A-weighted scale (dBA) over existing noise levels. Because the project is on the state highway, the 12-dBA (L_{eq}) increase is used as Caltrans significance criteria under CEQA. The L_{eq} descriptor represents the steady-state equivalent noise level.) Since no sensitive receptor on the project will experience an increase of more than 5-dBA L_{eq}, the project will cause no significant noise impact under CEQA.

2. Others citizens have expressed concerns regarding noise in the areas west of The Alameda and unfortunately, these issues are outside the scope of the San Benito 156 Improvement Project. However, the concerns expressed have been forwarded to the Central Region Environmental Engineering Branch Chief for consideration.

3. Thank you for sharing the acoustical analysis on the Draft Environmental Impact Report/Environmental Assessment from Edward L Pack and Associates, which follows this section**.**

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

DuBois Attachments:
Edward L. Pack and Associates, Inc., page 1 of 5

EDWARD L. PACK ASSOCIATES, INC.

1975 HAMILTON AVENUE
SUITE 26
SAN JOSE CA 95125

Acoustical Consultants

TEL: 408-371-1195
FAX: 408-371-1196
www packassociates com

October 11, 2007
Project No. 39-032-A

Mr. Tod DuBois
DuBois Redevelopment
P O. Box 1210
San Juan Bautista, CA 95045

Subject: Review of the Noise Section of the Draft Environmental Impact Report for the San Benito Route 156 Improvement Project

Dear Mr DuBois:

This letter will provide you with my review of the Noise Section of the Draft Environmental Impact Report for the proposed San Benito Route 156 Improvement Project in San Benito County. Ref. (a)

This review does not include a review of the separate "noise study" that was prepared as a technical document for the EIR but was not included with the report. A review of the "noise study" should be performed as it could provide further enlightenment to the issues raised in this review.

The EIR Noise Section does not provide enough technical information to check or confirm the bases of the findings. There also seems to be some inconsistencies and loose ends within the report The noise study may contain the necessary information to tie the loose ends together

Below are my comments:

1) Table 1.1 – ADT's without the project (I have provided the expected change in the noise exposure). 1

2005	24,700	
2011	26,513	+0.3 dB
2030	32,258	+1.2 dB.

MEMBER ACOUSTICAL SOCIETY OF AMERICA NATIONAL COUNCIL OF ACOUSTICAL CONSULTANTS

Edward L. Pack and Associates, Inc., page 2 of 5

The report does not state where on Highway 156 these volumes occur. The report also states an 8% truck mix. The historical data I used in the sound reports for your projects, which came from CalTrans, reveals a 14% truck mix. Is there some internal inconsistency with CalTrans data? The above traffic volume increases are relatively minor, but do not conform with historical growth rates. Are the projected ADT's different with the project?

2) CalTrans uses a peak-hour L_{eq} criterion of 67 dBA. This has been a problem for years. CalTrans uses a rule-of-thumb methodology that the peak-hour L_{eq} is equivalent to the Day-Night Level (DNL), which sometimes it is, but more often is not. Even so, a 67 dB DNL noise exposure for residences in this type of area (more rural rather than urban, high density) is pretty high. It's a poor way to look at the noise environment, particularly if there's a fair amount of nighttime traffic. I remember when Highway 85 was built in Santa Clara County. The County insisted that the design criterion be reduced to 63 dBA $L_{eq}(h)$. This necessitated very high soundwalls, but a lot of people were still very unhappy. The soundwalls basically worked particularly for residences just behind the barriers, but because of the parallel barrier configuration, residences farther away and uphill realized a reflective sound component from the far barrier. In addition CalTrans used a grooved concrete surface that was very noisy. These phenomena were not addressed in the environmental documents. I had been hired by a few different entities to review CalTrans's work at that time, and I found it less than adequate. Most local jurisdictions use 60 dB DNL as the residential standard. CalTrans should adopt this as their design guideline. At least it will take nighttime noise into consideration. 2

3) The report states that a 12 dB increase is the threshold of significance adopted by CalTrans to be used for CEQA purposes. This is an inappropriate value. A 12 dB increase is extreme. CEQA does not quantify the threshold of significance. This is left up to the local jurisdiction, and as for the most part is +3-5 dB, depending on the ambient conditions. I know of no documentation, evidence, studies or research that states that a +12 dB increase is appropriate for a threshold of significance. 3

Edward L. Pack and Associates, Inc., page 3 of 5

- 3 -

4) The report needs to define how the project would or would not cause an increase or decrease in noise. Is it from increased traffic that would otherwise not occur without the project? Is it from a change in road surface, vehicle speeds, physical parameters such as lane re-location, or what? It doesn't say. Although these might be addressed in the noise study, the EIR should provide this information, even for the layperson, so that the public may know what to expect. 4

5) How would the project affect areas outside of the project boundary, such as your sites west of The Alameda? It may not have any effect, but at least they should address this. 5

6) The report says that noise levels were measured using Sound32, which is based on FHWA 77-RD-109. It should be 77-RD -108. Sound32 is a computer model, which does not "measure" anything and which has limited input parameters. The program is not consistently accurate. It is not reliable as an absolute design/prediction mechanism. I stopped using it years ago and developed my own program based on historical data that seems to be much more accurate and I can input any parameters I wish. Did they do any on-site measurements? Where and when? Is this in the noise study? 6

7) The noise level data tables show that with the Build alternatives, the noise levels will be lower than with the No-Build alternative. How? What will the project incorporate that will reduce noise compared to doing nothing? 7

The things that must be taken into consideration regarding traffic noise are:

vehicle volumes, vehicle speeds, topographic effects, road surface, truck mix, distances to travel lanes

Edward L. Pack and Associates, Inc., page 4 of 5

If congestion is relieved, traffic noise will usually go up as speeds increase. But this is only right at the location of the congestion point. In addition, as the road is improved and traffic volumes increase, the overall noise environment will increase, possibly significantly. However, when using the peak-hour L_{eq}, the noise level during that peak-hour will likely not change. The hour just shifts to a different time. The "not-quite" peak hours are not taken into consideration even though they may have a significant effect on the overall noise environment, especially at night.

It must be realized the Highway 101 is one of the three main thoroughfares connecting Southern California with Northern California for truck based shipping. Studies of traffic noise on Highway 101 reveals that many trucking companies prefer to drive at night when there are fewer conflicts with automobiles. Highway 101 carries a very high nighttime truck mix. Highway 156 is a branch of Highway 101. Therefore, it is reasonable to assume that much of the heavy truck traffic to and from Highway 101 via Highway 156 does and will occur at night. It is imperative that nighttime noise be addressed, as people are more sensitive, hence adversely affected, to noise at night than they are during the day.

For roadway improvement projects, the first you think of is: Are they adding lanes to the median or to the shoulder? If they're adding lanes to the median, the centerline (which is virtual noise source to two-way traffic) doesn't change and the near lanes don't get any closer. So, there is usually no change in noise due to the physical roadway. But, if the roadway is widened substantially in relation to a setback (the near lane gets a lot closer), then the noise levels from the near lane can be more controlling in the overall noise environment. This is actually more uncommon of an occurrence.

New pavement often reduces noise as it is usually smoother. However, if a rougher pavement is planned, it will likely increase noise levels.

Minor elevation variations usually don't have much effect, but increasing a line-of-sight to the road after grading will cause an increase. Raising the road is usually better for receptors very close and right along the road as the line-of-sight is reduced. However, receptors at greater distances may end up with a better line-of-sight to a raised road.

Edward L. Pack and Associates, Inc., page 5 of 5

Lastly, I reviewed the report preparers, and not to take anything away from anyone, but I didn't see anyone with real acoustics/noise control expertise on the list. Not saying that they don't know what they're doing, but the way the report is written, I can tell that the author doesn't seem to have the acoustical engineering background that they should.

In conclusion, my opinion is that the report is mediocre. There is not enough technical information so that the people who may be affected by the project can feel comfortable that CalTrans has covered all of the bases. I think there are too many holes to satisfy any real questioning.

The Noise Section of the EIR should be re-written to provide clear and concise descriptions of the findings (project-generated impacts), recommendations to resolve project-generated impacts, if any and expected results after implementation of the mitigation measures. On-site measurement data (or at least a synopsis of the data) should be presented. Measurements of the actual conditions in the area are mandatory. When discussing noise levels, a location without a distance to the source yield meaningless information.

If you need any additional information or would like an elaboration on this report, please call me.

Sincerely,

EDWARD L. PACK ASSOC., INC.

Jeffrey K. Pack
President

Attachment: Curriculum Vitae of Commenter

Ref. (a): San Benito County Route 156 Improvement Project, San Benito County, California, District 5 – SBt – 156 – PM 3.0/R8.2 05-344900, "Draft Environmental Impact Report/Environmental Assessment", Prepared by the State of California Department of Transportation, July 2007

Response to Mr. Pack

Thank you for your interest in the San Benito 156 Improvement Project. Your comments are appreciated and will be taken into consideration. It is unfortunate that the technical noise study completed for the project was unavailable for your review before submitting your comments. It is Caltrans practice to make the study available upon request, and when the Draft Environmental Impact Report/Environmental Assessment was circulated for public review in August 2007, Caltrans provided copies of the technical studies to the San Benito County Public Libraries in Hollister and San Juan Bautista for public review. Copies of these documents should be catalogued along with the draft environmental document at these facilities.

The draft environmental document summarizes the systematic examination of the likely impacts of the proposed project on the environment and ordinarily does not provide all the technical information. However, in response to the inquiries proposed in the analysis, with assistance from the Caltrans noise specialist, an attempt to clarify the technical information follows.

1. In regards to the volumes of Annual Average Daily Traffic, sections of the final environmental document (Sections 1.2.2.1 and 2.1.6) have been updated to reflect the 2006 Annual Average Daily Traffic, the traffic volume anticipated by the construction year (2014) and the traffic volume anticipated for the design year (2034). The noise study, however, was completed in July 2007 using 2005 traffic volumes, which was the most recent data available at the time the technical report was being written. The noise analysis used traffic volumes with a 2005 existing year and 2030 design year.

   According to the 2005 Annual Average Daily Truck Traffic on the California State Highway System, 14.3 percent of the vehicles in the AADT are trucks. Average annual daily vehicle percents are as follows: autos 85.8 percent, medium trucks 4.5 percent, and heavy-duty trucks 9.7 percent.

   Caltrans Traffic Analysis Branch reports that the peak hour traffic that normally occurs twice daily (in the morning and afternoon) consists of a slightly lesser volume of truck traffic than the average daily traffic. The Traffic Analysis Branch only considers vehicles with three axles and larger as "trucks" in their traffic analyses, while the Noise Analysis Branch includes medium duty trucks, (those having two axles with dual rear tires) in their noise analyses. As stated above,

heavy-duty trucks (3+ axles) make-up about 9.7 percent of the average annual daily traffic (AADT).

Your calculations are correct that an approximately 30-percent increase in volumes represents about a 1 A-weighted decibel (dBA) increase in noise levels. However, with the proposed realignment, traffic will be moved differing distances away from existing receptors, thus resulting in some receptors having lower predicted values in the 2030 build condition than in the (2030) no-build condition. Three alternatives were originally proposed for the project. The project noise study used the alternative with the highest volumes (Alternative 6) for future noise calculations. By doing this, the noise study analyzed, and recommended abatement for the highest expected noise levels that the project might produce. Alternative 6 (modified) is now the preferred alternative.

2. In regards to Caltrans use of peak hour Leq(h) (the equivalent sound level) criterion of 67 decibels, Caltrans noise reports are required to follow the latest version of the *Caltrans Traffic Noise Analysis Protocol, 2006*. The required noise descriptor is the peak hour Leq(h), which represents the steady state equivalent of the time varying noise level over the period of measurement. Ldn (day-night level) and Community Noise Equivalent Level (CNEL) are noise descriptors that assess a penalty for noise levels that occur at night. By using the peak-hour traffic noise hour volumes (the noisiest traffic period where traffic volumes are below the highway's capacity), noise abatement is designed to handle the highest noise levels that would occur within the project limits.

3. In regards to the 12-decibel increase as the threshold of significance adopted by Caltrans for purposes of the California Environmental Quality Act, it is true that other jurisdictions use a lower increase for their significance criteria. The term "significant" is specific to the California Environmental Quality Act and it does not solely determine whether noise abatement is required. The noise study completed for this project determined the decibel increase would not exceed 5 decibels. Further discussion can be found in Section 3.2 Discussion of Significant Impacts.

4. The noise section of the environmental document is necessarily brief and is not intended to be a technical document; however, you make a very good point and the final environmental document has been edited to include the explanations.

5. Caltrans objective in the noise study is to minimize impacts on receptors within about 300 feet of roadway, where the most severe noise impacts occur, and where sound walls would be effective. Sound walls are the main method that Caltrans has to minimize traffic noise impacts.

6. The noise prediction program that was used for the technical study was approved for use at the time that the predictions were done. On all new projects since 2006, Caltrans noise specialists have been required to use the Federal Highway Administration's Traffic Noise Model. The current version of that program is 2.5. Onsite noise measurements were taken and used to calibrate the noise model. Noise abatement is based on peak-hour traffic noise impacts in the future year and their increase over existing (peak-hour) noise levels. Future year traffic noise levels can only be modeled. Because of the uncertainty of ascertaining and measuring noise levels in the peak hour, 2006 peak-hour impacts were also modeled.

7. We have attempted to make the explanation, as you suggested, as part of the final environmental document. Please see response #4 above.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

E-mail received from Richard Edge, page 1 of 1

"Richard Edge"
<redge@apr.com>
10/15/2007 04:27 PM

To <Bobi_lyon-ritter@dot.ca.gov>
cc
Subject Public Comment on the EIR for HWY 156 widening

Date: October 15, 2007
To:
Bobi Lyon-Ritter
Branch Chief
California Dept. of Transportation
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428
Bobi_lyon-ritter@dot.ca.gov

RE: Public Comment on the EIR for HWY 156 widening

Widening Highway 156 will increase truck traffic through the city of San Juan Bautista because this will be a better alternative compared to others available to truckers. As these trucks sit at the stop light at 156 and The Alameda they will produce diesel exhaust. San Juan School is right at this intersection and the children will be affected by this exhaust. I believe there is a state law prohibiting diesel trucks from idling near a school. This problem should be studied by the Regional Air Quality Control Board yet the EIR states you did not involve them. Why not? 1

Widening 156 will increase traffic through San Juan Bautista and the more traffic the more noise. The EIR does not adequately or completely address this issue. 2

A new east-west route must be found or 156 will become that route and the historic nature of San Juan Bautista will be changed forever. Cal-Trans was challenged in Carmel over the planned Hatton Canyon freeway and cancelled their plans. I don't believe the 156 EIR is complete enough to withstand legal challenge. Perhaps more study should be done to avoid spending taxpayer dollars on defending incomplete EIRs. 3

I am also a member of the San Juan Bautista City Council and would appreciate additional study of this subject before taking further action.

Thank you for your consideration.

Rick Edge

Realtor®, e-PRO®
Quality Service Certified®
Alain Pinel Realtors
Junipero between 5th & 6th, PO Box 7249, Carmel, CA 93921
831-620-6131 Direct, 831-622-1050 Fax
MailTo:Rick@RickEdge.com, http://www.RickEdge.com <http://www.rickedge.com/>

Response to Mr. Edge

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and we are taking all submitted comments into consideration. Caltrans hopes the responses adequately address your concerns.

1. In regards to the inquiry as to why there was no involvement by the Regional Air Quality Control Board, the Monterey Bay Unified Air Pollution Control District is the agency with jurisdictional control of the basin's air quality, which was classified as "in attainment/unclassified" for all federal air quality standards. If the project is located in an attainment/unclassified area for all current federal air quality standards, conformity requirements do not apply. However, concerns expressed for diesel trucks idling near the San Juan Elementary School resulted in a meeting between Caltrans and a representative for the Monterey Bay Unified Air Pollution Control District in November 2007. Please refer to response #3 to the Monterey Bay Unified Air Pollution District, in this document for additional information.

2. In regards to traffic noise in San Juan Bautista, the project in itself is not expected to have a substantial noise impact to the city and where there is an expected increase in noise, abatement has been proposed. Based on the planned development in the surrounding areas, traffic would increase with or without the project and the area you appear concerned with is outside the scope of this project.

3. In regards to a new east-west corridor, please refer to Chapter 1, Section 1.3.3, Comparison of Alternatives, Locally Preferred Alternative where additional information has been included on the 3-in-1, east-west corridor proposal and similar proposals for highway improvements that would avoid the San Juan Valley. Caltrans is investigating other proposals, but at this time, the San Benito 156 Improvement Project has been approved and funded by the Council of San Benito County Governments through its construction. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region. Preliminary studies show that commuters heavily travel State Route 156 from Hollister traveling east and west, while State Route 25 offers a more northern route. Proposed improvements to State Route 25 would eventually shift traffic from State Route 156 to other routes, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored.

E-mail received from Lou Fiori, page 1 of 1

"Lynn and Lou Fiori"
<fiorisjb@sbcglobal.net>
10/11/2007 08:27 PM

To <bobi_lyon-ritter@dot ca gov>
cc
Subject San Benito County156 Highway Improvement Project

Having attended the Public Hearing at San Juan Bautista Grammar School (09/25/2007) there are a few extremely important items that I would like you to be aware of "for the record"

The 156 overpass at Washington St &156 is located where it is due to Frank Avila having been a CalTrans Engineer at the time;you can check the properties owned by the Avilla's & Nylands (Not a bad thing, it's just what happened)
This overpass was built there as an underpass access to Avila/Nyland properties for their cattle business

Highway 156 through San Juan Bautista only became a Truck Route because of the Hollister bypass Prior to that incredible decision, Highway 25 was the secondary route after 152 into Gilroy.Highway 156 must not be the east west truck route!!!
At the intersection of The Alameda & 156, Diesel Rigs run through the intersection light every day (every day)

The solution is for the Truck traffic to run highway 25 or 152 while the ingress and egress at Highway 25 are redone to facilitate long range projections of transport traffic efficiency,as well as commuter/tourist/ local traffic 1
Make Highway 25 the central states main east-west corridor

Can you imagine the carnage of a school bus accident at the Alameda due to a Diesel rig (80000lbs) running the light and slamming into a school bus? With all the potential variables for constructing this road improvement, how can educated people arrive at the conclusion to encumber San Juan Bautista; A California Mission City with the major East West Truck Route for Central California?

Perhaps the Governor would understand better if he did a fly over on Friday evenings during the summer season around 4:30 to 5:30 pm Or your crew could provide him with film

The Aromas San Juan School District is responsible for the safety and well being of the students, the district buses transport in regular or HCD capable buses.Please consider the Life Safety Issues completely Please consider the safety of our children Please consider the Historical significance of our community and its importance to the central coast 2

Main Street in San Juan Bautista (Third Street) is "Not a Truck Route" because of the fragility of the Historical District

What do CalTrans Surveys or Studies show the estimated Pollution Level increases generated by Trucks and Backed up traffic at the
Alameda & 156 to be? What is the long range effect these higher pollution levels are having on our children and the citizens of our community? How does the increased air pollution effect our elders? 3

The decisions made must reflect a 5,10,15,25,50 year plan for the future of our great State of California and for the Mission City of San Juan Bautista Please choose wisely and with respect for those of us whose lives will be forever affected

Thank You, Louis A. Fiori
Father,Veteran,Native Californian
Aromas San Juan School Board Member

Response to Mr. Fiori

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and Caltrans hopes that the following responses adequately address your concerns.

1. In regards to a new east-west corridor, please refer to Chapter 1, Section 1.3.3, Comparison of Alternatives, Locally Preferred Alternative where additional information has been included on the 3-in-1, east-west corridor proposal and similar proposals for highway improvements that would avoid the San Juan Valley. Caltrans is investigating other proposals, but at this time, the San Benito 156 Improvement Project has been approved and funded by the Council of San Benito County Governments through its construction. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region. Preliminary studies show that commuters heavily travel State Route 156 from Hollister traveling east and west, while State Route 25 offers a more northern route. Proposed improvements to State Route 25 would eventually shift traffic from State Route 156 to other routes, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored.

2. Safety is a priority for Caltrans and your concern for the safety of the school buses has been noted. Caltrans has not received any written comment from any of the school districts in the area about the project. The San Benito 156 Improvement Project does not include plans to make any changes to The Alameda intersection. However, in October 2007, Caltrans met with representatives from the City of San Juan Bautista and the Council of San Benito County Governments to discuss several concerns. These included reducing noise generated from trucks using their jake-brakes, eliminating truck parking, changing speed limits, and addressing noise complaints in the vicinity of the Washington Street Overcrossing, and The Alameda intersection, which are all outside the scope of the San Benito 156 Improvement Project.

   The discussion in regards to The Alameda intersection included the City's long-term plan for developing the area south of State Route 156 along The Alameda and the desire for long-term options to improve the entrance to the City and improve overall connectivity across State Route 156. Funding, of course, for any project is an issue and Caltrans encouraged the City and County to seek funding

through a Transportation Planning grant to explore their ideas further in connection with their Specific Plan development.

Caltrans has made a good faith effort to be informed about the needs and wishes of the residents of the City of San Juan Bautista. Caltrans recognizes the importance of the City's tourism industry and the City's need to maintain its historical character. In proposing the San Benito 156 Improvement Project Caltrans is not only attempting to preserve and protect the historic resources of the City and the San Juan Valley but is trying to maintain the economic health of northern San Benito County while meeting the needs of people traveling locally and regionally along the State Route 156 corridor.

3. In regards to air pollution from truck and backed up traffic at The Alameda, please refer to responses to the Monterey Bay Unified Air Pollution Control District. In regards to the long-range effects from air pollution due to backed up traffic, the project is expected to relieve congestion and improve the level of service; therefore, there should be less back up and less idling time.

Comments from Wanda Guibert and attachments (7 pages), Page 1 of 4

Wanda Guibert
P.O. Box 173
San Juan Bautista, Ca 95045
831.623.1672

California Dept of Transportation

2015 East Shields Avenue, Suite 100

Fresno, CA 93726-5428

October 12, 2007

Dear Caltrans Officials:

As Chair of the San Juan Bautista Historic Resources Board and member of the Planning Commission and the San Juan Bautista Historical Society, I **urge** you to re-consider the alternatives to widening San Benito Route 156, which would have such a devastating impact on the "City of History," contrary to Caltrans' assertions in the draft EIR.

This plan would, in essence, cut through the heart of San Juan Valley and the middle of San Juan Bautista, separating the Mission City in two. This proposal would pave approximately 99 acres of prime agricultural land (Caltrans statistics) and forever compromise the beauty and quality of life in this pastoral valley, which seems frozen in time. 1

The City's website (http://www.san-juan-bautista.ca.us/) proudly claims: "*...City of San Juan Bautista is nestled in the heart of the noted San Juan Valley between the Gabilan Mountains and Flint Hills. Rich with* ***culture and history****, San Juan Bautista offers her residents and visitors a refreshing* ***small town atmosphere*** *filled with the* ***charm and character of the past****... From the grandest church in a chain of 21 Franciscan missions to an old Indian cemetery with more than 4,000 bodies buried in sacred ground and even the home of a former member of the Donner Party, San Juan is a* ***unique spot where California's many layered past comes together****.*"

There are a number of compelling reasons to oppose the widening of this highway through the bucolic San Juan Valley:

- Diesel exhaust from the passing truck traffic is a serious health risk to children attending San Juan Elementary School, located on the northwest corner of the intersection of Highway 156 and The Alameda (see photograph on p. 153, Appendix G), and would be exacerbated by the proposed five-foot-high elevated highway (four lanes wide plus a wide median and shoulders, and two two-lane frontage roads.). 2
  However, **Section 2.1.4.1** (*Community Character and Cohesion*) *Affected Environment > Impacts* on page 34 of CalTrans draft EIR states:

Comments from Wanda Guibert, page 2 of 4

Wanda Guibert
P.O. Box 173
San Juan Bautista, Ca 95045
831.623.1672

"No change in the quality of life is expected except a safer highway with safer access and intersections."

This finding is contrary to the following evidence:

- On its October 11, 2007, *Morning Edition* program, NPR aired a story entitled *California Seeks School Sites Far from Freeway* (transcript attached), which reports "Lawmakers and scientists agree that building schools close to freeways is a bad idea. The concern is air pollution and the impact it can have on young lungs." http://www.npr.org/templates/story/story.php?storyId=15143656&sc=emaf

3

- "Andre Nel, chief of nanomedicine at the David Geffen School of Medicine at UCLA and co-director of the Southern California Particle Center, said, 'Ultra-fine particle numbers are highest on and around freeways and in experimental studies appear to have much higher levels of the damaging chemicals that are found to have health effects.'" http://www.californiahealthline.org/articles/2007/9/25/Health-Experts-Warn-Against-Schools-Built-Near-Freeways.aspx?topicID=49#

- "Scientists from both UCLA and USC have been studying the health effects of freeway contaminants in recent years and have found that they are significant. A report released in February said that children who live near freeways are more likely to suffer from decreased lung function than those who do not live near them." http://www.latimes.com/news/local/la-me-freeways24sep24,1,4824480.story?coll=la-headlines-california&ctrack=5&cset=true

- "SB 352 (Escutia) prohibits a local educational agency from approving acquisition of a school site within 500 feet of a busy roadway unless the air quality at the site does not pose a health risk to pupils or staff." http://www.sacramento-tma.org/legup.html

By the same token, a busy roadway should not be built within 500 feet of a school site!

- " The City of San Juan Bautista was recently designated a **Preserve America** community. *Preserve America* is a federally-funded White House initiative that encourages and supports community efforts **to preserve and protect our priceless cultural, historical and natural heritage.** Having a four-lane highway bisect San Juan Bautista, "The City of History," as Caltrans proposes does **not** comply with the Preserve America Executive Order 13287, which "... promotes intergovernmental cooperation and partnerships for the preservation and use of historic properties and directs federal agencies to increase their

Comments from Wanda Guibert, page 3 of 4

Wanda Guibert
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knowledge of historic resources in their care and to enhance the management of these assets." http://www.preserveamerica.gov/EO.html

- Pursuant to The City's duty to safeguard its residents' health, safety and welfare, the General Plan addresses many aesthetic issues, which would be seriously compromised by the proposed widening of Route 156:

  - Community Design Element ("its goals are among the highest of City priorities"), which devotes a section to "landscape" as follows:

    The landscape around San Juan Bautista is as much a part of the City's character as the historic buildings within the City itself. Ridges and distant hills are San Juan 's "skyline," providing picturesque backdrop for the town and natural landmarks for orientation. ..... (p. 8-2.)

  - The City's "Natural Landscape" Goal 0-1 is to "**minimize disturbance of the scenic landscape**" (p. 5-12) and Community Design Element goals **include preserving scenic roadways as well as visual qualities of the surroundings**. The City's General Plan notes further under "Gateways" at p. 8-5:

    Gateways are significant points of entry into a community. They can help shape the identity of a community and provide a clear sense of its boundaries. Because they often provide the first impression of a community, gateways represent an important opportunity to convey a positive and lasting image. At this point in time, the major gateways to San Juan Bautista are located on Highway 156. Entering the community from either direction on the highway, in absence of "strip" development, scenic views of farms and wooded hills, and sweeping curves of highway enhance the sense of arrival for visitors. The lack of billboards and commercial uses along the highway distinguish San Juan from other cities in the area and prepare the visitor for a step back in time.

I urge you to re-consider some of the viable alternatives to widening State Route 156, included in the draft EIR, particularly the option of widening Highways 25 and 152 through the Bolsa. Thank you for your time and consideration of my letter.

Comments from Wanda Guibert, page 4 of 4

Wanda Guibert
P.O. Box 173
San Juan Bautista, Ca 95045
831.623.1672

Sincerely,

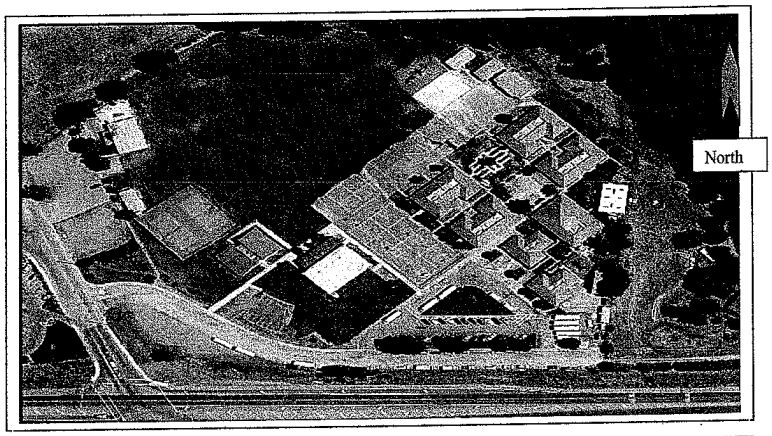
Wanda M. Guibert

Wanda M. Guibert
Chair, SJB Historic Resources Board
Member, SJB Planning Commission
Member, SJB Historical Society

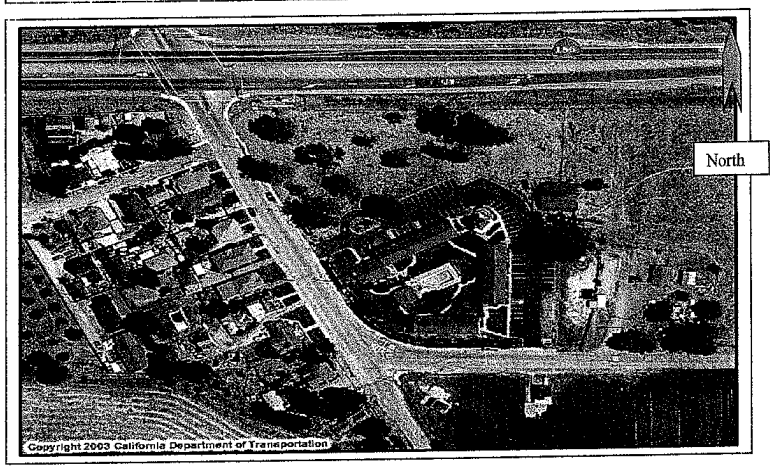
attachments

Attachments from Wanda Guibert, page 1 of 7

Appendix G Photographs at The Alameda and Mission Farm RV Park



The San Juan Elementary School north of State Route 156 and east of The Alameda.



The single-family residential development west of the project limits and the hotel south of State Route 156 on The Alameda.

Attachments from Wanda Guibert, page 2 of 7

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California Seeks School Sites Far from Freeway

October 10, 2007 from Morning Edition

STEVE INSKEEP, host: Lawmakers and scientists agree on this. Building schools close to freeways is a bad idea. Nobody wants young people breathing all that air pollution. So it's a nice thought, but if you're in Los Angeles, just try to find a site that is not near a freeway.

NPR's Mandalit del Barco reports.

MANDALIT DEL BARCO: A small road, a metal fence, and a concrete barrier are all that separate the Santa Monica freeway from the playground at Marvin Avenue Elementary School.

This is where 10-year-old Arianna Lopez and her schoolmates play at recess.

Ms. ARIANA LOPEZ (Student): It worries me because we're breathing pollutionary(ph) air from the cars; it's like we shouldn't be so next to the freeway.

DEL BARCO: Lopez worries about her best friend who has respiratory problems, and Noma Ramirez(ph) frets about her seven-year-old son, Alex.

Ms. NOMA RAMIREZ (Mother of Alex): As soon he came to the school, he started sick with the breathing problem - asthma. And I think is the reason because the school is right next to the freeway.

DEL BARCO: UCLA Public Health Professor John Froines says freeway contaminates are a definite threat.

DR. JOHN FROINES (University of California, Los Angeles): We now associate particles with asthma and allergic airway disease, cardiovascular disease, and atherosclerosis, lesions in the heart. These small particles penetrate into the brain - oh, and lung cancer.

DEL BARCO: Such findings were the basis of a state law passed four years ago to limit where all new public schools in California could be built. Still, L.A. is constructing five new public schools less than 500 feet away from freeways. And officials are considering even more.

(Soundbite of noise)

DEL BARCO: For example, two new high schools under construction in downtown L.A. are a stone's throw from the 101 and 110 freeways

Ms. MONICA GARCIA (President, Los Angeles Unified School District Board): LAUSD is in the middle of the largest public works program in the country.

DEL BARCO: School board President Monica Garcia says after three decades of building nothing, L.A. Unified is now trying to play catch-up.

Ms. GARCIA: We're building a hundred and fifty schools in a period of eight years. Absolutely in the middle of an urban area where traffic and congestion as part of our daily life, we have issues around the quality of air. And particularly there are some communities that are surrounded by freeways.

Attachments from Wanda Guibert, page 3 of 7

DEL BARCO: So the choices of where to build new schools are limited, says L.A. School Superintendent David Brewer.

Mr. DAVID BREWER (Superintendent, Los Angeles Unified School District): We clearly do not want to build schools in a hazardous area within, say, 500-1,000 feet off the freeway. But let's face facts: we're in Los Angeles. This is freeway city.

DEL BARCO: Already, 92 L.A. public schools violate the legal limit, says Angelo Bellomo, who heads the School District's Office of Environmental Health and Safety.

Mr. ANGELO BELLOMO (Office of Environmental Health and Safety): We can't regulate, directly regulate the freeway emissions. But we can limit exposure to students that are in our schools by placing a buffer between the active portions of the campus and the freeway. That's one method. Another method is to rely on the fact that our students spend a majority of their time indoors. And so if we can enhance the standard ventilation and filtration equipment, we can improve the quality of air for the time that they're spending indoors.

Dr. FROINES: Yeah. You can close the windows and you can do all that, but it's not going to make the health problem go away.

DEL BARCO: Dr. Froines, who heads UCLA's Pollution Prevention Education and Research Center, says school officials are making a big mistake.

Dr. FROINES: Yes, L.A. is freeway city, but they should be saying to themselves, how can I get schools as far away as possible? Not how can I not follow the law and find excuses to justify it?

DEL BARCO: In the coming months, L.A.'s school board will decide whether to begin construction on at least two more schools near the 110 Freeway that runs the length of the city.

Mandalit del Barco, NPR News.

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Attachments from Wanda Guibert, page 4 of 7

A service of the California HealthCare Foundation
CaliforniaHealthline
The Daily Digest of News, Policy & Opinion

September 25, 2007

Health Experts Warn Against Schools Built Near Freeways

School campuses being built near freeways in Los Angeles have prompted warnings from health experts who have linked road pollutants to asthma and other respiratory illnesses, the *Los Angeles Times* reports.

The Los Angeles Unified School District currently is building five schools within 500 feet of freeways and is considering building two more facilities.

These campuses are in addition to the nine schools that the district has opened near freeways since 1997.

A 2003 state law prohibits school districts from building campuses within 500 feet of a freeway, unless the district can lessen the risk posed by air pollutants or prove that it has space limitations.

To obey the state law, the district approved air filtration systems to eliminate harmful pollutants

However, health experts argue that filters cannot eradicate ultra-fine particles, which have been linked to asthma and bronchitis in studies.

Andre Nel, chief of nanomedicine at the David Geffen School of Medicine at UCLA and co-director of the Southern California Particle Center, said, "Ultra-fine particle numbers are highest on and around freeways and in experimental studies appear to have much higher levels of the damaging chemicals that are found to have health effects."

State law does not explicitly require districts to address ultra-fine particles in health evaluations, according to officials.

Angelo Bellomo -- head of the district's Office of Environmental Health and Safety, which conducts the evaluations -- said that recent studies have led him to institute a buffer of at least 200 feet between schools and freeways.

Bellomo said that a study found that ultra-fine particles are most prevalent within the first 200 feet of a major road

Along with the buffer, Bellomo's office also recommended that the two proposed school sites adopt air filtration systems and reduce outdoor activity when air quality is poor.

Jim Gauderman, a USC researcher who found a link between proximity to freeways and increased asthma and decreased lung function in children, said a safe distance to a freeway has not yet been determined, but he noted that he found significant harmful effects on children who lived more than 1,600 feet from such roads (Larrubia, *Los Angeles Times*, 9/24).

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Attachments from Wanda Guibert, page 5 of 7

Los Angeles Times latimes.com.

The Children's Health Fund brings health care and children together.

The Children's Health Fund

http://www.latimes.com/news/local/la-me-freeways24sep24 1,4824480 story?coll=la-headlines-california&ctrack=5&cset=true
From the Los Angeles Times

Schools still rise close to freeways

L.A. Unified continues to build near roads that spew pollution despite a state law and evidence of health hazards.

By Evelyn Larrubia
Los Angeles Times Staff Writer

September 24, 2007

Despite a state law that seeks to prevent schools from being built near freeways and mounting evidence that road pollutants harm children's lungs, the Los Angeles Unified School District is in the process of adding seven new schools to the more than 70 already located close to highways.

Last year, more than 60,000 L.A. Unified students attended school within 500 feet of a freeway, records show.

A 2003 state law prohibits school districts from building campuses within 500 feet of a freeway, unless the district can mitigate the pollution or determines that space limitations are so severe that there are no other options. In Los Angeles, officials say their choices have become more and more limited.

As the district undertakes a $20-billion school construction and modernization program, officials have considered a number of sites close to freeways. The district is now building five schools on lots that are within 500 feet of them.

In the coming months, the Board of Education will decide whether to begin construction of two more: Central Region Middle School No. 9 at Euclid Avenue and 7th Street, near Interstate 10, and Central Region High School No. 15, at 2100 Marengo Street, adjacent to the 10 near the interchange with the 5 Freeway. Those campuses are in addition to the nine L.A. Unified charter and regular district schools that have opened near freeways since 1997.

As the construction program continues, the Board of Education could be facing more such decisions.

School board President Monica Garcia, in whose district both pending schools are located, said through a spokesman that she was concerned about children's health, but that she would support the new campuses if the district was able to mitigate the dangers.

Carlos Estrada owns a small market and restaurant across from Los Angeles County-USC Medical Center, where the district wants to build a high school. It could be a lucrative deal for Estrada, but he's not interested.

Estrada, who grew up in that East Los Angeles-area neighborhood, has nothing against new schools but said he has a big problem with the district building one on this particular site, roughly 90 feet from the 10 Freeway.

"I don't want to be one of those people who went ahead and sold the property because they want the money. My wife and I don't need the money," Estrada said. "I personally don't want a school that's going to harm the health of the children."

Scientists from both UCLA and USC have been studying the health effects of freeway contaminants in recent years and have found that they are significant. A report released in February said that children who live near freeways are more likely to suffer from decreased lung function than those who do not live near them.

One of the main culprits, researchers say, seems to be ultra-fine particles, noxious specks that are so light and tiny that they're hard to capture or filter.

"Ultra-fine particle numbers are highest on and around freeways and in experimental studies appear to have much higher levels of the damaging chemicals that are found to have health effects," said Andre Nel, chief of nanomedicine at the David Geffen School of Medicine at UCLA and co-director of the Southern California Particle Center.

A study by the California Office of Environmental Health Hazard Assessment found increased asthma and bronchitis among San Francisco Bay Area children who attended schools near major thoroughfares.

The problem is not limited to Los Angeles. According to the South Coast Air Quality Management District, 2.3% of California public schools -- about 170 -- are located within 500 feet of high-traffic roads, those that carry more than 50,000 vehicles per day.

The vast majority of the L.A. Unified schools situated within 500 feet of a freeway were constructed before 1977. In some cases, the freeways were built after the schools.

In the two decades that followed, the district built 24 schools, but did not build that close to freeways again until it embarked on its current bond-funded construction program.

Of the schools opened near freeways in the last 10 years, the first was the Watts Learning Center, a high-performing charter. That school opened on the site of a former church near the 110 and is one of five charters built within 500 feet of a freeway in the last decade.

During that time, the district itself has opened four schools that close: Hesby Oaks in Encino; Olympic Primary Center in downtown Los Angeles;

Attachments from Wanda Guibert, page 6 of 7

West Adams Preparatory High School, just west of downtown; and the Bellevue Primary Center in Silver Lake.

"I think local schools are really, really important, and I believe in public schools," said Marsha Rose, 50, a state vocational rehabilitation counselor who lives near Hesby, a K-8 school. "But I think it's so important for them to have activities that are active and healthy, and I think it's really hard when they build it that close to the freeway."

Hesby was an older school that for several decades was used as administrative offices. In need of classrooms, the district decided to remodel and reopen it as a school. The interchange of the 101 and 405 freeways looms behind the play yard.

At a 2004 public meeting, Rose told district officials that she was worried about the health effects of freeway pollutants on children who would attend the school.

"They said they could override [the law] if there was a need for schools," said Rose, who does not have children. "But I think for the health of all of our children, if you have information, you need to deal with it."

A 2004 district assessment of the Hesby site predicted that at least one contaminant would be present at three times the limit and recommended upgrading the heating and ventilation systems to filter out pollutants. The district made the upgrade.

The assessment did not discuss ultra-fine particles, which cannot be filtered. But state law does not limit the presence of those particles. Nor does it explicitly require that districts address them in health evaluations, officials said.

In addition to the new schools already opened, the district is building five within 500 feet of freeways, campuses that were approved by the board between 2001 and 2006:

* Central Los Angeles High School No. 1 in Hollywood, adjacent to the 101 at the former site of the Metromedia Fox Studio.

* Central Los Angeles High School No. 9, replacing an old high school turned district headquarters at 450 N. Grand Ave. in downtown, off the 101.

* Vista Hermosa, formerly known as Belmont High School, in downtown, off the 110.

* East Valley Area New High School No. 1A and Valley Region Middle School No. 3, on Arleta Avenue, bordering the 170, in Sun Valley.

The district was not required to analyze the effects of air pollution from nearby freeways until the 2003 law took effect. For each of the schools under construction, the district concluded that air filtering would eliminate enough of the toxins to make the school safe for children.

That's partly because, as in the Hesby analysis, the district did not address the ultra-fine particles that researchers believe cause the most harm.

Angelo Bellomo, head of the district's Office of Environmental Health and Safety, which conducts the health studies, said recent scientific reports have prompted him to reassess how his office evaluates sites near freeways. Now, he said, all of the analyses discuss ultra-fine particles.

Because of this, he said, he recently instituted a buffer of at least 200 feet between schools and freeways. He arrived at that figure because a study showed that ultra-fine particles are most prevalent within the first 200 feet from a major roadway.

Bellomo's office's analyses of the two pending schools near freeways indicated that they both suffered from significant pollution and recommended three steps to mitigate damaging effects: air filtering, reduced outdoor activity when air quality is particularly bad and a 200-foot buffer from the freeway.

He concedes that even with those measures, children and school employees still would be exposed to more contaminants than they would otherwise.

He said that if the school board wants to build on the edge of a freeway anyway, it will have to find that the benefits outweigh the health risks.

"It would be very difficult to justify such a finding," Bellomo said. "We are trying to do a better job dissuading the real estate agents from even looking at properties that are close."

Jim Gauderman, the lead researcher on a series of USC studies that found increased asthma and decreased lung function in children who lived near freeways, said science has yet to pinpoint how close to a freeway is too close. But he found significant detrimental effects on children who lived up to 500 meters away -- slightly more than 1,600 feet.

He said air filters are no panacea. "They're not going to work on ultra-fine particles, and they're not going to work on gases," he said. "They're only going to work when the kid is inside. The minute the kid steps out or starts playing P.E. and breathing heavy, they're not going to be useful."

"It just makes sense that if you're going to have children spending a lot of time in a location and you know that location is polluted -- and I don't care if it's air, water or whatever -- that you would try to avoid that situation at any cost. Those kids are going to be there at four, five, seven years. That's a lot of time when you accumulate it."

The district has not addressed whether to protect the children and staff at the dozens of existing schools that are close to freeways. The schools are clustered in East Los Angeles and the northeast San Fernando Valley, areas with more than their share of both freeways and poverty.

Bellomo said his office is considering what to do about existing schools. The best solution, he said, is stricter regulation of freeway contaminants because it would protect not only the students but also the thousands of residents along those traffic corridors.

When Amalia Campos enrolled 5-year-old Claris Perez at West Vernon Elementary in South Los Angeles this summer, a form asked whether her daughter had any chronic health problems. "Asthma," she wrote.

Campos didn't know about the effects of freeway pollution. No one at the year-round school, which borders the 110 Freeway, told her about the

Attachments from Wanda Guibert, page 7 of 7

studies, she said. But then, neither did the doctors who diagnosed and have treated Claris' asthma since she was 2. "They should let parents know about the risk," said Campos.

Claudia Garcia was standing outside the campus recently, waiting to pick up several children whom she cares for after school.

She had heard about the studies regarding the health effects of road toxins.

"The truth is, I wouldn't want my daughter going here because of that. I'd like to find her a better school," she said, looking down at Clara Hernandez, 3. "Maybe I'll move."

evelyn larrubia@latimes.com

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PARTNERS: kttv CW Hoy

Response to Ms. Guibert

Thank you for your interest in the San Benito 156 Improvement Project. Your comments are appreciated and will be taken into consideration. Caltrans hopes that the following responses adequately address your concerns.

1. In regards to the comment expressed that the project would separate the City of San Juan Bautista in two, the existing State Route 156 already separates the City between The Alameda and Mission Vineyard Road and approximately one mile of the city limits runs from The Alameda to Mission Vineyard Road. The existing highway already has six lanes on the east side of The Alameda: eastbound has two lanes and westbound has four lanes (two through lanes, one left-turn, and one right-turn lane). Although the project would widen this segment of the existing roadway, no additional right-of-way is needed within approximately the first mile of the project and the project would not elevate the roadway within the city limits.

   In regards to the conversion of farmland, any widening of State Route 156 cannot avoid converting farmland, but Caltrans has reduced the amount of farmland needed by narrowing the medians; thereby, reducing the farmland that would be acquired to 145 acres, of which only 47 acres would be paved. Caltrans does not want to compromise the beauty and rural setting of the San Juan Valley, and anticipates an improved roadway will enhance travel time for tourists, and make the historic city a preferred destination, as well as provide a safer route for farmers, locals, and interregional traffic to use.

2. In regards to diesel exhaust from truck traffic, Caltrans met with a representative from the Monterey Bay Unified Air Pollution Control District in regards to the potential adverse impacts to the San Juan Elementary School and the surrounding areas of The Alameda and State Route 156. It was determined that the project is not moving traffic any closer to any of these facilities; therefore, potential diesel effects to these facilities would not change with the construction of the project. In regards to the elevated profile of the highway and its impact on the same area mentioned above, the highway would not be elevated between The Alameda and Mission Vineyard Road.

3. In regards to the comment regarding the quality of life not changing, Caltrans was referring to the fact that the City already has a four-lane expressway through the City limits and that the traffic volumes, with or without the project, would not change. However, by providing an improved roadway with opportunities to decrease the conflict between slower- and faster-moving traffic, the residents of

the City should experience a better roadway with safer access. By removing the congestion the area is experiencing, the diesel emissions from following slower-moving traffic and idling are expected to decrease.

4. In regards to minimizing disturbance of the scenic landscape, Caltrans proposes to work cooperatively with the local community planning guidelines and incorporate mitigation measures into the final project design. The City has shared its long-term plan for developing the area south of State Route 156 along The Alameda intersection and the desire for long-term options to improve the entrance to the City and improve overall connectivity across State Route 156. Funding, of course, for any project is an issue and Caltrans encouraged the City and County to seek funding through a Transportation Planning grant to explore their ideas further in connection with their Specific Plan development.

5. In regards to alternative east-west routes, Caltrans has proposed comprehensive improvements to other major routes in the region, including State Routes 25 and 152. Please refer to Chapter 1, Section 1.3.3, Comparison of Alternatives, Locally Preferred Alternative, and response # 5 to Ms. Prader in this document.

6. Comments Received from Colleen Johnson, page 1 of 1

"Colleen Johnson"
<cbj@devrieslawgroup.com>
10/15/2007 10:33 AM

To <Bobi_lyon-ritter@dot.ca.gov>
cc
Subject

Dear Ms. Lyon-Ritter,

I write to you today to address CalTrans' proposed Highway156 expansion. It is tragically unfair of CalTrans to destroy the idyllic and historic town of San Juan Bautista with the only east-west thoroughfare in northern California. This thriving community has hundreds of years of history, beautiful scenery, peaceful and well-kept neighborhoods as well as involved and active organizations, churches, schools and family activities. Building this highway through the San Juan Valley and through San Juan Bautista would destroy the quiet insulation of our town, drive out the positive elements and leave only depressed property values which will transform our beautiful bedroom community into a slum. 1 2

This proposed major truck route, with all of its noise and pollution would be better suited further north and east, closer to Highway 25, where there are no quaint, historic towns, and very few homes to be disturbed by this monstrous intrusion

As a ten-year resident of San Juan Bautista, I implore you to reconsider the impact your plans would have on our homes, our community and our lives. This mission town deserves a reconsideration of your plans, budgets and policies.

Sincerely,

Colleen Johnson

DE VRIES LAW GROUP
www.devrieslawgroup.com
Colleen B. Johnson
Paralegal
The Las Puentes Building 53 Nuckolls Street Post Office Box 996 San Juan Bautista, California 95045
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Response to Ms. Johnson

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and we are taking all submitted comments into consideration.

1. In regards to a new east-west corridor, please refer to Chapter 1, Section 1.3.3, Comparison of Alternatives, Locally Preferred Alternative where additional information has been included on the 3-in-1, east-west corridor proposal and similar proposals for highway improvements that would avoid the San Juan Valley. Caltrans is investigating other proposals, but at this time, the San Benito 156 Improvement Project has been approved and funded by the Council of San Benito County Governments through its construction. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region. Preliminary studies show that commuters heavily travel State Route 156 from Hollister traveling east and west, while State Route 25 offers a more northern route. Proposed improvements to State Route 25 would eventually shift traffic from State Route 156 to other routes, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored.

   Caltrans has made a good faith effort to be informed about the needs and wishes of the residents of the City of San Juan Bautista. Caltrans recognizes the importance of the City's tourism industry and the City's need to maintain its historical character. In proposing the San Benito 156 Improvement Project Caltrans is not only attempting to preserve and protect the historic resources of the City and the San Juan Valley but is trying to maintain the economic health of northern San Benito County while meeting the needs of people traveling locally and regionally along the State Route 156 corridor.

2. In regards to a proposed truck route, the route is not a proposed truck route but improvement to an existing state route, which is designated part of a truck route system that allows certain types of trucks to use it. In regards to the impact to the character of the area, please refer to responses to the City of San Juan Bautista.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

E-mail received from Arturo Medina, page 1 of 2

Bobi Lyon-Ritter/D06/Caltrans/CAGov
10/12/2007 03:23 PM

To Julie Dick Tex/D06/Caltrans/CAGov@DOT
cc
bcc
Subject Fw: Public comment EIR HWY 156 Widening

Bobi Lyon-Ritter, Branch Chief
Cal-BEAR
559 243-8178
----- Forwarded by Bobi Lyon-Ritter/D06/Caltrans/CAGov on 10/12/2007 03:23 PM -----

"Arturo Medina" <arturo@riveraadvertising.biz >
10/12/2007 02:57 PM

To <Bobi_lyon-ritter@dot ca gov>
cc "'City Planning'" <cityplanning@san-juan-bautista ca us>, "'Georgana Gularte & SJB Historical Society'" <sjb95045@jps net>, "'Daniel J. Devries'" <djdv@devrieslawgroup com>, "'WANDA GUIBERT'" <wguibert@sbcglobal net>, "'Tod duBois'" <tod-dubois@cwnet com>, "'Vonk, Cara'" <Cara Vonk@jud ca.gov>, "'Jan McClintock'" <citymanager@san-juan-bautista ca us>, <pjrohill@sbcglobal net>, "'Ed Laverone'" <edlaverone@yahoo com>, <dias323@hotmail.com>, <rick@rickedge com>, <jamgarza_sjb@yahoo com>, "'Jolene Cosio'" <pickle@garlic com>, <ekspencer@yahoo com>, <sjbcc@sbcglobal.net>, "'Larry Cain'" <larrycain@aol com>, "'Kathy Schipper'" <kathy@schipperdesign com>
Subject Public comment EIR HWY 156 Widening

Date: October 12, 2007
To:
Bobi Lyon-Ritter
Branch Chief
California Dept. of Transportation
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428
Bobi_lyon-ritter@dot.ca.gov

RE: Public Comment on the EIR for HWY 156 widening

As I had mentioned about a year ago at a CalTrans meeting about HWY 156 widening near San Juan School

The problem areas are:

Increased diesel truck fuel exhaust near San Juan School. This is not addressed in the EIR. There is a state law against idling diesel trucks near a school. Check with the Regional Air Quality Board. The current EIR only mentions that you did not involve the Regional Air Quality Board. The increased exhaust that will be created by the widening should be studied by the local Air Quality Board. 1

E-mail received from Arturo Medina, page 2 of 2

The noise from Caltrans last widening on 156 in San Juan Batista is overwhelming. It is obvious to every lay person that further widening is going to further increase the noise levels Your noise study in the EIR is inadequate and so is the mitigation. 2

The only deaths caused by traffic accidents in San Juan Bautista City Limits since I moved here 14 years ago have happened at the intersection where Caltrans installed a traffic light on HWY 156. The first death was about 2 months after installation The increased speeds that will be attributed to the highway widening will surely cause more accidental traffic deaths. How do you mitigate that? 3

The only real solution is a new East West Corridor or 3 in 1 freeway as the majority of San Juan Bautista residents have expressed This is the only option that Caltrans has refused to study. This study must be done first. 4

Work with the community not against the community!

Sincerely,
Arturo Medina

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Response to Mr. Medina

Thank you for your interest in the San Benito 156 Improvement Project. Your comments are appreciated and will be taken into consideration.

1. In regards to diesel exhaust from truck traffic, Caltrans met with a representative from the Monterey Bay Unified Air Pollution Control District in regards to the potential adverse impacts to the San Juan Elementary School and the surrounding areas of The Alameda and State Route 156. It was determined that the project is not moving traffic any closer to any of these facilities; therefore, potential diesel effects to these facilities would not change with the construction of the project.

2. In regards to traffic noise in San Juan Bautista, the project in itself is not expected to have a substantial noise impact to the city and where there is an expected increase in noise, abatement has been proposed. Based on the planned development in the surrounding areas, traffic would increase with or without the project and the area you appear concerned with is outside the scope of this project.

3. Safety is a priority for Caltrans and all efforts are made to maintain the safety of State Route 156 for all users. Currently, the segment of State Route 156 between The Alameda and Business Route 156 has an average accident rate less than the state average for similar highways. However, the types of accidents occurring within this segment of the roadway (rear-end collisions) indicate speed differences or a conflict between fast and slower-moving traffic. By providing four lanes, safety would be improved because the additional lanes provide an opportunity for faster-moving traffic to pass slower-moving traffic. Also, the frontage road (existing State Route 156) will provide a safer route for school buses, bicycle and pedestrian traffic, and farm equipment to use.

4. In regards to a new east-west corridor, please refer to Chapter 1, Section 1.3.3, Comparison of Alternatives, Locally Preferred Alternative where additional information has been included on the 3-in-1, east-west corridor proposal and similar proposals for highway improvements that would avoid the San Juan Valley. Caltrans is investigating other proposals, but at this time, the San Benito 156 Improvement Project has been approved and funded by the Council of San Benito County Governments through its construction. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-

west travel through the region. Preliminary studies show that commuters heavily travel State Route 156 from Hollister traveling east and west, while State Route 25 offers a more northern route. Proposed improvements to State Route 25 would eventually shift traffic from State Route 156 to other routes, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

E-mail and Comments Received from Sheila Prader, page 1 of 1

"Sheila"
<sheleebebo@aol.com>
10/15/2007 05:11 PM

To <Bobi_lyon-ritter@dot.ca.gov>
cc "Sheila" <sheleebebo@aol.com>
Subject FW: Comments re 156 Widening EIR

Not sure if I got the correct email address above.

--Sheila Prader

-----Original Message-----
From: Sheila [mailto:sheleebebo@aol.com]
Sent: Monday, October 15, 2007 5:09 PM
To: bobi_lyon_ritter@dot.ca.gov
Cc: Sheila
Subject: Comments re 156 Widening EIR

Bobi:

Please consider my comments in the attached document.

Sincerely,
Sheila Lee Prader
Director, San Juan Bautista Historical Society
1601 Aromas Heights Lane
Aromas, CA 95004

COMMENTS ON DRAFT EIR.doc

Comments Received from Sheila Prader, page 1 of 4

COMMENTS ON DRAFT EIR
San Benito Routh 156 Improvement Project

Sheila Prader
1601 Aromas Heights Lane
Aromas, California 95004

The following comments are submitted to Caltrans regarding the proposed San Benito Route 156 Improvement Project.

My preference is for the No-Build Alternative

The **Purpose and Need** for the project are stated as "to improve route continuity, reduce congestion, and increase safety." (p. iii)

Improvement of route continuity should not be a primary criterion for a project, especially when there are compelling reasons to choose the No-Build Alternative for this project.

Your cited Traffic Analysis Report (p 5) does not support the proposition that there is currently or is expected to be by 2030 the maximum level of 20,000 vehicles per day on this portion of 156. 1

I question where the operating speed of 35 mph (Level E of level of service) was measured; was this speed measured at either of the stoplight intersections at the Alameda or Union Road? Problems with traffic flow and a lower overall average speed will continue as long as the stoplights exist. Although you state that any of the proposed Build Alternatives will improve Level of Service, I do not see any projections of the higher Level of Service that would theoretically be obtained by implementation of any of the Build Alternatives. In fact, on p. 41, the Existing Average Annualy Daily Traffic gives an average peak hour mph of 49 to 57 mph, which would be consistent with level of service A or B. This is confusing 2

Also, your analysis does not specify how many hours of peak traffic were measured and how they compare to level of service at non-peak hours. 3

However, your analysis states "The actual accident rates along State Route 156 within the project limits are lower than the state average for similar highways except at the Lucy Brown intersection. The actual accident rate for that intersection is 0 10 percent higher than the State average." (p. 8) This analysis does not appear to justify increase in safety as a compelling criterion for this project. 4

In your assessment you state that any of the Build Alternatives are consistent with the general plan of San Juan Bautista and that the No-Build Alternative is not. However, I believe this is a generalization that does not address the intent of the San Juan Bautista

Comments Received from Sheila Prader, page 2 of 4

General Plan. You have summarized on p. 26 the concerns of the San Juan Bautista City Council and their recommendation of the 3-in-1 Alternative. However, you dismiss the 3-in-1 Alternative by citing your identified **Purpose and Need** for the 156 project which, as stated above, do not appear to be compelling. You also dismiss the 3-in-1 Alternative as having "greater environmental impacts" (pp 26-27) without fully describing them. I believe the 3-in-1 Alternative or similar proposals should be more fully investigated as an alternative to the 156 widening project. 5

You do address the potential Visual Impact of all Build Alternatives, and you state: "Construction of any of the Build Alternatives propsed for the project would result in alteration of the rural agricultural character in general and **may** [my emphasis] lessen the visual compatibility with the existing surroundings." (p. 44) Following are relevant sections from the San Juan Bautista General Plan 6

The Open Space Element of the General Plan of the City of San Juan Bautista characterizes open space thus: "Open space serves many functions in San Juan Bautista. It is probably the most basic ingredient of San Juan's landscape, defining the edges of town and providing a scenic backdrop to the City." (http://www.san-juan-bautista.ca.us/PDFs/Planning/general_plan/5_Open_Space_Element.pdf p. 5-1)

"The Citizens Advisory Committee, City Council and Planning Commission feel strongly that agricultural and open lands should continue to surround the City in the future. This concept is embodied not only in this Element, but in the Land Use and Community Design Elements. (p. 5-10)

"San Juan Bautista in 2015:
Key aspects of the vision for San Juan's future are:
Retention of agricultural and open uses around the perimeter of the city."
http://www.san-juan-bautista.ca.us/PDFs/Planning/general_plan/2_LAND_USE_ELEMENT.pdf
(p. 2-9)

Goal L-1, Small Town Character
"Maintain San Juan Bautista as a small, compact town surrounded by open space and agriculture." (p. 2-25)

Community Design Element Goal C-5 is to preserve the scenic character of roads in and around San Juan Bautista. "Scenic vistas... are very much a part of San Juan's character." (http://www.sanjuanbautista.ca.us/PDFs/Planning/general_plan/8_Community_Design_Element.pdf p. 18)

Your comments on pp. 44-47 identify the impacts on the clearly stated values of the San Juan Bautista General Plan, including sound walls and fencing. "Initially, their [new lanes, intersections, and raised profile] contrast with the existing two-lane road would be very high and most notable to local residents familiar with the route." (p.45) And "[l]ocal residents....are very sensitive to the visual quality of their neighborhood and are 7

Comments Received from Sheila Prader, page 3 of 4

likely to have a negative impression of the proposed changes." (p. 45) Yet you downplay the significance of this impact on the town's **primary goal** in the Land Use Element in favor of the visual impact on truck drivers, commercial travelers and commuters. This is unacceptable. You identify the cumulative effects, but you do not come up with any viable alternatives among the Built Alternatives. The tradeoff of a soundwall to maintain redwood trees (p. 46) is not a desireable one. The statement that "[n]ew fencing, where required, would be consistent with existing fencing in rural areas" (p. 46) does not adequately address the stated value of scenic vistas.

Farmland: 8
Your analysis of the amount of prime farmland to be converted downplay the No-Build Alternative by claiming that projected traffic increases may lead to delay of processing and transportation of produce. However, the 3-in-1 alternative could address this point and avoid the loss of 128 to 206 acres of prime farmland

Cultural resources:

Archaeology:
The San Juan Valley is a well-documented location of prehistoric and contact period Native American sites.

Your analysis of the archaeological impact cites the "...geo-archaeological study of the southern Santa Clara, Hollister and San Juan valleys in an effort to obtain information on the potential of discovering buried archaeological deposits that might be present in the area of potential effect. None of the research or surveys identified the **presence** [my emphasis] of archaeological resources in the archaeolgocial area of potential effect for the project "(p. 50) 9

I question your interpretation of the material in the publication Landscape Evolution and the Archaeological Record: A Geoarchaeological Study of the Southern Santa Clara Valley and Surrounding Region by Jeffrey Rosenthal and Jack Meyer. Maps on page 85 (of Zones of Surface Site Potential) and page 89 (of Zones of Buried Site Potential) clearly identify the area on both sides of the 156 proposed project in the San Juan Valley as of either **high or very high potential** for surface or buried artifacts. The area of highest potential is defined as around waterways and especially in the area around San Juan Creek where piledriving or excavation for drainage purposes could easily cause the destruction of archaeological sites. Your proposed Avoidance, Minimization, and/or Mitigation Measures (p.55) of post-discovery "diverting earth-moving activity" or ceasing disturbance and activities while contacting the Coroner and identifying most likely descendents do not adequately address the damage which could occur in the process of the project. I believe you should be required to do a comprehensive site evaluation of the project area especially in the area of the proposed bridge work where you have the possibility of encountering remains within 16 feet of the surface. Your proposed drainage swales which involve excavation to a minimum of 10 feet should also have archaeological investigations **prior to commencement of the project.**

Comments Received from Sheila Prader, page 4 of 4

Historic structures:
On p 50, you state that your record search area of Historic Properties "encompasses the project's area of potential effect as well as a one-mile radius beyond the area of potential effect " However, your seven historic properties listed do not include the several historic structures located within a one-mile radius north of the Alameda intersection, which would include the De Anza adobe, the proposed National Register San Juan Bautista Historic District, the old Brewery, and several other known historic structures. While the proposed highway itself would not encroach on these structures, they are very likely to be negatively impacted by increased vibration and air pollution under any of the Build Alternatives. This is unacceptable and has the potential to be devastating to the central values and structures of the City of History, an acknowledged Preserve America community. 10

Suggest:
1. No-Build Alternative.
2. Adopt Farm Bureau 3-in-1 project or a similar alternative to reroute truck and other traffic to avoid the projected need for this Highway 156 widening
3 Modify the curve at the intersection of 156 and Union Road/Mitchell Road. 11

Response to Ms. Prader

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated, and we are taking all submitted comments into consideration.

1. In regards to the traffic volume figures on page 5 of the draft environmental document, you are correct. The final environmental document was modified to include updated figures for the predicted volumes of Average Daily Traffic. The predicted volume for the construction year (2014) and the design year (2034) are expected to exceed the maximum level of 20,000 vehicles per day.

2. In regards to Level of Service E and the 35-mile-per-hour figures, the Level of Service table provided in the draft environmental document on page 7 is a tool to show readers the different levels of congestion for any two-lane highway and does not reflect any actual measurements taken on the existing State Route 156. You are correct in regards to the Level of Service figures provided in Table 2.6 of the draft environmental document. The final environmental document has been modified to reflect the correct predicted Levels of Service for the preferred alternative.

3. In regards to the number of hours of peak traffic measured for the analysis, approximately 45 hours of traffic was measured over a period of three days. Three hours worth of morning and evening peak-hour traffic and speed data was collected for the peak-hour analysis.

4. Safety is a priority for Caltrans and the accidents rate for this segment of State Route 156 is only one of the concerns for safety expressed in the draft environmental document. It is true that the accident rate along this segment of State Route 156 is below the average for similar highways. However, the overall accident rate for this segment of State Route 156 is only .10 percent (1/10th) below the state average. In regards to the type of accidents reported, it appears there is a conflict between faster- and slower-moving traffic, and the area is fortunate that more accidents have not occurred. When all safety concerns are considered for this segment of State Route 156, including the compound curve, the gap between two four-lane expressways, congestion, and accidents rates, the need to improve safety is apparent.

5. In regards to the 3-in-1, east-west corridor proposal and similar proposals for highway improvements that would avoid the San Juan Valley, Caltrans is investigating other proposals, but at this time, the San Benito 156 Improvement Project has been approved and funded by the Council of San Benito County Governments through its construction. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region. Preliminary studies show that commuters heavily travel State Route 156 from Hollister traveling east and west, while State Route 25 offers a more northern route. Proposed improvements to State Route 25 would eventually shift traffic from State Route 156 to other routes, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored. The final environmental document has been modified to include discussion of the east-west corridor proposals. Please refer to Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative in this document.

6. In regards to visual impacts, you cited several references, which Caltrans has taken into consideration and attempted to incorporate into the mitigation, such as maintaining the mature trees and landscaping that would promote a screening effect. The design of the project has been modified to minimize the median, while maintaining safety, which reduces farmland conversion and attempts to retain the open space of the valley. In addition, within the city limits of San Juan Bautista, the project would not require additional right-of-way and would not be elevated.

7. In regards to sound walls and fencing, right-of-way fencing is required for safety reasons and Caltrans will try to incorporate fencing that will complement the existing view as much as possible. The purpose of the sound wall is to address noise impacts to the Mission Farm RV Park and is not associated with the redwood trees. The proposed sound wall is to abate noise, and the Project Manager and residents of the properties needing abatement determine its construction. Caltrans has narrowed the median width between The Alameda and Mission Vineyard to avoid having to remove the redwood trees, which ~~is~~ are cited by the San Juan Bautista~~'s~~ General Plan, Community Design Element as a visual benefit.

8. In regards to farmland, the final environmental document was modified to reflect the new figures for farmland conversion, which is lower than originally reported in the draft environmental document. In addition, the 3-in-1 Alternative

potentially results in the conversion of prime farmland that most likely would exceed the acreage needed for any of the build alternatives proposed for this segment of State Route 156, because the 3-in-1 would be built on new alignment and would be longer.

9. In regards to archaeological sites, please keep in mind that Caltrans keeps all archaeological studies confidential due to the sensitive nature of the resources and the draft environmental document reflects a summary of these studies. Caltrans archaeologists and archaeological consultants completed extensive archaeological records research and field surveys for the project according to procedures established by state and federal statutes. The studies resulted in no new resources being discovered within the project area. No subsurface surveys are conducted unless warranted because unnecessary excavation can be damaging to the resource. In regards to the proposed avoidance and minimization measures, these measure are standard for Caltrans. Archaeological monitors are used in sensitive areas to ensure that if any late discoveries are uncovered, all work will stop immediately to avoid any harm to the resource. If resources are uncovered, only a qualified archaeologist (according to Secretary of Interior standards) can determine the significance of the resource before any further construction in the area of the resource can occur. If the resource is determined significant, further studies will be done in conformity with our Section 106 Programmatic Agreement.

10. Caltrans has made a good faith effort to be informed about the needs and wishes of the residents of the City of San Juan Bautista. Caltrans recognizes the importance of the City's tourism industry and the City's need to maintain its historical character. In proposing the San Benito 156 Improvement Project Caltrans is not only attempting to preserve and protect the historic resources of the City and the San Juan Valley but is trying to maintain the economic health of northern San Benito County while meeting the needs of people traveling locally and regionally along the State Route 156 corridor.

11. Your alternative preferences are noted. Thank you.

Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

Comments Received from Stephen Rosati, page 1 of 2

9/28/07

Bobi Lyon-Ritter, Senior Env. Planner
California Dept. of Transportation
2015 E. Shields Ave. Suite #100
Fresno, CA 93726-5428

RE: Public Hearing Comments on the San Benito 156 Improvement Project (GAP Project between Hollister and San Juan Bautista)

Dear Ms. Lyon-Ritter:

The information that follows is based on comments I made at the public hearings regarding the San Benito 156 Improvement Project, sometimes referred to as the GAP Project on Hwy 156 between Hollister and San Juan Bautista (GAP Project). I would like the following concerns and requests filed on record for the EIR:

- It should be noted in the EIR regarding the cumulative impacts on the GAP Project from the new overpass ("Flyover") at the intersection of Hwy 152/156 in Santa Clara County. Since the Flyover favors the free flow of traffic into San Benito County, rather than a westerly direction towards Gilroy, this will result in increased regional truck and vehicular traffic into San Benito County; impacting both the GAP Project and Shore Rd., especially during peak hours. From a safety standpoint on the GAP Project, even if a small increase in regional traffic is expected, the safer alternatives would be #2 or #6, because of all the access along the project existing in #4A. 1

- There should be a comment in the EIR comparing the expected levels of air quality between the 3 alternatives after their construction. It would seem that alternatives #2 and #6 would result in cleaner air quality than #4A because of the greater distance in location from the structures on the existing road. Additionally, there will be with much less fluctuations in speeds of trucks and cars since direct access from properties does not exist on #2 or #6. One would think that the additional stop light(s) along the GAP Project could play a role in adversely affecting the air quality (and sound quality); hopefully having the stop lights favoring the GAP traffic will alleviate some of this. 2

- Even though widening the existing roadway is not an alternative, could there be a statement made regarding the amount of prime ag land that would be needed if this were to occur? I believe the figure is around 90 acres and would serve as a basis for understanding the land needs for making a safer and less congested road, no matter which alternative is chosen. When you compare the need for around 90 acres to widen the existing road, 128 acres for Alternative 4A, and 206 acres for both Alternatives #2 and #6, Alternatives #2 and #6 take much less land than one would imagine. 3

- I believe Alternative #2 should have the same access point on Bixby Rd. as Alternative #6, along with a stop light. The distance between Cagney Rd. and Union Rd. is too great and it would seem that an access point in the middle would allow traffic on the expressway and frontage roads to travel more easily back and forth between destinations along or near Hwy 156 between Hollister and San Juan Bautista. This should also help the air and sound quality a bit, or at least, at a minimum, result in a trade-off for future benefits, since vehicles would be saving unnecessary travel back and forth on the frontage roads and/or the main expressway that only allows access points on either end, in order to reach their destinations. 4

Comments Received from Stephen Rosati, page 2 of 2

- There have been discussions regarding a new route in San Benito County referred to as the 3 in 1, which was proposed as a solution for the problems of Hwy 152, Hwy 156 and Hwy 25. This new 6 lane roadway would veer off Hwy 152 into San Benito County, continue near Hwy 25 , and connect to Hwy 101. However, I believe there is documentation that supports the fact that all 3 existing highways (152,167 & 25) serve 3 seperate corridor needs and that even if a 3 in 1 was constructed, the GAP Project between Hollister and San Juan Bautista would still be needed in the near future. Also, due to the expense of a 3 in 1 and the lack of funding at this time, relief for all 3 corridors would be better served by addressing them as separate needs, resulting in constructing improvements decades sooner. The 3 in 1 may be argued as benefitting the Hwy 152 and Hwy 26 corridors, but definitely not the 156 corridor. I believe it should be noted in the EIR that the 3 in 1 is not a viable solution for the proposed GAP project 5

I have been a long time supporter of widening the existing roadway for the GAP Project. However, after evaluating all the data from the Draft EIR and viewing all the maps and hearing the presentations at the Public Hearing, I am in support of Alternative #2 as the preferred project with #6 as a second choice. Hopefully, this would include adding Bixby Rd. access to #2 with a stop light. 6

Thank you very much for the opportunity to voice my concerns.

Sincerely,

Stephen Rosati

Stephen Rosati
549 San Benito St
Hollister, CA 95023

Response to Mr. Rosati

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated.

1. In regards to your observation for the safer alternatives, you are correct. By providing frontage roads, Alternatives 2 and 6 would be expected to be safer because the slower-moving traffic is expected to use the frontage roads, thereby removing their conflict with faster-moving traffic, which would use the expressway.

2. Your suggestions in regards to the air quality, speed fluctuation, and traffic stoplights, and the effects each would have on the environment are noted.

3. Your suggestion for providing the farmland conversion acreage for widening the existing State Route 156 in the final environmental document is noted.

4. Your suggestion for access at Bixby Road for Alternative 2 is noted and has been forwarded to the Design team.

5. Your comments on the 3-in-1 Alternatives are noted.

6. Thank you for you preferences and support of the San Benito Improvement Project.

Thank you again for your input.

Comments Received from Kathy Schipper, page 1 of 2

"Schipper, Kathy" <kathy@schipperdesign.com>

10/15/2007 09:19 AM

To
"Arturo Medina" <arturo@riveraadvertising.biz>, <Bobi_lyon-ritter@dot.ca.gov>
cc
"City Planning" <cityplanning@san-juan-bautista.ca.us>, "Georgana Gularte & SJB Historical Society" <sjb95045@jps.net>, "Daniel J. Devries" <djdv@devrieslawgroup.com>, "WANDA GUIBERT" <wguibert@sbcglobal.net>, "Tod duBois" <tod-dubois@cwnet.com>, "Vonk, Cara" <Cara.Vonk@jud.ca.gov>, "Jan McClintock" <citymanager@san-juan-bautista.ca.us>, <pjrohill@sbcglobal.net>, "Ed Laverone" <edlaverone@yahoo.com>, <dias323@hotmail.com>, <rick@rickedge.com>, <jamgarza_sjb@yahoo.com>, "Jolene Cosio" <pickle@garlic.com>, <ekspencer@yahoo.com>, <sjbcc@sbcglobal.net>, "Larry Cain" <larrycain@aol.com>
Subject
RE: Public comment EIR HWY 156 Widening

Thanks to Arturo for his diligence in this incredibly important matter. I am going to write to my congressmen right now and I would encourage each of you to do the same if you have not already.

Kathy Schipper

From: Arturo Medina [mailto:arturo@riveraadvertising.biz]
Sent: Friday, October 12, 2007 2:57 PM
To: Bobi_lyon-ritter@dot.ca.gov
Cc: 'City Planning'; 'Georgana Gularte & SJB Historical Society'; 'Daniel J. Devries'; 'WANDA GUIBERT'; 'Tod duBois'; 'Vonk, Cara'; 'Jan McClintock'; pjrohill@sbcglobal.net; 'Ed Laverone'; dias323@hotmail.com; rick@rickedge.com; jamgarza_sjb@yahoo.com; 'Jolene Cosio'; ekspencer@yahoo.com; sjbcc@sbcglobal.net; 'Larry Cain'; Schipper, Kathy
Subject: Public comment EIR HWY 156 Widening
Importance: High

Date: October 12, 2007
To:
Bobi Lyon-Ritter
Branch Chief
California Dept of Transportation
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428
Bobi_lyon-ritter@dot.ca.gov

RE: Public Comment on the EIR for HWY 156 widening

As I had mentioned about a year ago at a CalTrans meeting about HWY 156 widening near San Juan School

The problem areas are:

Increased diesel truck fuel exhaust near San Juan School. This is not addressed in the EIR. There is a state law against idling diesel trucks near a school. Check with the Regional Air Quality Board. The current EIR only mentions that you did not involve the Regional Air Quality Board. The increased exhaust that will be created by the widening should be studied by the local Air Quality Board.

The noise from Caltrans last widening on 156 in San Juan Batista is overwhelming. It is obvious to every lay person that further widening is going to further increase the noise levels. Your noise study in the EIR is inadequate and so is the mitigation.

Comments Received from Kathy Schipper, page 2 of 2

The only deaths caused by traffic accidents in San Juan Bautista City Limits since I moved here 14 years ago have happened at the intersection where Caltrans installed a traffic light on HWY 156. The first death was about 2 months after installation. The increased speeds that will be attributed to the highway widening will surely cause more accidental traffic deaths. How do you mitigate that?

The only real solution is a new East West Corridor or 3 in 1 freeway as the majority of San Juan Bautista residents have expressed. This is the only option that Caltrans has refused to study. This study must be done first.

Work with the community not against the community!

Sincerely,
Arturo Medina

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P.O. Box 935 *Office: (831) 623-1609*
San Juan Bautista CA 95045 *Fax (831) 623-9264*
arturo@riveraadvertising.biz

Response to Ms. Schipper

Thank you for your interest in the San Benito 156 Improvement Project. All comments are greatly appreciated.

Comments Received from Ted Thoeny, P.E.

The following letter, comment card, and three maps were included in the correspondence from Ted Thoeny, who is the owner of the former San Justo School, which is now his residence. Mr. Thoeny also sent numerous copies of correspondence to various local, state, and federal agencies about the project, dating between the years 2001 to 2007, which are not shown in this document.

Letter, page 1 of 2

Comments EIR

CAL TRANS

STATE ROUTE 156

Oct 8, 2007

November 30, 2006

To Whom it may Concern,

East-west traffic from the coast, inland and across the continent has well exceeded the capacity of local roads through San Benito County, especially State Route 156. This highway presently passes directly through the small California mission town of San Juan Bautista. The existing impact is horrendous, especially traffic noise, air pollution and ground vibration.

Ten years ago the state route 156 was rerouted around the city of Hollister because of similar impacts. This solution helped Hollister to cope with local traffic problems; but since the bypass was constructed, traffic has doubled, and in the next ten years, it is predicted that traffic will double again.

While it may be a good idea to widen the existing highway and add additional lanes, this location for a major highway through the historical town of San Juan Bautista is wrong.

A proposal was made by the Valley Transportation Authority of Santa Clara County in their Southern Gateway Study to relocate the interstate traffic corridor (Alternative 4) to the north, which is where the State Route 156 Bypass should be constructed.

It is true a local arterial is needed through the San Juan Valley for local traffic, but not a major multilane interstate route with 2 separate frontage roads, with a total right of way width of 450 feet, which in turn will consume 200 acres of prime agricultural land, taking this land off the tax rolls forever. The problems it would create would be insurmountable, including local flooding for which the State has said it will hold the County of San Benito responsible in perpetuity. Additional problems will include noise throughout the small valley, air pollution, dust on crops, graffiti, and litter. This super-highway right-of way width if constructed as planned, will prohibit local farmers from farming both sides of the highway as they are able to do today.

Comments Received from Ted Thoeny, Letter, page 2 of 2

The relocation of State Route 156 as a "bypass" to the north through the Bolsa would be far less costly, even though it is 2 ½ miles longer, because there would be no need for frontage roads, or grade separations, or traffic signals or the importation of a million cubic yards of fill to raise the roadway 6 feet above the valley floor. Staying at the base of the hills through the Bolsa above the flood plain would provide a balanced earthwork project, not requiring the importation of any fill.

The Bolsa valley to the north is virtually uninhabited and the highway could be connected to U.S. 101, south of the Pajaro River crossing, where no negative environmental impact would occur. Land and right of way severance cost through the Bolsa would be a fraction of the cost through the San Juan Valley.

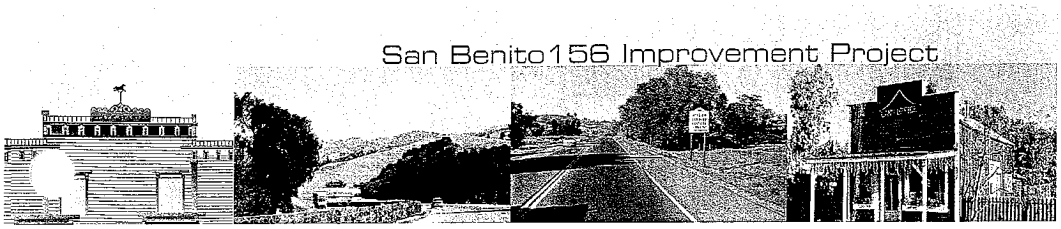
The recommended State Route 156 Bypass (alternative 4) would be a Win-Win solution to not only the neighboring counties as a truck and commuter route, but to California's Interstate Commerce, the City of Hollister, and because it would eliminate the present highway impacts to the historic town of San Juan Bautista and the agricultural community of the San Juan Valley; in addition, saving the State of California millions of dollars.

Respectfully submitted,

Ted

Ted Thoeny, P.E.

Comment Card Received from Ted Thoeny, P.E.



San Benito 156 Improvement Project

Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Ted Thoeny P.E.

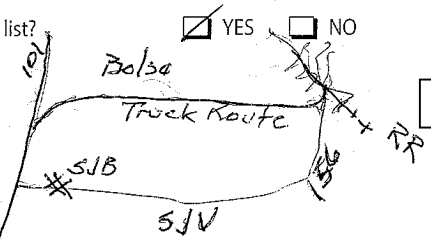
ADDRESS: 2981 Hwy 156 CITY: SJB CA ZIP: 95045

REPRESENTING: Historical Resource Bd SJB, & Resource Conserv. Dist San Benito Co

Do you wish to be added to the project mailing list? ☑ YES ☐ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428



1 2 3 4 5 6 7 8

I would like the following comments filed in the record (please print):

Air Quality worsen
Cultural Resource Hist SJBautista Lost
Haz. spills heavy metals more frequent
Visual Scenic Corridor lost forever
Farmland Best soil & climate in world lost
Flood plain 5 Foot flood, dam by highway
Noise increase w/ traffic, valley an amphitheater
water Quality degradation
ted thoeny

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☑ newsletter ☐ someone told me about it ☐ other: _____

US Department of Transportation Federal Highway Administration

Caltrans

Response to the letter from Mr. Thoeny, P.E.

Thank you for your interest in the San Benito 156 Improvement Project. Your general opposition to the San Benito 156 Improvement Project is noted. It is obvious the argument you offer against widening the existing State Route 156 is very thoughtful and thorough. However, the east-west corridor proposed in your letter is not part of this project and in the meantime, concerns for the segment of State Route 156 between Hollister and San Juan Bautista cannot be ignored. Caltrans is studying other east-west corridor proposals, which are discussed in Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative in this document and mentioned in response #5 to Ms. Prader.

Response to the comment card from Mr. Thoney, P.E.

It appears you have concerns that the project would:

- Worsen air quality
- Adversely affect the City of San Juan Bautista
- Result in more frequent hazardous waste spills
- Adversely affect the visual/scenic corridor
- Result in the loss of prime farmland
- Become a highway dam
- Increase noise in the San Juan Valley
- Degrade water quality

1. The project is expected to relieve congestion and provide upgraded intersections, which reduces idling time and the time spent following another vehicle. Overall air quality would benefit from these improvements. San Benito County is currently classified as “Attainment/unclassified” for all federal ambient air quality standards. The project would not create a new violation or worsen an existing violation f the state standards for ambient air quality based on the data available to Caltrans.

2. The project is expected to enhance the tourism for the historical site by enhancing travel time, and making the site a preferred destination, while providing a safer route for farmers, locals, and interregional traffic.

3. The project would eliminate the conflict between faster- and slower-moving vehicles, provide wider shoulders, and separate on-coming traffic with a median. With an improved highway, one would expect fewer accidents to occur.

4. Caltrans has attempted to incorporate the local preferences in the landscaping proposed. In regards to visual impacts, incorporated several items into the mitigation, such as maintaining the mature trees and landscaping that would promote a screening effect. The design of the project has been modified to minimize the median, while maintaining safety, which reduces farmland conversion and attempts to retain the open space of the valley. In addition, within the city limits of San Juan Bautista, the project would not require additional right-of-way and would not be elevated.

   In regards to sound walls and fencing, right-of-way fencing is required for safety reasons and Caltrans will try to incorporate fencing that will complement the existing view as much as possible. The purpose of the sound wall is to address noise impacts to the Mission Farm RV Park and is not associated with the redwood trees. The proposed sound wall is to abate noise, and the Project Manager and residents of the properties needing abatement determine its construction. Caltrans has narrowed the median width between The Alameda and Mission Vineyard to avoid having to remove the redwood trees, which are cited by the San Juan Bautista General Plan, Community Design Element as a visual benefit.

5. The project cannot avoid farmland. Caltrans' efforts to reduce farmland include using narrower medians and combining off-site and on-site conveyance ditches. The farmland acreage needed for the preferred alternative has been reduced to 145 acres.

6. The raised profile of the highway is expected to be less than five feet and won't necessarily be throughout the project limits. Between The Alameda and Mission Vineyard Road, there are no current plans to raise the profile. During the design phase of the project, a detailed hydraulic study will be conducted to determine whether more culverts under the highway are needed to convey storm water runoff. The project is not expected to result in ponding of any water or promote flooding.

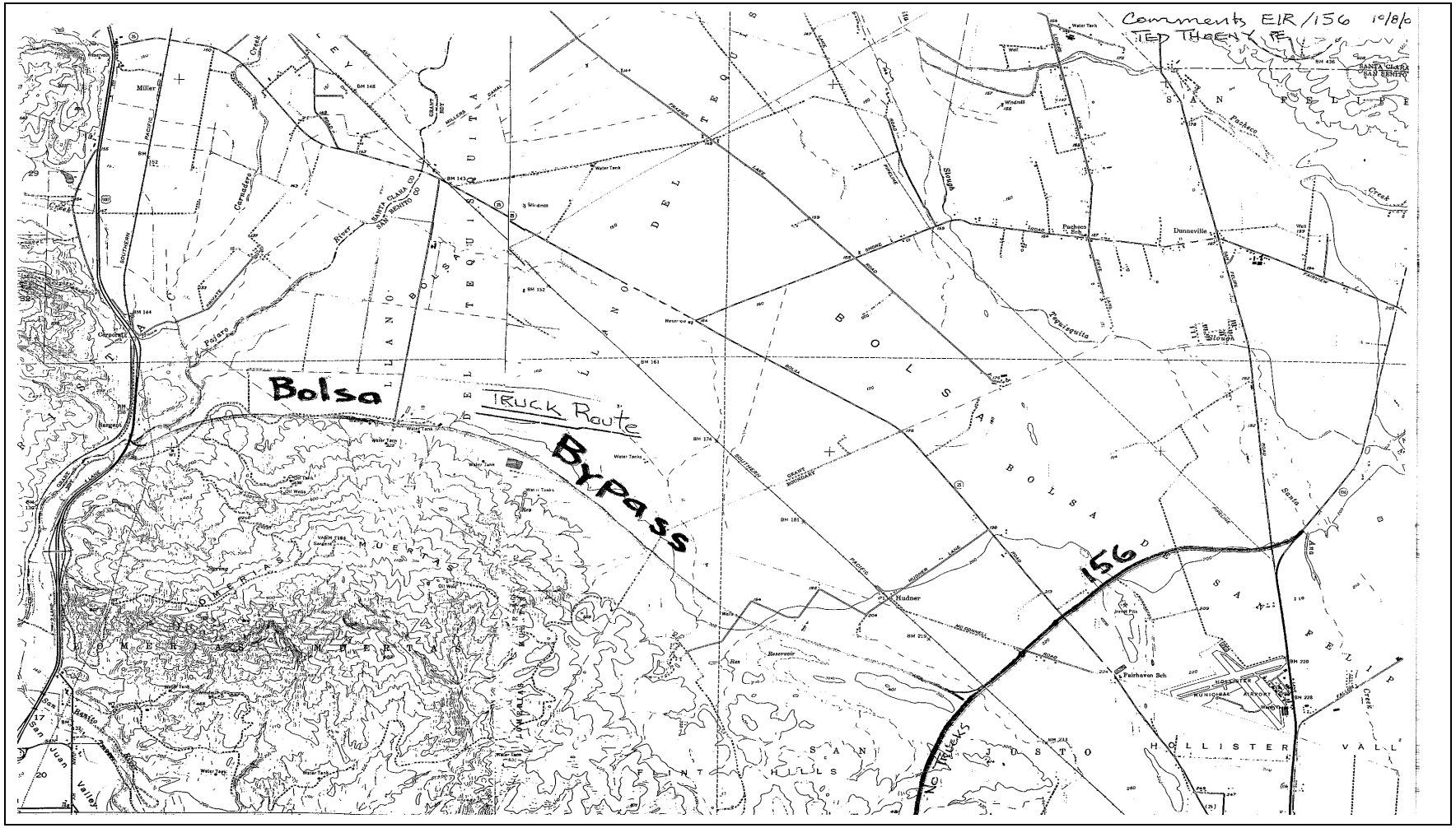
7. Noise is not expected to increase for the receptors along the existing State Route 156 because traffic would be moved away from them.

8. Water quality is not expected to degrade as a result of the project because Caltrans would incorporate Best Management Practices, which address storm water during and after construction of the project. The new collection system refers to

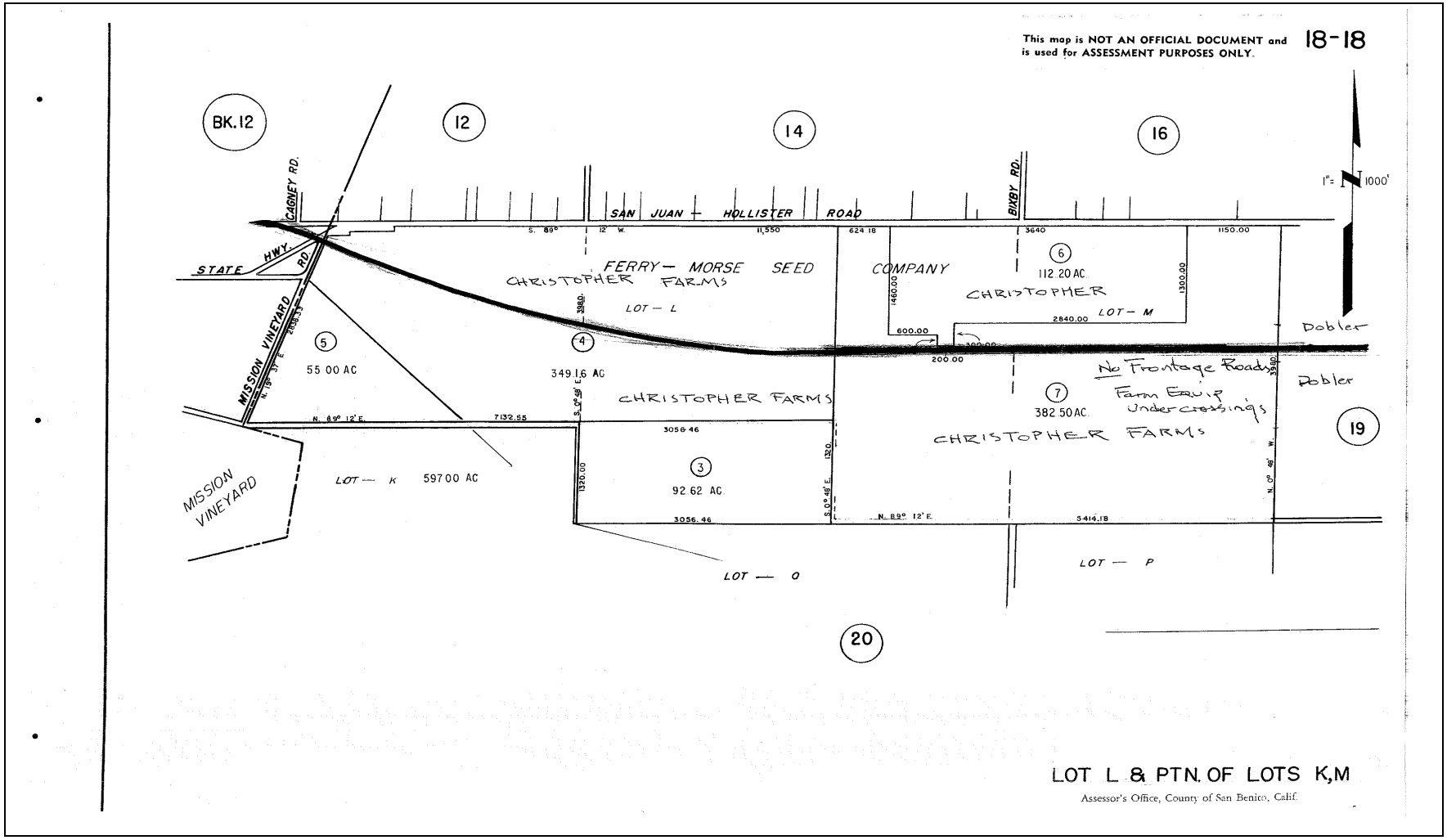
constructing a new ditch and not necessarily a new way of storing runoff. Disposal of highway drainage would be accomplished by conveyance, percolation, and evaporation. Caltrans will treat onsite runoff with biofiltration strips. A biofiltration strip is one of the Caltrans Storm Water Management Plan's approved Best Management Practices to treat storm water. The single ditch will combine the treated onsite runoff with offsite runoff. The ditch will be shallow (3 feet) and will have berms (mounds) to slowdown the flow rate and minimize infiltration. The ditch will not have the capacity to convey the 100-year flow rate, but State Route 156 will be elevated above the 100-year flow elevation, and the ditch will have the capacity to convey low flows, such as the 10-year storm, which would benefit properties adjacent to State Route 156. Although, there is no current plan to combine this project with a major flood management project, the proposed ditches could be enlarged and redesigned to accommodate a joint flood management project in the future.

Caltrans hopes we have addressed your concerns adequately and thank you for your input.

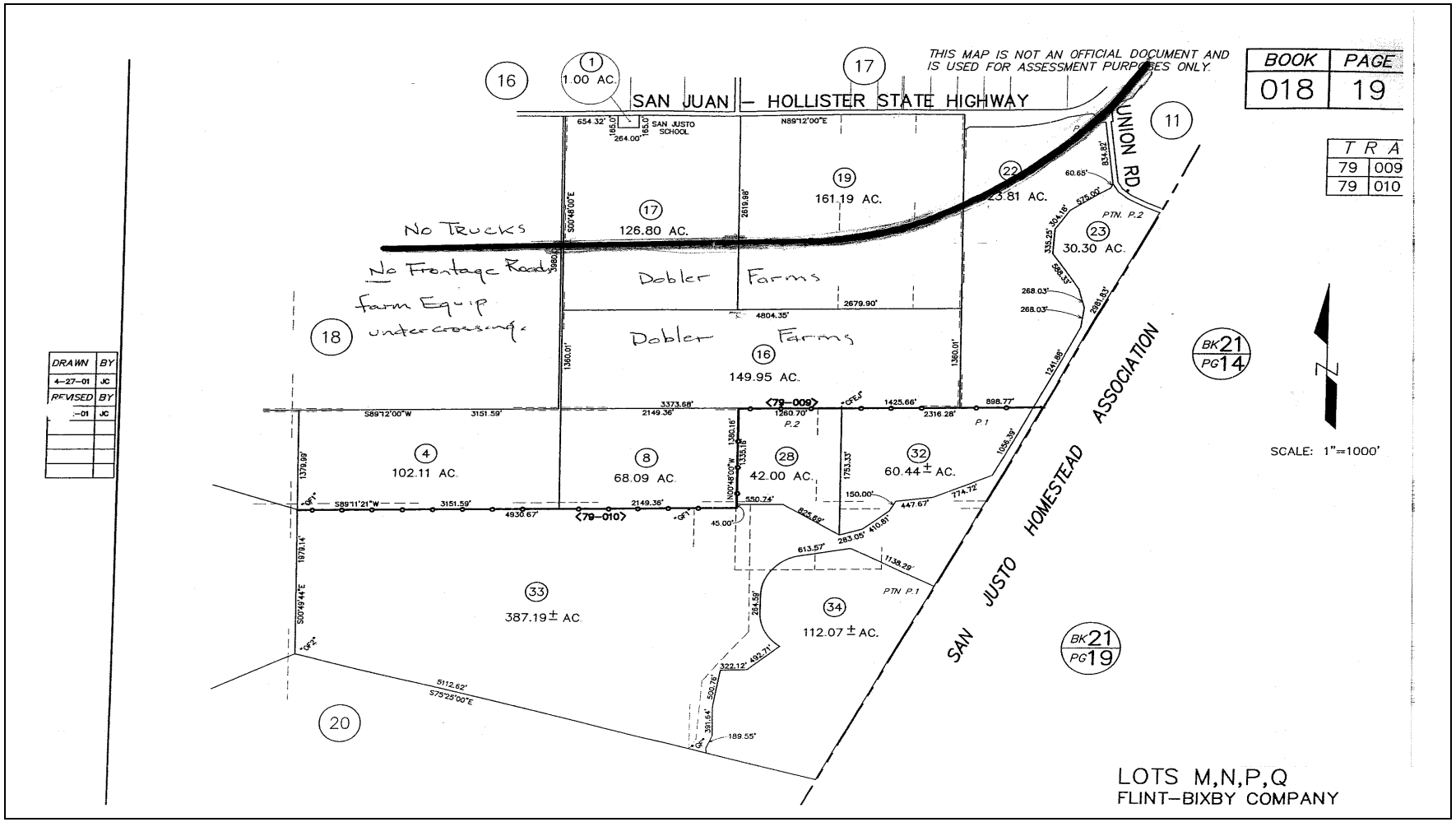
Attachments from Ted Thoeny: Bolsa Bypass Proposal



Attachments from Ted Thoeny: Southern Bypass Proposal through farmland, west side of map (page 1 of 2)



Attachments from Ted Thoeny: Southern Bypass Proposal through farmland, east side of map (page 2 of 2)


THIS MAP IS NOT AN OFFICIAL DOCUMENT AND IS USED FOR ASSESSMENT PURPOSES ONLY.
BOOK 018
PAGE 19
T R A
79 009
79 010
SAN JUAN – HOLLISTER STATE HIGHWAY
UNION RD.
SAN JUSTO HOMESTEAD ASSOCIATION
SAN JUSTO SCHOOL
1 1.00 AC.
16
17
11
19 161.19 AC.
22 23.81 AC.
17 126.80 AC.
23 30.30 AC.
No Trucks
No Frontage Roads
farm Equip
undercrossing
Dobler Farms
Dobler Farms
18
16 149.95 AC.
4 102.11 AC.
8 68.09 AC.
28 42.00 AC.
32 60.44 ± AC.
33 387.19 ± AC.
34 112.07 ± AC.
20
BK 21 PG 14
BK 21 PG 19
SCALE: 1"=1000'
DRAWN BY
4-27-01 JC
REVISED BY
-01 JC
LOTS M,N,P,Q
FLINT-BIXBY COMPANY

Comments Received from Cara Vonk, page 1 of 6

October 14, 2007
By email and U S. Mail

Attn: Bobi Lyon-Ritter
Branch Chief
California Department of Transportation
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428

SUBJECT: Comment on Draft EIR: Widen State Route 156 from The Alameda in San Juan Bautista to Fourth Street in San Benito County

San Juan Bautista, City of History
(Pop. 1700)

At San Juan Bautista there lingers more of the atmosphere of the olden time than is to be found in any other place in California.

--Helen Hunt Jackson
Author, *Ramona*

Introduction: This draft EIR is defective because project impacts have not been studied in the broader context of (1) impact on the adjacent historic City of San Juan Bautista, (2) the cultural landscape, and (3) transportation needs of the county and region. The project purpose of route continuity, reduced congestion, and increased safety can be easily accommodated through feasible and less drastic alternative means while a real solution for transporting East/West interregional truck and commuter traffic is devised (currently under study by VTA and others), without destroying one of the most scenic and historic places in California in the short term. 1

Although billed as an "improvement" project, this is actually a Caltrans "full employment" development project It would entail massive engineering, relocating the highway through hundreds of acres of prime agricultural land while impacting National Register eligible historic resources and cultural landscape, elevating the highway to 5 feet and up to 465 feet wide, requiring enormous amounts of fill and use of heavy construction equipment The impact on hundreds of acres of agricultural lands, significant historical resources, natural resources, and cultural landscape are inestimable. Noise pollution and emissions pollution from increased traffic and truck traffic that must wait and idle at stop lights will swell. This is not a "green" project that will reduce gas emissions in accordance with policies established by the California Legislature. Feasible minor improvements to meet projects goals are available. Caltrans is trying to take care of a gnat with a sledgehammer.

This is one of the last places within a stone's throw of the San Francisco Bay Area where school children, tourists, and residents can still have an authentic rural experience.

Comments Received from Cara Vonk, page 2 of 6

Affected Environmental Consequences: Impacts Not Studied

2

The microscopic focus on a 5.2 mile stretch of highway has ignored the cumulative negative impacts of this relocated and elevated highway project, up to fifteen times its current width and using up to 280 acres of prime agricultural land, on neighboring San Juan Bautista.[1] The increase in noise, volume, and speeds of truck traffic and attendant pollution, socioeconomic impact of an urbanized cultural landscape, impact on historic resources, impact on scenic qualities, tranquility, and authentic 19th century tourist experience, the city's economic lifeblood, have all been ignored.

The City of San Juan Bautista, home to the largest California Mission, the National Register Plaza Historic District, State Park, commercial historic district, Castro Adobe, De Anza Adobe National Landmark, and a multitude of other national and state registered historic resources was recently named a "Preserve America Community" by the First Lady and the National Trust. It is often referred to as the "The Williamsburg of the West."

Just south of Highway 156 is the National Landmark De Anza Trail, whose views of the landscape and highway below will be severely impacted, as will the dark skies-observatory at the top of adjacent Fremont Peak State Park.

Forty thousand fourth grade school children visit San Juan Bautista and its environment every year as part of their California History curriculum. The city's General Plan notes that "The landscape around San Juan Bautista is as much a part of the City's character as the historic buildings within the City itself." (Community Design Element, landscape, p. 8-2.) The City's Natural Landscape Goal 0-1 and Community Design Element Goals include preserving scenic roadways as well as visual qualities of the surroundings to "prepare the visitor for a step back in time." (Gateways, page 8-5.) Highway 156 is one of the original highways designated by the Legislature as eligible in its entirety for scenic designation. (Highway and Streets Code, section 263.1.)

Caltrans started on this course in the 1960s, when it cut a divided four-lane swath from Highway 101 east through the historic City of San Juan Bautista, ending at a stoplight at the bottom of a hill. Residential and commercial properties back onto the highway. A new senior development has been approved and is planned. The addition of sound walls has not worked and the recent addition of a concrete median barrier was also opposed by the city. The rural peace and quiet, dark starry skies, flight of owls, and dependence on tourism are all marred by road noise and the sound of truck "jake" brakes as traffic comes

[1] No cross-section of the "no build" alternative was provided. Therefore I estimated that the current highway is about 30 feet wide.

Comments Received from Cara Vonk, page 3 of 6

to a screeching halt If this project is built, road noise will surely increase Property values will plummet.[2] It is time to derail this train and develop some real solutions.

County and COG representatives from the San Juan Bautista area have been precluded from voting on this project because they own land adjacent to the project and were told that it would be a conflict of interest

Purpose and Need

Highway 156 is not used by San Benito County residents to commute to the San Jose-San Francisco Bay Area. Commuters use the more direct routes of Hwy 25 or Hwy 129. Commuters from the Central Valley over Pacheco Pass use Highway 152, which runs through northern San Benito and southern Santa Clara Counties The only commuters who use Hwy 156 are those traveling to Salinas or the Monterey Peninsula, which are not large employment centers. As noted in the Caltrans report, the 45.1 percent population increase is not in San Juan Bautista but in the City of Hollister and areas surrounding Hollister, who would travel on Highway 25 Most do not travel South on Hwy 156. Therefore projected traffic increases based on growth are questionable

3

Highway 156 bypasses the City Hollister and therefore this project will have little impact on those residents Highway 156 is a designated interregional East/West truck route, which cuts through the City of San Juan Bautista and residents want it relocated for the reasons mentioned above as part of a larger regional solution

- *Less Damaging Alternative*

Studies are under way for a regional approach to solve the inadequate East/West routes of Hwy 152, Hwy 25, and Hwy 156 by the Santa Clara VTA and other regional transportation agencies This project is a destructive short-term solution. Other interim solutions to meet Caltrans goals are available and should be used pending the outcome of a regional approach These are discussed below

Congestion

Only mid-week morning and afternoon/evening peak hours were measured in 2005. Since then some improvements have been made to the highway. From personal experience, traffic is free-flowing the rest of the day As noted, truck traffic averages 8 percent of total traffic volume.

- *Less Damaging Alternative*

In the average daily traffic count and level of service chart, Table 1.1, level E has been listed for 2005 during the peak commute hours, which includes both Eastbound and Westbound traffic together. It can be noted that the Eastbound traffic count is much higher than Westbound traffic count (14,820 v. 9,880) Indeed, it is true that Eastbound

---

[2] An October 11, 2007, "September Real Estate" email message from notes the following: "A well priced fixer-upper in a great location of Los Altos Hills listed for $3.2 million just sold right away, while properties which are priced too high or have freeway noise are not selling." (Emphasis added.) Residents are concerned and some are already discussing selling, if this project goes forward

3

C:\Documents and Settings\CARA\My Documents\Hwy 156\DraftEIRHwy156CaraComments100407.doc

Comments Received from Cara Vonk, page 4 of 6

traffic backs up during the evening commute hours upon approaching the Union Road intersection **This congestion point can be very easily eliminated by creating a long right-hand turn lane off of Hwy 156 onto Union Road.** Most local traffic takes this exit to reach Hollister and it is very frustrating to have to wait until reaching the light to be able to make this right-hand turn As a matter of fact, some try to drive on the shoulder to make that turn, which creates a dangerous condition Traffic signals that require traffic to stop will in any event create some backup under any circumstance As mentioned, traffic is free flowing during the rest of the day Additional alternatives that will reduce congestion are suggested below under "Safety"

Safety

Compound Curve

We have no objection to fixing the compound curve at Union Road This is a busy intersection controlled by a traffic light on the outskirts of Hollister Improvements appear to not directly affect agricultural lands or historic resources

Continuous Expressway

The 5 2 mile segment is a conventional 2-lane highway through one of the richest and most scenic agricultural valleys in the state It gives motorists an "up-close" experience with the cultural landscape that will be destroyed when elevated into a four-lane highway or expressway with median, and two two-lane frontage roads (one, in one alternative) drainage ditches and culverts up to 464 feet wide Less intrusive alternatives discussed below can assist with traffic flow

Conflicts with Slow-Moving Traffic

The report states that actual accident rates within the project limits are lower than the state average except at Lucy Brown intersection Improvements have been made at the Lucy Brown turnout to facilitate a left and right-hand turn lane Looking at the accident chart (Table 1 2) it is evident that most of the accidents occur at intersections with stoplights: The Alameda (4); Mitchell/Union Roads (8); and Fourth Street Business (12) These stoplights will not be eliminated as part of this project and therefore the accident rate will not diminish at these intersections In fact, the proposal will result in increased traffic accidents since stoplights will not be eliminated – only faster and more traffic that has to come to a dead halt, idle, and start up again With faster moving traffic, one would anticipate an increased number of rear-enders

- *Less Damaging Alternative*

Conflicts with slow-moving traffic can be resolved by adding a single passing lane for part of the Eastbound traffic and for part for the Westbound traffic Most of the slower moving traffic consists of trucks, not local commuter traffic Frankly, the trucks tend to travel at the speed limit of 55 mph and do not slow anyone down The traffic signals slow down traffic as described under "congestion" above Although not necessary, because with a passing lane traffic could go around farm equipment, perhaps there would be room to widen the shoulder somewhat if it is not entirely used for the passing lane Farm equipment does not use the road that often This is also part of the rural-agricultural cultural experience

4

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Comments Received from Cara Vonk, page 5 of 6

Additional travel lanes, with the exception of a passing lane, are not needed to enhance route continuity and relieve traffic congestion. These less damaging alternatives meet Caltrans' project goals.

Keeping the speed limit at 55 m.p.h, reduces greenhouse gas emissions and saves on gas. Not long ago the Legislature mandated a 55 m.p.h limit to reduce gas consumption.

As mentioned, turnout improvements have been made at Lucy Brown road, with left-turn and right-hand turns. Other less intrusive measures could be devised to allow vehicles to turn onto Highway 156. This might include a flashing light that is activated by a vehicle wishing to turn onto the highway, with a sign on Highway 156 that gives motorists a warning that, when flashing, to slow down. Another traffic light could be installed that is only activated by a waiting vehicle.

Flooding

I have personally observed that culverts are silted in and have not been maintained, which causes flooding. The earlier Caltrans Highway 156 project created a flooding problem at the intersection with The Alameda. The historic Wilcox House had to be moved and an ugly concrete retaining wall had to be installed adjacent to the highway. Flooding problems persist. The value of this beautiful and important National Register property has plummeted and the owner has been unable to sell.

The Caltrans proposals will have significant impacts on protected animal species and vegetation as outlined in their report. The less damaging proposed alternatives would allow these species to continue to exist in their native habitat. This area is also a rich archeological zone, once peopled by the Mutsun Native American Indians, which could be left undisturbed.

- *Less Damaging Alternative*

Maintain culverts and creeks.

Project Alternatives

No-Build with Less Damaging Alternative Solutions

The "No-Build Alternative" with the less damaging alternative solutions proposed above will meet Caltrans' goals of relieving traffic congestion, continuity, and safety. This is the environmentally superior alternative, with little effect on the cultural landscape, impact on historic resources, agriculture, parks and recreation, and increased noise. In its report at 3.3.2, Caltrans notes that with this alternative "Routine maintenance would continue. Future operational and safety improvements may continue. Any future improvements would require a separate design process and may require additional environmental studies." This is the course we recommend Caltrans take to mitigate against the many irreversible environmental damages the other project alternatives would engender. Then the regional transportation authorities, with input from the community, 5

Comments Received from Cara Vonk, page 6 of 6

will have time to develop a superior regional approach without destroying San Juan Valley and San Juan Bautista in the interim with this short-term solution.

Alternative 7: Depressed Highway 156 from Hwy 101 to Fourth Street, Hollister
Another project alternative that would mitigate against the many negative environmental effects, including noise, would be to lower the freeway, so that it would go under the intersections at The Alameda, Union Road, etc. This alternative is similar to the design of Highway 85 through Los Gatos and Saratoga. That stretch of Highway 85 is below grade for sound mitigation and impact on the surrounding community. Inter-regional trucks prohibited, as on Hwy 280 and Hwy 85. 6

Affected Environmental Consequences
Impacts on farmland, loss of rural character, community character and cohesion, visual/aesthetics, archeology, cultural landscape, and historical resources have already been noted at the beginning of these comments. Why a one-mile radius? The impacts of this project extend much further into the community, the surrounding cultural landscape, and parks and recreation areas. 7

The Breen adobe, home to a Donner party survivor, close friend of Commandant Castro; and prominent citizen whose descendants have become prominent judges and lawyers for two centuries cannot have highway noise mitigated under the Caltrans alternatives! The Breen Adobe and other significant National Register eligible properties of the Ferry Morse Seed Company, and the San Justo School will lose all context and have their lands stripped away to sit next to an elevated expressway! Caltrans also missed the historic Nyland bull barn and the barn across the highway next to the Mission Inn. Another ugly sound wall is proposed that will do no good, without even enough room in front for landscaping. Highway noise has already created significant environmental effects. This project will spoil the town and its surroundings forever.

Thank you for the opportunity to comment.
Cara Vonk

Cara Vonk
P.O. Box 282
San Juan Bautista, CA 95045
650-283-0512

Former Chair, San Juan Bautista Historic Resources Board
Member, San Juan Bautista Historical Society
Member, California Preservation Foundation
Member, National Trust for Historic Preservation

Response to Ms. Vonk

Thank you for your interest in the San Benito 156 Improvement Project. Your letter was very thoughtful and your comments are appreciated. Your general opposition to the San Benito 156 Improvement Project is noted. Caltrans hopes that the following responses address your concerns.

1. In regards to your comments regarding the draft environmental document ignoring the historical character and cultural landscape of the City of San Juan Bautista, please refer to response #1 to the City of San Juan Bautista in this document. In regards to ignoring the transportation needs of the county and region, please refer to responses #2 and #3 to the Council of San Benito County Governments in this document.

2. In regards to Caltrans ignoring the environmental impacts cited in your letter, we have modified segments of the final environmental document to address these impacts and the cumulative impacts. In regards to farmland, Caltrans narrowed the median of the preferred alternative, thereby, reducing the converted farmland to approximately 145 acres. Because the design must avoid the former San Justo School, approximately 26 acres would be considered “excess land” or land that would be acquired for right-of-way, but would not necessarily be used for the roadway. In regards to the width of the proposed project, between The Alameda and Mission Vineyard, no new right-of-way is required; therefore, the width of the roadway remains the same within the city limits of San Juan Bautista. The final environmental document has been modified to discuss the right-of-way needed. In reference to your concerns about the City of San Juan Bautista, the skyline, landscaping, etc., please refer to the responses provided to the City of San Juan Bautista in this document.

3. In regards to the purpose and need for the project, the growth of Hollister is not the sole basis for the project, but only one of the considerations when making the decision to construct the project.

4. In regards to the other approaches to address an east-west corridor, the funding must be secured for the other projects once they are proposed. Please refer to response #5 to Ms. Prader in this document for more discussion on the east-west corridor studies. Additional discussion can be found in Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative in this document. Your design suggestions for the existing State Route 156 were forwarded to Caltrans

Engineering for consideration; however, based on the Traffic Analysis-and projected traffic numbers, the modifications would minimize congestion temporarily; whereas, the Build Alternatives proposed would address the traffic concerns for at least 20 years.

5. Your preference for the No-Build Alternative is noted. However, Caltrans' priority is safety and the growing problem on this segment of State Route 156 cannot be ignored.

6. The suggestion to lower the profile of State Route 156 west of The Alameda has been forwarded to Caltrans Engineering for consideration for a future project.

7. All of the environmental studies are completed according to standards and procedures established by Caltrans and the many consulting agencies involved with environmental clearance according to local, state, and federal statutes. The one-mile radius is part of the study methodology for cultural resources. In regards to your concern for the other historic properties cited, please refer to response #1 to the City of San Juan Bautista in this document.

Thank you again for your input.

Section 4.0 Public Hearing Comment Cards

The following seven comments cards were submitted at the public hearing in Hollister on September 26, 2007:

Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Betty Knatcher

ADDRESS: 2970 San Juan Hollister Rd CITY: SJ Bautista ZIP: 95045

REPRESENTING: Betty Knatcher

Do you wish to be added to the project mailing list? ☑ YES ☐ NO

Please drop comments in the Comment Box or

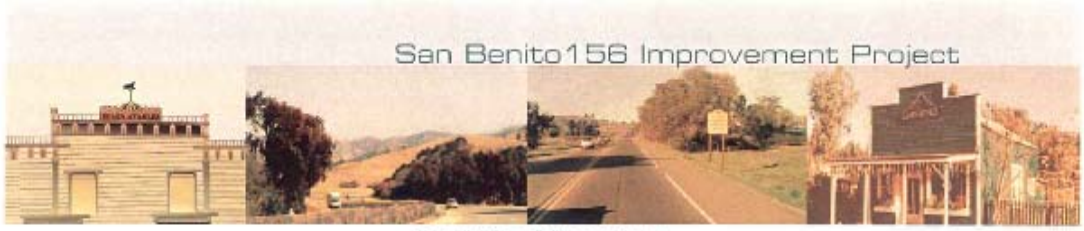
Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

Alternative 6 looks the best Plan

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☑ newsletter ☐ someone told me about it ☐ other:



Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: KURT KURASAKI

ADDRESS: 400 SAN JUAN HOLLISTER CITY: SAN JUAN BTA ZIP: 95045

REPRESENTING: MISSION FARM RV PARK, INC

Do you wish to be added to the project mailing list? ☑ YES ☐ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

WITH OUR PROPERTY BEING SITUATED AT THE LOWEST POINT OF THE SAN JUAN VALLEY, OUR MAIN CONCERN FOR THIS PROPOSED DESIGN IS THE FLOODING PROBLEM. THE PROPOSED DESIGNS INDICATE AN INCREASED ELEVATION OF HIGHWAY 156, ~~AND~~ WHICH WOULD POTENTIALLY DIVERT MORE WATER RUNOFF TOWARDS OUR PROPERTY. WE HAVE WITNESSED THE WORST FLOOD SITUATION OVERRAN OUR PROPERTY IN 1997, AND DESPITE MENTIONING OUR CONCERNS AT PREVIOUS MEETINGS WITH CALTRANS ENGINEERS, WE HAVE YET TO SEE A SOLUTION PROPOSED TO PREVENT A FUTURE DISASTER SITUATION.

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☑ newsletter ☐ someone told me about it ☐ other: _____

Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: DONNA J. COUSINS

ADDRESS: 211 4th St PO. Box 447 CITY: SAN JUAN BAUT ZIP: 95045-0447

REPRESENTING: Self

Do you wish to be added to the project mailing list? ☒ YES ☐ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

DO NOT WANT HIGHWAY WIDEN 1

INCREASE HWY 25 AND 152 2

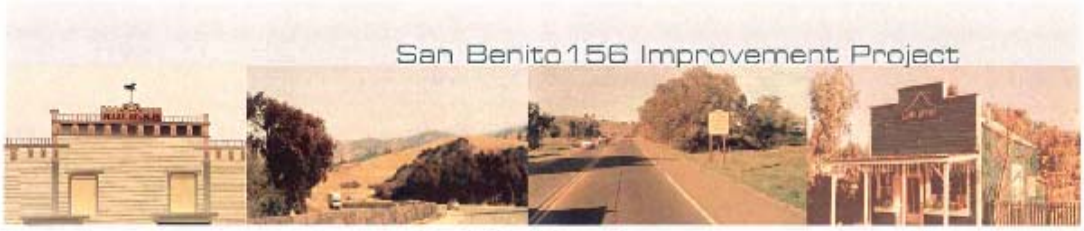
HWY 25 BY PASS CREATED OUR CROWDED 156 Rd

FROM SAN JUAN to HOLLISTER AND UNION Rd

Hollister built the homes and created the PROBLEM.

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☒ newspaper ☐ newsletter ☒ someone told me about it ☐ other: _____



Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Mary L. Velez

ADDRESS: 63 Franklin Cir CITY: SJB ZIP: 95045

REPRESENTING: PO Box 520 mailing address Self

Do you wish to be added to the project mailing list? ☒ YES ☐ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

1 * Do not want Highway widened. Will cause more truck + auto traffic.

2 * To much noise + pollution even with a sound wall which will make San Juan like a prison.

3 * Use up prime agriculture land

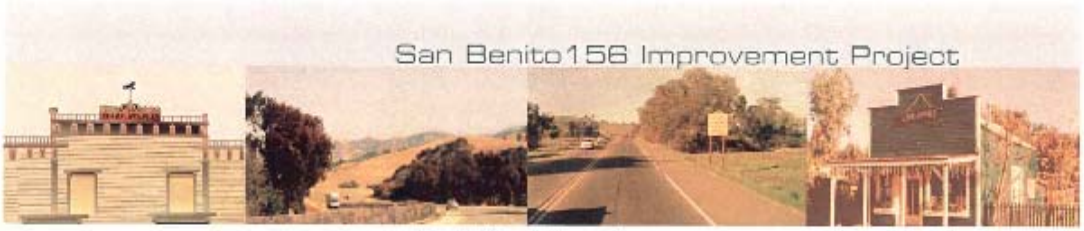
4 * Can't understand why they don't use highway 25 or 152 from Gilroy like presented in previous meetings.

5 * Since the traffic problems are because Nolliston even built we suffer.

* I feel like we are not listened to and CalTrans will do what even they want no matter how the SJB people feel.

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☐ newsletter ☒ someone told me about it ☐ other: _____



Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Scott Fuller

ADDRESS: 3825 Union Rd CITY: Hollister ZIP: 95023

REPRESENTING: San Juan Oaks Golf Club

Do you wish to be added to the project mailing list? ☒ YES ☐ NO

I think we're on the list already

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

(1) As San Juan Oaks has indicated in the past, we own a 60 foot easement right of way from our property to Highway 156. This is a dirt road that we utilize now but is slated to be a paved access road in the future. It meets Highway 156 just west of the San Justo School on the south side of the Highway.

(2) San Juan Oaks main access is at Union Road, just south of Highway 156. We are concerned with the location of the frontage roads on each alternative at Union Road as it affects channelization and left turns from our property to Union Road.

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☐ newsletter ☐ someone told me about it ☒ other: Mailed notice

Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Rosemary Guidotti

ADDRESS: 37498 Foothill Rd CITY: Soledad ZIP: 93960

REPRESENTING: self

Do you wish to be added to the project mailing list? ☒ YES ☐ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

Alternative 2 looks like the lesser of all evils. 1

I would prefer to see the whole road system go N of San Juan & use less fertile soil. 2

I would like to see things move faster. 3

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☐ newsletter ☐ someone told me about it ☐ other _____

Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Jolene Cosio

ADDRESS: PO Box 521 CITY: San Juan Bautista ZIP: CA 95045

REPRESENTING: Self

Do you wish to be added to the project mailing list? ☒ YES ☐ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print): NO 4 Lane highway. 1
Speed reduction would actually reduce
congestion on the existing highway because
there would be less accidents and accidents 2
are the worst problem for congestion on a
two lane highway. We need a sign for
NO ENGINE (JAKE) BRAKES, better signs for
the signal lights and a speed limit of
45 from Monterey Street to Breen Street &
55 on both sides of that stretch-
to Hollister 55 Monterey ⟵ 45 ⟶ Monterey 55 to 101

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☐ newsletter ☐ someone told me about it ☒ other: City Hall Meeting

Response to Comments

Betty Knatcher

Thank you for your expressed preference for Alternative 6; however, due to public comments received, the alternative has been changed slightly. Please refer to the map of the alternative in Chapter 1. The alternative still proposes a four-lane expressway with the existing State Route 156 as a northern frontage road, but the intersection north of Bixby Road has been eliminated and the alignment will continue a little further past Bixby Road than previously shown.

Kurt Kurasaki

The San Benito 156 Improvement Project proposes elevating the current profile of the highway and providing drainage systems for storm water runoff; however, pre-construction hydrologic patterns would not be modified by the proposed project. Your concerns have been forwarded to the Design Engineer for consideration.

Donna J. Cousins

1. Caltrans has noted your opposition to the project.
2. In regards to alternate route proposals, the final environmental document has been edited to include alternate route proposals in Chapter 1, Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored.

Mary Velez

1. Caltrans has noted your opposition to the project.
2. In regards to the construction of the project resulting in more traffic, based on the planned growth in northern San Benito County, traffic is going to increase with or without the project.
3. In regards to pollution, noise, and sound walls, the project in itself is not expected to result in an increase in noise to the City of San Juan Bautista and only one sound wall is proposed at the east end of the City of San Juan Bautista. No sound walls are proposed in the immediate vicinity of The Alameda. The project is not expected to result in additional air pollution because if congestion is reduced, so is idling time and traffic emissions.

4. In regards to the conversion of farmland, Caltrans has been able to reduce the farmland acreage needed for the preferred alternative to 145 acres by narrowing the median and combining the on-site and off-site runoff into one drainage ditch .
5. Caltrans has made a good faith effort in their outreach to the public for this project, and has taken many comments into consideration that have resulted in design changes and the reduction of farmland conversion.

Scott Fuller

Please refer to responses to the San Juan Oaks Golf Club, in this document.

Rosemary Guidotti

1. Caltrans has noted your preference for an alternative.
2. Your preference for moving the road system to the north is noted.
3. Due to the many statutes involved in the environmental clearance process, the process cannot be shortened.

Jolene Cosio

1. Caltrans has noted your opposition to the project.
2. Your suggestions for reduced speeds and signage are a common concern for other citizens from San Juan Bautista. These concerns and others have been discussed amongst representatives from the Council of San Benito County Governments, the City of San Juan Bautista, and Caltrans Traffic Operations. These issues, however, are outside the scope of the San Benito 156 Improvement Project; and, although some of the suggestions you have expressed appear straightforward, the public does not always accept restrictions without opposition.

Only one comment card was submitted at the public hearing in Hollister on September 26, 2007:

Public Hearing

Tuesday, September 25 and Wednesday, September 26

COMMENT CARD

NAME: Joanne Bushaw

ADDRESS: 1444 Teton Ave CITY: Salinas ZIP: 93906

REPRESENTING:

Do you wish to be added to the project mailing list? ☐ YES ☒ NO

Please drop comments in the Comment Box or

Mail to: Bobi Lyon-Ritter
Senior Environmental Planner
Department of Transportation
2015 East Shields Ave. Suite 100
Fresno, CA 93726-5428

I would like the following comments filed in the record (please print):

Give some thought to perhaps videotaping a complete project presentation. Include close-ups of all the information so the CD would give the viewer the same informative explanations as if he attended the public hearing. Make the CD available at no extra charge. Perhaps a nominal cost to anyone wishing to attend your hearings

Please respond by October 15, 2007

How Did You Hear About This Meeting? ☐ newspaper ☐ newsletter ☒ someone told me about it ☐ other:

but are unable to become of children scheduling or illness or any other reason

Ms. Bushaw's comment card states:

Give some thought to perhaps videotaping a complete project presentation. Include close-ups of all the information so the CD would give the viewer the same informative explanation as if they attended the public hearing. Make the CD available at no cost or perhaps a minimal cost to anyone wishing to attend your hearing but are unable due to children, scheduling, illness, or any other reasons.

Response to comments

Joann Bushaw

Thank you for your interest in the San Benito 156 Improvement Project. Your suggestions will be taken into consideration.

Section 5.0 Public Hearing Transcripts

The following transcript is for the public hearing held in San Juan Bautista on Tuesday, September 26, 2007. Responses to comments are provided at the end of the transcript copy.

Certified Copy

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

SAN BENITO 156 IMPROVEMENT PROJECT

PUBLIC HEARING

TUESDAY, SEPTEMBER 25, 2007

HELD AT:

SAN BENITO ELEMENTARY SCHOOL

SAN JUAN BAUTISTA, CALIFORNIA

MONTEREY PENINSULA COURT REPORTERS, INC.
P. O. BOX 2681, MONTEREY, CALIFORNIA 93942-2681
(MONTEREY) 831.375.2258 (FAX) 831.655.2258 TOLL FREE 800.242.6727

SAN JUAN BAUTISTA, CA, TUESDAY, SEPTEMBER 25, 2007, 4:00 P.M.

MR. ROSALES: Can I have your attention, please? I'd just like to announce the official opening of this public hearing. Thank you all for coming.

I'd also like to mention that the public comment period was extended to October 15, 2007, so there is additional time. That's noted on our fliers and website. Thank you.

MR. SLEZNICK: My name is James Sleznick, that's S-L-E-Z-N-I-C-K, and I live in San Juan Bautista.

My concern is the noise problem that we have now and that can only increase with the additional highway. Specifically, I feel the signage and the sound studies are flawed in that they do not reduce the truck noise to any appreciable degree. 1

Case in point, trucks end -- excuse me, trucks westbound on Highway 156, after they're stopped at the Alameda traffic light, tend to accelerate at a very noisy rate trying to reach that 55 mile per hour speed limit posted just a few feet past the traffic light. The result is that they're in a state of acceleration with the heavy exhaust noise all the way across the Washington Bridge and onto and past Monterey Street.

Conversely, trucks heading west -- I'm sorry, trucks traveling east on 156 are driving at a limit of --

1 posted limit of 65 miles per hour east of Highway 101, come
2 to a downgrade at Monterey Street and continue their
3 acceleration at 55 miles an hour plus over the Washington
4 Bridge overpass and on towards the traffic light at Alameda.
5 The result is that, in numerous cases, engine
6 braking noises and excessive air brake applications are
7 necessary to stop the speeding trucks in time to -- at the
8 traffic light. The engine noise, the jake brake noise --
9 call it whatever you want -- is just incredible night and day
10 on that downhill portion of the road to Alameda.
11 I personally feel that this thing is going to
12 happen. The road is going to come in spite of what the
13 community says against it. But at least Caltrans can put on
14 the table a proposal to reduce the speed limit through town
15 as a way of mitigating the noise problem. It has been
16 suggested by some people that something as simple as a 45
17 mile an hour speed limit from The Alameda to Monterey Street,
18 through the heart of the town, would mitigate some, if not
19 all of the noise problem. As it stands now, the speed limit
20 requires that jake brakes be used when approaching the
21 traffic light on Alameda.
22 I do not understand why, after all these years,
23 Caltrans continues to say, we cannot put engine braking signs
24 on the highway. Our studies have proven that the noise is
25 not excessive, et cetera, et cetera, et cetera. Try sleeping

on Washington Street when those jake brakes hit. Some of them sound like a World War II airplane coming through the neighborhood.

And by the way, San Juan Bautista enjoys a national reputation of being a "Preserve America Historic Community." The trucks passing through town with their noise pollution and accelerating diesel exhaust only add to the disturbance of the historic setting of this mission community.

San Juan Capistrano has a neighboring interstate, and the noise there takes away from the peace and tranquility of that particular historic setting. It's unfortunate, but it is a matter of fact. We do not want to be divided by a noise generating corridor. Therefore, there exists the need to slow the traffic down for just the mile would be greatly appreciated and a reasonable goal for the truck drivers themselves.

Thank you for your consideration.

JOLENE COSIO: I'm Jolene Cosio and I live in San Juan Bautista.

I don't like seeing this four-lane highway rammed down our throats simply because there's a four-lane highway through the cattle country that runs between us and 101. Currently, we are not talking about putting a four-lane highway through cattle country; we're talking about putting it through prime ag land where people live. 1

It does rupture the community of San Juan Bautista. It will disrupt people's lives who live in the San Juan Valley and there's no need for it. Most of the traffic is trucks going from Highway 5 to Highway 101, and those trucks can just as easily use Highway 152. I think more attention should be paid to the three-in-one, which would alleviate traffic on Highways 125, 152 and 156 and provide a superhighway that commuters from I-5 to 101 can use all day long and not bother anybody but the cows. 2

And as far as our current highway situation, we have a big problem with speeders going through town, both cars and trucks. But the bulk of the noise is coming from the trucks. They're going too fast. You cannot only hear the trucks bouncing along the bridge, but you can always hear them using their engine brakes, their jake brakes coming up to the signal. 3

There are several reasons for that. One is that the signage does not exist for not using jake brakes. The other is the flashing yellow light cannot be seen from down the highway when you're coming from 101 until you're right up to it and almost to the signal. So some of them, you might say, have to, in order to slow down, use their jake brakes. Many of them, however, are doing it on purpose. They're trucks that you can recognize the sound of that come through at certain times of the day. If you listen, you'll hear them

use their jake brakes all the way from the bridge to the signal.

This highway -- there's no reason why it needs to be 65 coming from 101. It should be 55 coming from 101; it should be 45 going through town. When we have an accident and the traffic is forced to slow down, even though it's very heavy traffic, you don't hear a thing. The noise is coming from speed and people trying to slow down. People run that signal. It's a danger. There's a school right there.

There are flooding problems that will be created by the highway they intend to build. We already have flooding problems in wet years and I have not seen anything that shows that Caltrans understands the problem well enough to alleviate it. 4

I've been to a lot of these meetings, and it's rather annoying that I don't feel like the comments of this town are being listened to. The commuters from Hollister notice a traffic problem, but I think what many of them don't understand is it has nothing to do with the commuters from Hollister. It has to do with the commuters from Highway 5.

In closing, let me say: Give us a brake!

MS. SLEZNICK: Hello, I'm Gayle Sleznick, San Juan Bautista.

We were first talking with the gentleman that -- I know he said the project got awards for its sound walls. And

I invited him to check out those that are by the Alameda going back towards the Washington Street, and they're below the sound. They built them way down, ruining some houses that have to look right into a white wall. They come up and you can still see the wheels going down the road, so they're not above the sound. They're beautiful walls, but they're below the sound. 1

The sound, we have jake brakes -- or engine brakes I guess you call them. The trucks run day and night now. There's even a guy at 2:30 in the morning, and it wakes everybody up. The guy said there were a hundred trucks. I said, "Maybe you should reopen your study on that because I count at least 20 to 30 trucks approaching me." Just approaching me, so I don't know what's coming behind me. Every time I go that four miles, I just -- sort of as a game, I count how many trucks are on this road within these four miles and it's always 12 to 30 trucks. That's just within those 40 miles. We found -- let's see.

Caltrans broke a water main a couple of weeks ago, and suddenly we noticed -- immediately noticed the sound. The car sound was gone. Traffic was still moving, but probably around, oh, 25 to 30 miles an hour. Since that road goes through our town and our residential area, even though it's a big Caltrans highway, if you eliminated the high speed and pulled it down to 25 to 35 miles an hour, it would solve 2

our sound problem.

Another thing to consider is, we do not have air conditioning in this town, so windows are open almost all year long. That's why we're so sensitive to sounds.

I would reopen the engine brake sound and the truck count investigations because I think your numbers are way off. They say it's just straight. No. They come from 101 up a hill and they're going 65, and if the light is red, they really jake brake. Even if it's green, they still flutter all the way through. We hear them not only through town, but they continue to flutter a mile or more down the other side of the light.

I was just looking at the option that the lady said was going to be the smallest footprint. I thought that was more like they would just put a ribbon of road down next to the existing road. But they still insist on raising that road to six feet within a certain section, which most of us that live here, we keep saying it's like building a dam. The water will build up behind that six-foot dike, and you'll ruin more agricultural land. With water coming to that and coming out the other side into culverts, that will ruin the prime agricultural land on the other side. 3

And during our experience through all of El Nino when we had the absolute heaviest, heaviest rain, that section of road was always open. It never flooded. But

there were bridges -- that was when bridges at King City had gone down, the bridges at Coalinga had gone out. We still could get to and from Hollister with no problem because the road was right down at the level of the fields.

Right now, we've seen the heavy traffic because everything is coming from the San Joaquin Valley through our town, and the trucks give us nothing back. All we have is the noise and the pollution. Even to the point that when we walk up the hill in the morning to Nyland's, which is right next to the highway, we're beginning to feel that it's not healthy anymore with all the diesel exhaust and that smell in the air.

I believe that's why we keep thinking that the three-in-one, to just fit the trucks into a channel that is not imposing on farms, 152 and the people living there, and those of us in our little towns and farms, you bypass Hollister. They're happy not to have those trucks go through their town anymore. But for some reason, we have them and nobody seems to care. We absorb the sound noise and pollution. And it is an historical town. It's been designated as a preservation historical town.

When you leave the Alameda and go towards Hollister, immediately on the left is this school that we're in, like, today. And less than a quarter mile down the road is the only RV park and campground nearby that's behind some

4

1 beautiful trees, a beautiful grove of trees. And once again,
2 if you could eliminate all the noise for those two very
3 important buildings and businesses that are very much needed 5
4 in this town, the school -- a school and a campground/RV park
5 are two necessary -- it's the only RV park in this area.
6 And, of course, the school is a major need.
7 Eliminating the noise was, again, just by taking it
8 down to a lower speed. I assume you're not going to take
9 down those trees to put in the next two lanes! The RV park
10 provides inexpensive housing, the only area around that
11 provides inexpensive housing in San Benito County.
12 When we first moved here 13 years ago, it was just
13 two lanes going through San Juan Bautista. It was within
14 that first year after we moved here that they started
15 building the additional two lanes, turning it into a
16 four-lane highway. I'd say our noise level increased a good
17 75 percent. We used to be able to sit out on the front porch
18 and talk. Now, we can only really enjoy our backyard due to
19 the noise.
20 They put a ribbing down, or something on the bridge
21 and that really -- that really surprised us. It just has a
22 WHUP! WHUP! WHUP! noise to it that wasn't there before.
23 You also tore down a stand of beautiful eucalyptus,
24 and when you did that, we lost all those beautiful trees.
25 The saplings are starting to come back, but it will take

years to replace them.

MR. FIORI: My name is Lou Fiori and I live in the county just outside of San Juan Bautista. I would like to see the integrity of the valley maintained because of the rich quality of the yellow soil, and because of the historical significance of the area. 1

My belief and choice is that this road out here should not be a truck route. They should redo the 101/ Highway 25 bypass, fly over and configure it in such a way that you can get trucks from north and south going to 25 and make this route out here, 156, not a truck route. 2

And right here at the intersection, we have this school sitting here. On average, six to 12 times a week, I see diesel trucks blowing this intersection -- laying on the horn and just blowing the intersection. Just laying on the horn and go flying through. The speed limit's fifty-five miles an hour right by the light here at the school, which means the trucks are doing 70, 75 miles an hour coming off the hill. 3

The other thing I think should be addressed -- I think I mentioned to Corby, she has the information -- Jacqueline Munoz is the Aromas San Juan School District Superintendent of Schools, and she should be contacted about the bus routes and the special needs bus routes for the kids in the area here, for the San Juan School District -- 4

Aromas/San Juan School District, and that may have some bearing on the factors of what determination Caltrans decides to make.

I think one of the biggest concerns -- and I think I already said this -- this road should not be a truck route. The health, life and safety of the children in the school district are very important.

I thank you for your time.

MR. ROSALES: How do I do this?

Ladies and gentleman, may I have your attention please? This public hearing is now officially closed.

(End of record, 7:00 p.m.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF MONTEREY)

I, JOANNE C. BUSHAW, a Certified Shorthand Reporter, License No. 4334, duly certified by the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place first herein set forth;

That the foregoing transcript, pages 1 through 12, is a true-and-correct record of the proceedings had at the said time and place, as recorded by me stenographically and thereafter prepared into transcript form under my direction;

I further certify that I am a disinterested person, and that I am in no way interested in the outcome of said action.

DATED this 27th day of September, 2007.

Joanne C. Bushaw
Certified Shorthand Reporter
State of California

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Response to Transcript Comments (Tuesday, September 26, 2007)

James Sleznick

Your concerns expressed appear to focus on noise from accelerating trucks and noise from braking trucks in and around The Alameda. In regards to noise from accelerating trucks, with a four-lane expressway, trucks won't have to accelerate to merge into a single lane any longer because faster-moving traffic can pass them without fear of on-coming traffic. In regards to braking noises, these concerns and others have been discussed amongst representatives from the Council of San Benito County Governments, the City of San Juan Bautista, and Caltrans Traffic Operations. These issues, however, are outside the scope of the San Benito 156 Improvement Project.

Jolene Cosio

1. In regards to farmland conversion, Caltrans has narrowed the median of the preferred alternative and combined the on-site and off-site drainage system, thereby, reducing the farmland needed for the project to 145 acres.

2. In regards to alternate route proposals, the final environmental document has been edited to include alternate route proposals in Chapter 1, Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative. A System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored.

3. Truck speed and the noise related to excessive speed is a common concern expressed by others. Please see the responses to Mr. Sleznick above.

4. Flooding is a concern expressed by others and is discussed in more detail in the responses to the San Benito County Water District and the City of San Juan Bautista in this document. We are sorry that you feel Caltrans has not been listening to the comments expressed. Although, there is no current plan to combine this project with a major flood management project, the proposed ditches could be enlarged and redesigned to accommodate a joint flood management project in the future. In the meantime, the project is not expected to change the pre-existing drainage patterns.

Gayle Sleznick

1. The sound wall west of The Alameda is outside the scope of the project as explained in responses to the City of San Juan Bautista. However, your comments were forwarded to the Caltrans Central Region Environmental Engineering Branch for consideration.

2. Traffic speed is also a common concern and suggestions to reduce speed limits were forwarded to Caltrans Traffic Operations for consideration. For additional information on this subject, please refer to the response to Mr. Sleznick above.

3. In regards to raising the profile of the roadway, flooding is a concern expressed by others and presents a safety hazard. Caltrans proposes to raise the profile only in areas where needed, not throughout the project limits. The raised profile is not expected to exceed five feet.

4. In regards to alternate route proposals, a System Analysis Study, which focuses on State Routes 101, 152, and 156, is being completed to investigate potential investments in the roadway system designed to improve east-west travel through the region, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored. The final environmental document has been edited to include alternate route proposals in Chapter 1, Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative.

5. In regards to noise abatement for the resources you identify, please refer to the draft environmental document, Section 2.2.6 Noise. Abatement was attempted for some of these resources, but was either refused by the entity or was unreasonable. A sound wall is proposed for the Mission Vineyard RV Park.

Lou Fiori

1. In regards to the integrity of the community, Caltrans has made a good faith effort to be informed about the needs and wishes of the residents of the City of San Juan Bautista. Caltrans recognizes the importance of the City's tourism industry and the City's need to maintain its historical character. In proposing the San Benito 156 Improvement Project Caltrans is not only attempting to preserve and protect the historic resources of the City and the San Juan Valley but is trying to maintain the economic health of northern San Benito County while meeting the needs of people traveling locally and regionally along the State Route 156 corridor.

2. For discussion on other east-west corridor proposals, Caltrans is investigating potential investments in the roadway system designed to improve east-west travel through the region, but in the meantime, the concerns for this segment on State Route 156 cannot be ignored. Please refer to Chapter 1, Section 1.3.3 Comparison of Alternatives, Locally Preferred Alternative of this document, where additional information on this subject has been added.

3. In regards to truck traffic speed and safety at The Alameda, safety is a priority for Caltrans and your concern for the safety of the school buses has been noted. The San Benito 156 Improvement Project does not include plans to make any changes to The Alameda intersection. However, in October 2007, Caltrans met with representatives from the City of San Juan Bautista and the Council of San Benito County Governments to discuss several concerns, including reducing noise generated from trucks using their jake-brakes, eliminating truck parking, changing speed limits, and addressing noise complaints in the vicinity of the Washington Street Overcrossing, and The Alameda intersection. Although, the issues discussed are all outside the scope of the San Benito 156 Improvement Project, the discussion also included City's long-term plan for developing the area south of State Route 156 along The Alameda, which may produce an opportunity to address these issues.

4. Your suggestion to meet with the Superintendent of Aromas San Juan School District will be taken into consideration. Caltrans has not received any written comment from any of the school districts in the area about the project. As stated before, safety is a priority for Caltrans. A frontage road would eliminate a conflict between commuters, truck traffic, and emergency response vehicles and school busses.

The following transcript is for the public hearing held in San Juan Bautista on Wednesday, September 27, 2007. No comments were made to the court reporter; therefore, no responses were made.

Certified Copy

STATE OF CALIFORNIA

DEPARTMENT OF TRANSPORTATION

REPORTER'S TRANSCRIPT OF PROCEEDINGS

SAN BENITO 156 IMPROVEMENT PROJECT

PUBLIC HEARING

WEDNESDAY, SEPTEMBER 26, 2007

HELD AT:

R. O. HARDIN ELEMENTARY SCHOOL

HOLLISTER, CALIFORNIA

MONTEREY PENINSULA COURT REPORTERS, INC.
P. O. BOX 2681, MONTEREY, CALIFORNIA 93942-2681
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HOLLISTER, CALIFORNIA WEDNESDAY, SEPTEMBER 26, 2007 4:00 P.M.

MR. ROSALES: This public meeting is now open.

(No attendees recorded their oral statements to the court reporter.)

MR. ROSALES: May I have your attention please? The public hearing is now officially closed.

(End of record, 7:00 p.m.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF MONTEREY)

I, JOANNE C. BUSHAW, a Certified Shorthand Reporter, License No. 4334, duly certified by the State of California, do hereby certify:

That the foregoing proceedings were taken before me at the time and place first herein set forth;

That the foregoing transcript, pages 1 through 3, is a true-and-correct record of the proceedings had at the said time and place, as recorded by me stenographically and thereafter prepared into transcript form under my direction;

I further certify that I am a disinterested person, and that I am in no way interested in the outcome of said action.

DATED this 1st day of October, 2007.

Joanne C. Bushaw
Certified Shorthand Reporter
State of California

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Section 6.0 Late Comments and Other Materials

Comments Received from T. Stephen C. Taylor, a General Partner of the Timus Taylor Family Limited Partnership, (Ferry-Morse Seed Company), Page 1 of 5

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December 30, 2007

VIA EMAIL AND FEDERAL EXPRESS

Bobi Lyon-Ritter
Branch Chief
California Department of Transportation
2015 East Shields Avenue, Suite 100
Fresno, CA 93726-5428

RE: San Benito Route 156 Improvement Project
Comment in Response to Draft Environmental Impact Report/Environmental Assessment -- Timus Taylor Family Limited Partnership

Dear Ms Lyon-Ritter:

This will serve as the formal written comment of the Timus Taylor Family Limited Partnership ("Partnership") to the Draft Environmental Impact Report/Environmental Assessment dated July, 2007 ("Assessment") of the San Benito Route 156 Improvement Project ("Project"), and will supplement the Partnership's previous comments submitted by telephone and email. As we understand you are now aware, the Partnership controls the Timus Taylor Ranch ("Ranch"). Because of (1) the devastating environmental impact Alternatives 2, 4A and 6 would have on the historic Ranch, coupled with (2) the complete and astounding failure of (a) the California Department of Transportation ("Caltrans") to provide the Partnership notice of the public hearings held in September and opportunity to comment on the Project during the stated public comment period and (b) both Caltrans and the State Historic Preservation Officer ("SHPO") to provide notice and opportunity to comment on Caltrans' proposed revision to the historic property boundary of the Ranch, the Partnership strongly supports the No-Build Alternative and strongly opposes Alternatives 2, 4A and 6 ("Build Alternatives"). Detailed bases for the Partnership's position are set forth below in this comment letter. 1

Background

As you know, the Ranch encompasses prime, agriculturally productive property that includes three parcels contiguous to Route 156 to the South and the entire historic 112.2 acre Ferry-Morse Seed Company ("Ferry-Morse") Seed Production Facility ("Facility"). The Ranch has had just two owners over the last 100 years. It was initially assembled by Ferry-Morse in the early 1900s, and was subsequently acquired from Ferry-Morse by the Taylor family in 1970, and thereafter conveyed to the Partnership. The Taylor family has continuously maintained substantial agricultural interests since the 1840s and is deeply committed to environmentally sensitive production, conservation agriculture and land use. Through the Partnership, the Taylor family has continued to pursue sound agricultural management of the historic Ranch for over two

T. Stephen C. Taylor, Page 2 of 5

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Page 2

decades and its partners have unanimously rejected numerous overtures to convert the property to non-agricultural use. Indicative of the Partnership's commitment to and singular focus on conservation agriculture, the entirety of the historic Ranch is subject to the California Land Conservation Act of 1965 ("Williamson Act") and the federal Reclamation Reform Act of 1982 ("RRA")

The crown jewel of the Ranch is the historic Ferry-Morse Facility, which served as Ferry-Morse's California headquarters and seed development laboratory for six decades. It includes a number of pristine Craftsman style buildings designed by master architect William Binder that were utilized for corporate administration purposes, along with historic operating facilities including the seed cleaning house and chaff mill. As referenced above, the Facility encompasses the entire 112.2 acre parcel, the northern side of which abuts Route 156. The North half of the parcel comprises the best soil of the entire Ranch, and therefore was specifically identified and utilized by Ferry-Morse to plant and monitor new seed varieties developed in the company's labs and greenhouses. This use is illustrated in the photograph attached hereto as Exhibit A. You will note Route 156 at the bottom right-hand corner of the photo, and the historic buildings of the compound in upper middle section of the photo.

Build Alternatives Do Not Reduce Environmental Impacts

The stated purpose of the Assessment is to examine the "potential environmental impacts of alternatives being considered" for the proposed Project. The Project must be assessed for compliance under both the National Environmental Policy Act ("NEPA") and the California Environmental Quality Act ("CEQA").

As you know, Caltrans and other members of the Project Development Team initially developed and studied ten (10) Build Alternatives, seven (7) of which (Alternatives 1, 2A, 3, 4, 5, 5A and 6A) the Assessment states have been rejected because each "did not reduce environmental impacts." None of the remaining three (3) Building Alternatives would "reduce environmental impacts" either. In fact, each of the Build Alternatives would have ***exponentially greater*** detrimental environmental impacts on the historic Ranch's farmland than the seven (7) rejected Build Alternatives. Each of the Build Alternatives would widen Route 156 only to the South, thereby resulting in massive conversion of the historic Ranch's farmland, all of which is "unique farmland" as defined pursuant to the federal Farmland Protection Policy Act ("FPPA"). Specifically, please note the following: 2

- Alternative 2 would result in conversion of thirteen percent (13%) of the total acreage of affected parcels of the Ranch, including thirty percent (30%) of the historic Ferry Morse parcel (all of which, as discussed below, is eligible for listing on the National Register of Historic Places);
- Alternative 4A would result in the conversion of eight percent (8%) of the total acreage of affected parcels of the Ranch, including nineteen percent (19%) of the historic Ferry Morse parcel; and
- Alternative 6 would result in conversion of twelve percent (12%) of the total acreage of affected parcels of the Ranch, including thirty percent (30%) of the historic Ferry Morse parcel.

T. Stephen C. Taylor, Page 3 of 5

Bobi Lyon-Ritter
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Page 3

Viewed as a whole, all of the Build Alternatives would result in massive conversion of the Ranch's unique farmland (as defined by the FPPA), both in actual acres and percentage terms, which constitutes a potential violation of both the FPPA and the Williamson Act The FPPA is intended to minimize the impact of federal programs on unnecessary and irreversible conversion of prime and unique farmland to nonagricultural uses Projects are subject to FPPA requirements if they irreversibly convert farmland to nonagricultural use and are completed with assistance from a Federal agency, such as state highway construction projects Because the proposed Project has been assigned to Caltrans by the Federal Highway Administration ("FHA"), the FPPA applies

Similarly, the stated purpose of the Williamson Act is to preserve agricultural lands by discouraging unnecessary conversion The Assessment's sole consideration of the Williamson Act is an unsupported statement that each of the Build Alternatives "would not acquire enough farmland from any single parcel to result in the cancellation of any Williamson Act contracts." Assuming for purposes of discussion that this is a true statement, it is nonetheless an incomplete and erroneous reading of the California Legislature's purpose to only consider the impact of the Build Alternatives on terms of contracts entered into under the Williamson Act. The inescapable fact is that all of the Build Alternatives would have material and detrimental farmland conversion impact on the historic Ranch, not *de minimis* impact Given that Alternatives 1, 2A, 3, 4, 5, 5A and 6A were rejected in whole or in part for failure to reduce environmental impacts, there is simply no reasonable basis for not also rejecting the remaining three Build Alternatives which have significantly greater detrimental environmental impacts on the historic Ranch

Detrimental Impact Under the National Historic Preservation Act

The Assessment, in Table S 1, states flatly that each of the Build Alternatives "would have no effect on any historic properties." This statement is erroneous As stated in the Assessment, the SHPO determined in 2003 that, pursuant to Section 106 of the National Historic Preservation Act ("NHPA"), the Ferry-Morse production complex is eligible for inclusion in the National Register of Historic Places ("National Register") In making this determination, the SHPO found the Ferry-Morse Facility to be 3

> a highly intact example of a significant production facility of one of the most important Pacific Coast seed producers of the era As an agricultural and industrial facility, it appears to be eligible under Criterion A at the statewide level of significance [and] also appears to meet Criterion C because of its association with well known local architect, William Binder

Letter dated June 9, 2003 from Dr Knox Mellon, SHPO, to Gary N Hamby, Caltrans The SHPO determined that for purposes of the National Register, the boundaries of the Ferry-Morse Facility are coterminous with the boundaries of the 112 2 acre legal parcel, as is consistent with the historic use of the Facility as exemplified in Exhibit A

When the Partnership was finally made aware of the existence of the Assessment following the close of the comment period, we learned for the first time that Caltrans by letter dated April 27, 2007 petitioned the SHPO to revise the boundary of the Ferry-Morse Facility for purposes of its eligibility for inclusion in the National Register Caltrans obviously realized such revision would

T. Stephen C. Taylor, Page 4 of 5

Bobi Lyon-Ritter
December 30, 2007
Page 4

be necessary to the feasibility of the Build Alternatives. Incredibly, neither Caltrans nor the SHPO notified us of the requested revision to the Ferry-Morse Facility located on our Ranch or requested information and input from us relevant to the proposal. As set forth below, such lack of notice demonstrates, at best, a fundamental failure on the part of Caltrans to abide by the required public notice and comment process and to be fundamentally fair and impartial in assessing the Build Alternatives.

Fatally Flawed Administrative Notice

The Partnership and the Taylor family have been the record owners of the historic Ranch since the early 1970s; however, we were neither notified of the existence of the Assessment nor of the two September public hearings until the following month. We note the Distribution List set forth in Chapter 6 of the Assessment includes literally dozens of notificants, ranging from U.S. Senators to a golf club, yet incredibly excludes the Partnership -- the property owner which stands to suffer the greatest and most egregiously detrimental environmental impacts from the three Build Alternatives of any person or entity impacted by the Project. 4

As noted above, Caltrans also utterly failed to notify us (or to our knowledge *anyone* other than the FHA) regarding its petition to the SHPO for a revision in the boundaries of the Ferry-Morse Facility, and then had the temerity to state in the Assessment that "no public comments have been received concerning possible effects to the Ferry Morse property."

Because the Partnership was not afforded notice and opportunity to attend the public hearings held in September or have access to comments submitted by landowners, government officials, environmental and conservation groups or other interested parties, we have no knowledge, other than as set forth in the Assessment, of the rationale(s) by which the seven Alternatives were rejected and three Build Alternatives remain under consideration. While there may have been political and financial considerations that factored heavily in rejecting the seven Alternatives, there is clearly no environmental justification for favoring Alternatives 2, 4A and 6 over the seven rejected Alternatives.

We do want to specifically commend Julie Dick Tex of Caltrans for what we believe was her realization that the Assessment process was not being handled by Caltrans fairly and in accordance with applicable federal and state public notice and comment requirements, and for her email dated October 12, 2007 in which she confirmed that, despite the passing of the publicly stated comment period, Caltrans would accept and duly consider this comment letter (see Exhibit B hereto). We are grateful to Ms. Tex for her assistance with regard to the Assessment.

Detrimental Budgetary Impact

With Governor Schwarzenegger's announcement on December 21, 2007 that he plans to declare a state of "fiscal emergency" and call a special session of the Legislature in January due to a projected 2007 budget shortfall of $3.3 billion, coupled with reported estimates of a 2008 budget shortfall exceeding $14 billion, we note that the Assessment provides massive cost estimates for the Build Alternatives ranging from $40,278,000 to $52,596,000. Moreover, it is only prudent to point out that these estimates are based on 2007 estimated cost of construction and 2009 cost of right-of-way acquisition. While the Partnership has not been provided an itemized breakdown of 5

T. Stephen C. Taylor, Page 5 of 5

Bobi Lyon-Ritter
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Page 5

these estimates, actual costs would assuredly significantly exceed them. We strongly suspect, for example, that the allocation to right-of-way acquisition is far below current market, where we are aware of offers for agricultural land in the area in excess of $50,000 per acre. Such cost estimates also may fail to include legal expenses and delays resulting from administrative proceedings and lawsuits associated with involuntary or improper takings. We hereby respectfully request that the Partnership be provided with an itemized breakdown of the foregoing estimates, specifically including the estimated per acre value allocated to right-of-way acquisition

Given the unknown but assuredly massive actual costs of the Build Alternatives and corresponding negative budgetary impact during a state of declared fiscal emergency, the No Build Alternative is the compelling choice in the current fiscal environment

Summary

The Partnership and the current generations of the Taylor family are committed to maintaining the Historic Ranch as part of our nearly 170-year legacy of conservation agriculture. Accordingly, we appreciate your due consideration of this comment letter and look forward to your determination that the No Build Alternative is the only rational environmental choice under the Assessment and to Caltrans' abandonment of the Project as currently outlined. We strongly encourage Caltrans to creatively consider more environmentally rational alternatives to alleviate any perceived traffic congestion and safety issues in and around San Juan Bautista, such as rerouting intercounty commercial traffic away from Route 156 by widening Highways 25 and 152 or building the proposed East-West route, and perhaps adding a third passing lane at intermittent intervals along to Route 156 within the existing right of way. We are hopeful that this letter will assist you in reaching a final determination that will ensure that (1) no detrimental environmental impacts to the historic Ranch occur and (2) Caltrans and the FHA do not take any actions that violate of any or all of the CEQA, FPPA, NEPA, RRA, Williamson Act or other federal and state laws and regulations

6

In the meantime, please be advised that, in light of the foregoing, we reserve all legal and administrative procedural rights in this matter.

Sincerely,

T. Stephen C. Taylor
General Partner
Timus Taylor Family Limited Partnership

TSCT/kh
Enclosures

Cc: Julie Dick Tex (via email)
Richard Rosales (via email)
Bill Christopher (via email)

Response to Mr. Taylor

1. Caltrans has noted your opposition to the San Benito 156 Improvement Project. Whether you support or oppose the project, however, Caltrans does appreciate your comments and would like to address your comments and concerns.

   In regards to the environmental impact to the Ferry-Morse Ranch, Caltrans has attempted to reduce the amount of farmland conversion, but unfortunately, any improvement to State Route 156 would affect farmland. The Project Development Team withdrew build alternatives to the north because many families and their homes would be dislocated. Given the limited affordable housing in the area, the decision appeared beneficial to the overall community to eliminate build alternatives that required relocation. In addition, due to the location of other eligible historic properties adjacent to State Route 156, a symmetrical improvement of the highway was impossible. Section 4(f) of the Department of Transportation Act of 1966 (See Section 1.3 Alternatives in the draft environmental document) requires highway projects to avoid the use of historic properties unless there is no prudent or feasible alternative to using the land. That is why the new alignment curves to the south to avoid the former San Justo School, an eligible historic property, and that is the basis for the revision of the Ferry-Morse Ranch boundaries.

   In regard to Caltrans failure to provide your partnership notice of the public hearings, Caltrans' practice in developing a mailing list of property owners for public notice is conducting a good-faith effort in compiling the list from the County Property Records, attendance sheets, and former contacts. The County records, at that time, did not have your correct mailing address. However, direct contact with one of the onsite managers of the farm leasing the Ferry-Morse parcels was made before the last public meeting. Because Caltrans welcomes comments from property owners, the Environmental Coordinator currently assigned to this project was concerned when the mailed notice was returned and conducted a diligent search to reach your partnership. Throughout the development of this project, additional efforts were made to keep the public aware of the project's progress via public meetings, newspaper ads, and press releases. The Project Development Team has worked with the local community for almost a decade and combined efforts by Caltrans and the Council of San Benito County Governments have been successful in keeping the community aware of the project's progress.

In regard to the failure of the State Office of Historic Preservation to notice your partnership of the revision to the historic property boundary of the Ferry-Morse Ranch, notice to the property owner is not required. The consultation between Caltrans and the State Historic Preservation Officer is to determine whether a property is eligible for listing in the National Register of Historic Places and what effects the proposed project may have on eligible properties.

2. In regards to farmland impacts, the farmland conversion resulting from the project has been determined a significant but an unavoidable environmental effect under the California Environmental Quality Act. The Project Development Team made efforts to reduce farmland conversion by minimizing the median from 62 feet to 46 feet, and by combining the drainage facility to convey offsite and onsite drainage. The preferred alternative, Alternative 6 as modified, requires a total of 145 acres of farmland, which includes 34.86 acres from your partnership parcel, APN 180-180-006. However, part of that acreage would be purchased from the partnership but titled back to the partnership for a private access easement based on Caltrans requirement to provide all property parcel owners with access easements to their parcels. The 34.86 acres represents 31.1 percent of the 112.20-acre parcel that houses the complex of historic structures. The preferred alternative would require approximately 9.5 percent of the total acreage of the affected parcels of the Ferry-Morse Ranch.

3. In regards to the detrimental impact to historic properties, it is Caltrans procedure to follow consultation procedures under Section 106 of the National Historic Preservation Act. The State Historic Preservation Officer concurred with Caltrans' determination that the project would have "No Adverse Effect" on the property. According to Caltrans 2008 Finding of Effect submitted to the State Historic Preservation Office, the significance of the Ferry-Morse Seed Company historic property derives chiefly from the complex of buildings, both individually and aggregately, and the associated landscaping. The preferred alternative does not entail the physical destruction or alteration of any of the buildings making up the historic seed-processing complex (on the 18-acre complex of buildings). Although there will be conversion of some of the adjacent land, the land has not been identified as a significant feature of the historic property, and bringing the highway alignment closer to the seed company complex does not constitute a change in character of the historic property use or of physical features within the property's setting that contribute to its historic significance. Although the complex of buildings exists in an expansive rural agricultural setting, the fields

are not specifically enumerated as character-defining features for the historic property because it is the seed-processing aspect of the property, rather than the farming operations, that make the property a historically significant resource.

4. In regard to the public notices, please refer to response number one. Your opposition to the project is noted.

5. In regard to the funding of the project, the project is fully funded in the 2008 State Transportation Improvement Program. All support costs and right-of-way capital are programmed from the New Programming Interregional Improvement Program. Construction capital is funded from a combination of Interregional Improvement Program, New Programming Regional Improvement Program, and Local (Council of San Benito County Governments) traffic impact fee funding.

6. In regards to choosing a preferred alternative, Caltrans has chosen Alternative 6, as modified, as the preferred alternative, which was concurred with by the Council of San Benito County Governments on May 8, 2008, and the San Benito County Board of Supervisors on May 6, 2008.

Caltrans does appreciate your comments and we hope that our response has adequately addressed your concerns and comments. We have taken note of your opposition to the project and acknowledge your right for litigation.

E-mail from Bev and Steve Miller to the Council of San Benito County Governments Forwarded to Caltrans for Response

From: Bev Miller [mailto:sibkm@razzolink.com]
Sent: Monday, May 05, 2008 9:40 PM
To: lisa@sanbenitocog.org
Subject: 156 widening project

Lisa,

I got your name from Jaime De La Cruz at the Community Pantry fund raiser because I told him my husband and I are very concerned about the decision on Alternative 6 on the San Benito 156 widening project. He said that you have all of the details of this project.

My husband and I are very concerned about the decision for several reasons:

1. The **amount of land and size** of the Alt. 6 plan seems like an overkill in addressing the traffic problem on 156, especially considering the location of the 2-lane bridge across the river on present 156 that will not be widened
2. Also, **Highway 25 needs to be included in the planning**, and have a widening plan in conjunction with this project to disperse traffic patterns more evenly.
3. **Making 156 the major thoroughfare**, including ***continuous frontage road access***, does not make sense considering the proximity of Highway 25, and when many of the intersecting roads on 156 are farm roads that are very lightly used during the non-growing season.
4. Also, many **residential homes will be affected negatively** as to noise and traffic pollution and close proximity of high volumes of traffic of the 156 widening project. Traffic will increase much more quickly, of course, if no other thoroughfare is worked on.

WHAT'S THIS? The Alternative 6 plan's details are difficult to figure out from the drawing shown in the newspaper. A frontage type road that "dips" off Union Road near Nothing Road, curves through the mountains to Old San Juan Hollister Road. What is that? It looks as if it bisects a residential lot.

Please be advised that a great number of residents are **not** in favor of the Alternative 6 plan.

Please work responsibly to answer the community's needs by making this decision in a way that safeguards both the aesthetics of this Hollister entrance road and the value of properties and residents' lives nearby, and the quality of lives of many more residents in the years to come.

Steve & Bev Miller
3315 Colina Linda Road
Hollister, CA 95023

Response from the Council of San Benito County Governments

05/06/2008 10:46 AM

cc "'Richard Rosales'" <richard_rosales@dot.ca.gov>, "'Rich Krumholz'" <rich_krumholz@dot.ca.gov>, "'Susan Thompson'" <sthompson@cao.co.san-benito.ca.us>, "'Mary Dinkuhn'" <mary@sanbenitocog.org>
Subject RE: 156 widening project

Hi Bev and Steve,

Thank you for sending me your concerns about the Route 156 Improvement Project. I will forward your comments to Caltrans. Caltrans is taking the lead on designing and constructing the project.

With regard to planning for Highway 25, Caltrans and the Council of Governments have been working since 2000 to advance the 4- lane widening phase of the project. Caltrans is preparing the required environmental document which will be released this fall for public comment. We are working to break up the project into phases so that we can pay for the project. Unfortunately, the project is still too expensive and it will take many years to save up enough money to pay for the entire widening. The entire 4-lane widening from Hollister to Santa Clara County line costs around $300 million.

In the short term, the Council of Governments is investing over $11 million to construct safety improvements to Highway 25. This project includes installing a concrete barrier from Hudner Lane to Shore Road and consolidating driveways closer to Hollister. This project will start early next year and should be complete by December 2009.

I would like to invite you to the COG office to go over plans for area highways and answer any further questions you may have.

Again, thank you for sending me your comments.

Lisa

****
Lisa Rheinheimer
Executive Director
Council of San Benito County Governments
330 Tres Pinos Rd., Ste. C7
Hollister, CA 95023
(831) 637-7665 phone
(831) 636-4160 fax

From: Bev Milier [mailto:sibkm@razzolink.com]
Sent: Monday, May 05, 2008 9:40 PM
To: lisa@sanbenitocog.org
Subject: 156 widening project

Lisa,

I got your name from Jaime De La Cruz at the Community Pantry fund raiser because I told him

Response from Caltrans Project Manager

Richard Rosales/D05/Caltrans/CAGov

05/13/2008 03:42 PM

To <sibkm@razzolink com>

cc Rich Krumholz/D05/Caltrans/CAGov@DOT, "Lisa Rheinheimer" <lisa@sanbenitocog.org>, Julie Dick Tex/D06/Caltrans/CAGov@DOT

bcc

Subject Route 156 Project

Steve and Bev Miller

Thank you for your comments on the San Benito 156 Improvement Project.

We have made strides to reduce the amount of farmland impacts by reducing our median width on the four-lane expressway from 62 feet to 46 feet in the rural areas and from 62 feet to 30 feet within city limits of San Juan Bautista. We have also reduce the amount of roadside ditches from four to two. This is preliminary design and we will continue to look for ways to reduce size when we continue in the detailed design phase.

Our traffic studies indicates a 60/40 split in traffic at the Rte 156 intersection with Business 156 (4th Street). Forty percent of the traffic continues along Route 156 north and Sixty percent of the traffic either turns on Union Road or Business 156 towards Hollister. This is the reason existing Rte 156 in the Bypass area (2-lane section including the bridge over San Benito River) does not require widening at this time.

There are approximately 31 access points on the north side of existing 156 along the project route and 19 along the south side. These access points consist of driveways and farm roads. Reducing these conflict points is key to enhancing safety and increasing operations of the proposed 4-lane expressway. The existing highway will serve a county frontage consolidating traffic to county road intersections with the proposed 4-lane expressway.

Traffic is actually being moved farther south from existing residents (noise receptors) along the north side of the existing highway which should minimize impacts.

The existing San Juan-Hollister Road is being realigned to allow for widening of the existing 156 to a 4-lane expressway. The realignment will require excavation of the hillside but will not impact any of the hillside residents. The widening in this location does impact a portion of a residential property consisting of a mobile home and detached garage/shed.

I hope I have answered your questions. I will forward your questions to our environmental generalist to include in final environmental document.
Please don't hesitate to call me if you should have further questions.

Sincerely,

Richard Rosales
Project Manager
District 5
(805) 549-3792

Letter received from Heidi Balz

Heidi Balz
P.O. Box 1011, 41 Monterey St.
San Juan Bautista, CA 95045
831-623-4095

May 30, 2008

Cal Trans
2015 East Shield Ave, Suite 100
Fresno, CA 93726-5428

Dear Bobi Lyon-Ritter

The quickest way to relieve traffic congestion between San Juan Bautista and Hollister is to improve the intersection at Highway 156 and Union Road. Expanding the intersection to 4 lanes, just like how the intersections are at Highway 156 and the Alameda, Highway 156 at Hwy 25 and the intersection of Hwy 156 and San Felipe Road. All these intersection have 4 lane expansions, so cars can get around slow moving trucks, relieving congestion. But not at Hwy 156 and Union it only has 2 lanes, which creates the traffic jam. 1

Since the new Hwy 156 bypass; between Union Road and Hwy 152, is only 2 lanes, why do we need a 6 lane highway between San Juan Bautista and Hollister? There isn't a good enough reason to destroy a beautiful scenic route, when the better solution is to improve and expand Hwy 25 and Hwy 152, and divert traffic off of Hwy 156. 2

We; as a nation, are finally starting to "Go Green" and preserve our world's environment. We; as San Benito County residents, need to protect our prime farmland from the mega asphalt highway!

Sincerely,

Heidi Balz

Response to Ms. Balz

Thank you for your interest in the San Benito 156 Improvement Project.

1. Caltrans Transportation Studies have determined that congestion is not limited to the intersection of State Route 156 and Mitchell and Union roads. By only improving that intersection, the rest of this segment of State Route 156 would remain congested and the conflict between slow-moving traffic and faster-paced vehicles would remain. The two-lane conventional highway limits passing safely when traffic is heavy on this segment of the highway.

2. The segment of State Route 156, known as the Hollister Bypass, is a two-lane expressway with limited access, which means driveways are not allowed and access is limited to a couple of intersections. The San Benito 156 Improvement Project has been known as, “The Gap,” referring to the fact that this segment is - a gap between two expressways. The preferred alternative would keep the existing State Route 156 as a frontage road with all driveways remaining in place; whereas, the four-lane expressway to the south would only have access at Bixby Road, Mitchell/Union roads and Mission Vineyard Road~~s~~. The frontage road is expected to provide a safer route for farm equipment, pedestrians, bicyclists, and slower-moving traffic.

   Caltrans has made efforts to keep the scenic vista by minimizing the median, proposing complementary landscaping, and minimizing the profile of the new alignment. Highway improvements to State Routes 25, 152, and 156 are proposed, but would not alleviate the existing congestion on this segment of State Route 156. In addition, studies are being completed for other east-west proposals, but the cost would be high due to the many bridges and property acquisitions. In the meantime, the traffic congestion and unsafe conditions between San Juan Bautista and Hollister cannot be ignored.

   Caltrans hopes that the responses provided adequately address your concerns. Thank you again for your input.

❖

Appendix M U.S. Fish and Wildlife Service Biological Opinion

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2493 Portola Road, Suite B
Ventura, California 93003

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
2008-F-0302

September 19, 2008

Randy Lavack
Senior Environmental Planner
Department of Transportation
50 Higuera Street
San Luis Obispo, California 93401

Subject: Biological Opinion on San Benito Route 156 Improvement Project, San Benito County, California (1-8-08-F-23) (File Number 05-SBT-156-KP 4.8/13.2 (PM 3.0/8.2) 05-344900)

Dear Mr. Lavack:

This document transmits the U.S. Fish and Wildlife Service's (Service) biological opinion based on our review of your proposed action to authorize the California Department of Transportation's (Caltrans) San Benito State Route (SR) 156 Improvement Project, San Benito County, California, and its effects on the federally threatened California red-legged frog (*Rana aurora draytonii*) and California tiger salamander (*Ambystoma californiense*) in accordance with section 7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Your request for formal consultation notes that you determined the proposed action meets the suitability criteria contained in the programmatic biological opinion for the California red-legged frog, dated April 24, 2003; we concur with this determination. Your request for formal consultation on the California red-legged frog, dated February 20, 2008, was received on February 21, 2008. Your request for formal consultation on the California tiger salamander was received by the Service on May 19, 2008.

This biological opinion is based on the biological assessment that accompanied your letter; e-mail and telephone correspondence between Jimmy Walth of Caltrans and Chad Mitcham (of my staff); and information available in our files. A complete administrative record of this consultation is on file at the Ventura Fish and Wildlife Office.

CONSULTATION HISTORY

The biological assessment (Caltrans 2008) included the determination that the proposed action is likely to adversely affect the California red-legged frog and requested that we initiate formal consultation. Your letter determined that proposed action will have no effect on critical habitat for the California red-legged frog. No critical habitat occurs within or downstream of the action area; therefore, none will be affected. Upon review of the biological Assessment for the San Benito State Route 156 Improvement Project (biological assessment) (Caltrans 2008), we

recommended that Caltrans assess the project for its potential effects on the California tiger salamander and the Federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*) in the eastern portion of the project area. In an e-mail received by the Service on May 19, 2008, Caltrans determined that the proposed project is likely to adversely affect the California tiger salamander. The proposed project does not occur within California tiger salamander critical habitat; therefore, none will be affected.

BIOLOGICAL OPINION

DESCRIPTION OF THE PROPOSED ACTION

The proposed project location is within and adjacent to SR 156 between Post Mile 3.0 and 8.2 in the San Juan Bautista area of San Benito County. The proposed project includes widening and realignment of a 5-mile segment of SR 156 in San Benito County from two lanes to four lanes. The proposed project also includes a two-lane frontage road on the north and consolidated private driveways (access easements) on the south side of the expressway. The proposed intersection at Bixby Road would provide access to the expressway from the north frontage road and the south access easements. The north frontage road (existing SR 156) would connect to Cagney Road to the west and to Mitchell Road to the east. The four-lane expressway would be shifted south to create traffic storage between the north frontage road and expressway, and to avoid the former San Justo School. An intersection without traffic signals would be constructed at Mission Vineyard/Cagney Road, and a median acceleration lane for trucks and farm equipment would be provided. The existing intersections with traffic signals at The Alameda Street, Union/Mitchell Road, and Fourth Street/Business Route 156 would be upgraded or reconstructed. The north frontage road would be resurfaced and San Juan Hollister Road realigned before Caltrans relinquishes responsibility to San Benito County. Construction is scheduled to begin July 15, 2011, and end by November 1, 2013.

The proposed project would consist of construction of a bridge at San Juan Creek and the replacement of a culvert at Mission Vineyard and San Juan Hollister Road. Water in the ditch that is associated with the culvert replacement originates from agricultural runoff and has a hydrologic connection with San Juan Creek. Bridge construction would temporarily affect approximately 0.15-acre of aquatic habitat, and permanently affect approximately 0.07-acre of aquatic habitat. The culvert replacement would temporarily affect approximately 0.15-acre of aquatic habitat, and permanently affect approximately 0.06-acre of aquatic habitat.

Intersection improvements at the intersection of Union Road and Mitchell Road would permanently impact 7.16 acres of non-native annual grasslands with additional temporary impacts to 6.38 of non-native annual grasslands that potentially serve as California tiger salamander upland and dispersal habitat.

Minimization Measures

Caltrans proposes to implement the protective measures for the California red-legged frog that are contained in the programmatic biological opinion (Service 2003).

Caltrans has requested that Lisa Schicker, Nancy Siepel and Thomas Edell be authorized to survey for, capture, and move California red-legged frogs from work areas pursuant to minimization measure one (1) contained in the programmatic biological opinion (Service 2003).

Caltrans has proposed or agreed to implement the following measures to minimize effects on the California tiger salamander:

1. To the maximum extent practicable, project activities within potential California tiger salamander upland and dispersal habitat will be implemented between May 15 and October 15, which is timed to occur between the breeding season and the fall dispersal period for California tiger salamanders.

2. Exclusionary fencing will be installed to avoid impacts to adjacent non-native grasslands that potentially serve as California tiger salamander upland habitat.

3. During vegetation removal and grading activities a qualified biologist will survey for and relocate any California tiger salamanders identified within potential California tiger salamander habitat.

4. A limited number of small mammal burrows within potential California tiger salamander habitat will be hand excavated prior to construction activities. Approximately 50 of the 300 rodent burrows identified in the eastern portion of the project area that are deemed most likely to contain California tiger salamanders will be hand excavated by a Service-approved biologist to determine if California tiger salamanders are present. If a California tiger salamander is located during hand excavation activities, then all rodent burrows within potential California tiger salamander upland habitat will be excavated. If no California tiger salamanders are located during excavation of the 50 burrows most likely to contain the species, then hand excavation activities will be suspended, and construction activities may proceed. Any California tiger salamanders found during hand excavation activities will be relocated the shortest distance possible by a Service-approved biologist to a location that has suitable habitat and will not be affected by project activities. A rodent burrow hand excavation plan with protocol for hand excavation, potential relocation sites, protocol for determination of rodent burrows with the highest likelihood of containing California tiger salamanders, and names of qualified personnel must be submitted to the Service at least 30 days before hand excavation activities are to begin.

STATUS OF THE SPECIES

California Red-Legged Frog

The programmatic biological opinion (Service 2003) describes the basic ecology of the subspecies and the reasons for its listing. The Service has published a recovery plan for the California red-legged frog (Service 2002).

California Tiger Salamander

The Service recognizes three distinct populations of the California tiger salamander; in Sonoma County (68 Federal Register (FR) 13498), in Central California (69 FR 47212), and in northern Santa Barbara County (65 FR 57242). On September 21, 2000, we listed the Santa Barbara County distinct population of the California tiger salamander as endangered (65 FR 57242). On March 19, 2003, we listed the Sonoma County distinct population segment of the California tiger salamander as endangered (68 FR 13498). On August 3, 2004, we published a final rule listing the California tiger salamander as threatened range-wide, including the previously identified Sonoma and Santa Barbara distinct population segments (69 FR 47212). On August 19, 2005, U.S. District Judge William Alsup vacated the Service's downlisting of the Sonoma and Santa Barbara populations from endangered to threatened. Thus, the Sonoma and Santa Barbara populations are once again listed as endangered, and the Central California population is listed as threatened. On November 24, 2004, we designated critical habitat for the Santa Barbara County population of California tiger salamander (69 FR 68568). On August 23, 2005, we designated critical habitat for the California tiger salamander, Central population, in four regions: Central Valley, Southern San Joaquin Valley, East Bay, and Central Coast (70 FR 49380). On December 14, 2005, we designated critical habitat for the Sonoma County distinct population segment of the California tiger salamander (70 FR 74138).

The California tiger salamander is endemic to the grassland community found in California's Central Valley, the surrounding foothills, and coastal valleys (Fisher and Shaffer 1996). Three distinct populations are recognized by the Service: in the coastal ranges of Sonoma County; in Central California including the San Francisco Bay area, the Central Valley, southern San Joaquin Valley, and the Central Coast Ranges; and in northern Santa Barbara County. The distribution of breeding locations of this amphibian does not naturally overlap with that of any other species of tiger salamander (Loredo et al. 1996, Petranka 1998, Stebbins 2003).

The California tiger salamander was first described as *Ambystoma californiense* by Gray in 1853, based on specimens that had been collected in Monterey, California (Grinnell and Camp 1917). Storer (1925) and Bishop (1943) also considered the California tiger salamander to be a distinct species. Dunn (1940), Gehlbach (1967), and Frost (1985) believed the California tiger salamander was a subspecies of the more widespread tiger salamander (*A. tigrinum*). However, based on recent studies of the genetics, geographic distribution, and ecological differences among the members of the *A. tigrinum* complex, the California tiger salamander has been

determined to represent a distinct species (Shaffer and Stanley 1991, Jones 1993, Shaffer et al. 1993, Shaffer and McKnight 1996, Irschick and Shaffer 1997).

The California tiger salamander is a large and stocky terrestrial salamander with small eyes and a broad, rounded snout. Adults may reach a total length of 8.2 inches (in) (208 millimeters (mm)), with males generally averaging about 8 in (203 mm) in total length, and females averaging about 6.8 in (173 mm) in total length. For both sexes, the average snout-to-vent length is approximately 3.6 in (91 mm) (65 FR 57242). The small eyes have black irises and protrude from the head. Coloration consists of white or pale yellow spots or bars on a black background on the back and sides. The belly varies from almost uniform white or pale yellow to a variegated pattern of white or pale yellow and black. Males can be distinguished from females, especially during the breeding season, by their swollen cloacae (a common chamber into which the intestinal, urinary, and reproductive canals discharge), larger tails, and larger overall size (Loredo and Van Vuren 1996).

Historically, natural ephemeral vernal pools were the primary breeding habitats for California tiger salamanders (Twitty 1941, Fisher and Shaffer 1996, Petranka 1998). However, with the conversion and loss of many vernal pools through farmland conversion and urban and suburban development, ephemeral and permanent ponds that have been created for livestock watering are now frequently used by the species (Fisher and Shaffer 1996, Robins and Vollmar 2002).

California tiger salamanders spend the majority of their lives in upland habitats and cannot persist without them (Trenham and Shaffer 2005). The upland component of California tiger salamander habitat typically consists of grassland savannah, but includes grasslands with scattered oak trees, and scrub or chaparral habitats (Shaffer et al. 1993, 65 FR 57242). Juvenile and adult California tiger salamanders spend the dry summer and fall months of the year in the burrows of small mammals, such as California ground squirrels (*Spermophilus beecheyi*) and Botta's pocket gophers (*Thomomys bottae*) (Storer 1925, Loredo and Van Vuren 1996, Trenham 1998, Pittman 2005). The creation of burrow habitat by ground squirrels and utilized by California tiger salamanders suggests a commensal relationship between the two species (Loredo et al. 1996).

Movement of California tiger salamanders within and among burrow systems continues for at least several months after juveniles and adults leave the ponds (Trenham 2001). California tiger salamanders cannot dig their own burrows, and as a result their presence is associated with burrowing mammals (Seymour and Westphal 1994). Active ground-burrowing rodent populations likely are required to sustain California tiger salamanders because inactive burrow systems become progressively unsuitable over time (69 FR 47212). Loredo et al. (1996) found that California ground squirrel burrow systems collapsed within 18 months following abandonment by, or loss of, the mammals.

California tiger salamanders have been found in upland habitats various distances from aquatic breeding habitats. In a trapping study in Contra Costa County, California tiger salamanders were trapped approximately 2,625 feet (800 m) to 3,940 feet (1,200 m) away from potential breeding

habitat (69 FR 47212). During a mark and recapture study in the Upper Carmel River Valley, Monterey County, Trenham et al. (2001) observed California tiger salamanders dispersing up to 2,200 ft (670 m) between breeding ponds between years. In research at Olcott Lake, Solano County, Trenham and Shaffer (2005) captured California tiger salamanders in traps installed 1,312 feet (400 m) from the breeding pond.

Adults enter breeding ponds during fall and winter rains, typically from October through February (Storer 1925, Loredo and Van Vuren 1996, Trenham et al. 2000). Males migrate to the breeding ponds before females (Twitty 1941, Shaffer et al. 1993, Loredo and Van Vuren 1996, Trenham 1998). Males usually remain in the ponds for an average of about 6 to 8 weeks, while females stay for approximately 1 to 2 weeks. In dry years, both sexes may stay for shorter periods (Loredo and Van Vuren 1996, Trenham 1998).

Females attach their eggs singly or, in rare circumstances, in groups of two to four, to twigs, grass stems, vegetation, or debris in the water (Storer 1925, Twitty 1941). In ponds with little or no vegetation, females may attach eggs to objects, such as rocks and boards on the bottom (Jennings and Hayes 1994). In drought years, the seasonal pools may not form and the adults may not breed (Barry and Shaffer 1994). The eggs hatch in 10 to 14 days with newly hatched salamanders (larvae) ranging in size from 0.5 to 0.6 in (11.5 to 14.2 mm) in total length (Petranka 1998). The larvae are aquatic. Each is yellowish gray in color and has a broad fat head, large, feathery external gills, and broad dorsal fins that extend well onto its back. The larvae feed on zooplankton, small crustaceans, and aquatic insects for about 6 weeks after hatching, after which they switch to larger prey (Anderson 1968). Larger larvae have been known to consume smaller tadpoles of Pacific tree frogs (*Hyla regilla*) and California red-legged frogs (Anderson 1968). The larvae are among the top aquatic predators in the seasonal pool ecosystems.

The larval stage of the California tiger salamander usually lasts 3 to 6 months, because most seasonal ponds and pools dry up during the summer (Petranka 1998). Amphibian larvae must grow to a critical minimum body size before they can metamorphose (change into a different physical form) to the terrestrial stage (Wilbur and Collins 1973). Larvae collected near Stockton in the Central Valley during April varied from 1.9 to 2.3 in (47 to 58 mm) in length (Storer 1925). Feaver (1971) found that larvae metamorphosed and left the breeding pools 60 to 94 days after the eggs had been laid, with larvae developing faster in smaller, more rapidly drying pools. The longer the inundation period, the larger the larvae and metamorphosed juveniles are able to grow, and the more likely they are to survive and reproduce (Semlitsch et al. 1988, Pechmann et al. 1989). The larvae perish if a site dries before they complete metamorphosis (P. Anderson 1968, Feaver 1971). Pechmann et al. (2001) found a strong positive correlation between inundation period and total number of metamorphosing juvenile amphibians, including tiger salamanders.

Metamorphosed juveniles leave the breeding sites in the late spring or early summer. Like the adults, juveniles may emerge from these retreats to feed during nights of high relative humidity (Storer 1925, Shaffer et al. 1993) before settling in their selected upland sites for the dry, hot

summer months. While most California tiger salamanders rely on rodent burrows for shelter, some individuals may utilize soil crevices as temporary shelter during upland migrations (Loredo et al. 1996). Mortality of juveniles during their first summer exceeds 50 percent (Trenham 1998). Emergence from upland habitat in hot, dry weather occasionally results in mass mortality of juveniles (Holland et al. 1990).

Lifetime reproductive success for California and other tiger salamanders is low. Trenham et al. (2000) found the average female bred 1.4 times over a lifetime, and produced 8.5 young that survived to metamorphosis, per reproductive effort. This resulted in approximately 12 metamorphic offspring over the lifetime of a female. Trenham et al. (2000) also reported that most California tiger salamanders in their study did not reach sexual maturity until 4 or 5 years old, and that less than 5 percent of juveniles survived to reach sexual maturity.

The California tiger salamander is threatened primarily by the destruction, degradation, and fragmentation of upland and aquatic habitats, primarily resulting from the conversion of these habitats by urban, commercial, and intensive agricultural activities (65 FR 57242, 68 FR 13498, 69 FR 47212). Additional threats to the species include hybridization with introduced non-native barred tiger salamanders (*A. tigrinum mavortium*) (65 FR 57242, 69 FR 47212), destructive rodent-control techniques (e.g., deep-ripping of burrow areas, use of fumigants) (68 FR 13498), reduced survival due to the presence of mosquitofish (Leyse and Lawlor 2000), and mortality on roads due to vehicles (65 FR 57242).

ENVIRONMENTAL BASELINE

Definition of Action Area

The implementing regulations for section 7(a)(2) of the Act define the "action area" as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action [50 Code of Federal Regulations (CFR) 402.02]. For the purposes of this biological opinion, we consider the action area to include all areas where people and equipment would be working. Based on the information provided to us we identify the action area as a total of 394 acres. These areas include and surround a section of SR 156 between post miles 3.0 and 8.2.

California Red-Legged Frog

The project area is located within the Watsonville Slough/Elkhorn Slough Recovery Core Area (Recovery Core Area 19) for the California red-legged frog (Service 2002). The Service (2002) has determined that this area is important for recovery of the California red-legged frog because it is currently occupied by the species, has the potential to provide a source population for reintroductions, and provides habitat connectivity between populations.

California red-legged frogs are known from several localities within a 5-mile radius of this project. On October 17, 2003 a Caltrans biologist identified four California red-legged frogs in the drainage ditch that is located approximately 30 yards from San Juan Creek, within the proposed action area. The main source of water for this ditch is agricultural runoff, which can be expected to be available year round (Caltrans 2008). Protocol surveys have not been conducted and the number of California red-legged frogs, or California red-legged frog breeding habitat along San Juan Creek or within the action area, has not been determined.

Aquatic habitat within the action area is limited to San Juan Creek and the drainage ditch that flows into the existing culvert at the intersection at Mission Vineyard and San Juan Hollister Road. The existing bridge spans San Juan Creek, with several piers within the creek bed.

The culvert replacement site is located where Mission Vineyard and San Juan Hollister Roads cross the drainage ditch that parallels the highway and eventually flows into San Juan Creek, which is located to the west. Although California red-legged frogs were not observed at this site, there is hydrologic connectivity to where California red-legged frogs were observed in the drainage ditch near the bridge replacement site.

California Tiger Salamander

California tiger salamanders are known from several localities within a 5-mile radius of the project. Approximately 1 mile south of the eastern portion of the project area is the San Juan Oaks Golf Course (golf course). California tiger salamanders are known to breed in at least six ponds within the golf course (Rincon Consultants, Inc. 2003 in Caltrans 2008). An additional pond is located on McCormick Selph, Inc. property that is located approximately 0.5-mile from the eastern portion of the project area. According to the Hazardous Waste Facility Permit Renewal Study this pond is suitable for California tiger salamander breeding (MSI 2006 in Caltrans 2008); however, this pond was not surveyed. Marginal upland habitat for the California tiger salamander exists within the eastern portion of the project area. The upland habitat is bordered by Union Road and Nothing Road, agricultural fields, and limited residential and commercial developments. Upland habitat within the project area consists of non-native annual grasslands that contain pocket gopher and California ground squirrel burrows. This area has the potential to be utilized by California tiger salamanders during migration which typically occurs during the wet season. These grasslands are located within the known 1.2-mile dispersal distance of known breeding sites.

EFFECTS OF THE ACTION

California Red-Legged Frog

The programmatic biological opinion (Service 2003) generally describes how California red-legged frogs could be affected by actions such as construction to improve the safety and operation of highways. For this reason, use of the programmatic biological opinion is appropriate and we will not repeat that analysis herein.

The proposed action would affect a small number of California red-legged frogs. Within San Juan Creek, up to 0.07-acre of aquatic habitat would be permanently affected by piers installed as part of the construction of the eastbound bridge. Approximately 0.15-acre of aquatic habitat would be temporarily affected as a result of dewatering of San Juan Creek for construction. The project design may change to clear-span the creek to minimize future maintenance and impacts to frogs.

Up to 0.06-acre of aquatic habitat in the drainage ditch that flows into San Juan Creek would be permanently affected while approximately 0.15-acre of aquatic habitat would be temporarily affected as a result of dewatering the drainage ditch that flows into San Juan Creek. The project design may change to clear-span the creek to minimize future maintenance and impacts to frogs (Caltrans 2008).

Because of the small size of aquatic habitat impacted within the action area (approximately 0.30-acre) and the fact that Caltrans has proposed to use the protective measures contained in the programmatic biological opinion, we anticipate that few, if any, California red-legged frogs are likely to be killed or injured during this work.

California Tiger Salamander

Development and construction activities within the action area that contains potential California tiger salamander dispersal habitat could result in long-term and short-term effects on California tiger salamanders from permanent removal of approximately 7.16 acres of upland habitat and temporary disturbance to an additional 6.38 acres of upland habitat. Direct adverse effects to California tiger salamanders in the action area may include injury or mortality from being crushed by heavy equipment, construction debris, and worker foot traffic. These impacts would be reduced by clearly demarcating the boundaries of the potential upland and dispersal habitat within the project area and equipment access routes. Attempting to avoid work activities during the dispersal and breeding season would further reduce adverse impacts.

Grading and paving activities associated with the road construction would likely result in the death of California tiger salamanders sheltering within small mammal burrows and migrating through the action area. Preconstruction surveys for small mammal burrows and hand excavation of small mammal burrows would reduce the possibility of California tiger salamander mortality. The installation of exclusionary fences around the construction areas before the commencement of grading and paving activities likely would exclude any California tiger salamanders that may be dispersing overland or attempting to find shelter in burrows in these grassland areas. The use of a Service-approved biologist, who is authorized to relocate any California tiger salamanders identified during burrow excavation, grading, and construction activities, would help minimize injury to California tiger salamanders found during these activities.

The capture and handling of California tiger salamanders to move them from a work area could result in injury or mortality as a result of improper handling, containment, or transport of

individuals or from releasing them into unsuitable habitat. Use of a Service-approved biologist would reduce or prevent such injury or mortality.

Few if any California tiger salamanders are anticipated to be affected by the proposed project. Due to the proposed protective and minimization measures Caltrans has agreed to implement, we anticipate that few if any California tiger salamanders are likely to be killed or injured by the proposed project.

CUMULATIVE EFFECTS

Cumulative effects include the effects of future State, tribal, local, or private actions that are reasonably certain to occur in the action area considered in this biological opinion. Future Federal actions that are unrelated to the proposed action are not considered in this section because they require separate consultation pursuant to section 7 of the Act. We are unaware of any non-federal actions that are reasonably certain to occur in the action area.

CONCLUSION

After reviewing the current status of the California red-legged frog and California tiger salamander, the environmental baseline for the action area, the effects of the San Benito Route 156 Improvement Project, and the cumulative effects, it is the Service's biological opinion that Caltrans' proposed activity is not likely to jeopardize the continued existence of the California red-legged frog and California tiger salamander.

We have reached these conclusions because:

1. A maximum of 0.13-acre of aquatic habitat will be permanently affected by the proposed project;

2. A maximum of 7.16 acres of potential California tiger salamander upland habitat will be permanently affected by the proposed project. The potential California tiger salamander habitat is bordered by Union and Nothing Roads, agricultural fields, residential and commercial development, and the impacts are small relative to habitat throughout the range of the California tiger salamander;

3. Caltrans has proposed measures to reduce the adverse effects of the proposed work on the California red-legged frog and California tiger salamander; and

4. Few, if any, California red-legged frogs and California tiger salamanders are likely to be killed or injured during project activities due to the small amount of habitat affected and the proposed minimization measures.

INCIDENTAL TAKE STATEMENT

Section 9 of the Act and Federal regulation pursuant to section 4(d) of the Act prohibit the take of endangered and threatened species, respectively, without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. Harass is defined by the Service as intentional or negligent actions that create the likelihood of injury to listed species by annoying them to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity. Under the terms of section 7(b)(4) and section 7(o)(2), taking that is incidental to and not intended as part of the agency action is not considered to be prohibited taking under the Act provided that such taking is in compliance with the terms and conditions of this incidental take statement.

The measures described below are non-discretionary and must be undertaken by Caltrans or contractors, as appropriate, for the exemption in section 7(o)(2) to apply. Caltrans has a continuing duty to regulate the activity covered by this incidental take statement. If Caltrans fails to adhere to the terms and conditions of the incidental take statement through enforceable terms that are added to the permit or grant document, the protective coverage of section 7(o)(2) may lapse. To monitor the impact of incidental take, Caltrans must report the progress of the action and its impacts on the species to the Service as specified in the incidental take statement [50 CFR §402.14(i)(3)].

All California red-legged frogs and California tiger salamanders in the action area are likely to be taken as a result of project activities. Most of these will be the result of capture and relocation, during which a few may be killed or injured. Few are likely to be directly killed or injured as a result of construction activities due to capture and relocation efforts. Because of the relatively small size of the California red-legged frog aquatic habitat and California tiger salamander upland habitat that would be affected, we anticipate that few California red-legged frogs or California tiger salamanders will be taken. Incidental take of California red-legged frogs and California tiger salamanders will be difficult to detect because of their small body sizes, and finding a dead or injured specimen is unlikely.

California red-legged frogs and California tiger salamanders may be taken only within the boundaries of the action area. The action area is defined in the Baseline section above.

REASONABLE AND PRUDENT MEASURES

The Service believes the following reasonable and prudent measures are necessary and appropriate to minimize take of the California red-legged frog and California tiger salamander:

1. Only qualified biologists, authorized by the Service, may survey for, capture, and move California red-legged frogs and California tiger salamanders from work areas.

2. Before any construction activities begin, a Service-approved biologist must conduct a training session for all construction personnel.

3. Caltrans must implement measures to minimize attraction of predators to the project site.

4. Caltrans must ensure that the level of incidental take that occurs during project implementation is commensurate with the analysis contained herein.

The Service's evaluation of the effects of the proposed action includes consideration of the measures to minimize the adverse effects of the proposed action on the California tiger salamander and California red-legged frog that were developed by Caltrans. The measures for the California tiger salamander are repeated in the Description of the Proposed Action portion of this biological opinion. The measures to minimize the adverse effects of the proposed action on the California red-legged frog that were developed by Caltrans are contained in the programmatic biological opinion for the California red-legged frog (Service 2003). Any subsequent changes in these measures proposed by Caltrans may constitute a modification of the proposed action and may warrant re-initiation of formal consultation, as specified at 50 CFR 402.16. These reasonable and prudent measures are intended to supplement the protective measures that were proposed by Caltrans as part of the proposed action.

TERMS AND CONDITIONS

To be exempt from the prohibitions of section 9 of the Act, Caltrans must comply with the following terms and conditions, which implement the reasonable and prudent measures described above. These terms and conditions are non-discretionary.

1. The following term and condition implements reasonable and prudent measure 1:

   Lisa Schicker, Nancy Siepel and Thomas Edell are authorized to survey for, capture, and move California red-legged frogs from work areas. Caltrans must request our approval of any additional biologist it wishes to employ to survey for, capture, or move California red-legged frogs and California tiger salamanders from work areas. The request must be in writing and be received by the Service at least 15 days prior to any such activities being conducted.

2. The following term and condition implements reasonable and prudent measure 2:

   Before any construction activities begin, a Service-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California tiger salamander and its habitat, the importance of the

Cottage Way, Room W-2928, Sacramento, California 95825-1886) and the Ventura Fish and Wildlife Office by telephone [(805) 644-1766] and in writing (2493 Portola Road, Suite B, Ventura, California 93003). The report must include the date, time, location of the carcass, a photograph, cause of death, if known, and any other pertinent information.

We recommend that dead California red-legged frogs and California tiger salamanders identified in the action area be tested for amphibian disease due to the increased occurrence of amphibian chytridiomycosis in California. However, this recommendation is voluntary and to be determined by you upon contacting our office at the discovery of a dead California red-legged frog or California tiger salamander. If you choose to submit specimens for testing they can be sent to Southern Illinois University Carbondale for low cost testing. You may contact Gretchen Padgett-Flohr through contact information provided below to determine if dead specimens are candidates for testing. If you determine not to submit dead California red-legged frogs and California tiger salamanders for testing, they must be placed with the California Academy of Sciences Herpetology Department (Contact: Jens Vindum, Department of Herpetology, California Academy of Sciences, 875 Howard Street, San Francisco, California, 94103, (415) 321-8289).

CONSERVATION RECOMMENDATIONS

Section 7(a)(1) of the Act directs Federal agencies to use their authorities to further the purposes of the Act by carrying out conservation programs for the benefit of endangered and threatened species. Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information. We recommend the following conservation measure to promote recovery of listed species:

> Caltrans should submit dead California red-legged frogs and California tiger salamanders for disease testing by following the protocol described below. Care should be taken in handling dead specimens to preserve biological material in the best possible state for later analysis. Specimens collected will be tested for amphibian disease, particularly amphibian chytridiomycosis, by sending them to Gretchen Padgett-Flohr, Department of Zoology, Life Sciences II, Southern Illinois University Carbondale, Carbondale, Illinois 62901. The same methodology is used for all life stages of all caudates and anurans. If the specimen is sloughing skin, care must be taken to include the slough with the animal. Specimens must be placed in a cooler with ice to slow decomposition until proper preservation is possible, but specimens should not be allowed to freeze. Specimens must be preserved in 70 percent ethanol in a leak-proof container (cryogenic vials are not leak-proof). When depositing adult or large post-metamorphic specimens in the ethanol, ensure that the abdominal cavity is punctured with a small incision to allow the preservative to flow into the body of the animal. The sample must be accompanied by a disease notification form that can be downloaded at http://www.ccadc.us/contact.htm, along with $5.00 per sample which is required for sample analysis and incorporating the data into the California amphibian disease database. The locations of specimens

identified as a disease carrier will be georeferenced online at http://www.ccadc.us. Additional information concerning sampling protocols, decontamination procedures and the mapping project can be found at http://www.ccadc.us (contact: Gretchen Padgett-Flohr, (618-201-5533); gpadgettflohr@aol.com). Arrangements regarding proper disposition of potential specimens should be made with the Southern Illinois University Carbondale, Department of Zoology by Caltrans prior to implementation of any actions. If it is determined by Gretchen Padgett-Flohr that the specimen should not be sent to Southern Illinois University Carbondale, the remains of California red-legged frogs and California tiger salamanders must be placed with the institution identified in the Disposition of Dead or Injured Specimens section of this biological opinion.

The Service requests notification of the implementation of any conservation recommendations so we may be kept informed of actions minimizing or avoiding adverse effects or benefitting listed species or their habitats.

REINITIATION NOTICE

This concludes formal consultation on the San Benito State Route 156 Improvement Project. As provided in 50 CFR §402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) the amount or extent of incidental take is exceeded; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action. In instances where the amount or extent of incidental take is exceeded, any operations causing such take must cease pending reinitiation.

If you have any questions, please contact Chad Mitcham of my staff at (805) 644-1766, extension 335.

Sincerely,

David M. Pereksta
Assistant Field Supervisor

cc:
Jim Walth, Caltrans

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List of Technical Studies Bound Separately

Volume I

Air, Noise, and Paleontology Technical Reports, March 2007

Noise Abatement Decision Report, February 2008

Initial Site Assessment, January 2005

Location Hydraulic Study, February 2004

Natural Environment Study, May 2007

Relocation Impact Memorandum (Draft/Final), May 2004

Relocation Impact Memorandum (Final), June 2008

Visual Impact Assessment, June 2007

Water Quality Assessment Report, April 2003; updated June 2007

Community Impact Assessment, August 2004

Volume II

Historic Property Survey Report, November 2002

Supplemental May 2007