COMMENTS FROM

ORGANIZATIONS

26 California Oak Foundation
27 California Native Plant Society
28 Employers Council of Mendocino County
29 Mendocino County Democratic Central Committee
30 Mendocino Forest Watch
31 Mendocino Land Trust
32 Save All the Valley Eternally
33 Sierra Club, Mendo-Lake Group
34 Willits Citizens for Good Planning
35 Willits Environmental Center
36 Willits Environmental Center/Willits Citizens for Good Planning (Rose Zoia, Attorney)

26 California Oak Foundation

26-1 The estimated acreage of oak woodland habitats adversely affected by the proposed alternatives discussed in the DEIS/EIR provides sufficient information to address the significance of the impact to oak woodlands. Biological resource surveys, including oak woodlands, have been conducted for Modified Alternative J1T (the Preferred Alternative). This alternative minimizes impacts to the riparian oak woodland that is of particular concern to the California Oak Foundation (see Final Alternatives Analysis, Appendix G, FEIS/EIR). Caltrans will continue working with the resources agencies to develop design modifications to further reduce impacts to oaks and other sensitive habitat features. A Conceptual Mitigation Plan (Appendix L, FEIS/EIR) has been developed and a Final Mitigation and Monitoring plan will be prepared through consultation with the resource agencies to maximize the potential for successful implementation of the plan.

Oaks California Oak Foundation

Our mission is to protect and perpetuate native oak woodlands

6

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July 15, 2002

Cher Daniels, Chief
CALTRANS OFFICE OF ENVIRONMENTAL MANAGEMENT S-1
2389 Gateway Oaks Dr.
Sacramento, CA 95833
Attn: Nancy MacKenzie, Environmental Coordinator

Re: Willits Bypass DEIR/DEIS

Dear Caltrans:

The California Oak Foundation (COF) appreciates the opportunity to comment on the Willits Bypass project. COF review of project planning documents has identified numerous errors of omission and commission related to the oak resource analysis. Furthermore, the draft Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS) is not in conformity with the requirements of the California Environmental Quality Act (CEQA) or National Environmental Policy Act (NEPA) regarding good faith disclosure of relevant oak biological data. This is the first DEIR or DEIS our organization has reviewed, including those involving Caltrans and the Federal Highway Administration (FHWA), that provided no tree data regarding the number of oak species impacted or their diameter. The first-step in performing an oak woodlands analysis is answering the question, "What do you have?" (Giusti and Tinnin 1993). Without oak species-specific information a meaningful analysis of oak habitat impacts or the sufficiency of mitigation measures is impossible. 26-1

Biological Resources
DEIR//DEIS: "Gary and black oak woodlands are locally and regionally common woodlands in the study area" (DEIR/DEIS at 4-26).

Most local/regional Gary and black oak are actually growing on commercial timberland, not oak woodland. Notably, the habitat area figures provided in Table 4-13 show that oak woodland is the least represented habitat type in the project area, representing less than 2 percent of the total area (DEIR/DEIS at 4-26). The oak woodlands of Little Lake Valley, in combination with the surrounding upland forests, represent the richest wildlife habitat in California: 26-2

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26-2 The report, *Oak Woodlands of Mendocino County: An Assessment of Their Distribution, Ownership Patterns and Policies and Projects affecting their Conservation* (G.A Gisusti, 2002, UC Integrated Hardwood Range Management Program [available on-line at http://danr.ucop.edu/ihrmp]) (report) documents that oak woodlands occupy significant acreage in the county of Mendocino, encompassing approximately 374,000 acres, particularly in the interior and eastern portions of the county. The report notes that approximately 70% of the oak woodlands in Mendocino County occur on private lands, and that approximately 30% occur on public lands. The report documents: 1) that black oaks are common and widely distributed throughout the upper elevations of Mendocino County; 2) that Oregon white oak (Garry oak) is near the southern portion of this species' range in Mendocino County, and that pure stands of Oregon white oak are not common in Mendocino County; and 3) that in Mendocino County valley oaks are associated with valleys, and that it is generally recognized that valley oaks are not regenerating sufficiently across its range to ensure its ecological survival. Caltrans recognizes the habitat value of oak woodlands and will avoid oaks to the extent possible. Caltrans will consult with resource agencies to develop the final mitigation plan that will maximize the potential for successful creation and preservation of oak trees.

"Mature oaks with scattered conifers and a moderately heavy understory of shrubs and grasses ranked highest for number of species and abundance of birds, rodents, deer, and elk. Next in importance was the edge between the above type and young oak stands, followed by the edge between mature oaks and conifers...Large California black oaks with well developed crowns are consistently part of the three habitats in which the largest number and the most species of wildlife are observed" (Kerns 1979).

Valley oak communities are identified as occurring in the project area. Statewide valley oak woodlands have become so fragmented that in many instances individual valley oaks are too widely spaced to propagate. Avoidance of impacts to valley oaks should be adopted for all project alternatives.

Species-Specific Mitigation Measures

26-3 DEIR//DEIS: "Caltrans/FHWA will replace oak woodland affected by the project... Caltrans/FHWA will comply with California Department of Fish and Game's Oak Protection Guidelines for mitigation of oak impacts. These guidelines recommend planting acorns or oak seedlings at a replacement ratio of 5:1 for oak trees > 2 inches diameter at breast height (dbh) impacted and 1:1 for oak trees < 2 inches dbh. Caltrans/FHWA may restore oak woodlands locally by planting oaks on suitable habitat sites and/or purchasing private land that will be transferred to a conservancy" (DEIR/DEIS at 5-68).

CDFG has no formal acorn or oak seedling replacement ratios. The mitigation proposal to plant acorns or seedlings does not represent a feasible oak woodlands habitat mitigation measure because the planting will not actually mitigate oak habitat impacts associated with this project. Recent scientific studies demonstrate that tree planting is an expensive and inefficient oak woodlands habitat mitigation measure, particularly for mature oak woodlands. One study found that, "The practice of planting to mitigate losses is itself questionable...There appears to be a need to improve the methods used to evaluate and assess impacts on oak woodlands" (Harris/Kocher 2001). Another research study (Standiford 2001) evaluated "planting as a mitigation strategy for habitat loss" and concluded: "The results suggest that it is important to evaluate if tree planting is a viable method of mitigation. Many important habitat elements, such as cavities, acorns, snags, and woody debris will not be mitigated through a tree planting strategy alone." The DEIR/DEIS also fails to recognize that planting black oak has not proven a viable mitigation measure due to high-mortality problems.

Summary

26-4 Both CEQA and NEPA stipulate that the mitigation measure must be "roughly proportional" to the impacts of the project. The proposed planting mitigation does not meet this standard. To rectify DEIR/DEIS oak mitigation deficiencies COF recommends the following mitigation protocol for the Willits Bypass preferred alternative: Procurement of oak woodland habitat adjacent to the project site and dedicate it in perpetuity for preservation in a natural condition. Procurement includes off-site land purchases and/or acquisition of conservation easements. Off-site oak woodland dedications shall be equivalent to the oak woodland acreage, oak species composition/structure and biological values impacted by the Willits Bypass project.

26-3 The reader should note that Modified Alternative J1T was developed in part to minimize impacts to the large oak woodland in the project area.

Mitigation Measure BIO-8 (Section 5.7.4.2, page 5-68, DEIS/EIR) has been modified; see Appendix A, FEIS/EIR, for proposed mitigation measures for Modified Alternative J1T. CDFG has no formal acorn or oak seedling replacement ratio. Caltrans coordinated with CDFG on the appropriate replacement ratio to mitigate for impacts to oaks by the project. Caltrans will fulfill the intent of Senate Concurrent Resolution No. 17 (Resolution), which advises State agencies "to preserve and protect native oak woodlands to the maximum extent feasible and consistent with the performance of their duties and responsibilities, or provide for replacement plantings where Blue, Engelman, Valley, or Coast Live Oak are removed from oak woodlands."

Caltrans recognizes that habitat values of large, mature oak trees cannot be mitigated for in the short term, and that it may take many decades for oaks to become large, mature trees. In the absence of any County or City tree preservation ordinances, Caltrans has coordinated with resources agencies to develop a viable Conceptual Mitigation Plan that will include a planting and monitoring plan. Young trees and/or acorns can be planted and, over time, viable habitat will become re-established. The Conceptual Mitigation Plan (Appendix L, FEIS/EIR), which was developed through coordination with the resource agencies, provides additional information related to oak woodland impacts and proposed mitigation.

26-4 The COF preference for Alternative J1T is noted. Modified Alternative J1T, which has been identified as the Preferred Alternative, minimizes impacts to the oak woodland of concern to COF. The Conceptual Mitigation Plan in Appendix L of the FEIS/EIR discusses proposed mitigation for oak woodland.

The final mitigation plan presented in the Willits bypass FEIR/FEIS must provide site-specific tree data for the number and dbh of oak species impacted by project alternatives. Environmental review needs to evaluate foreseeable local/regional oak ecosystem impacts from sudden oak death, phytophthora ramorum, and factor Gary and valley oak immunity to this lethal disease. Based on available information COF believes Alternative J1T should be designated the preferred alternative for the FEIR/FEIS.

Attached please find a table representing special status species that are listed by the California Natural Diversity Database. We hope that this tool will assist you in making informed oak woodland decisions.

Sincerely,

Janet Cobb

Janet S. Cobb, President
CALIFORNIA OAK FOUNDATION

attachment

Literature Cited

Giusti, G. A. and Tinnin, P. J. (editors) 1993. **A planner's guide for oak woodlands**. Publication of the Integrated Hardwood Management Program, Department of Forestry and Resource Management, University of California, Berkeley and the California Department of Forestry and Fire Protection; 94 p.

Harris, Richard R. and Kocher, Susan D. 2001. **Oak management by county jurisdiction in the central Sierra Nevada, California**. In: Proceedings of the fifth symposium on oak woodlands: oaks in California's changing landscape. 2001 October 22-25; San Diego, CA. Gen. Tech. Rep. PSW-GTR-184. Albany, CA: Pacific Southwest Research Station, Forest Service, U.S. Department of Agriculture; pp. 463-472.

Kerns, Steven J. 1979. **Observations on wildlife abundance in several California black oak habitats in northern California**. In: Proceedings of the symposium on the ecology, management and utilization of California oaks; 1979 June 26-28; Claremont CA. Gen. Tech. Rep. PSW-44. Berkeley, CA: Pacific Southwest Forest and Range Experiment Station, Forest Service, U.S. Department of Agriculture; pp. 275-291.

Standiford, R. B. (technical coordinator) 1996. **Guidelines for managing California's hardwood rangelands**. Integrated Hardwood Range Management Program, California Department of Fish and Game and California Department of Forestry and Fire Protection. Division of Agriculture & Natural Resources, University of California, Publication 3368: Appendix A; California Wildlife Habitat Relationships System, Version 5.0.

Standiford, R. B. 2001. **Modeling the effectiveness of habitat loss mitigation in blue oak woodlands with tree planting**. In: Proceedings of the fifth symposium on oak woodlands: oaks in California's changing landscape. 2001 October 22-25; San Diego, CA. Gen. Tech. Rep. PSW-GTR-184. Albany, CA: Pacific Southwest Research Station, Forest Service, U.S. Department of Agriculture; pp. 591-600.

26-5 We are not certain what the comment is referring to in the statement that …"Appendix E misstates or fails to recognize the legal status of several wildlife species…". Appendix E contains Responses to NOP/NOI.

Table 4-16, page 4-32 of the DEIS/EIR, summarizes the current listing status of wildlife species occurring or potentially occurring in the project area. The comment is correct in noting that bald eagle and peregrine falcon are State fully protected species and that this was not included in the status summary on Table 4-16. Table 4-16 will be corrected accordingly. The fully protected status of golden eagle is included in the table. (See the FEIS/EIR, Volume 3 Text Changes to the DEIS/EIR.)

The comment is correct in noting the California red-legged frog *(Rana aurora draytonii*) is listed federally as threatened. However, the subspecies of red-legged frog currently recognized as occurring in the project area is the Northern red-legged frog (*R. aurora aurora*) (Source: Recovery Plan for the California Red-legged Frog (*R. aurora draytonii)* [Final Recovery Plan dated May 28, 2002: Region 1, U.S. Fish and Wildlife Service, Portland, Oregon]). The Northern red-legged frog is a state species of special concern and a federal species of concern, and is not a listed species.

26-5

California Oak Foundation Attachment:
Willits Bypass Special Status Species

Appendix E misstates or fails to recognize the legal status of several wildlife species: Bald eagle, golden eagle and peregrine falcon are fully protected; California red-legged frog are threatened; California vole, foothill yellow-legged frog, merlin, northern goshawk, purple martin and western pond turtle are species of special concern.

The following table represents special status species that are listed by the California Natural Diversity Database and Appendix E as occurring in Mendocino County or the project area. According to the California Wildlife Habitat Relationships system these species "prefer or make great use" of the oak types found in the project area. Wildlife listed in red are designated fully protected species under Fish and Game Code Section 3511. The Department of Fish and Game has determined that the take prohibitions for fully protected species preclude it from issuing take permits, as it does for endangered and threatened species. The term "montane hardwood" includes Gary oak and black oak woodlands.

Source: California Wildlife Habitat Relationships System

Common Name	Hardwood Habitat		Habitat Elements				
	Valley Oak	Montane Hardwood	Riparian habitat	Logs, slash, brush piles	Snags	Burrows, rocks, talus, caves, cliffs	Vernal pools, wetlands
Bald eagle	x	x	x		x	x	x
California red-legged frog	x	x	x			x	x
California vole	x	x	x			x	
Cooper's hawk	x	x	x		x		
Foothill yellow-legged frog	x		x			x	
Golden eagle	x	x	x				
Merlin	x	x	x		x		x
Northern goshawk	x	x	x		x		
Northern Harrier	x	x	x				x
Northern spotted owl		x	x		x		
Northwestern pond turtle	x	x	x	x			x
Osprey	x	x	x		x		x
Peregrine falcon	x	x	x			x	x
Prairie falcon	x	x	x			x	x
Purple martin	x	x	x		x		x
Sharp-shinned hawk	x	x	x		x		
Townsend's big-eared bat	x	x	x			x	x
White-tailed kite	x		x		x		x
Yellow warbler	x	x	x				x

The table provided in the comment letter (Source: *California Wildlife Habitat Relations Systems* [California Department of Fish and Game]) identifies 19 special-status wildlife species that "prefer or make great use" of oak types found in the project area. This table does not reflect an understanding of the habitat requirements of these species. Cooper's hawk and white-tailed kite may use oak woodland habitats regularly and both species are known to nest in various woodland habitats in the project area. Golden eagle is known to nest in oaks east of Little Lake Valley, and elsewhere. The other wildlife species listed in this table may occur incidentally in oak woodland habitats, if oaks occur within or near their preferred habitat.

The following information is derived primarily from the *California Wildlife Habitat Relationships System* (California Department of Fish and Game).

California red-legged frog does not occur in Mendocino County; and Northern red-legged frog was not observed in the project area.

Bald Eagle is a wide ranging predator that requires large, old-growth trees or snags in mixed stands for nesting and perch sites, that are near large bodies of water that provide its primary food source, fish and waterfowl. Bald eagle was observed in Little Lake Valley, and the presence of waterfowl that occur during the winter months, when portions of Little Lake Valley are flooded by winter storms, would attact bald eagles wintering in the general vicinity of Willits.

California vole occurs in a variety of habitats, but are most abundant in early seral stages of montane riparian, dense annual grassland, and wet meadow.

Foothill yellow-legged frog occurs in and near rocky streams in a variety of habitats, including oak woodland.

Merlins are wide ranging predators that use a wide variety of habitats during the winter months, from annual grasslands to ponderosa pine and montaine hardwood-conifer forests. Merlins do not breed in California.

California Natural Diversity Database

Special Status Plants, Animals and Natural Communities of
MENDOCINO COUNTY

Scientific Name	Common Name	STATUS*: *(see footnotes) Federal	California	CDFG	CNPS
Vascular Plants					
Navarretia leucocephala ssp bakeri	BAKER'S NAVARRETIA	None	None		1B
Phacelia insularis var continentis	NORTH COAST PHACELIA	Species of concern	None		1B
Pinus contorta ssp bolanderi	BOLANDER'S BEACH PINE	Species of concern	None		1B
Plagiobothrys lithocaryus	MAYACAMAS POPCORN-FLOWER	None	None		1A
Pleuropogon hooverianus	NORTH COAST SEMAPHORE GRASS	Species of concern	Rare		1B
Potamogeton epihydrus ssp nuttallii	NUTTALL'S PONDWEED	None	None		2
Puccinellia pumila	DWARF ALKALI GRASS	None	None		2
Sanguisorba officinalis	GREAT BURNET	None	None		2
Sedum eastwoodiae	RED MOUNTAIN STONECROP	Candidate	None		1B
Sidalcea calycosa ssp rhizomata	POINT REYES CHECKERBLOOM	None	None		1B
Sidalcea malachroides	MAPLE-LEAVED CHECKERBLOOM	None	None		1B
Sidalcea oregana ssp hydrophila	MARSH CHECKERBLOOM	None	None		1B
Silene campanulata ssp campanulata	RED MOUNTAIN CATCHFLY	Candidate	Endangered		1B
Trifolium amoenum	SHOWY INDIAN CLOVER	Endangered	None		1B
Viola palustris	MARSH VIOLET	None	None		2
Snails and Slugs					
Helminthoglypta arrosa pomoensis	POMO BRONZE SHOULDERBAND	Species of concern	None		
Butterflies and Moths					
Danaus plexippus	MONARCH BUTTERFLY	None	None		
Lycaeides argyrognomon lotis	LOTIS BLUE BUTTERFLY	Endangered	None		
Fish					
Eucyclogobius newberryi	TIDEWATER GOBY	Endangered	None	SC	
Oncorhynchus kisutch	COHO SALMON	Threatened	Endangered	SC	
Oncorhynchus mykiss irideus	SUMMER STEELHEAD TROUT	Proposed Threatened	None	SC	
Amphibians					
Ascaphus truei	TAILED FROG	Species of concern	None	SC	
Plethodon elongatus	DEL NORTE SALAMANDER	Species of concern	None	SC	
Rana aurora draytonii	CALIFORNIA RED-LEGGED FROG	Threatened	None	SC	
Rana boylii	FOOTHILL YELLOW-LEGGED FROG	Species of concern	None	SC	
Rhyacotriton variegatus	SOUTHERN TORRENT (=SEEP) SALAMANDER	Species of concern	None	SC	
Reptiles					
Clemmys marmorata marmorata	NORTHWESTERN POND TURTLE	Species of concern	None	SC	
Birds					
Accipiter gentilis (nesting)	NORTHERN GOSHAWK	Species of concern	None	SC	
Agelaius tricolor (nesting colony)	TRICOLORED BLACKBIRD	Species of concern	None	SC	
Cerorhinca monocerata (nesting colony)	RHINOCEROS AUKLET	None	None	SC	
Charadrius alexandrinus nivosus (nesting)	WESTERN SNOWY PLOVER	Threatened	None	SC	
Dendroica petechia brewsteri (nesting)	YELLOW WARBLER	None	None	SC	
Fratercula cirrhata (nesting colony)	TUFTED PUFFIN	None	None	SC	
Icteria virens (nesting)	YELLOW-BREASTED CHAT	None	None	SC	
Pandion haliaetus (nesting)	OSPREY	None	None	SC	
Progne subis (nesting)	PURPLE MARTIN	None	None	SC	
Strix occidentalis caurina	NORTHERN SPOTTED OWL	Threatened	None	SC	
Mammals					
Aplodontia rufa nigra	POINT ARENA MOUNTAIN BEAVER	Endangered	None	SC	
Arborimus pomo	RED TREE VOLE	Species of concern	None	SC	
Corynorhinus townsendii pallescens	PALE BIG-EARED BAT	Species of concern	None	SC	
Corynorhinus townsendii townsendii	TOWNSEND'S WESTERN BIG-EARED BAT	Species of concern	None	SC	

revised Monday, April 05, 1999 Page 2 of 3

Northern Goshawk typically nests in mature coniferous forests dominated by ponderosa pine, Douglas-fir and white fir; and in drier areas, such as the Great Basin, will nest in high elevation aspen stands (Source: *Breeding Ecology of the Northern Goshawk in High-Elevation Aspen Forests of Northern* Nevada: In: *The Northern Goshawk: Ecology and Management* (W. M. Block, M. L. Morrison, and M. H. Reiser, editors. Proceedings of a Symposium of the Cooper's Ornithological Society, Sacramento, California, April 1993).

Northern Harrier occurs in meadows, grasslands, open rangelands, desert sinks, fresh and saltwater emergent wetlands, and nest on the ground in these habitats. They are seldom found in wooded areas.

Northern spotted owl occurs in dense, old-growth, multi-layered mixed conifer, redwood, and Douglas-fir habitats, and would not occur in the open oak woodlands within the project area. The California spotted owl, the subspecies occurring in the Sierra Nevada, will roost in oak woodlands.

Western pond turtle occurs in streams and ponds and the presence of oaks would be incidental to their primary habitat requirements.

Ospreys are associated strictly with large, fish-bearing waters, primarily in ponderosa pine through mixed conifer habitats, and uses large trees, snags, and dead-topped tresses in open forest habitats for cover and nesting.

Peregrine Falcons are wide ranging predators that breed mostly in woodland, forest and coastal habitats; and riparian areas (including oak woodland) and coastal and inland wetlands are important habitats yearlong. They require protected cliffs and ledges for nesting.

Prairie Falcons are wide ranging predators that are associated primarily with perennial grasslands, savannahs, rangeland, and agricultural fields, and catches prey in air and on ground in open areas. They require protected cliffs for nesting.

Purple Marlin occurs in old-growth, multi-layered, open forests and woodlands (including oak woodlands) with snags with old woodpecker cavities, that are used for nesting.

Sharp-shinned hawks usually nest in dense, pole and small-tree stands of conifers, which are cool, moist, well shaded, and with little ground-cover, near water.

Townsend's big-eared bats require caves, mines, tunnels, buildings, or other human-made structures for roosting and is an aerial predator.

Yellow Warblers usually occurs in riparian deciduous habitats in summer, consisting of cottonwood, willows, alders, and other small trees and shrubs typical of low, open-canopy riparian woodland.

In addition, a review of *The Oak Woodland Bird Conservation Plan: A strategy for Protecting and Managing Oak Woodland Habitats and Associated Birds in California* (California Partners in Flight. 2002. Version 2.0) does acknowledge that oak woodlands have the richest wildlife species abundance of any habitat in California, with over 330 species of birds, mammals, reptiles and amphibians depending on them at some state in their life cycle. However, it does not reference any of the special-status bird species in the table provided in the comment letter.

27 California Native Plant Society

27-1 As a result of public input and coordination with the NEPA/404 resource agencies, Modified Alternative J1T (the Preferred Alternative) avoids most of the oak woodland referred to in this comment letter. See Final Alternatives Analysis (Appendix G, FEIS/EIR). See also, Conceptual Mitigation Plan (Appendix L, FEIS/EIR).

Please refer to responses to Comments 26-1 through 26-4 (California Oak Foundation).

27-2 A two-lane alternative was not considered in the DEIS/EIR because it does not meet the purpose and need of the project (General Response 1.10).

27-3 Please refer to response to Comments 26-1 through 26-4 (California Oak Foundation). Caltrans will consult with the resources agencies familiar with oak woodland restoration methods to develop a planting and monitoring plan that will provide the best potential for the successful restoration of oaks.

Geri Hulse-Stephens
CA Native Plant Society
915 East Hill Rd.
Willits, CA, 95490

August 2, 2002

Cher Daniels, Chief
Caltrans Office of Environmental Management S-1
2389 Gateway Oaks Dr.
Sacramento CA 05833
Attn Nancy MacKenzie, Environmental Coordinator

Dear Ms. Daniels:

I have reviewed the Draft EIR/EIS for the Willits Bypass and submit to you my following comments:

27-1 The report fails to declare many of the significant impacts that the proposed project would have. Of concern is the oak woodland on route LT. This is a remnant of what is considered to be the original vegetation cover of the valley floor. To impact this woodland as proposed in Alternative LT would be to eliminate the last of this habitat. This is a significant biological impact. Mitigation measures that prescribe the planting of acorns (five acorns for each tree over 2 inches dbh) are absurdly inadequate and endanger this unique remnant. Avoidance of this habitat is the only means by which it would not be considered a significant impact.

27-2 The EIR/EIS does not discuss a two-lane alternative as a way to lessen the impact on natural communities. I suggest this be considered in the final document due to the following advantages:
A two-lane can wind around areas of biological significance like the afore-mentioned oak woodlands as well as rare plant sites.
A two-lane with a center divider encouraging slower speeds will be quieter and safer for humans and wildlife. With the addition of trees in the center and sides it will reduce both pollution, visual and noise impacts.

I have the following comments to make regarding mitigation measures:
The mitigation measures concerning invasive plants appear thorough and responsibly addressed.

The mitigation of proposed wildlife crossings to be determined by CDF&G also is commendable.

27-3 The oak woodland mitigation however, described in page C-3 of the document BIO-8 is not a reasonable mitigation. Trees must be actually replaced with 5-gallon trees at a 5 to 1 ratio wrapped with wildlife protection and watered regularly for at least the first five years. These trees should be nursery-grown from acorns collected on-site several years

prior to planting. The loss of forest humus caused by construction dooms any oak seedlings to failure.

27-4 The mitigation measure for the borrow site page c-1 BIO-2 #3 does not adequately respond to the loss of spotted owl habitat which would take 150 to 200 years to restore if topsoil were not removed. Because the project intends to remove between 1.8 and 2.4 million cubic meters of soil, this proposed mitigation has no basis in reality and therefore must be considered a substantial impact.

27-5 I see no mention of Navarritia leucocephala ssp. Bakeri in the document which is found in the wetlands of Little Lake Valley. It is a CNPS list 1B (rare, threatened or endangered) and state of California listed S1.1 (very threatened). Have Caltrans botanists looked for this plant in the proposed sites to be impacted? If it has been found what mitigation measures will be taken?

27-6 In light of the rarity and extremely small range of Limnanthes bakeri, Baker's meadowfoam, I would like to see a monitoring period of at least 10 years on new sites and previously degraded sites that have been selected for improvement due to the fluctuations of seasonal inundation due to periods of drought and flooding in California. I recommend that in addition to the efforts to enhance and establish new populations, that conservation easements be purchased where these efforts are taking place as well as where healthy populations already exist. Conservation easements will contribute to securing the success of these efforts and secure the historical habitat of this plant. This offers the best prospect for insuring no net loss of wetlands and no net loss of this species.

27-7 In addition to the proposed mitigation measures for Hesperolinon adenophyllum, glandular western flax, I recommend the establishment of a conservation easement as a mitigation for any disturbed populations because of the rarity of soils on which this plant is found. In addition, any efforts to create new populations would require a monitoring plan of at least 10 years to insure the genuine re-establishment of any attempted planting efforts.

Thank you for your attention to these comments.

Sincerely,

Geri Hulse-Stephens
Rare Plant Coordinator
California Native Plant Society, Sanhedrin Chapter

27-4 The proposed Oil Well Hill borrow site supports potential NSO habitat. Caltrans understands that impacts to mature growth coniferous forest habitat that is suitable habitat for Northern spotted owl (NSO) cannot be fully offset. However, young trees can be planted and, over time, viable habitat will develop. Caltrans has consulted with USFWS to develop minimization measures at the Oil Well Hill site. Also, the contractor may choose to use other permitted borrow sites, which would reduce impacts to NSO foraging and dispersal habitat.

27-5 Surveys for *Navarritia leucocephala* ssp. *bakeri* were conducted and populations found in the project area. These are illustrated on Map 15 of the *Willits Bypass DEIS/EIR Environmental Atlas*; and discussed on page 4-28 of the DEIS/EIR; and summarized in Table 4-15, page 4-30. No further discussion of this species occurs in the DEIS/EIR because the truncated alternatives do not affect any populations of this species.

27-6 Because Baker's meadowfoam is listed by the State as "Rare", it may not be covered under the California Endangered Species Act (CESA). However, it is protected under the California Native Plant Protection Act (NPPA) (Fish and Game Code 1900-1913), and under the California Environmental Quality Act (CEQA). The NPPA requires that we consult with the CDFG during project planning to comply with the NPPA and sections of CEQA. Baker's meadowfoam populations will be avoided to the extent feasible. Additional surveys will be conducted to identify any changes in the status of populations of Baker's meadowfoam within the preferred alignment (Modified Alternative J1T). A mitigation and monitoring plan will be developed in consultation with the CDFG, and a monitoring period of appropriate length will be implemented. This could include the purchase of conservation easements, if appropriate or feasible.

27-7 Because Alternative E3 does not meet the Clean Water Act Section 404(b)(1) criteria, it is no longer considered a viable alternative for construction. Hence, the one population of glandular western flax (*Hesperolinon adenophyllum*) occurring in this alignment will not be affected. See Section 7.1 of the Final Alternatives Analysis (Appendix G, FEIS/EIR).

28 Employers Council of Mendocino County

28-1 Comment noted. Traffic studies for the proposed project conclude that a four-lane bypass is needed to respond to existing and future traffic conditions and to meet the project's purpose and need.

28-2 See General Response 1.3, which discusses the reasons that Alternative L/C does not meet Clean Water Act Section 404(b)(1) criteria and therefore is not considered a viable alternative. See General Response 1.7, which discusses Caltrans coordination with local emergency services providers.

28-3 See General Responses 1.4 and 1.5 regarding a Willits Creek Restoration.

28-4 See responses to Comments 28-2 and 28-3.

EMPLOYERS COUNCIL OF MENDOCINO COUNTY
597B SOUTH MAIN STREET
UKIAH, CA 95482
TEL: 707-462-5021 EMAIL: abel@saber.net FAX: 707-462-0318

Cher Daniels, Chief 7 August 2002
Caltrans Office of Environmental Management, S-1
2389 Gateway Oaks Drive
Sacramento, CA. 95833

Attn: Nancy MacKenzie, Coordinator

Dear Chief Daniels:

The ECMC is on record as supporting a full state by-pass for the City of Willits.

28-1 A full 4 lane by-pass is required, not only to meet current transportation needs and pressures in the area, but also to adequately plan ahead as to future growth and state transportation needs.

28-2 ECMC currently supports the ELSIE/Wild Oat Canyon proposal, as the best service approach for travelers, residents and commuters in the Willits and Brooktrails communities. Various fire and other safety officials have endorsed this route proposal.

28-3 The Willits Creek Restoraton is the best mitigation proposal for the north end of the 101 Freeway. This restoration will provide a needed fish by-pass as well as working hand in glove with the new City of Willits wastewater treatment plant.

28-4 In our opinion, this proposal serves as a win-win situation. Please build the ELSIE hybrid alternative and study the Willits Creek Restoration approach.

Sincerely,

Al Beltrami
Executive Director ECMC has almost 190 members representing over 4,200 jobs

29 Mendocino County Democratic Central Committee

29-1 Alternative L/C does not meet Clean Water Act Section 404(b)(1) criteria and therefore is not considered a viable alternative. See General Response 1.3. See General Response 1.7 regarding Caltrans' coordination with local emergency services providers.

See General Response 1.6 regarding Brooktrails second access road and Caltrans coordination with the Brooktrails Township CSD.

See General Response 1.4 regarding a Willits Creek restoration project.

29-2 The three objectives of the Willits bypass project are to improve level of service, *improve traffic safety*, and reduce delays for interregional traffic on U.S. 101. See General Responses 1.4, 1.6, and 1.10. See also responses to Comments 34-11 (Willits Citizens for Good Planning) and 158-8 (Janet and Tony Orth).

29-3 See General Response 1.10, which supplements the DEIS/EIR discussion on why a two-lane alternative does not meet the purpose and need for the project.

29-4 See response to Comment 29-1.

Mendocino County Democratic Central Committee
P.O. Box 28
Ukiah, CA 95482

September 2, 2002

Rick Knapp, Director
Caltrans District 1
1656 Union Street
Eureka, CA 95501

Re: Willits Bypass

Dear Mr. Knapp:

We would like to express our support for the Willits Bypass plan that is most favored by the community, as found in the various comments submitted in response to the Draft U.S. 101 Willits Bypass Environmental Impact Statement/Environmental Impact Report (EIS/EIR).

29-1 This bypass design would be a four-lane "L-C" Hybrid Alternative with a Truck Scales interchange coordinated with a future Brooktrails "gateway" Second Access road and Willits Creek restoration. In supporting this design we join the Brooktrails Township Community Services District, City of Willits, Mendocino Council of Governments, Third District County Supervisor candidate Hal Wagenet, the Third District members of this Central Committee, various public service agencies, and many other individuals who have asked Caltrans to further study this concept.

29-2 Highway safety is of paramount concern. We believe, and licensed transportation engineers have testified, that a four-lane bypass would best address safety needs. New vehicle technologies have already begun to reduce the environmental impacts of a freeway, as we make the transition to the alternative fuels of the future.

There are numerous project enhancements that could help make this bypass the best possible design, even a model project that shows how the needs of interregional travelers, goods movement, the local community, and the environment can be served, far into the future. These might include more viaduct construction over the wetlands, realignment of the Willits Creek, Ed Burton's manufactured wetland and forest system for filtering wastewater runoff while providing natural habitat, and a seamless gateway interchange serving Brooktrails. Various funding sources could be pooled to make this possible, with help from our elected representatives in the Legislature and the Congress.

29-3 Also, as an important part of the public CEQA process, we know that you must answer local community concerns calling for a two-lane bypass. The final Environmental Impact Report (EIS/EIR) should clearly explain why a two-lane design is not being considered for this project.

29-4 **In closing, we urge you and the people at Caltrans to do all you can to design this L-C hybrid proposal favored by the local community to meet the CEQA standards for selection as the preferred alternative that will be built.** For our part, we will ask our elected officials to seek the necessary funds and to otherwise support the effort.

Rick Knapp, Caltrans Dist. 1
Page 2 of 2
September 2, 2002

Thank you for considering our comments on this major transportation project that will serve the interregional corridor and our local community needs.

Sincerely,

Tony Orth / Vice chairman

For Roy Petersen, Chair

jmo
cc: Mike Thompson, 1st Congressional District
Wesley Chesbro, 2nd Senate District
Virginia Strom-Martin, 1st Assembly District

30 Mendocino Forest Watch

30-1 See General Response 1.11.

30-2 NEPA and CEQA both have language allowing the lead agencies (either the federal agency in the case of NEPA or the state agency in the case of CEQA) to determine level of significance. Caltrans Traffic Noise Analysis Protocol lists the criteria that were used to determine level of noise impact as a result of the various build alternatives for the proposed bypass project. These criteria are applied statewide and consistently to all Caltrans Projects. See General Response 1.11.

MENDOCINO FOREST WATCH

P.O. Box 1551, Willits, CA 95490

(707) 459-4715

August 1, 2002

Cher Daniels, Chief
Caltrans Office of Environmental Management S-1
2389 Gateway Oaks Drive
Sacramento, CA 95833
Attn: Nancy MacKenzie, Environmental Coordinator

Dear Ms. Daniels,

We have reviewed the Draft Environmental Impact Statement/ Environmental Impact Report for the Willits Bypass and have concluded that it is inadequate in several respects. Surprisingly, Caltrans representatives at the "Open House" in Willits July 24, 2002 were unwilling or unable to explain or justify these discrepancies:

30-1 * The EIS/EIR fails to adequately identify and analyze numerous unavoidable significant impacts that a freeway bypass will have on the Willits Little Lake Valley and vicinity. These impacts include noise, loss of agricultural land, loss of oak woodlands, loss of wetlands, visual impacts, and impacts on the local economy. All of these impacts will substantially and irreversibly degrade the character of the area and our quality of life and are therefore "significant impacts."

30-2 * NOISE: The Little Lake Valley has a unique rural character with a relatively low ambient noise level. All Willits Bypass alternatives considered will significantly increase this ambient noise level. In fact, any increase in the ambient noise level as a result of the bypass must be considered a significant impact since it will substantially and irreversably degrade the natural qualities of the Willits area. Noise must be listed as an "Unavoidable Significant Impact" for all alternatives.

30-3 With the exception of Alternative E3, which would require the most earthwork, the alternatives offer a variety of visual experiences. Each alternative contains segments of near grade alignment as well as raised sections and structures. The visual impacts of each segment were assessed with appropriate mitigation measures tailored to viewers of each area. Therefore, not all portions of an alternative were found to contain the same or similar visual impacts. Additionally, the visual impacts of the current congested highway along with more future congestion were weighed against the visual impacts of the proposed project.

30-4 As a result of public input and coordination with the NEPA/404 resources agencies, the Preferred Alternative avoids the oak woodland referred to in this comment letter. The Preferred Alternative also reduces impacts to the Coleman property. Regarding feasibility of mitigation measures FRM-1 and FRM-3, please see responses to Comments 34-60 and 34-63 (Willits Citizens for Good Planning).

30-5 The estimate that 17 percent of the businesses located along U.S. 101/Main Street would be in danger of economic failure is a worst-case estimate. This figure is based on a rough calculation of the number of businesses visible from the roadway that appear to primarily cater to tourists or to tourists and residents. Examples include gas stations, fast food restaurants, and convenience stores. The diversion of through traffic away from these businesses would be likely to adversely affect them. However, many small communities have services of these kinds without the presence of a highway in the middle of the community.

30-3 • VISUAL IMPACTS: Willits' Little Lake Valley offers beautiful natural vistas that are an integral part of the area's unique rural character. The EIS/EIR lists 10 mitigation measures which will theoretically reduce visual impacts to less than significant, but these are totally inadequate, and tantamount to requiring all drivers to wear rose-tinted glasses with blinders (a safety hazard). Regardless of Caltrans' efforts to propose mitigation measures, a freeway bisecting the Little Lake Valley will be a visual "fist in the face", and will significantly degrade the rural character, beauty, and tranquil-ity of the area. Visual impact must be listed as an "Unavoid-able Significant Impact" for all alternatives.

30-4 • VALLEY OAK WOODLAND AND FARMLAND IMPACTS: The EIS/EIR concludes that there are no significant impacts of Alternative L that cannot be mitigated. This statement cannot be supported by the facts, since Alternative L destroys the only significant area of valley oak woodland remaining in Little Lake Valley, and it wipes out a significant portion of the beautiful and productive Coleman Ranch. In addition, farmland mitigation measures "FRM-1" and "FRM-3" are clearly unfeasible, and, therefore, cannot be considered . These impacts must be listed as "Unavoidable Significant Impacts". Without this disclosure, it is not possible to assess the comparative merits of the Alternatives.

30-5 • ECONOMIC IMPACTS: The EIS/EIR concludes that a loss of 17 percent of the businesses along U.S. 101 is not an "Unavoidable Significant Impact". This figure is obviously understated and it does not consider the "multiplier effect" that will result in the loss of even more jobs eventually. The loss of local businesses and the subsequent "downsizing" of remaining businesses must be listed as an "Unavoidable Significant Impact" for all alternatives.

30-6 • The EIS/EIR purports to be a "Draft" but it does not meet the legal requirements of NEPA and CEQA because it does not indicate a "preferred alternative". The EIS/EIR also fails to include a broad range of feasible alternatives as required by law. A two-lane (with passing and left-turn lanes) surface "thruway" should be analyzed in the "real" draft document.

30-7 Given the relatively low traffic volumes anticipated in the near and distant future, and given the current and future economic crisis resulting in huge state budget deficits, a "low-budget," two-lane, signaled, surface thruway should be given serious consideration as the most "feasible" alternative available at this time. This route can start east of the North Coast Railroad corridor from the south, then coincide with the railway corridor north of Coast to Coast Hardware, and continue along the railway corridor to intersect with

In the event that 17 percent of the businesses currently located along U.S. 101/Main Street did close, the impact to the rest of the Willits economy would likely be transitory. The shops and services available in Willits serve a large geographic area, including the expanding Brooktrails community. The removal of undesirable traffic, especially large trucks, through the downtown area holds the potential for attracting new businesses and shoppers to the downtown area. Businesses that serve through traffic will likely be replaced, over time, by businesses catering to shoppers and tourists. The loss of businesses is likely to be gradual. In the short term, the influx of construction capital and labor would be likely to cushion this impact.

The “pull factor” is a measure of a city’s ability to capture retail and other taxable sales. The pull factor is the ratio of local per capita sales to statewide per capita sales. A pull factor greater than one indicates that the community is capturing retail or taxable sales at a greater rate than the statewide average. A pull factor less than one indicates that the community is losing sales, relative to the statewide average. In 2002, Willits had a pull factor of 1.54 for total taxable transactions. This was better than in Santa Rosa or Petaluma, south along the U.S. 101 corridor. Ukiah, which has been bypassed for many years, had a pull factor of 1.90.

The loss of some portion of the tourist dollar currently spent in Willits would have multiplier effects within the community. On the other hand, opportunities for attracting new businesses and shoppers to the downtown area would also have multiplier effects throughout the community. And, in the short term, construction expenditures would have multiplier effects on the local and regional economy.

30-6 NEPA and CEQA require that the Draft EIS identify the lead agency's preferred alternative *if one exists*. The Willits Bypass DEIS/EIR does not identify a preferred alternative for a number of reasons. First, a LEDPA had to be identified. In the DEIS/EIR, Alternatives J1T and LT were identified as meeting the Clean Water Act Section 404(b)(1) criteria (see Summary Section S.5 and Appendix H). Public circulation of the DEIS/EIR provided critical input for modifications to Alternative J1T and completion of the LEDPA analysis, which resulted in the conclusion that the Modified Alternative J1T is the LEDPA (Chapter 2, FEIS/EIR). Regarding range of alternatives, NEPA and CEQA do not require a "broad range" of alternatives but a "reasonable range" of options that can accomplish the purpose and need of the project (40 CFR 1502.14; CEQA Guidelines Sec. 15126(d)(5). The purpose and need is detailed in Chapter 2 of the DEIS/EIR.

30-7 General Response 1.10 discusses why a two-lane alternative is not being considered and General Response 1.9 discusses why a center valley interchange is beyond the scope of the proposed bypass project. The North Coast Railroad Authority (NCRA) is working toward restoration of rail services (see response to Comment 80-4, Ellen Drell). Alternatives (such as Alternatives F, M, N O, and TSM) involving these concepts were considered but eliminated from further study, as stated in Section 3.6 of the DEIS/EIR.

30-8 Regarding adequacy of DEIS/EIR, see General Response 1.11. For discussion of why a two-lane alternative is not being considered, see General Response 1.10. For an explanation of the necessity for the project, see Chapter 2 Purpose and Need for Project, particularly Section 2.2.1 Existing Facility (DEIS/EIR). For a description of the public involvement opportunities and the alternatives review process that have occurred over the past several years, please see Section 3.6 Alternatives Considered but Eliminated from Further Study (DEIS/EIR) and Chapter 10 Comments and Coordination (DEIS/EIR), as well as Chapter 5 (FEIS/EIR).

30-9 See Chapter 2 (DEIS/EIR) for a discussion of the purpose and need for the proposed bypass.

30-7, cont.

U.S. Highway 101 at the current rail crossing north of Willits. This would require that the rail line be abandoned north of its western turn toward Noyo and Fort Bragg.

A surface thruway at this location would allow a connection with Highway 20 - the most congested traffic bottleneck on Highway 101 in northern California. And, a connection to Highway 20 from Brooktrails subdivision near the K.O.A. Campground could serve as the much-needed second access/egress from the subdivision. The proposed "Wild Oat Canyon" exit is totally unfeasible for environmental, economic, and practical reasons. The vast majority of trips from Brooktrails head south or west, and psychologically, travelling several miles "north" on a steep and winding Wild Oat Canyon road, would be a tedious inconvenience that most drivers would seldom burden themselves with.

A surface thruway would allow signaled intersections at East Side Road, Highway 20, East Valley Road, and East Commercial Street. The current Skunk Depot could be restored, refurbished, and serve as a regional Visitor/Information Center. The current abandoned Remco site could eventually be developed as a regional transportation hub for auto, rail and public transit.

The North Coast Railroad will never completely open north of Willits without huge, infinitessimal infusions of cash. The Eel River Canyon is too unstable, and the rail line, even if used sporadically, would be a virtual black hole sucking dollars forever and returning virtually nothing. The State of California has already subsidized this boondoggle to the tune of $100 million. That's more than enough to construct a first class Willits Thruway with a large chunk of cash leftover for contingencies.

30-8

The Willits Bypass EIS/EIR, is a "bogus" Draft - the biggest trial balloon since the Hindenberg. Significant impacts were not identified, and proposed mitigation measures are inadequate to reduce the significant impacts to non-significance, as required by law.

We request that Caltrans prepare and submit a "genuine" Draft EIS/EIR which adequately identifies and analyzes all significant impacts , proposes feasible mitigation measures to reduce those impacts to non-significance, and includes a full range of feasible alternatives including the aforementioned low budget two-lane surface thruway. The rugged, unstable country north from Ukiah to Eureka is sparsely populated and will be for the forseeable future. "State of the art" freeways in this terrain are totally unneccessary, totally unreasonable, totally uneconomical, and, therefore totally unfeasible. Caltrans District One should alter its mission and develop a more realistic approach to transportation in this region based on the realities of the terrain.

30-9

Willits doesn't need a 4-lane (or a 2-lane) freeway "bypass". Travelers and local residents alike need to get "through" Willits, not past it.

Sincerely,

Don Morris Maryl Morris

Don Morris and Maryl Morris

cc: Maiser Khaled

31 Mendocino Land Trust

31-1 Comment noted.

MENDOCINO LAND TRUST

August 19, 2002

Cher Daniels
Office of Environmental Management
Caltrans District 3
2389 Gateway Oaks Drive
Sacramento, CA 95833

Re: Willits Bypass Environmental Mitigations

Dear Ms. Daniels,

The Mendocino Land Trust conserves lands throughout Mendocino County. We assist in the acquisition, holding, management, and transfer of land in a manner designed to protect and enhance natural areas and their habitat.

Our organization was contacted by Lena Ashley, Caltrans Project Manager for the Willits Bypass, in August of 2001 concerning a possible role the Mendocino Land Trust could play in the mitigation process for the Willits Bypass Project.

We want to express our interest in exploring with you those aspects of this project that address the mitigation impacts on wetlands, streams, habitat or agricultural lands, including temporary or long term land management and holding. In the likelihood that Little Lake Valley is the preferred alternative for the Bypass alignment, the impacts will be significant.

Thank you for your consideration.

Sincerely,

Ken Karlstad

Ken Karlstad
Executive Director

cc: Board of Directors

jg/

MENDOCINO LAND TRUST, INC., PO BOX 1094, MENDOCINO CA 95460, PHONE: 707-962-0470, FAX: 962-0444, EMAIL: MLT@MCN.ORG

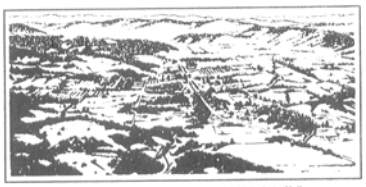
32 Save All the Valley Eternally

32-1 See General Response 1.10 for a discussion of why a two-lane alternative is not considered.

Removing the parking spots to widen Main Street would not accomplish project objectives.

The City of Willits was awarded a Community Based Transportation Planning Grant (California Department of Transportation) to study alternative transportation corridors in the city limits that will help relieve local traffic congestion. The study (Baechtel Road/Railroad Avenue Corridor Community Design Study, 2003) will be used to obtain funding for planning and design of a preferred alternative. However, this future project does not address interregional traffic.

The DEIS/EIR (Chapter 2) is clear that the purpose and need for the project is to serve interregional traffic, as noted by the comment.



Willits, California: nestled in the beautiful Little Lake Valley.

Save All the Valley Eternally

22420 East Side Road, Willits, CA. 95490 (707) 459-5850

August 1, 2002

Cher Daniels, Chief
Caltrans Office of Environ. Mgt. S-1
2389 Gateway Oaks Dr.
Sacramento Ca. 95833
Attn: Nancy MacKenzie

Maiser Khaled, Chief
District Operations-North
FHWA
980 9th St., Suite 400
Sacramento Ca. 95814

This is written regarding the Draft EIR for the Willits Bypass.

32-1

On page 2-14 of this report, you have eliminated our position supporting a two-lane thoroughfare, which we maintain would have minimal effects on all aspects and fewest significant impacts, while fulfilling what you have claimed is the facility's function. That is to reduce delays, to improve safety, and to achieve a Level C service function. Even the No-Build alternative would solve the transportation objective, at virtually no cost. Accomplish this by taking out of use the parking spots along Highway 101. This would double the capacity of the existing road. It would improve safety, by maintaining low speeds, and it would fulfill your Level C conditions, stable traffic flow.

Combined with constructing a parallel north-south Willits street, now in planning, you will have saved well over $100 million. However, reading your document indicates evidence that money, safety, reducing delays, and reducing density of traffic through Willits are not the motives for the proposal in the Draft EIR.

You simply want to have a freeway, regardless of consequences. Namely, your Caltrans Highway Safety Improvement Project (Dec. 1998, Table 2) proves that for every percentage point of reduced accidents, fatality increases by that same percentage point, per million miles, on a freeway versus a two-lane road, or what we call a truck route. In money, $124 million divided by thirty years, the life of the facility, equals over $4 MILLION per year. Per car with an average daily volume of 2000 inter-regional cars at peak hours, you are charging the taxpayer $2,000 per car-year. In terms of maximum use of road capacity, the waste is equivalent. According to your Highway Capacity Manual, Updated 1997, at peak hours, at the end of the life of the facility, we would not reach even one-quarter of the capacity of a full freeway, or even half the capacity of a two-lane road. Moreover, half of the traffic, by your own statistics, would continue to enter Willits, to use Highway 20. Thus, a hugely expensive road would not significantly help Willits at all. It would funnel off half of the present traffic, at a peak-hour cost per car-year of $2,000.

I must conclude that the inter-regional imperative is the reason for the freeway and the objective of this Draft EIR. It is incumbent upon the citizens to show that there are significant impacts resulting from this ambition.

The first significant impact is the very long delay in studying the project. In 1989, there was no provision for a two-lane alternative in inter-regional roads. Now there is. Your building policy has changed. We did not have credibility before. Now we do. You must re-study the two-lane concept. In addition, in 1989, before the Santa Barbara freeway controversy, there was no such thing as

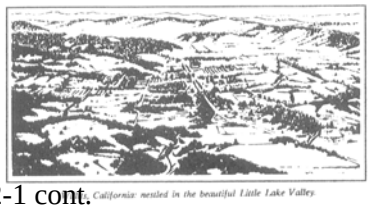
"The small landholder is the most precious part of a state."
– Thomas Jefferson

An underground "ditching" concept for the crossings at local roads would have impacts to the base flood elevations and would be costly and difficult to construct and maintain. The high groundwater elevations present in the valley during most of the year would require expensive measures to prevent groundwater intrusion.

32-2
The noise descriptor used in the noise impact analysis and as stated in 23 CFR 772 is Leq (h). Leq (h) is defined as the energy-average of the A-weighted sound levels occurring during a one hour period, in decibels. Noise abatement requirements are based on Leq (h) as the noise descriptor.

The noise levels of 75-90 dBA would be referring to a peak noise level for a single pass of a vehicle, rather than the average noise over a one-hour period. The results of the noise analysis are included in Section 3.11 of the FEIS/EIR.

Noise impacts to cemeteries are considered under Activity Category B, (see page 5-138 DEIS/EIR for Activity Categories).



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32-1 cont.

An underground design concept (ditching). Now there is. The "footprint" of the viaduct style freeway is enormous. Using a two-lane concept, with underground grading when crossing existing roads (East Hill, East Valley, East Commercial), the impacts would diminish. You are requested to re-study the two-lane concept with underground grades at intersections.

32-2

The second significant impact is the unconsidered effect upon the Little Lake Cemetery of 650 heavy trucks and 9000 cars a day. According to your Appendix A, 23 CFR, Ch. 1, part 772, the trucks make noise at 85-90 dBA and the cars at 75-80 dBA, at 65 mph. The Cemetery is within calling distance of route J and L. This noise level could be heard for miles. The Cemetery is one of those properties that qualify under category A, p. 5-138, Draft EIR as:

> 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 purposes.

You have neglected this critical and holy feature of our cultural environment in your research document. The CEQA requirement is that "an EIR must include a description of those impacts identified as significant and unavoidable if the proposed project were constructed." (page S-11, Draft EIR) Please reconsider routes and scale accordingly.

The third significant impact of the project is the noise effects of such a huge facility generally, both in its construction and completed phases, including the deceptive analysis that was used in the EIR to minimize illegally excessive noise data.

The EIR asserts 57 dBA as the base noise-level in the Willits valley. It also asserts 67 dBA is the peak-hour level of noise along the freeway. The threshold increase for triggering mitigation is 12 dBA. The study kept the increased noise below that. A 10 dBA increase means a four-fold loudness. On page 5-140, the EIR says the "noise levels would remain low" in the rural areas, whatever that means, and that long term noise levels would remain "virtually the same in most areas." Setting aside the arbitrary base and peak figures in the study, Appendix A, 23 CFR, Ch. 1, part 772 from the federal highway division utterly contradicts the 67 dBA peak figure as representing what kind of noise trucks and cars make at 65 mph. This graph demonstrates that the heavy trucks are close to 90 dBA; medium trucks (dual wheel) are close to 85 dBA; and cars are 75-80 dBA.

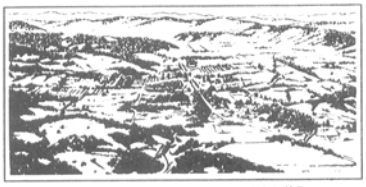
We know therefore that, with the base level of 57, neither car nor truck nor semi travelling at 65 mph down the Willits valley will make noise anywhere near as low as 69 dBA, the highest allowable level that escapes mitigation. In fact, the trucks will be over 50 times louder than permitted. Multiply that noise 650 times a day for the heavier vehicles and 9000 times a day for the cars, and the federal law is broken as long as there is traffic.

Repeating, to accord with federal standards, traffic along the proposed routes

"The small landholder is the most precious part of a state."
Thomas Jefferson

32-3 See responses to Comments 167-6 (William Ray).

32-4 While the viaduct will reduce impacts to wetlands and other resources, the portion of the bypass that is constructed on viaduct is required to avoid placing substantial fill in the floodway thus avoiding an increase to the arial extent of the Little Lake valley 100 year floodplain. See also General Response 1.11 and responses to Comments 30-2 (Mendocino Forest Watch) and 34-63 (Willits Citizens for Good Planning).



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Save All the Valley Eternally

22420 East Side Road, Willits, CA. 95490 (707) 459-5850

32-2, cont.

must exceed the existing noise-level by no more than 12 dBA, or four times existing noise. With a base noise-level of 57 dBA--WHICH HAS NEVER BEEN PROVEN--and a limit to increased noise of 12 dBA, the outside limit of increased noise in the Willits valley near the freeway facility must be 69 dBA or less. The actual sound-level of cars (75-80) far exceeds that level, 9000 times a day. The actual sound-level of trucks (85-90) exceeds that level 650 times a day.

You are requested to re-study the enormous noise-impacts of the proposed project so as to accord with your own dBA levels for heavy, medium and below three-ton vehicles. Such impacts are significant enough to require mitigation beyond the capacity of sound walls, which max out at 11 dBA reduction. Since there is a school within yards of the project site, and high sound-levels affect the children's hearing, health, and well-being, it is not a matter of answering the problem by saying a solution is not reasonable because not feasible. We are talking about clinical damage. The solution is to cease and desist the damage instead of defining reasonableness and feasibility as a higher value than the certain resulting damage. The same logic applies to the construction phase, wherein, for five years, noise-levels exceeding 100 dBA would characterize the project.

32-3 A corollary to this request is to study, as the proposal completely fails to do, the carrying effect of such dangerously high sound-volumes in an alluvial valley with echo- or amphitheater characteristics. With a viaduct construction, the proposed project would be high above the valley, from 16-49 feet, and the carrying effect of booming sound would reverberate for miles--just as the sound of a truck can be heard from one end of the valley to the other now. It is important to point out that only 17 sound receptor locations are anywhere near the actual J or L route projects. Most are behind buildings, trees, and hills.

It is very nearly criminally dishonest to ignore so much and claim "the noise levels would remain low". (page 5-140) By your own statistics, certified in your mandating Title (23 CFR), this is a falsehood, one that serves the inter-regional imperative but goes a long way to destroy the life and the peace you claim to aid. The same self-serving logic applies to how you propose to mitigate making a viaduct throughout our beautiful valley and utterly changing its aqua, flora, and fauna. You say that the road would stand on pylons. But that would triple the cost, and would be un-reasonable because infeasible, and won't be done. The mitigation doesn't mitigate. The snake can't swallow itself. Why be the snake and lie?

32-4

Please reconsider the significant and unavoidable impacts wrought by an unbearable noise-level on a high viaduct in an alluvial valley with amphitheater characteristics invaded by huge and loud machines travelling at high speeds, emitting geometrically expanding volumes of poison and toxically damaging noise.

William Ray

William Ray
for SAVE

"The small landholder is the most precious part of a state."
Thomas Jefferson

33 Sierra Club, Mendo-Lake Group

33-1 The reader is directed to Section 3.6 (Alternatives Considered but Eliminated from Further Study) (DEIS/EIR) for a discussion of the approximately thirty alternatives that were studied throughout the project development process. Alternatives that were not considered reasonable or feasible were eliminated from consideration, as were alternatives that did not meet the purpose and need of the project. The DEIS/EIR included four build alternatives as well as hybrid combinations of the valley alternatives. While an infinite range of alternatives *may* exist, the EIS need only evaluate a *reasonable range* of feasible alternatives (NEPA 40 Questions 1a and 1b).

33-2 Restoration of commercial freight rail service would not solve the existing conflict between interregional and local traffic on U.S. 101/Main Street. Although restoration of interregional commercial freight rail service could potentially reduce the volume of truck traffic through the city of Willits, the majority of local and interregional traffic originates from passenger vehicle traffic. According to the *2004 Vehicle Volumes on California State Highways*, truck traffic in Willits comprised approximately 5% - 10% of total traffic volume. In 1992, opportunities for passenger rail service were examined in a report entitled, *Transportation System Management Alternatives to a Willits Freeway Bypass*, in which it was determined that low population densities and relatively short trip lengths limited the effectiveness of passenger rail in reducing traffic congestion in Willits. The current timeline estimated by the North Coast Railroad Authority (NCRA) for restoring rail service along the Northwestern Pacific Railroad (NWP) line indicates that restoration of service would not be feasible or realistic in the foreseeable future. Furthermore, even the most optimistic forecast for restoration of the NWP would not lead to a significant reduction in congestion in the Willits area and thus would not solve the existing conflict between interregional and local traffic on US 101/Main Street. The restoration of NWP rail service, therefore, would not satisfy the Purpose and Need of the bypass project.

MENDO-LAKE GROUP, SIERRA CLUB

August 24, 2002

Johanna Burkhardt
One Emiles' Station
Fort Bragg, CA 95437.

Cher Daniels, Chief,
Caltrans Office of Environmental Management S-1
2389 Gateway Oaks D rive
Sacramento, CA 9 5833

Re: Willits Bypass, Draft, Environmental Impact Statement/Environmental Impact Repor
Amendment to Comments of August 6, 2002

Dear Ms. Daniels:

Since 1989, I have represented the Mendocino Group and the Redwood Chapter of the Sierra Club as a member of the Willits Bypass Technical Advisory Team.

33-1 After studying the Draft EIS/EIR I have come to the conclusion that Caltrans has not considered all "reasonable alternatives" in depth and is not handling this issue in an appropriate and permissible manner. "When a federal agency prepares an Environmental Impact Statement (EIS), it must consider all reasonable alternatives". (40 C.F.R. § 1502.14)

1. "Purpose of Proposed Bypass Project", 2.1:

33-2 If Caltrans were truly "recognizing the importance of U.S. 101 for the interregional movement of people and goods", it would not ignore a significant part of the North Coast's transportation system the Northwestern Pacific Railroad (NWP). In the region's limited transportation system, a well-functioning railroad can play a major role in moving goods and people along the U.S. 101 corridor. Caltrans is well aware of the NWP's rehabilitation process, its business and strategic plans and can use reasonable projections to include the railroad's capacity for moving goods and eventually people. The railroad is expected to begin freight service from Willits south by spring of 2003 and on the entire line by fall 2006, approximately 2 years before the bypass will be completed.

Questions: What is the ADT of trucks operating between Willits and Eureka and how many of these are "long-haul" trucks are carrying goods that could as well be shipped by rail?

Why does the EIR/EIS not include the positive impact the **Northwestern Pacific Railroad** (NWP) could make on the truck traffic when the line's rehabilitation has been completed by 2006?

Specifically, why does the EIR not consider at all the approximately 200 to 300 trucks that could be eliminated from Highway 101 by shipping their goods on the NWP?

1

33-3 See General Response 1.10 for a discussion of a two-lane alternative and why it does not meet the purpose and need of the project.

33-4 The hybrid Alternative L/C (or ELSIE/Wild Oat Canyon Alternative) was evaluated in the DEIS/EIR. The nodal approach allowed Caltrans to study each segment of the valley alternatives separately, so that any hybrid combination would thus be included in the analysis, such as Alternative L/C. Subsequent to circulation of the environmental document, Caltrans also performed an alternatives analysis of Alternative L/C to determine if it met Clean Water Act Section 404(b)(1) criteria. The Final Alternatives Analysis concluded that Alternative L/C did not meet Clean Water Act Section 404(b)(1) criteria and would not be carried forward as a candidate for preferred alternative. See General Response 1.3.

Local support for Alternative L/C was due in large part to the proximity of its northern interchange to a Brooktrails second access. See General Response 1.6 regarding Brooktrails second access road.

See General Response 1.4 regarding a Willits Creek restoration project.

2. Two-Lane Bypass proposed by the Willits Environmental Center:

33-3 Caltrans did not consider this reasonable alternative, claiming that it would not meet the "purpose and need" for the project. By omitting the NWP as a participant in the region's transportation system, Caltrans has failed to consider the accumulative impact. If a substantial number of trucks were eliminated from Highway 101, the level of service of the 2-lane bypass would be significantly increased. I am convinced the 2-lane bypass will fulfill the regional and local traffic needs and has many advantages over the four-lane option: lower cost, only about half the environmental impacts, easier to maintain, much less noise because of lower speed, and only half the upheaval, noise, dust, and traffic congestion in town created during the construction period.

33-4 **3.** Another alternative that was completely ignored was **Hal Wagenet's proposal, the ELSIE/Wild Oat Canyon Bypass Alternate** that includes returning Willits Creek to its original configuration. **Question:** Why was this alternative not evaluated in the draft EIR/EIS although it has the support of the Board of Supervisors, the Brooktrails Board, the City of Willits and, most important, all the emergency services?

4. Supplements on Traffic Volumes, Figure 4, ADT & Peak Hour Intersection Volumes (Existing 1998) and Environmental Atlas, Page 9:

33-5 How can Caltrans explain the inconsistency between the total ADT values mentioned in figure 4 and on page 9 of the Environmental Atlas that are supposedly "existing 1998 figures" and those stated in the 1998 traffic study document handed out by Caltrans? (Attachment # 1)

Specifically, why has the ADT for Highway 101 at the north end of Willits increased from 9,300 (traffic study of 1998) to 12,800 as mentioned in the present EIR ?

33-6 **5. Supplement on Traffic Volumes, Figure 5, ADT & Peak Hour Intersection Volumes Year 2008 and Figure 1 from 1998 Document, ADT & Peak Hour Intersection Volumes (No Build Year 2025):**

How can Caltrans explain the discrepancy between the projected ADT of 15,060 for 2008 at the northern end of Willits as mentioned in the EIR and the extrapolated (from the 1998 traffic study) ADT of 13,000 for 2025? (Attachment # 2)

33-7 **6. Level of Service, 3.5.2, page 3-24:** How can Caltrans justify a 26.8 increase for the Annual Average Daily Traffic from 25,700 in 1998 to 32,600 in 2008 when the Caltrans study in 1998 showed that the traffic had not increased during the seven years since TJKM conducted a 1991 traffic study for Brooktrails, which included the same locations as the Caltrans study?

A 2% per year increase of traffic may be generally accepted, but Caltrans must consider regional exceptions. (Attachment # 3)

33-8 **7.** Considering the high cost of the proposed bypass, why is Caltrans satisfied with a bypass that only serves the north/south traffic, ignoring the regional traffic to and from Fort Bragg by omitting a **Highway 20 interchange** and – if the City of Willits will close truck traffic through the northern end of town - forces a substantial number of trucks to drive additional 3 miles, north or south, through the southern part of town?

33-9 **8. "Support For The Project", 2.6:** Why was the Sierra Club (Mendocino Group and Redwood Chapter) not mentioned among those organizations in support of other alternatives?

2

33-5 The traffic volumes depicted on the diagrams distributed in 1998 were based on 12-hour traffic counts conducted in July 1998 and were in draft form. The AADT volumes were estimated from the 12-hour traffic counts. Subsequent to the release of the draft diagrams, Caltrans Traffic Census Division completed weeklong 24-hour traffic counts on U.S. 101 in Willits. The 24-hour counts provided better data for establishing the current and projected AADT. Comparing the Existing (1998) Peak Hour volumes in Figure 4/Map 9 and the Peak Hour volumes from the 1998 diagram (Figure 1 – Your Attachment #1) reveals that the Peak Hour volumes remain virtually the same. This is because the 1998 Peak Hour traffic volumes were based on actual counts and were not estimated like the AADTs. Also the forecast years were changed from 2005/2025 to 2008/2028. The diagrams were updated to reflect the changes in the traffic volumes that would occur during the additional 3 years. Conclusions regarding the Level of Service are based on the Peak Hour volumes not the AADTs, the figures remain consistent.

33-6 See response to Comment 33-5.

33-7 See response to Comment 33-5.

33-8 See response to Comment 9-2 (City of Willits Mayor's Office).

33-9 It was an oversight that the Mendo-Lake Group of the Sierra Club was not mentioned among organizations in support of other alternatives.

33-10 See responses to Comments 9-1 through 9-83 (City of Willits).

33-11 The greatest constraint to growth in Laytonville, north of Willits, is its dependence on septic tanks for wastewater treatment. As a result, high-density development is not possible. After construction of the Willits Bypass, Willits will continue to offer a greater number and variety of these businesses, as well as small shops and services that are not available in Laytonville. To the extent that Laytonville's businesses can capitalize on their advantage over similar businesses in Willits, the bypass would present an opportunity for traveler-serving commercial development in Laytonville.

The project would reduce the commute time between Laytonville and Ukiah to about 50 minutes; while this would be an improvement it would continue to be more than twice the median commute time in Mendocino County (20 minutes).

9. City of Willits, responses to the Draft EIS/EIR:

33-10 I agree with most of the points raised by the City of Willits except those that favor a four-lane. I strongly support the city's stand concerning a Highway 20 interchange, and share its concerns about future development at the interchanges.

10. Growth Inducement, 6.1:

33-11 **Question:** Why has the EIS/EIR not considered growth inducement from this project for the communities north of Willits?

33-12 **11. Noise, 5.11:** There is no question that noise levels in the Willits Valley will substantially increase with the construction of a four-lane bypass. According to the Federal Highway Administration, the following noise levels are created at speeds of 40 mph, 50 mph and 70 mph:

Type of Vehicle	40 mph	50 mph	70 mph
Heavy Trucks	78 dBA	80 dBA	84 dBA
Medium-Size Trucks	72 dBA	74 dBA	79 dBA
Passenger Cars	59 dBA	62 dBA	68 sBA

Noise abatement is not always feasible and will do nothing to reduce the general roar of the bypass as perceived from the hills to the west and east of the Willits Valley.

Again, there is a solution to keep the overall and direct noise level down, choose the two-lane, **moderate-speed** bypass option. As can be seen from the three examples above, the average noise level would be about the same as it is at present.

I urge you to take our comments and questions seriously. This document is flawed and needs to be amended and reconsidered **with** the public participating.

Sincerely

Johanna Burkhardt

Attachments: 1. Figure 1 ADT & Peak Hour Intersection Volumes (Existing 1998)
2. Figure 1 " " " " " (No Build Year 2025)
3. Figure 3, Brooktrails Access Study, January through March 1991, by TjKM

Impacts to communities north of Laytonville along U.S. 101 in Mendocino County would be minor. Covelo, for instance, is 20 miles north of Laytonville (on State Route 162, east of U.S. 101). After construction of the bypass, the travel time between Covelo and Ukiah would fall from 1 hour 45 minutes to an hour and a half. This is unlikely to increase this community's attractiveness as a bedroom community for Ukiah. The same is true for smaller communities like Leggett and Piercy farther north along U.S. 101.

33-12 See response to Comment 73-5 (Mary Delaney). See response to Comment 33-3.

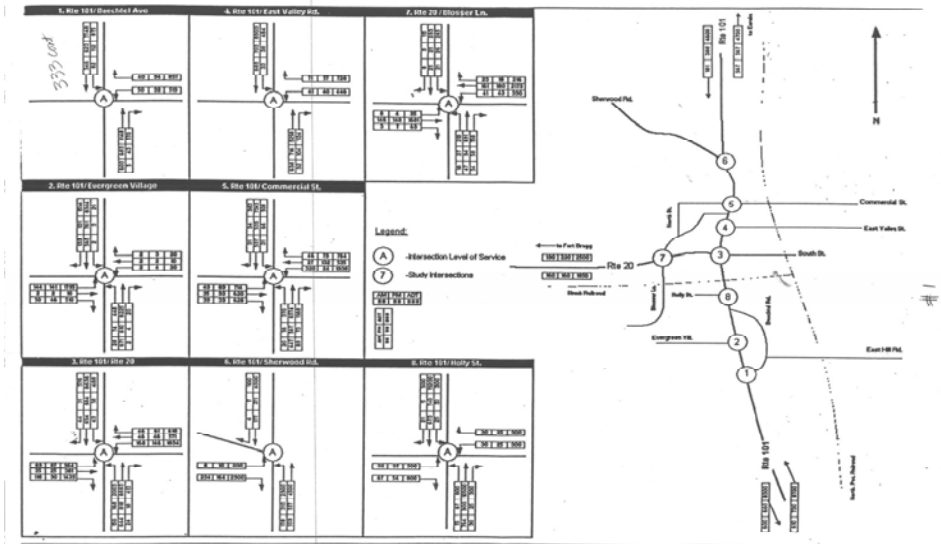


Figure 1 ADT & Peak Hour Intersection Volumes (Existing 1998)

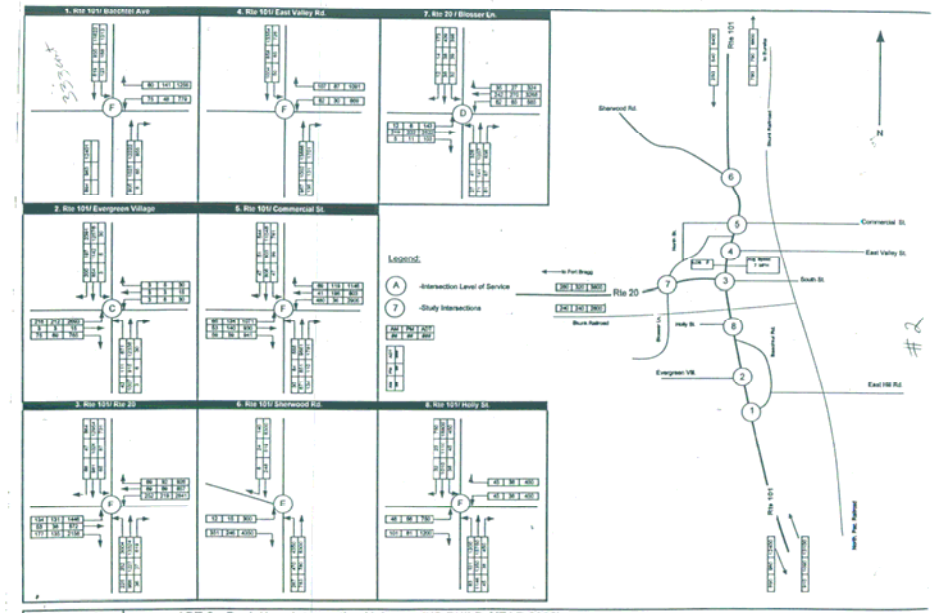
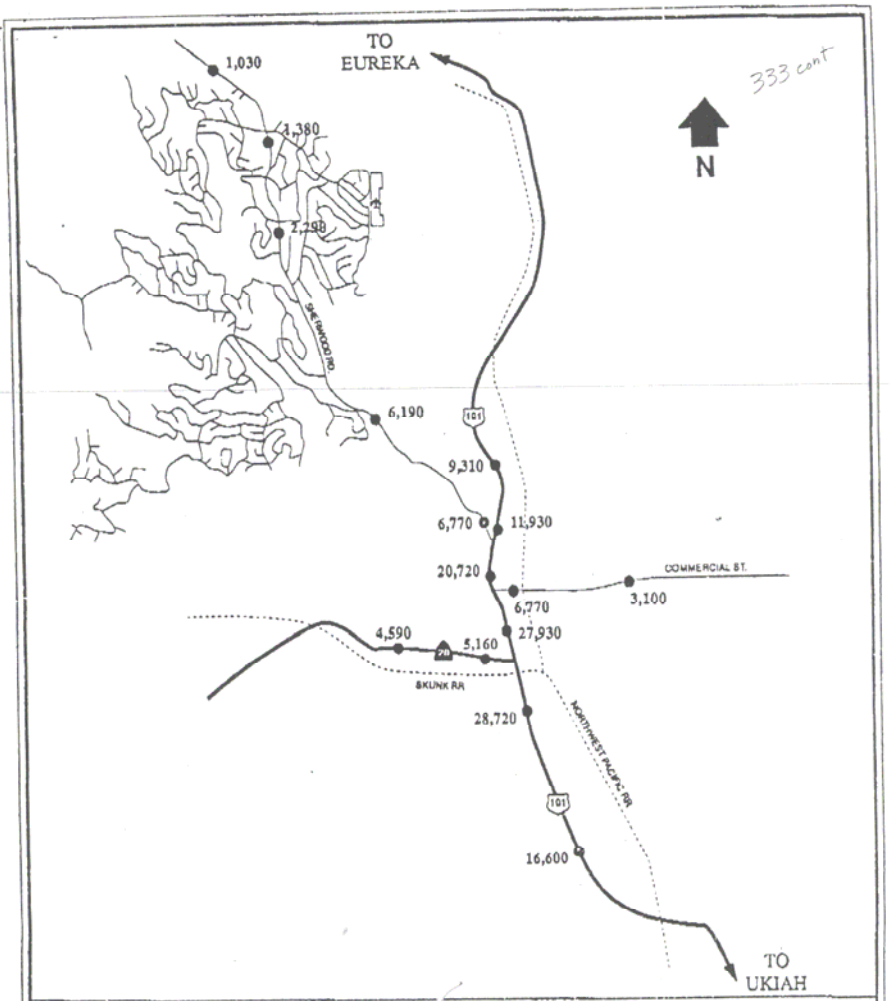


Figure 1 ADT & Peak Hour Intersection Volumes (NO BUILD YEAR 2025)



BROOKTRAILS ACCESS STUDY

EXISTING AVERAGE DAILY TRAFFIC	TJKM	FIGURE 3

80-006 - 5/91 - EW

3