34 Willits Citizens for Good Planning

Richard Estabrook
on behalf of
Willits Citizens for Good Planning
2026 Primrose Dr.
Willits, CA 95490

August 26, 2002

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

Dear Ms. Daniels:

Enclosed are my comments on the Draft EIS/EIR for the Willits Bypass. My overall comment is that the draft EIS/EIR is so incomplete that it precludes meaningful analysis. I have reviewed many Environmental Impact Statements as part of my job over the past 18 years. This EIS/EIR is the most incomplete, inaccurate, and deceptive I have ever reviewed. Any analysis concluding that a 4-lane freeway bypass could be built through the environmentally and socio-economically sensitive Little Lake Valley with no unavoidable significant impacts (alternative LT) is seriously deficient. Per NEPA (40 CFR §1502.9(a)), the only remedy to this situation is that you circulate a revised draft that addresses and corrects the many deficiencies. Below is a brief summary of some of the deficiencies I have found:

34-1 • The draft does not analyze technically and economically feasible alternatives that would significantly reduce environmental impacts and result in significant cost savings. Such analysis is required by both NEPA and CEQA. Specifically, the EIS/EIR must fully analyze two-lane alternatives. To mitigate safety concerns, the design should be grade separated, lane separated, and access controlled.

34-2 • The draft goes into great detail analyzing alternative, E3, which Caltrans personnel have publicly confirmed is so far over budget that it is not feasible. Inclusion of this alternative acts as a "red herring" because it distracts the public into falsely believing that many of the environmental impacts of a bypass through the valley could be eliminated by choosing this alternative.

34-3 • The draft includes a multitude of mitigation measures that are not feasible, are not measurable, and are completely ineffective in reducing impacts.

34-4 • The draft relies on unsupported impact thresholds that do not represent what the public feels is significant.

See General Response 1.11. Letter 34 requests several changes to the DEIS/EIR. The following responses provide clarification, and additional information, and except where noted, no changes to the DEIS/EIR are necessary in response to comments 34-1 through 34-114.

34-1 The reader is directed to Section 3.6 of the DEIS/EIR, Alternatives Considered but Eliminated from Further Study, which discusses the approximately thirty alternatives that were studied during the project's history, and explains the process that was used to determine the reasonable range of alternatives required by CEQA and NEPA that were brought forward in the DEIS/EIR. See General Response 1.10, which expands on the two-lane discussion that was presented in the DEIS/EIR (Section 3.6.2).

34-2 Alternative E3 was retained for analysis in the DEIS/EIR because it met the purpose and need of the project and minimized direct impacts to wetlands, compared to the other build alternatives. During the LEDPA analysis, the PDT, including the NEPA 404 resource agencies and CDFG, concurred that Alternative E3 should no longer be considered because of unacceptable indirect impacts to wetland resources, and its unacceptable direct and indirect impacts to endangered species, water quality, residential relocation, cultural resources and because of its excessive costs.

34-3 This comment is too general to respond with any degree of specificity.

34-4 Impact thresholds are based on agency criteria, regulatory standards, and professional judgment that are applied on a project-by-project basis, not on opinion.

34-5

- The one and only scoping session was held nearly 13 years ago (December 5, 1989). Much has changed in the past 13 years. Three fish species have been listed as "Threatened" under the Endangered Species Act, the Brooktrails Specific Plan was approved, mandating a reduction in ultimate build out, the timber industry has collapsed, the City of Willits is planning to expand their sewer plant, and the NorthWestern Pacific Railroad is no longer functioning. All of these would have some influence on the significant issues that the EIS/EIR must address.

34-6

- The draft dismisses growth inducing impacts, perhaps one of the most important, yet least studied impacts regarding a freeway bypass. Growth inducing impacts are dismissed by using the absurd logic that a freeway does not remove infrastructure constraints to growth, rather than recognizing that shorter commute times and removal of psychological barriers dealing with perceived congestion will drastically increase local housing demand for commuters.

34-7

- The draft does not discuss the overall cumulative effects of regional growth inducement and social changes from the Hopland Bypass, the Laytonville Bypass, and the Brooktrails Second Access Road, all reasonably foreseeable projects. The draft also ignores the fact that the northern portions of the valley alternatives are reasonably foreseeable projects that are eligible for funding.

34-8

I would also like to comment on local opinion regarding the Quail Meadows Interchange and the Brooktrails Second Access Road. You have received many comments supporting alternative "LC", and declaring the Quail Meadows interchange as unsafe and a disaster for Brooktrails. As a local Brooktrails resident, I can tell you that this opinion is completely unsubstantiated and is based solely on the emotional arguments of a few residents. The proposed Brooktrails second access would work equally well with either the Quail Meadows or Truck Scales interchange. Please do not be swayed by this unsupported parroting of fictitious concern.

34-9

I do not endorse a 4-lane freeway along any of the proposed routes. However, I believe a two-lane version of alternative J1, altered to avoid the Willits Industrial Park, achieves the overall purpose and need of the project, with the fewest environmental impacts. I am opposed to alternative "LC", which creates the most environmental impacts of any combination of bypass segments.

My attached comments follow a common format. First, I identify the page, paragraph, and sentence on which I am commenting. I quote that sentence or portion of that sentence. I then discuss, in detail, reasons why I feel that sentence or statement is incorrect. Finally, I offer a specific "Recommended Change" on what should be changed to incorporate the comment.

I have been a resident of Brooktrails since 1986 and a homeowner since 1994. I received a B.S. in Petroleum Engineering in 1984 from Montana Tech, and have worked as a petroleum engineer in the geothermal energy industry since 1984. Part of my job is to analyze and review Environmental Impact Statements that relate to geothermal development. In 1994, I was the NEPA Project Lead for the development of an EIS/EIR for the "Southeast Regional Wastewater Treatment Plant Facilities Improvements Project and Geysers Effluent Pipeline Project" (FES 94-23). I was an elected member

34-5 Two public scoping sessions were held in Willits: one on December 15, 1987 and one on December 5, 1989. The comment suggests that since the public scoping sessions, there has not been an opportunity for the public to participate in the project development process and that the project development process has not considered changes in the local environment. First, please see Section10.5 Public Outreach of the DEIS/EIR which describes the public involvement in the project development process, including open houses, local respresentation on the Technical Advisory Group (TAG) and the PDT, and outreach through newsletters and the project website. Second, see Section 3.6 Alternatives Considered but Eliminated from Further Study. It is clear that since the CTC adopted Alternative A as the original alignment in 1962, approximately thirty alternatives and their various design modifications have been examined. Caltrans, together with resource agencies, local agencies and input from the interested public, identified community concerns and environmental issues associated with each of the proposed alternatives. Further, technical studies on environmental resources are up-to-date or have been updated with additional detailed information. Section 4.9.2.2 (DEIS/EIR) and Chapter 7 (DEIS/EIR) discuss special-status wildlife and fish species and related Section 7 consultation with USFWS and NMFS. Caltrans and the City continue to work together on coordinating the proposed bypass project with construction of the wastewater treatment plant expansion project. The comment does not explain the significance of the timber industry and Brooktrails' reduced buildout to the proposed project. The North Coast Railroad Authority (NCRA) is working toward restoration of rail services (see response to Comment 80-4, Ellen Drell).

34-6 See response to Comment 73-3 (Mary Delaney) and General Response 1.12.

34-7 The cumulative effects of growth inducement of Hopland Bypass, Laytonville Bypass and Brooktrails second access were not addressed in the DEIS/EIR because the lead agencies for those projects had not yet prepared or completed technical studies (Brooktrails second access, Hopland Bypass) or the projects have been identified as "future need" outside the current 20-year planning horizon (Laytonville Bypass), therefore, cumulative analyses for these projects would be speculative. See also Section 3.19 (FEIS/EIR) for an updated discussion of cumulative impacts.

The valley alternatives were shortened (truncated), reducing cost and lowering environmental impacts, while maintaining independent utility and still meeting the purpose and need of the project. A continuation of a valley alternative further to the north is no longer foreseeable and it would not be a priority project for Caltrans, Willits, or Mendocino County.

34-8 Comment noted. None of the build alternatives would prohibit a second access for the Brooktrails community. See General Response 1.6.

34-9 See General Response 1.10 for reasons a two-lane alternative was not included in the range of alternatives studied in the DEIS/EIR. Caltrans/FHWA concur that Alternative L/C would result in unacceptable environmental impacts. See General Response 1.3. The Modified Alternative J1T avoids the industrial park and meets the project's purpose and need.

34-10 No significant changes are required to the DEIS/EIR. See Volume 3 of the FEIS/EIR for Text Changes to the DEIS/EIR. The responses to comments were prepared pursuant to NEPA (40 CFR 1503.4).

Also, after public circulation of the DEIS/EIR, in response to public comments and concerns, Alternative J1T was modified. Caltrans' analysis of Modified Alternative J1T concluded that it is the LEDPA and it has been selected as the Preferred Alternative. The description and analyses of Modified Alternative J1T can be found in Chapters 2 of the FEIS/EIR. See also General Response 1.3.

of the Brooktrails Township Community Services District Board of Directors from 1997-2001, serving as vice-President in 1999-2000, and as President in 2000-2001. As a result I am intimately familiar with the Brooktrails Specific Plan and growth and infrastructure issues in Brooktrails.

I expect that you will take these comments to heart and make significant changes to the Draft EIS/EIR. As you are aware, NEPA (40 CFR §1503.4) requires one of five possible responses to each of my comments in the Final EIS/EIR:

34-10

- Modify alternatives including the proposed action;
- Develop and evaluate alternatives not previously given serious consideration by the agency;
- Supplement, improve, or modify your analysis;
- Make factual corrections;
- Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response.

I would caution you to be very careful in defaulting to the fifth option.

Sincerely,

Enclosure

Comments - 49 pages
Appendicies 1-9, 43 pages

34-11 Level of Service (LOS) is a qualitative assessment of driver perception based on a quantitative analysis of roadway capacity and facility type. As described in the Route Concept Report, LOS 'C' has been established as a goal for 4-lane segments of Route 101 in rural areas. As detailed in Chapter 2 of the DEIS/EIR (p. 2-10 – 2-11), the decision to construct a four-lane bypass and the establishment of LOS 'C' as one of the criteria for meeting the purpose and need of the project is the result of numerous meetings and consultations involving local government agencies and stakeholders, state and federal resource agencies, as well as the general public. Through the NEPA/404 process, Caltrans and FHWA received written concurrence from the participating resource agencies on the Purpose and Need (including achieving LOS 'C'), the modal choice, the criteria for comparisons, and the range of alternatives to be studied (all of which were four-lane alternatives). Thus, the establishment of LOS 'C' as one of the criteria for meeting the project's purpose and need has been subject to extensive review, both internally and externally. There is no local or regional agency support for a two-lane bypass. The City of Willits, Mendocino County, the Mendocino Council of Governments, and the North Coastal Counties Supervisors Association have recommended that funding be provided to construct an ultimate four-lane freeway.

34-11

Comments on the DRAFT EIS/EIR for the Willits Bypass
Richard Estabrook
August 26, 2002

Chapter 2 - Purpose and Need

Section 2.1, Pages 2-1 and 2-2: "Caltrans and FHWA propose this bypass project to reduce delays, improve safety, and achieve a level of service (LOS) of at least "C" for interregional traffic on U.S. 101 within the vicinity of Willits, through the 20-year design period (i.e. 2028)."

Discussion: While the goals of reducing delays and improving safety are reasonable, the decision to *require* the facility to meet LOS 'C' is completely unsupported legally and technically. Any decision that an agency makes must comply with CEQA (state and local agencies) or NEPA (federal agencies). However, the decision to require LOS 'C' has never undergone *any* environmental review. This decision has tremendous environmental and economic impacts because even with relatively low traffic volumes, most two-lane facilities cannot meet LOS 'C'.

From a technical standpoint, there is no support for requiring LOS 'C'. The Highway Capacity Manual (HCM2000), page 2-3 states "*Most design or planning efforts typically use service flow rates at LOS C or D, to ensure acceptable operating service for facility users*". It is interesting to note that the Highway Capacity Manual does *not* say "D or better", recognizing that economic constraints as well as environmental and socio-economic impacts should play a role. As I'm sure you are aware, a four-lane Willits Bypass would operate at LOS 'A' for its entire projected 20-year life.

I would also like to bring to your attention page 61 of the FHWA manual titled "Flexibility in Highway Design", where it states:

> "*While the Highway Capacity Manual provides the analytical basis for design calculations and decisions, judgement must be used in the selection of the appropriate level of service for the facility under study. For example...in response to environmental or land use considerations the designer may conclude that the selection of a level of service that is lower than what is usually recommended may be appropriate*".

I would assert that the Little Lake Valley has significant environmental and land use considerations.

In a letter I received from the FHWA, dated September 14, 2001 (see Appendix 1), it appears that the FHWA perhaps has a different interpretation of LOS than does Caltrans. In the letter FHWA states "...level of service is a *goal* of the city, county, the regional transportation planning agency, the California Department of Transportation in plans and programs...". The letter goes on to say that "While LOS C is generally appropriate for major new improvements on the National Highway System , we have approved federal funds for transportation improvements in some cases where LOS C could not be achieved.". And finally, "The California Department of Transportation has established a design

The environmental impacts and consequences associated with the construction of a four-lane bypass are the basis of this EIR/EIS. As stated in the FHWA letter referred to in this comment, "The United States Code, USC Section 109 (a)(1) says that each proposed highway project must adequately serve the existing and *planned future traffic* [emphasis added] of the highway in a manner that is conducive to safety, durability, and economy of maintenance." As a steward of public funds, Caltrans is responsible for ensuring that the public receives a good value for capital expenditures. Given that the Willits Bypass would be an expensive facility on a principal arterial focus route on the National Highway System, it should meet public expectations by providing a high level of service with minimal delays and minimal traffic congestion. In addition, considering that the statewide average collision rates for four-lane divided facilities are substantially lower (0.45 accidents per million vehicle miles) than the collision rates for two-lane conventional highways (1.17 accidents per million vehicle miles), the matter of improved safety (which is also a component of the project's purpose and need) must be balanced with environmental considerations.

As also stated in the FHWA letter that is referred to in this comment, "While LOS 'C' is generally appropriate for major new improvements on the National Highway System, we have approved funds for transportation projects in some cases where LOS 'C' could not be achieved." This statement from FHWA indicates that the decision to establish LOS 'C' as the design standard for the proposed bypass is not arbitrary or capricious, but is based on the generally-accepted practice of designing major improvements to the National Highway System that meet a LOS 'C' standard. Furthermore, in approving funds for transportation projects where LOS 'C' could not be achieved, FHWA goes on to state specifically in their letter, "This is the case in urban areas, where often it is not practicable or feasible to achieve LOS 'C' at the regional level without significant social, environmental, or economic impact." This does not apply to the Willits Bypass where achieving LOS 'C' is, in fact, practicable and feasible. Based on the alternative bypass alignments analyzed by the EIS/EIR, a LOS 'C' can be achieved and is feasible with a four-lane freeway, whereas a two-lane facility will not be able to achieve LOS 'C' during the design life of the project.

As also explained in the referenced FHWA letter, LOS criteria for a rural two-lane highway and a multilane freeway are based on different performance measures and driver expectations. As the Highway Capacity Manual (HCM) 2000 states, "…level of service represents a range of operating conditions and the driver's perception of those conditions." The discussion of two-lane highways contained in the HCM 2000 specifically states that "A two-lane highway is an *undivided* [emphasis added] roadway with two lanes, one for use by traffic in each direction" (p.12-13, HCM 2000). The concept that has been suggested by proponents of a two-lane Willits Bypass is for a *divided* two-lane highway with a median barrier. The HCM 2000 methodology for analyzing two-lane highways can be applied to a divided two-lane facility to determine capacity; however, the barrier, in combination with a narrower median, would negatively affect driver perception of the facility's performance. Considering this effect on driver perception, LOS for a two-lane facility with a median barrier will be less than indicated by the HCM 2000 analysis results.

standard of LOS for freeways as C-D, as stated in the Highway Design Manual."

Summarizing the comments from FHWA, they reinforce the concept that LOS is a goal, but not a design criterion as evidenced by the fact that federal funds have been used for projects that do not meet LOS C. In addition, FHWA believes that Caltrans has a design standard of C-D for freeways.

The specific and arbitrary criterion of LOS "C" as a design criterion represents an agency decision that has never undergone CEQA or NEPA review and, therefore, cannot be used as a basis to eliminate alternatives considered.

Recommended Change: The purpose and need statement should be changed to read "Caltrans and FHWA propose this bypass project to reduce delays and improve safety for interregional traffic on U.S. 101 within the vicinity of Willits, through the 20-year design period (i.e. 2028)."

34-12 **Page 2-5 top paragraph, second sentence**: "Congestion is especially bad during the tourist season, with heavy southbound recreational traffic *often* (emphasis added) backing up to Oil Well Hill, north of the S.R.20/U.S.101 intersection"

Discussion: This is a hyperbole of reality. There are occasions when southbound traffic backs up to oil well hill, however, these are rare. At the most, this situation occurs on the Sunday after Memorial Day, the Sunday after Labor Day, following the fourth of July weekend, depending on what day of the week the fourth falls, and after an annual event known as "Raegge on the River" lets out. These are maximum traffic flow conditions and are not used for design. The Highway Capacity Manual recommends the use of the 30th to 100th busiest hour as a basis for design (HCM, page 8-8).

Recommended Change: Remove this sentence. Southbound traffic does not present a major constraint and exaggerations such as this should be eliminated.

34-13 **Section 2.2.2, Page 2-5, first paragraph**: "...Caltrans has established a concept LOS "C" for the route in the Route Concept Report. The Regional Transportation Plan adopted by the Mendocino Council of Governments (MCOG) recommends that new facilities provide a LOS of at least "C" through the year 2010...The Caltrans Route Concept Report (RCR) for U.S. 101, north from San Francisco to the Oregon border, calls for the ultimate construction of a four-lane expressway ..."

Discussion: There is a vast difference between the desire of Caltrans and FHWA to build a facility that has a *concept* LOS "C", and the legal NEPA requirement to "*Rigorously explore and objectively evaluate all reasonable alternatives...*" (40 CFR §1502.14(a)), and "*Devote substantial treatment to each alternative considered in detail...*" (40 CFR §1502.14(b)). The Council on Environmental Quality further defines "reasonable alternatives" as "*those that are practical or feasible from the technical and economic standpoint and using common sense, rather than simply desirable from the standpoint of the applicant*" (46 Federal Register 18026). Further, CEQA (Title 14, CCR, Article 9, §§15126.6) states "...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project,

From a traffic analysis perspective, a two-lane highway cannot be accurately compared to a four-lane freeway as being equivalent in terms of LOS. Driver perception and driver expectations must also be considered. As stated in the HCM 2000, LOS is a "quality measure describing operational conditions within a traffic stream, generally in terms of such service measures as speed and travel time, freedom to maneuver, traffic interruptions, and comfort and convenience" (p.2-2, HCM 2000). A four-lane freeway, under the future traffic conditions described in the DEIS/EIR, will provide higher speeds, better travel times, more freedom to maneuver, fewer traffic interruptions, more comfort and convenience, greater flexibility during regular maintenance or in response to emergency incidences, and it will be safer for the traveling public than a two-lane facility. See also General Response 1.10.

34-12 Caltrans acknowledges this comment; however, the requested revision will not affect the results and conclusions of the study. The peak hour for the project was chosen based on the HCM criteria of the 30th to 100th highest traffic volume hour.

34-13 The Route Concept Report (RCR) is a planning document that contains a concept for identification of highway improvements for the 20-yr planning horizon and beyond. Two U.S. 101 segments of existing two-lane highway are no longer proposed for improvement projects in the October 2002 RCR. These segments differ from the Willits Bypass in a number of ways, for example they traverse through State Parks, have relatively low traffic volumes, have little local road access needs, and little support exists for the expensive improvements required to upgrade these segments to four lanes. Finally, in the foreseeable future, we do not expect these segments to require four lanes due to increased traffic volumes. However if conditions change, the RCR could change to address future needs. This EIR/EIS (not the RCR) fulfils the requirements for project development and evaluation of reasonable alternatives under CEQA and NEPA.

The MCOG June 2003 Regional Transportation Plan (RTP), like all RTPs has included CEQA/NEPA compliance. In the case of the 2003 MCOG RTP an EIR/EIS was prepared. The 2003 MCOG RTP continues to support LOS C for improvements to U.S. 101 including the proposed Willits Bypass.

See also response to Comment 34-11.

34-14 See response to Comment 34-11.

34-15 See response to Comment 34-11, for a discussion of LOS. See General Response 1.10 for a discussion of why a two-lane alternative was not included in the range of alternatives studied in the DEIS/EIR.

Regarding the 1999 Value Analysis, this process is now required on all projects on the National Highway System greater than $25 million (including construction, right of way, and capital outlay costs). Caltrans uses Value Analysis as a tool for solving difficult transportation problems and for improving project value. The Caltrans project team, along with its transportation partners, brainstorm highway designs that reduce project costs and avoid environmental impacts while maintaining or improving project quality. Value Analyses can be performed at different phases in project development. The Value Analysis for this project took place before final detailed traffic studies were available to the team. All of the ideas that were generated during the creative phase of the Value Analysis, using brainstorming techniques, were recorded on Creative Idea/Evaluation forms and the ideas were discussed and the advantages and disadvantages of each were listed. One of these was to build a two-lane valley facility and purchase right-of-way for four lanes. The evaluation concluded that this suggestion would not improve safety and LOS as much as a four-lane alternative; final traffic studies confirmed this conclusion.

even if these alternatives would impede to some degree the attainment of the project objectives...". As will be discussed later in these comments, two-lane alternatives would significantly lessen the impacts of this project while achieving the overall project goals of reducing delay and improving safety over existing conditions. The fact that LOS "C" could not be achieved by a two lane alternative is not a legitimate reason for its elimination of consideration.

A Route Concept Report is just that - a concept. It does not establish design criteria, nor is it a decision document as evidenced by the lack of NEPA or CEQA review. The fact that the RCR established a *concept* LOS "C" is completely irrelevant to this CEQA/NEPA document.

As with a Route Concept report, the MCOG Regional Transportation Plan is also exempt from NEPA and CEQA review because it is not a decision document either. It is essentially a "wish list" of what is desired. This is not a decision document, and cannot be used as justification to eliminate alternatives that are capable of achieving the overall goal of the project, especially when these alternatives will result in a lessening of the environmental impacts.

Recommended Change: Caltrans and FHWA have extrapolated a concept into a decision governing the design of a facility without ever having complied with CEQA or NEPA. To use the LOS "C" as a basis for eliminating alternatives here is clearly illegal. Instead, a general goal of "reducing delays and improving safety" should be used for the purpose and need of this project.

34-14

Page 2-9, Section 2.3, first bullet: "Improve level of service (to LOS "C" on the newly constructed segments) for interregional traffic by decreasing congestion and delays on U.S. 101.

Discussion: Same as above. The overall objectives of improving level of service, improving traffic safety, and reducing delays for interregional traffic are all reasonable. The decision to require the design to meet LOS "C" goes beyond an "objective".

Recommended Change: Change the first bullet to read "Improve level of service (a LOS "C" is desirable, if it can be achieved) for ..."

34-15

Page 2-11, second paragraph, last sentence: "After further study, Caltrans staff determined that a two-lane bypass would not achieve a level of service (LOS) C, accommodate future traffic growth, and improve safety as well as a four lane freeway.

Discussion: Once again, it was Caltrans staff making a unilateral decision to exclude the two lane bypass based not on the fact that it was infeasible, but on the premise that it did not meet an arbitrary and illegal design criterion (LOS C) and that they just didn't want a two-lane bypass. Again, CEQA (Title 14, CCR, Article 9, §§15126.6) states "*...the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives...*", and the Council on Environmental Quality further defines "reasonable alternatives" as "*those that are practical or feasible from the technical and economic*

34-16 Resolution 1999-37 supports a two-lane alignment and indicates a preference for Alternative L/C with its statement "…the Second Access to Brooktrails should connect to the 101 Willits Bypass along an alignment similar to the one depicted in the drawing attached hereto." The drawing indicates Alternative L/C. Resolution 2000-20 supports a two-lane alternative but does not specify a particular alignment. The Brooktrails CSD submitted a letter (September 24, 2003) to Caltrans supporting its investigation of the Modified Alternative J1T because it will accommodate a connection to a Brooktrails second access road. This update does not require a change to the DEIS/EIR. See General Response 1.3 for a discussion of Alternative L/C and General Response 1.10 regarding two-lane alternative.

34-17 Section 2.5 (DEIS/EIR) states that additional funds will be required for the balance of funds needed to construct the project. See also Section 1.2 (FEIS/EIR).

standpoint and using common sense, rather than simply desirable from the standpoint of the applicant" (46 Federal Register 18026).

It is also interesting to note that the statement on page 2-11 contradicts a statement made in a January, 1999, Value Analysis study, in which Caltrans design officials conclude "[a 2-lane expressway] provides approximate level of service C for design life of project (2025)", and "Traffic projections do not justify a 4-lane freeway facility for the design life of the project" (page 1 of 14 for design alternative 1.6 - see Appendix 2).

Recommended Change: Caltrans violated CEQA by eliminating feasible alternatives because it wasn't they wanted to build, rather than because the alternatives were infeasible.

Page 2-13, last sentence: "The Brooktrails Township Community Services District Board of Directors has formally supported a two-lane alternative on the same L/C route."

34-16 Discussion: This statement is false. The Brooktrails Township Community Services District (BTCSD) passed two resolutions relating the bypass. The first (Resolution 1999-37, Appendix 3) was in support only of Hal Wagenet's proposed "Wild Oat Canyon" route for the Brooktrails Second Access Road. It was intentionally silent on the issue of a favored bypass route. Some confusion resulted because a map of the "Wild Oat Canyon" also showed the L/C bypass route, and the resolution referred to the map.

The second (Resolution 2000-20, Appendix 4) supported the study of two lane alternatives along one or more of the proposed alignments. Again, the resolution was intentionally silent on stating a preferred route. On August 6, 2002, the Brooktrails Board repealed Resolution 2000-20, and went on record supporting a 4-lane facility. However, this is now moot point, since this action was done well after the Draft EIS/EIR was prepared

Recommended Change: Change the sentence to read "The Brooktrails Township Community Service District Board of Directors has formally supported the study of two-lane alternatives along one or more of the routes".

Chapter 3 - Description of the Proposed Action and its Alternatives

34-17 **Page 3-9, Section 3.4, first paragraph, fourth sentence** : "The decision to truncate or shorten these alignments was driven by the need to design a project within existing budget constraints."

Discussion: Maybe I'm missing something here, but on page 2-12, it states "The Willits Bypass project has been programmed for $116 million in the 2002 STIP." However, Table 3-1 shows the costs of the various alternatives ranging from $128 million to $301 million. Isn't each alternative MORE THAN the *existing* budget constraints? Shouldn't Caltrans work a little harder to find alternatives that they can actually afford? Do you honestly feel that you have succeeded in meeting existing budget constraints?

34-18 See response to Comment 34-2 regarding Alternative E3. See also General Response 1.10 regarding two-lane alternative.

34-19 See General Comment 1.9 regarding center valley interchange. See Response to Comment 9-1 (City of Willits). The prior agreement with the landowner did not determine location of the interchange; access could have been provided for the landowner to different interchange locations.

34-20 Caltrans acknowledges this comment. Figure 3-4 is directly related to Figure 3-5, which compares average, travel time from point to point. It would be confusing to compare segments. The purpose of the figures is to provide a direct comparison between the speed/travel times of the different alternatives.

34-21 See response to Comment 34-11 above.

Recommended Change: Add two sentences stating: "None of the alternatives under consideration were able to meet the existing budget constraints, even after truncation. There fore, additional funding will have to be requested in order to build any of the alternatives."

34-18 **Page 3-12, Section 3.4.2, Alternative E3**.

Discussion: This alternative is a "Red Herring". At an estimated cost of over $300 million dollars, it certainly does not fit the definition of "feasible" in either NEPA or CEQA. Discussion of this "alternative" adds unnecessary complexity to the document and distracts from the real issues of the more feasible alternatives. It is interesting that you chose to devote substantial analysis of this unfeasible alternative, yet discount two-lane alternatives, which are proven feasible. Much more feasible, in fact, than anything discussed in this EIS/EIR.

Recommended Change: Eliminate all discussion of E3 and move it to Section 3.6, "Alternatives Studied But Removed from Further Consideration".

34-19 Section 3.4 - Omission

Discussion: All the alternatives start at the "Haehl Creek" interchange. There are no alternatives given for the southern interchange. There may be better locations for this interchange such as at East Hill Road, but nothing else is analyzed. The reason nothing else in analyzed is because Caltrans has a pre-existing deal with a land owner at the location of the Haehl Creek interchange. The grant deed, recorded on June 26, 1968, is for the property described as the "portion of the south half of Section 29, and the northeast quarter of Section 32, Township 18 North, Range 13 West, Mount Diablo Base and Meridian...". This is also the exact location of the Haehl Creek interchange. The grant deed states (See Appendix 5, Book 767, Page 586), "This conveyance is made for the purpose of a freeway...Excepting and Reserving, however, unto grantor...the right of access to the freeway...". While this deal pre-dated the enactment of both CEQA and NEPA, the pre-dating does not apply to the action being considered today.

Recommended Change: Disclose the reasons for selecting the Haehl Creek interchange, and examine alternative locations in the revised Draft.

34-20 **Page 3-20, 3-21, Section 3.5.2, Figure 3-4**

Discussion: This figure is a little misleading because the average speed is the combination of the new 4-lane freeway, and the existing two lane roadway from the interchange to north of Reynolds Highway.

Recommended Change: This should be split into a couple of graphs, one showing average speed on the new freeway section, one showing the average speed on the existing two lane, and one showing the average. In conjunction with the three graphs, the text should clearly explain the different segments.

34-21 **Page 3-23, second paragraph, last paragraph**: "The project traffic report, for the period through the

34-22 The northbound roadway north of the conform points (the point at which the bypass connects with existing U.S. 101) is expected to operate better with the bypass because platoons that form behind slow moving vehicles will have been dissipated by passing opportunities provided by the bypass.

Currently, southbound traffic on peak weekends is severely congested at Sherwood Road. Queues back up to Reynolds Highway, sometimes even farther. The bypass south of Quail Meadows interchange would allow interregional southbound traffic (presumably the bulk of the traffic in the queue) to bypass the Sherwood Road intersection, thus relieving the congestion there. With the bypass in place, the congestion at Sherwood Road would not occur, so the queue backing to Reynolds Highway would not exist. The two-lane section of U.S. 101 north of Quail Meadows interchange would see improved traffic flow without capital improvement due to improvements downstream.

34-23 The author of this letter requested that these specific comments be withdrawn and replaced with comments contained within a subsequent letter from the same author (Letter #84 Richard Estabrook); therefore, this comment does not require a response.

year 2028, anticipates that travel on the freeway mainlines would operate at LOS A."

Discussion: The fact that all freeway alternatives would operate at LOS A is outside of the design recommendations in the Highway Capacity Manual (HCM2000). The HCM2000 states: "*Most design or planning efforts typically use service flow rates at LOS C or D, to ensure acceptable operating service for facility users*". The fact that the HCM does **not** say "*D or better*" is very revealing. It implies that a facility that operates at too good of a level of service (A or B) for the design life of the project is overdesigned. This overdesign is wasteful of tax payer money and causes undue and unnecessary environmental and socio-economic impacts.

34-22

Page 3-23, last full paragraph, last sentence: "Thus, although Alternatives C1T, J1T, and LT will make no capitol improvements north of the conform points, the existing highway north of these points is expected to operate better than under the No Build Alternative"

Discussion: I do not understand how Alternatives C1T, J1T, or LT would have any affect on the traffic north of the "conform point" (I assume this means the northern interchange). In the year 2028, you will have supposedly have the same amount of traffic north of this point regardless of the bypass. The same amount of traffic on the same roadway means the same level of service.

Recommended Change: Clarify this sentence.

Page 3-24, Table 3-4, "Traffic Volumes on U.S. 101"

34-23

Discussion: The Peak Hour traffic volumes shown in this table are not supported by the technical study called "Willits Bypass Traffic Study Report, November, 2000 (Traffic Report)". Nor are they supported by Excel spreadsheet I received as part of a Public Records Act request. This discussion will only deal with alternatives C1T, LT, and J1T, as these are the only feasible alternatives. It is standard engineering practice to ensure that scientific reports (which is what the Traffic Report pretends to be), document every assumption, all data that were used, and all calculation procedures. The idea being that someone reasonably knowledgeable of the subject should be able to reconstruct the process and determine exactly the manner in which the conclusions were reached. The Traffic Report falls well short of this standard. While some data was taken, and there were some discussions on the methodology, there is no way that anyone could understand how the final traffic volumes were determined. It appears that some of the data were not used, and numbers were simply fabricated with no explanation and no analysis to support them.

Alternative C1T

Referring to Figure 12 in the Traffic Report, a projected year-2028, PM peak-hour volume of 1160 vph is indicated to be approaching Willits from the south. According to Table 5, "Origin Destination Study Summary of Results", the total regional traffic is 33% (Origin: South 101, Destination: North 101). Multiplying the projected peak hour traffic (1160) by the percent of regional traffic (33%) gives a total north-bound bypass traffic volume of 383 vph. Figure 12 indicates a north bound traffic volume

of 650 vhp. Where did the extra 267 vph come from? Certainly not from Brooktrails or north-Willits locations.

According to the Traffic Report" (page 27), "Alternatives L and J-1 serve traffic accessing Brooktrails Township development, the High school and other traffic on the far north side of Willits. Because the Quail Meadows Interchange is in close proximity to facilities on the north end of Willits, a higher number of travelers would use the L and J-1 Alternatives. The Traffic Study assumes that trips from Brooktrails Township Community heading south towards Ukiah will turn left at Sherwood Road to access the Quail Meadows Interchange." This statement certainly implies that while the Quail Meadows Interchange is close enough to Willits to be used by Brooktrails and other north-end facilities, the Truck Scales Interchange is much too far away to be of any use. This follows common sense as it is difficult to believe that anyone coming from Sherwood Road or north-Willits would travel 1.5 miles north to access a freeway to take them south. Since this is the case, it is not reasonable to assume that any measurable volume of north-Willits traffic would be using Alternative C1T.

Looking now at the southbound traffic in Figure 12, it shows a peak PM volume of 570 vph. According to the Table 5, 59% of this traffic is regional (Origin: North 101, Destination: South 101). Multiplying 570 vph by 59% gives a total southbound peak hour bypass volume of 336 vph. Once again, where did the extra 234 vph come from? As described in the above paragraph, the use of the bypass by south bound traffic originating from north Willits is highly unlikely.

The correct figures for Alternative C1T peak-hour traffic volumes in the year 2028 is rounded to 390 vph northbound and 340 vph south bound, for a total peak hour flow of 730 vph.

Now, referring to the Excel Spreadsheet (Willits Stick Diagrams), the north bound peak-hour traffic volume for the year 2028 (cell BC45) has a comment field that states "Volumes on the bypass are 47% - 33% through, 7% to Sherwood plus some". While the 33% through is supported by the Origin/Destination study, the other numbers appear to be total fabrications. Again, it simply defies common sense to assume that 40% of the north bound traffic destined for Sherwood Road will go 3 miles out of their way (1.5 miles north, then 1.5 miles south), and then make a sharp 180° turn to go up Sherwood Road. There have been no studies, analysis, or even documented speculation as to how many Sherwood Road users would actually do this.

That still leaves the "plus some". To make a total of 47%, the "plus some" has to be *another* 7% besides Sherwood Road traffic (33% + 7% + 7% = 47%). What constitutes this 7%? It appears to be totally unsupported as well. Now, taking the completely unsupported and unreasonable assumption that 47% of the north bound traffic will use the bypass, and multiplying this by the total north bound traffic approaching Willits (1160 vph), gives a northbound bypass volume of 545 vph. However, the northbound bypass traffic volume shown on the spreadsheet (cell BC45) is 650 vph. Once again, where did the extra 105 vph come from? According to conversations with Caltrans staff, the extra volume comes from vehicles originating from Willits and using the southern interchange. This is over and above the "plus some" discussed above. Again, there is absolutely no support for 105 vph. It appears to be completely fabricated and is totally unsupported in the study.

Caltrans staff has also discussed the concept of "balancing" the bypass volumes with intersection volumes. This is a mystery to me. As explained by Caltrans, the intersection volumes are used to "balance" the volumes on the bypass (this means that through traffic + intersection traffic = bypass traffic). However, this becomes a circular argument, since the bypass volume is the through traffic plus the intersection traffic, but the intersection section traffic is the bypass traffic minus the through traffic. The bottom line is that Caltrans' best (perhaps only) data are the 1998 traffic counts, the 1998 Origin/Destination study, and the calculated growth factors. It is common engineering practice to always make sure your assumptions and calculations do not alter your data - which is exactly what appears to have happened here.

Another factor is that some of the so-called "local traffic" from the intersection drawings is added to the bypass traffic. However, some of this traffic may be already included in the through traffic splits found by the Origin/Destination study. The reason is that according to the Traffic Report (page 15), "through traffic" was considered to be traffic that took between 5.5 and 30 minutes to get through town. From the period of April, 2000, through, December, 2000, I recorded the amount of time it took to get from Haehl Creek to Sherwood Road nearly every day as I returned home from work during the peak hour. Correcting this data to represent the time it took to get from the south City limit to Sherwood road, shows that the maximum time recorded was 19.4 minutes, the minimum time was 5.5 minutes, and the average time was 10 minutes. Since Caltrans allowed "through traffic" to take 30 minutes to go through town, this means that much of the traffic counted as "through traffic" actually had ample time to stop for gas or for fast food. Therefore, it appears that Caltrans is assuming that some traffic will use the southern interchange to get gas or get some fast food, then backtrack to the southern interchange to get back on the freeway and continue north. This traffic would already be included in the traffic considered "through traffic" and should not be included again as new traffic entering the bypass.

Now, looking at the southbound traffic for the year 2028, no explanations for the bypass traffic volumes are given in the spreadsheet. There are also no formulas in the cells to explain how the traffic volumes were obtained. In essence, there is, once again, nothing to support the southbound bypass traffic volumes in the spreadsheet.

In conclusion, based on the spreadsheet, which apparently is all there is to base traffic volumes on, since I got no other documentation in my Public Records Act response, the traffic volumes should be 390 vph northbound and 340 vph southbound, for a total bypass traffic of 730 vph.

<u>Alternative J1T and LT</u>

Figures 14 and 15 in the Traffic Report show the projected peak hour traffic volume to be 750 vph northbound and 600 vph southbound. Once again, the Traffic Report offers no justification for these volumes. The only difference, from a traffic volume standpoint, between Alternative C1T and J1T/LT, is the location of the northern interchange. Because the Quail meadows interchange, common to J1T and LT, is located much closer to Willits, it would be reasonable to assume some Brooktrails traffic and other north-end traffic would use the bypass to commute to points south. Therefore, the peak hour volumes on J1T and LT would be 730 vph plus Brooktrails traffic and some north-end traffic.

Brooktrails traffic can be estimated from traffic counts taken in 1998 at Sherwood Road, and because Sherwood Road was included in the 1998 Origin/Destination Study (Table 5). According to Table 5, traffic destined for Sherwood Road accounts for 18% of total northbound traffic. Multiplying 1160 vph (total north bound traffic) by 18% gives 209 vph that could theoretically use the bypass, destined for Sherwood Road. This, of course is a very high number, because it assumes that 100% of Brooktrails commuters would opt for this circuitous route rather than driving through town, where they also have the opportunity to shop (something I do at least twice a week).

It would also be reasonable to assume that some other north-end facilities may also take the bypass, and then drive south back into Willits. The High School is not such a facility, since High School traffic has long dissipated by the time the peak hour arrives. There are no measurements of what this volume would be, but something considerably less than 209 vph would be reasonable. Sherwood Road is the only access point for over 4000 residents. Obviously, there are considerably fewer than 4000 residents in north Willits who would be likely to use the bypass. Using a population ration, a number around 50 vph would be reasonable.

North bound traffic on J1T or LT Alternatives would be 390 vph regional (same as C1T), plus 209 for Brooktrails, plus 50 for other north-end traffic. This gives a total north bound traffic of 649 vph. Figures 14 and 15 indicate a projected north-bound traffic of 750 vph. Where did the extra 100 vph come from? Every reasonable source has been accounted for, even making the absolute worst-case assumptions.

Turning to southbound traffic on J1T and LT, again, we start with regional traffic of 336 vph (same as C1) add in Sherwood Road traffic, and then add in some estimate of north-end traffic. Total southbound peak-hour Sherwood Road traffic was measured at 190 vph in 1998 (Figure 4). Multiplying this by a growth factor of 1.59 (page 15 of the Traffic Report) gives a total southbound peak-hour Sherwood Road traffic of 302 vph in 2028. According to Table 5, 28% of this is destined for south 101. Again, making the extreme assumption that all of this commute traffic would turn left to access the bypass, would put an additional 85 vph in the south bound direction of the bypass. As with the north bound traffic, it would be reasonable to add in another 50 vph for other north-end traffic. This gives a total south bound traffic of 471 vph. Figures 14 and 15 show south bound traffic to be 600 vph. Where did the extra 130 vph come from?

The Excel spreadsheet for J1T and LT offer little assistance. For example, in Cell AX45, the comment for the southbound peak-hour traffic is "volumes are 68%". I'm assuming this means 68% of total southbound volume approaching Willits. Why was 68% used when the Origin/Destination study clearly says 59%? Also, cell N36 shows 227 vph turning south onto the bypass. I would assume that these vehicles originate in Willits and would include Sherwood Road commuters and some people on the north end of Willits that may drive north to the Quail Meadows interchange if they were going south. Where does this 227 come from? Brooktrails traffic likely to use the bypass in 2028 would be 78 vph. This was calculated by first using the north-end growth factor of 1.47, and applying that to the 1998 Brooktrails traffic volume turning south onto Highway 101 (190). This gives a southbound peak hour traffic volume of 280 vph. The Origin/Destination study shows that 28% of Sherwood Road traffic is

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destined for south 101. Multiplying 280 vph by 28%, gives 78 vph. What other traffic would use the bypass if they were destined to south 101? Perhaps some local traffic would. A good estimate of local traffic that may use the bypass to go south can be obtained by looking at the Commercial Street traffic counts done in 1998. These traffic counts show a total of 63 vph turning south from commercial onto 101. Assuming that 28% of these vehicles (same as Sherwood) are bound for south 101, and also using a 1.47 growth factor, gives a total of 26 vph from Willits. Anyone further south than Commercial Street would most likely not opt to use the Quail Meadow interchange. Using this method, the total southbound bypass traffic for the year 2028 would be 440 vph (59% of 570 + 78 + 63).

The northbound traffic should be 51% (33% + 18%) of 1160, or 592 vph. Using the same method as above, the amount of local traffic to use the bypass to access north-Willits, can be estimated using the Commercial Street traffic counts taken in 1998. There were a total of 93 vph going north on 101 and turning either left or right on Commercial. Adjusting this number for growth and assuming a similar local/through traffic split as is assumed for Sherwood Road, gives a total northbound bypass volume of 62 vph. Therefore, the total northbound traffic on the bypass should be 592 vph (that includes regional and Sherwood Road), plus another 62 vph of local traffic, for a total of 654 vph.

Recommended Change: The Peak Hour Traffic volumes in Table 3-4 should be as follows:

	Traffic Volumes					
	Peak Hour (vph)			Annual Average Daily Traffic (vpd)		
Alternative	**1998**	**2008**	**2028**	**1998**	**2008**	**2028**
C1T		580	730		7,730	9,730
J1T		880	1,100		11,730	14,670
LT		880	1,100		11,730	14,670

Peak hour volume for year 2008 and Annual Average traffic volumes were determined using the same method outlined above.

34-24 **Page 3-25, second paragraph, third sentence**: "On December 5, 1989, Caltrans conducted additional scoping sessions."

Discussion: This is a very misleading statement, giving the false impression that Caltrans actually held more than one scoping session. In reality, Caltrans held one scoping session (not sessions) and only one scoping session on December 5, 1989. Here we are in the summer of 2002 with a draft EIR/EIS. That's 12 ½ years from scoping to the publishing of a Draft EIR/EIS. During this time period there was a 4 year hiatus due to funding being diverted to seismic retrofit projects and storm damage repair (See page 2-11). When the project once again started, Caltrans made no attempts to re-initiate scoping.

For most public agencies, it is unheard of to allow this much time to lapse between scoping and publication of a draft NEPA/CEQA document. A lot can change in 12 ½ years: Issues change, public concerns can shift, new plant and animal species can be listed or de-listed, and new regulations can be implemented. All of these changes can affect the scope of issues that are significant at the time. For this reason, it is common practice for agencies to re-initiate scoping after long time delays.

Section 3.6 contains many references to meetings with a Technical Advisory Group and Project Development Team. These groups are a great way to discuss proposals in detail and brainstorm about new possibilities. However, a consensus from a Technical Advisory Group and Project Development Team is in no way a substitute for a properly noticed scoping meeting. The bottom line is that Caltrans failed to adequately scope this project because of the long delays experienced after the initial scoping meeting in 1989.

Recommended Change: Change the above sentence to "On December 5, 1989, Caltrans conducted its only scoping meeting"

Page 3-26, fourth paragraph, first sentence: "Throughout the scoping sessions..."

34-25 Discussion: As with the previous comment, this statement is false. There was only one scoping "session", held on December 5, 1989. While the other PTD and TAG meetings are good, they do not constitute scoping.

Recommended Change: Change this sentence to: "Throughout the discussions with the PDT and TAG..."

Page 3-26, fourth paragraph, third sentence through the end of the paragraph: "in 1998, Caltrans commissioned a Value Analysis (VA) Study ..."

34-26 Discussion: It is interesting to note how selective the discussion of the VA is here. In fact, in looking at Appendix P, it appears that this discussion has nothing to do with the actual VA that was performed. For example, Appendix P refers to a "Willits Bypass Study Team", whereas the actual VA refers to a "VA Team". The purpose of the VA was to come up with creative alternatives that not been considered previously, not to rank existing alternatives.

The actual VA, published in January, 1999, comes up with much different conclusions that Caltrans and FHWA apparently choose not to share with the public. Some of these ideas are shown in Appendix 6 of my comments. For example, idea no. 10, which calls for the elimination of Alternative E3 ranks at "8" (from 1 -10, where 1 is "least likely to be developed", and 10 is most likely to be developed). This recommendation was not implemented, while eliminating the northern end of Alternative J1 (idea no. 51), also ranking at number "8", is being implemented. Constructing a 2-lane bypass (idea no. 35) ranked slightly lower at number "7" is not even being considered. Moving to the "Post Study Weighted Evaluation of VA Alternatives" (last page in Appendix 6 of these comments), shows the two lane alternatives as ranking #1 (Alt. 1.6-C1), #2 (Alt. 1.6-L), and #5 (Alt. 1.6-J1) in "Value Ratio =

34-25 See Section 3.6 and Chapter 10 (DEIS/EIR) for a history of public involvement in the project development process. See also response to Comment 34-5.

34-26 The information in Appendix P was related to the 1993 TAG and PDT meetings, not the 1998 Value Analysis Study. Volume 3 (FEIS/EIR), Text Changes to the DEIS/EIR, deletes the statement that was made on Page 3-26.

See also responses to Comments 34-15 and 35-17 (Willits Environmental Center). No other change to the DEIS/EIR is necessary.

34-27 See General Response 1.10 for a discussion of why a two-lane alternative is not being considered. The discussion also explains how the driver would experience level of service (LOS) on the four-lane and on a two-lane facility. An illustration of LOS is also included in the DEIS/EIR on Page 2-2.

Criteria/Cost". This is out of 16 alternatives considered.

The performance of a "Value Engineering" study (called a VA in this case) is not something Caltrans did because they wanted to try to save money. A Value Engineering Study is required by the FHWA for all Federal-aid highway projects costing over $25 million (23 CFR§627.5(a)). Federal Regulations at 23 CFR§627.1(b) state "State Highway Agencies (SHA) shall assure that a VE analysis has been performed on all applicable projects and that all resulting, approved recommendations are incorporated into the plans, specifications and estimate." While I do not have any documentation confirming that the two-lane alternatives were "approved", it is clear that the intent of these regulations is that the State Highway Agency (Caltrans) take the VE analysis seriously and follow through with ideas generated during the process. Obviously, this did not happen with the Willits Bypass.

Recommended Change: Replace the portion of this paragraph, from the third sentence on, with the actual results of the VA analysis. Replace Appendix P with the material referenced in Appendix 6 of my comments.

34-27 **Page 3-31, Section 3.6.2, second paragraph**, "Following programming in 1992, Caltrans and FHWA found that there was no local or regional agency support for a two-lane expressway. The City, County, Mendocino Council of Governments (MCOG), and the North Coastal Supervisors Association...recommended that funding be provided for initial four-lane freeway construction for the following reasons:

- Inconsistency with state and regional planning
- Poor level of service and lack of passing opportunities
- Safety concerns as a result of at-grade intersections
- Possible need for traffic signals
- Having to impact the corridor a second time when upgrading to a 4-lane freeway"

Discussion: A few points need to be made here. First of all, the public had no direct input on Caltrans' unilateral decision to drop the two lane alternatives. The fact that a number of political bodies support the 4-lane freeway is irrelevant in a technical sense. Political bodies are just that - political. They are regular citizens elected by their peers. None have special expertise in the area of traffic engineering. Therefore, their opinions will merely parrot the information fed to them by the so-called experts, regardless of the bias used by the so-called experts. Caltrans never made an attempt to present two lane alternatives in a positive light because they have had their hearts set on a 4-lane freeway regardless of the expense or the environmental and social impacts. It is not at all surprising, therefore that the elected officials support a 4-lane freeway since they never heard a fair and unbiased assessment of anything else.

Inconsistency with state and regional planning - It is true that state and regional planning calls for a 4-lane freeway to the Oregon border and a two-lane bypass would be inconsistent with that goal. However, it is also true that these plans have never undergone CEQA or NEPA review, which by definition makes them mere wish-lists rather than decision documents.

34-28 The comment is based on opinion and does not require a response or a change to the DEIS/EIR.

Poor level of service and lack of passing opportunities - How many elected officials do you think actually have a realistic understanding of "level of service"? How about none. A group of us spent some time giving presentations of a two lane bypass concept, which included a discussion of level of service. Part of our presentation included a survey, where the participant would rate "level of service" of various roadways based on their driving experience[1]. These included both two lane roadways and 4-lane freeways. The results of these surveys showed consistently that people would overestimate the level of service for two-lane roadways, and underestimate the level of service for 4-lane freeways. In other words, given a two-lane roadway, such as Highway 101 north of Willits, people would consistently guess that the level of service was "A" or "B" based on their perception of driving conditions during the peak hour. In reality, this portion of roadway calculates out to be operating at a level of service "D". On the other hand, people would consistently guess that four-lane portions of Highway 101 around Windsor were operating at a level of service "E" or "F" during the peak hour, when calculations show a level of service "C". In summary, elected officials, like most members of the general public, will echo the sentiments of the people that they trust, rather than perform independent analyses.

Safety concerns as a result of at-grade intersections - This could actually be a legitimate concern since intersections typically have a higher accident rate than other roadway portions. However, at-grade intersection can be eliminated with two-lane roadways as easily as they can be eliminated with 4-lane freeways. In the midwest and eastern U.S., access-controlled two-lane highways are relatively common. A grade-separated two-lane bypass could easily be constructed within the current budget constraints.

Possible need for traffic signals - No one ever proposed traffic signals.

Having to impact the corridor a second time when upgrading to a 4-lane freeway - A two-lane bypass would adequately serve the needs of interregional traffic for at least the design life of the project (through 2028), and more than likely for several decades beyond that. If upgrading the bypass to 4-lane was ever needed, it would actually be advantageous to have already done half the earthwork needed. The earthwork done for the original two-lane bypass would have had a long time to stabilize and vegetation along the right-of-way would have had time to re-establish. In addition, having already done work previously, the engineers designing the expansion would know exactly what they had to deal with. This type of phased approach is not a negative aspect at all.

34-28 **Page 3-32, third paragraph**: "Caltrans, through its Project Development Team (PDT), worked cooperatively with resource agencies, local agencies and the public in the development of the "purpose and need" statement, the alternatives, and in making decisions to be dropped"

Discussion: As with the above discussion, the fact that resource agencies, local agencies, and the public agreed to the Purpose and Need, is irrelevant. Nobody, other than traffic engineers, understand the

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[1] According to the *Highway Capacity Manual 2000*, page 2-3, "Each level of service represents a range of operating conditions and the driver's *perception* (emphasis added) of those conditions." In essence, the level of service calculations are an attempt to quantify driver's perceptions of congestion.

34-29 The comment is incorrect that the DEIS/EIR statement is false and misleading. The DEIS/EIR is correct that, after all technical studies were completed, WEC requested that the DEIS/EIR include a two-lane alternative among those under consideration. All work, including field work, for each technical study was completed prior to the "original completion date" shown on the table at right. Also, some of the "original completion dates" should be listed under "date last amended." See General Response 1.10 for a history of the two-lane alternative during project development.

The comment is probably referring to a two-lane study prepared by SHN (10/28/99). Caltrans Traffic staff reviewed the report and concluded that the report did not justify a two-lane facility.

concept of Level of Service, how it is determined, and what it means.

Recommended Change: Delete this sentence.

Page 3-32, fourth paragraph, first sentence: "In 2000, after all the technical studies were completed, the Willits Environmental Center (WEC) asked the PDT to add a two-lane alternative on "one of the valley alignments".

34-29 Discussion: This sentence contains several false and misleading statements. First, While it is true that the WEC presented the two-lane concept to the PDT in 2000, the WEC formally informed Caltrans of their desire to see a two-lane alternative study in the fall of 1999. The WEC hired a third-party consultant to analyze a two-lane bypass, and that study was completed on October 28, 1999 (See Appendix 7) . The conclusion of the third party consultant was that a two-lane bypass is quite feasible. On December 15, 1999, Caltrans responded to the two-lane study. So, sometime between October 28, 1999, and December 15, 1999, Caltrans was aware of the public desire to have a two-lane bypass studied in the EIR/EIS.

The above-referenced sentence also states that the WEC's request to add a two-lane bypass was "after all the technical studies were completed". This also is false. The following Table shows the completion dates of all the technical studies that are listed in the EIR/EIS:

Study Name	Original Completion Date	Date Last Amended
Air Quality Analysis	June, 2000	
Community Impact Assessment	December 8, 2000	April 6, 2001
Draft Relocation Impact Report	December 16, 1999	March 30, 2001
Economic Impact Report	June 15, 2001	
Energy Report	June 18, 2001	
Farmland Impact Analysis	August, 1999	
Floodplain Study (Caltrans)	June 19, 2001	
Floodplain Study (U.C. Davis)	June, 1995	
Floodplain Evaluation Report Summary	February 24, 2000	
Geotechnical Report	May 4, 1999	
Historic Properties Survey Report	May, 2000	

Initial Site Asessment (Haz Mat)	September, 2000	
Noise Report	April 19, 2002	
Natural Environmental Study and Supplement	December, 1997	March 14, 2000
Traffic Report	November, 2000	April 18, 2001
Visual Impact Assessment	October 20, 1999	March 20, 2001
Water Quality Assessment	February 2, 2000	

In reality only the Farmland Impact Analysis, the U.C. Davis Floodplain study, and the Geotechnical Report had been completed when the WEC presented their 2-lane proposal to Caltrans.

The implication of this sentence in the EIR/EIS is that the WEC waited too long for Caltrans to act on the idea. The fact is that Caltrans is able to respond quickly to design changes when they want to. For example, sometime between the PDT meeting on November 16, 2000, and a presentation to the Willits City Council on December 13, 2000, Caltrans had developed what is now called the "truncated alternatives". By April 18, 2001, all the technical studies that needed amending had been amended. If Caltrans had taken the two-lane proposal seriously in 1999 when it was presented to them, there would have been ample time to complete, or amend, all the technical studies that were required.

However, the bigger issue here is Caltrans failure to re-scope the issue when funding was restored to the project in 1998. I found out about the re-initiation of the bypass through the grapevine. Once I, and others found out about it, we diligently started preparing written concerns, including the hiring of a third party engineering firm to analyze the two-lane proposal.

It is also apparent from the minutes of the scoping session, that there was high interest in a 2-lane bypass, not as a first phase of a 4-lane, but as a stand-alone alternative.

Recommended Change: This sentence should be changed to: "In the fall of 1999, the Willits Environmental Center (WEC) asked Caltrans to add a two-lane alternative to their analysis. The public desire for the analysis of 2-lane options was also expressed at the scoping session held in 1989."

34-30 **Page 3-32, fourth paragraph, fourth sentence**: "A 2-lane facility would provide a "D" LOS at peak hour upon construction (2008), and would diminish to LOS "E" within the 20-year period".

Discussion: Based on a Public Records Act request, I was able to analyze how Caltrans came to the conclusion that a 2-lane bypass would operate at LOS "E" in 2028. First, Caltrans used faulty traffic volumes as explained above. Second, Caltrans used an obsolete method of analysis, since a new edition of the Highway Capacity Manual came out in 2000 (HCM2000), and the HCM completely revised the method of analysis for 2-lane roadways. But, more importantly, Caltrans assumed that the

34-30 The Highway Capacity Manual (HCM) methodology for analyzing a two-lane highway has been updated. There are also new LOS standards. The new methodology was not available when the analysis of the two-lane scenario was originally completed for this project. Caltrans Traffic staff have analyzed the two-lane scenario using the new Highway Capacity Software 2000 (HCS 2000) which incorporates HCM 2000 two-lane methodology. Although Caltrans Traffic staff believe the change in terrain at southern and northern ends of the project warrant using the rolling terrain input, they have done the analysis using the level terrain input and the traffic volumes contained in the DEIS/EIR. The results of the analysis show that in the year 2008 and 2028 the LOS for a two-lane bypass is LOS D. The difference between the results of this analysis (LOS D in 2028) and the previous analysis (LOS E in 2028) is not just a result of a change in the methodology, but the change in the LOS criteria. With the previous version of the HCM, an LOS E would be applied if the Percent Time Spent Following (PTSF) exceeded 75 percent. Under new HCM 2000 standards, LOS E occurs if the PTSF exceeds 80 percent. The LOS D criteria is more liberal now.

See General Response 1.10 for additional information on a two-lane alternative and a discussion of LOS. The comment's reference to "faulty traffic volumes" is unsubstantiated.

2-lane bypass would be on "Rolling Terrain" (See Appendix 8). This is absolutely amazing that anyone would classify a roadway in the Little Lake valley as "Rolling". Clearly, this was done only to try to reduce the LOS of a 2-lane bypass. While there is about 1-mile of 2% grade at the south end of the bypass, this is hardly steep enough or long enough to classify the entire bypass as "Rolling". The Highway Capacity Manual (page 5-8) defines "Level Terrain" as "A combination of horizontal and vertical alignments that permits heavy vehicles to maintain approximately the same speed as passenger cars; this generally includes short grades of 1 to 2 percent." The HCM2000 also states (page 20-3) that Level of Service analysis is applied to highway sections of at least 2.0 miles in length. Obviously, the one-mile of 2% grade at the south end of the bypass is not enough to cause trucks to operate at speeds substantially below those of cars, and the segment is too short to analyze on its own. The classification of the 2-lane bypass is "Level Terrain".

Since Caltrans has failed to do a proper analysis to support this conclusion, I have taken the liberty of doing an analysis. My analysis is shown in Appendix 9 . For this analysis I used the supportable peak-hour traffic volumes that should have been shown in Table 3-4. I've done 8 separate analyses related to the bypass: I've included an analysis for both routes C1T and J1T/LT, for the years 2008 and 2028. Additionally, I included an analysis for a grade-separated and access-controlled two-lane bypass (Model 1) and a lane-separated, grade-separated, and access-controlled two-lane bypass (Model 2).

The lane-separated 2-lane bypass, common in many midwestern and eastern states, was analyzed to mitigate concerns of head-on collisions, by far the most serious safety problem of 2-lane roadways. I also assumed in all 8 analyses that the bypass is grade separated (i.e. overpasses) to eliminate cross traffic and intersections.

In addition to the bypass alternatives that I analyzed, I also included an analysis of the current level of service on the two-lane roadway between the north Willits City limit and Reynolds Highway, as a practical real-life comparison. All analyses were done using the Highway Capacity Manual 2000 (HCM 2000). I noticed in the *Willits Bypass Traffic Study Report*, the 1998 Highway Capacity Manual was used for level of service calculations. The HCM 2000 replaced the 1998 Highway Capacity Manual. One of the differences between the two versions is the completely modified way in which two-lane level of service is calculated.

The conclusions I reached regarding two-lane level of service are quite different than that reached by Caltrans. Again, Caltrans presented a seriously flawed analysis by assuming "Rolling Terrain" and by using unsupported traffic volumes in their analysis. I am showing complete documentation to all the assumptions and calculations which support my conclusions. My conclusions are summarized in the following table:

34-31 See General Response 1.10 for a discussion of two-lane alternative.

"Functionally obsolete" within the context of the Willits Bypass project means: will not operate at an acceptable Level of Service (e.g., not operate at LOS C) within the design life of the project.

34-32 See response to Comment 34-1.

For a non-lane-separated roadway:

Year	Alternative C1T	Alternative J1T/LT
2008	C	C
2028	C	D

And, for a lane-separated roadway:

Year	Alternative C1T	Alternative J1T/LT
2008	C	C
2028	D	D

As these tables demonstrate, a two-lane bypass along any of the bypass routes is feasible. They do not reach LOS "E" in 2028. In fact, a **2-lane bypass with passing opportunities meets the Level of Service 'C' "criterion" in the Purpose and Need Statement**. A lane-separated 2-lane bypass is so close to being LOS 'C' that for all practical purposes, it could be considered as LOS 'C'.

The fact that a two-lane facility would be technically feasible was also confirmed by third-party engineering firm (SHN) hired by The Willits Environmental Center, who concluded that "Alternative 1.6 presented in the VA [Value Analysis] alternative has sufficient capacity to handle the majority of peak hour traffic volumes expected during the 25 year planning horizon. The segment would operate at LOS C..." (See Appendix 7).

Recommended Change: Replace the referenced sentence with the above tables.

34-31 **Page 3-32, fourth paragraph, sixth sentence:** "As such, to develop a two-lane highway would result in a facility that would be functionally obsolete within the design period."

Discussion: As I have proven with my two-lane level of service analysis, this statement is false. In fact, a two-lane bypass would not be functionally obsolete within the design period at all. It would function quite well, and in all cases the level of service on the two-lane bypass would be as good or better than the current level of service drivers experience on the two-lane section of roadway between the north Willits City limit and Reynolds Highway.

Also, what does "functionally obsolete" mean? It is not defined in the Highway Capacity Manual.

Recommended Change: Delete this sentence.

34-32 **Page 3-32, fourth paragraph, seventh sentence**: "Based on the foregoing, Caltrans and FHWA

34-33 The comment is noted. The need for a second access route is identified in the Brooktrails Specific Plan (Section 11.1-5) as having been established by the Brooktrails Board of Directors as "the number one priority among infrastructure expansion improvements."

34-34 The comment is noted. The demographic analysis in the environmental document utilized data from numerous sources, including the Willits Chamber of Commerce, the U.S. Census, and the California Department of Finance. Since release of the 2000 U.S. Census, Caltrans reevaluated its demographic analysis using the latest data. The conclusions did not change as a result of the 2000 data. See Volume 3 (FEIS/EIR) Text Changes to the DEIS/EIR for information updating Table 4-6.

have determined that a two-lane alternative would be eliminated from further environmental analysis and should not be considered."

Discussion: There is no basis for the elimination of a two-lane bypass as a feasible alternative. It is true that some of the two-lane alternatives do not specifically meet LOS "C", however as previous comments have discussed in detail, there is no basis for including LOS "C" in the Purpose and Need statement anyway. At best LOS "C" is a goal. It cannot be a design criterion since there has never been CEQA or NEPA review on the decision to require LOS "C".

Recommended Change: Replace Section 3.6.2 with an in-depth analysis of two-lane bypasses along each alternative (C1T, J1T, and LT), and publish a Supplemental EIR/EIS discussing their impacts. This is the only way the public can get a fair comparison of all feasible alternatives.

Chapter 4, Affected Environment

34-33 **Page 4-8, top paragraph, first full sentence**: "Water supply and the development of a second access road into Brooktrails are the most immediate concerns that will affect its future development"

Discussion: This statement is partially true. However, water supply is by far the biggest and most imminent concern. Brooktrails currently has approval for up to 2000 water connections, although that number may be reduced based on new estimates of water usage. In any case, once Brooktrails reaches the approved number of water connections, building will stop, unless a new water supply is constructed. The second most important constraint is sewer capacity. The current sewer line going to the Willits Treatment Plant will reach its capacity around the same population of 2,000. This could also cause a building moratorium unless another sewer line is constructed. On the other hand, Sherwood Road could easily carry traffic for 2000 homes, and then some. There will not be a moratorium placed on Brooktrails if a second access road is not built. Therefore, water is by far the biggest concern to future development.

Page 4-13, Table 4-6: "Willits Area Population"

34-34 Discussion: The Population listed for Willits is not consistent with the populations listed in the publication *Mendocino County Economic and Demographic Profile 2000*, published by the Center for Economic Development, Chico State University. According to this study, the Willits populations are as follows:

1980 Total - 3,980
1990 Total - 4,990
1996 Total - 5,100
2001 Projected (no projection given)
% Change 1980 - 1990 - 25.4%
% Change 1990 - 1996 - 2.2%

34-35 It is noted that infrastructure limitations, while discouraging growth, should not be considered an impediment in Brooktrails, since the demand for property in this community is high. The comment is correct that the low prices and availability of homes or homesites in Brooktrails make it an attractive location for many commuters. However, see response to Comment 34-103 regarding relationship between commute time and growth in the project area.

This publication lists populations through 1999, which for Willits, was 5,175. That gives a percent change from 1990 to 1999 of 3.7%. No data was given for "Greater Willits Area", however, the following data is given for Mendocino County:

1980 Total - 66,100
1990 Total - 79,700
1999 Total - 87,100
2005 Projected - 99,600
% Change 1980 - 1990 -20.64%
% Change 1990 - 1996 - 9.3%

Recommended Change: Correct Table 4-6 using this data.

Page 4-17, Omission regarding Brooktrails Housing availability.

34-35 Discussion: Although Brooktrails is briefly mentioned on pages 4-7 and 4-8, any discussion regarding Brooktrails housing is completely omitted from this section. Brooktrails housing plays an enormous role in the housing picture of the greater Willits area. The Brooktrails Specific Plan calls for an ultimate buildout of 4,000 Single Family Residences (SFRs). About 3,700 of these would be single-family units, with the remaining 300 being multi-family units. Brooktrails currently has about 1,400 water connections to its system. That means there are about 2,600 vacant properties available for building in accordance with the Specific Plan. Both vacant and developed property in Brooktrails is considerably less expensive than in Ukiah or points south. This makes Brooktrails an attractive location for many commuters - low prices and availability of homes or homesites.

As is mentioned on page 4-8, there are some serious constraints to future development in Brooktrails (water, sewer, and access). However, there are roughly 6,000 private lot owners in Brooktrails, and Brooktrails is *legally obligated* to provide each and every one of them with water and sewer service (about 700 lots are on septic and Brooktrails is not obligated to provide sewer service to them). The goal in the Specific Plan is to reduce the number of lots to 4,000. This will be done entirely through voluntary measures such as mergers, donations, conservation easements, and other incentives. But, if these measures do not work, Brooktrails will still be obligated to provide water and sewer service to anyone wishing to build here, even if the number goes over 4,000.

The obstacles of water, sewer, access, and a variety of other infrastructure expansions, are not insurmountable, and this EIR/EIS should not assume that they are. All it takes is money, and there are lots of sources out there including grants, bonds, and even benefit assessments.

On the other hand, if it becomes infeasible for Brooktrails to raise the money to increase the water supply, build another sewer line, and make the multitude of other infrastructure expansions, a building moratorium will be imposed. Because vacant lot owners will now be denied an opportunity to build a house on their property, since water and/or sewer service would not be available, this would be considered a property takings. Brooktrails would then be faced with a massive class-action lawsuit.

No one can predict the outcome of such a lawsuit, but it would not be unreasonable to assume that Brooktrails, and perhaps Mendocino County would be found liable for compensation to the affected property owners.

Recommended Change: Include the above discussion in the EIR/EIS. This plays a critical role in the future development of the area, and will be important background information in the growth inducement section.

34-36

Page 4-21, Omission: Brooktrails Economics

Discussion: Again, Section 4.6 fails to include the economics of Brooktrails, even though Brooktrails will be highly impacted by the bypass. Brooktrails, as a Community Services District, does not collect sales tax revenues, even if the sales tax is generated within the boundaries of the Community Services District. Therefore, Brooktrails is entirely dependent on rates and fees and property tax as a source of revenue. Brooktrails Township CSD has struggled economically for at least a decade. According to the audit of fiscal year 2000-2001, Brooktrails revenue comes from the following sources:

Property Tax:	$ 225,082
Fire Tax:	$ 158,205
Rates and Fees:*	$ 729,611
Standby Charges**:	$ 404,356
Other:	$ 23,328
Sales Tax:	$ 0
Total	$1,540,582

*Excludes golf course charges which are not a mandatory service provided to residents
** Standby charges are for fees charged to vacant lot owners for water and sewer service

Total expenses for the year were $1,610,219 (again, excluding golf and depreciation). Dividing this by the number of dwelling units in Brooktrails for the year (about 1,400), gives an average cost per residence of $1,150/year. In comparison, the average dwelling unit pays about $784/year in property tax, fire tax, and rates and fees. This means that for every home built in Brooktrails, the Community Services District loses about $366/year.

Recommended Change: This discussion must be presented in Section 4.6. The Willits Bypass has the potential to drastically affect building rates and housing demand in Brooktrails. The perilous economic circumstance of Brooktrails must be disclosed as part of this EIR/EIS.

34-37

Page 4-22, Omission: Discussion of water impoundments.

Discussion: I think it is important to discuss the current water impoundment facilities within not only the "project area", but within the area that could be impacted by the freeway. This would include Centennial Dam (Willits), Morris Reservoir (Willits), Lake Emily (Brooktrails), Lake Ada Rose

34-36 The Brooktrails Township Specific Plan anticipates an average future growth rate of 40 units annually. Between 1990 and 2000, the average growth rate in this area was just below this level, at approximately 38 units annually. While the proposed project may result in some increase in this growth rate, it cannot be assumed that the improvement in accessibility provided by a bypass of Willits will significantly increase the growth rate. For example, Ukiah's annual average growth rate between 1990 and 2000 was 27 units. In Sonoma County, Sebastopol, Cotati, and Healdsburg all had average growth rates at or under 40 units annually.

Based on data for the U.S. 101 corridor, the worst-case scenario for Brooktrails, in terms of an increase in average annual housing construction, would be to reach the rate of growth seen in Cloverdale between 1990 and 2000. Cloverdale increased by an average of 53.8 housing units annually in this period. Growth at this level would mean that Brooktrails would reach buildout (4,000 residences) in the year 2050 – approximately 20 years earlier than anticipated in the Specific Plan, but still within a sufficiently reasonable period to allow the needed infrastructure improvements. In fiscal terms, it seems likely that the Brooktrails Community Services District will be forced to raise its fees in order to maintain its ability to provide services.

34-37 The water impoundment facilities referenced in the comment are not located within the bypass project area and would not be impacted by the proposed freeway. The City of Willits maintains two reservoirs for water supply called Morris and Centennial Reservoirs located in the Davis Creek watershed. The capacity of Morris Reservoir is 740,000 cubic meters (m^3) or 600 acre-feet (AF), and the capacity of Centennial Reservoir is 864,000 m^3 (700 AF). Water drawn from these reservoirs meets the entire annual demand of the City, which in 1997 was 1.8 million m^3 (1459 AF) (DHS 1998). Similarly, Brooktrails Community Services District draws its raw water supply from two reservoirs along Willits Creek: Lake Emily, with a capacity of 327,000 m^3 (365 AF), and Ada Rose, with a capacity of 167,000 m^3 (135 AF). Water from Lake Emily is transferred to Ada Rose for storage prior to treatment. Water supply from these reservoirs meets the entire annual demand, which in 1997 was 488,300 m^3 (396 AF) (DHS 1998). The Little Lake Valley residents that live outside of the city limits typically use individual domestic wells for their water supply.

(Brooktrails), and an unnamed dam in the Pine Mountain subdivision. Lake Emily in Brooktrails is roughly 300 acre-feet, and Lake Ada Rose is approximately 100 acre-feet.

Recommended Change: Include a discussion of impoundment facilities as listed above.

34-38 **Page 4-22, last sentence**: "...and the Little Lake Water District has implemented a drawdown ordinance".

Discussion: I have never heard of the "Little Lake Water District"

Recommended Change: Please re-research this to verify the existence of such a District.

Chapter 5.1 - Seismic Impacts

34-39 **Page 5-5, Seismic Impacts, Alternative E3, third and fifth sentences**: "However, the stability of the embankments through this area is questionable....Should a major earthquake occur, the roadway could incur a substantial amount of deformation."

Discussion: While mitigation measure GEO-3 will reduce seismic impacts, it appears to me that a major seismic event could have major impacts. Not only could the "roadway incur a substantial amount of deformation", but on the stability of the embankments would also be in question.

Recommended Change: This is clearly a potentially significant impact even with mitigation. As such, it should be reported under Section 6.4.

Chapter 5.2 - Community Impacts

34-40 **Page 5-16, Section 5.2.5.4, first sentence**: "...none of the valley alternatives would have an impact on the affordable housing supply."

Discussion: This assumption only involves the *direct* effects the bypass would have on local housing supply through the loss of affordable homes. However, there is a much larger indirect effect that must be considered - that of housing price inflation due to both temporary effects of bypass construction and long term effects of a stagnant housing supply and increased demand for housing. NEPA §1508.8 requires the analysis of both the direct and indirect effects of a project. Indirect effects are defined as those that are "reasonably foreseeable", and the indirect effect of housing price inflation is inevitable based on data presented in the EIS/EIR.

On page 4-17, you state that the mean household income in Willits is $33,250. According to the Housing Element of the Mendocino County General Plan, a household should not have to pay more than 25-30% of gross income on housing expenses. For the mean household in Willits, this would equate to a monthly housing payment of $831 ($33,250 x 30% ÷ 12). Even neglecting property tax and insurance, this payment would cover a loan of $119,000 (7.5% APR, 30 years). Also assuming that

34-38 The source of this comment is the *Water Quality Assessment For Proposed Willits Bypass Project* prepared by Camp Dresser & McKee Inc., dated February 2000, and prepared for Caltrans. This report references a *Willits S.E. Annexation Draft EIR*. This is an informational item and does not lend itself to further research, as it does not influence the determination of the Preferred Alternative.

34-39 Roadway embankments can be repaired when deformed by seismic events. For instance after the Loma Prieta earthquake, roadway embankments were repaired where deformation occurred. We do not concur that this is a potentially significant impact.

34-40 As measured by the U.S. Census Bureau's median value for owner-occupied residences, property values in Brooktrails were *higher* at the time of the 2000 Census than property values in Willits, despite the fact that commuters to cities south of Brooktrails must pass through Willits. Based on these data, accessibility comes across as less important than the other factors attracting development to Brooktrails. See also response to Comment 34-103 regarding relationship between commute time and growth in the project area.

34-41 See General Response 1.12 regarding "growth at interchanges."

the homeowner could afford to put 20% down, a family with a median household income could only afford a house valued at less than $149,000. According to the multiple listing service, there are currently four houses in the greater Willits area (includes Willits, Brooktrails, Pine Mountain) that are available for under $149,000, and only 21 houses available at all.

On page 6-7, you state that "the bypass alternatives would provide a fairly substantial reduction in commute time for workers that pass through the city to work". This includes Brooktrails either with or without a second access road. If there is no second access road, then the bypass will allow a faster commute through Willits to get to Sherwood Road. If there is a second access road, then commute times to Brooktrails will be reduced even further. Obviously, a "substantial reduction in commute time" is going to make the greater Willits area much more attractive for Ukiah, Cloverdale, and Santa Rosa commuters. You confirm this on page 6-2, where you state "Relatively inexpensive land is generally attractive to potential development".

However, you also don't expect the bypass to be growth-inducing. On page 6-9, you state "The vacancy rate and price of housing in this area are consistent with conditions that would seem to favor increased housing development, but the amount of residential construction in the project area has not been substantial. In addition, on page 6-8, you state "Population growth in the Brooktrails subdivision...depends upon the provision of both additional water capacity and an alternative means of accessing the area."

In conclusion, you are stating on one hand that the bypass will increase the demand for housing by shortening commute times. On the other hand, you state that there really won't be additional growth as a result because of constraints to development. What happens to price when you increase demand and hold the supply steady? Obviously, prices will escalate tremendously. The bypass will put more stress on an already tight housing market, driving up housing prices and virtually eliminating affordable housing. It is both reasonable and foreseeable to expect the bypass to drive up housing prices, close to the levels in Ukiah, and perhaps further south. The cumulative impacts of the Willits Bypass, the Hopland Bypass, and the Brooktrails second access road will exacerbate the problem. Cumulative housing impacts are not even discussed in this EIS/EIR.

Recommended Change: You must address the indirect affordable housing effects in the Final EIS/EIR, not only for Willits, but for the entire Willits area, especially Brooktrails. This must be added to the list of Unavoidable Significant Impacts.

34-41 **Page 5-17, third paragraph, second sentence:** "Large-scale commercial development is unlikely at any of the proposed interchanges"

Discussion: On what is this conclusion based? There is nothing to support this conclusion. Just about everywhere else interchanges exist, there is interchange development. Why would you think it wouldn't happen here? What does "large-scale" mean? WalMart? Would it really take "large-scale" interchange development to cause economic impacts to existing businesses in Willits? Are you relying on zoning to provide protection from development? If so, zoning can be changed with a majority vote of

the County Board of Supervisors. It does not protect anything.

Recommended Change: Delete this sentence and include the possibility of interchange development in your analysis of impacts to local business.

34-42 **Page 5-17, third paragraph, third sentence**: "Additionally, a small percentage (seventeen percent) of the business currently visible from U.S. are likely to primarily serve through customers. The majority of businesses located along Main Street would not have an economic incentive to relocate to sites along the proposed alternatives. Such relocations would decrease businesses' accessibility to local residents"

Discussion: This is same seventeen percent that you are predicting will fail as a result of the bypass. On page 5-21, you state "Under the worst-case scenario, Willits would lose the sales tax of 17 percent of the businesses located along U.S. 101". And, in the Economic Impact Report, page 5, you state "Of the 118 retail stores along U.S. 101, 26 of them, or 17%, appeared to cater primarily to tourists or both tourists and area residents." Obviously, this is the same 17% you refer to in the above sentence. Obviously, faced with failure, this 17% of business, will immediately relocate to the interchanges in an attempt to recapture the tourist money.

Recommended Change: Change this sentence to read: "The 17% of businesses who cater primarily to tourist traffic, will most likely relocate to the interchanges in an attempt to recapture the tourist trade."

Page 5-18, Omission - Discussion of Tax Loss.

34-43 Discussion: There is no discussion here of the effects of the estimated loss of 26 businesses (page 5 of the Economic Impact Report), and the resulting jobs. As is discussed in my comments on the Business Impacts, I do not believe your Economic Impact Analysis is based on any factual data and is primarily a fictitiously favorable view of what will happen to the future of Willits. **BED TAX**

Recommended Change: Include realistic estimates of tax loss due to business failures as a result of the bypass.

Page 5-18, sentence under "All Build Alternatives": Construction of the project would result in taxable sales of from $23.2 million to $51.9 million, depending on the alternative chosen.

34-44 Discussion: This is very misleading because one could conclude (falsely) that this money will all be coming to Willits. In fact, in the Economic Impact Report, page 9, it states "The figures reported for Table 4 *[Table 5-5 in the EIS/EIR]* are based on Mendocino County economic and demographic data and so are not appropriate for direct comparison to the Willits economy. The impacts calculated for Mendocino County must be scaled to what might be expected for the City of Willits, given the discussion above regarding distribution of construction expenditure impacts to the surrounding communities." In other words, the total economic impact, which will be spread over 5-10 years will be proportional to the relative size of the economy of Willits as compared to Mendocino County. I believe this discussion is important to include in the text of the EIS/EIR. As it stands, I see the Section 5.2.5.6

34-42 The statement (under "Recommended Change") is speculative.

34-43 It is unlikely that 26 businesses would be lost as a result of the proposed project. Caltrans has identified 26 businesses that appear to cater primarily to tourists or both tourists and area residents.

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 customers will continue to serve drivers utilizing U.S. 101 who need services, such as gas, food, and lodging.

Since there are no gas stations or similar services planned for Brooktrails, residents of this community will continue to patronize these facilities in Willits. After construction of Alternative C1T, J1T, or LT, tourist traffic on S.R. 20 would continue to be routed through the southern portion of the City. Alternative E3 is the only build alternative that would route S.R. 20 out of the City.

Impacts to businesses that primarily serve tourists are difficult to pinpoint. For instance, U.S. 101 bypasses the City of Ukiah, and Ukiah does not have a well-known tourist attraction. However, Ukiah had almost as many hotel/motel rooms per capita as Willits in 2001 (0.04 in Ukiah and 0.05 in Willits, according to an informal survey in August 2002). The data suggest that a location along U.S. 101 provides an advantage to tourist-serving businesses whether or not the city is bypassed.

34-44 According to the California State Board of Equalization's statistics, 8.2 percent of all businesses (reporting taxable sales in 2001) in Mendocino County were located in Willits. Assuming that only half of all taxable sales generated by the proposed project are generated in Mendocino County, the proportion accruing to the City of Willits would range from a low of $950,000, under Alternative LT, to $2.1 million under Alternative E3. This would equate to between one and 2.5 percent of the City's total taxable transactions in 2001.

as essentially a misleading bribe to the City of Willits and its residents.

Recommended Change: Include a full disclosure of the amount of annual revenue that Willits could expect from the construction of the bypass.

34-45 **Page 5-20, last paragraph, second and third sentence**: "Business failures would be expected for the least successful businesses oriented toward through customer traffic. The degree of this impact cannot be determined without detailed knowledge of business receipts prior to project construction, which is unavailable at this time."

Discussion: What is the impact threshold for business impacts? There is none listed on page 5-8. If you have not been able to ascertain the degree of this impact, then you must declare this impact as an Unavoidable Significant Impact, or at least a Potentially Significant Unavoidable Impact.

Recommended Change: You must declare business impacts as an Unavoidable Significant Impact

34-46 **Page 5-21, first paragraph, first sentence**: "The failure of businesses oriented toward through customers would not be likely to have an impact upon the Willits community as a whole."

Discussion: On what is this conclusion based? There are no thresholds listed on page 5-8 for business impacts. The loss of 17% or the businesses along Highway 101, or 26 businesses, certainly seems like it could be significant. Even using a conservative estimate of 4 employees per business results in a loss of over a hundred jobs. To most people, including me, this would be a significant impact to the City.

Recommended Change: Establish a reasonable impact threshold for business impacts, and recognize the distinct possibility of business loss would be an Unavoidable Significant Impact.

34-47 **Page 5-21, first paragraph, second sentence**: "The long-term economic impact result of traffic diversion is expected to be an improved and more inviting central business district."

Discussion: This conclusion is apparently based on the Economic Impact Report. However, the Economic Impact Report is almost entirely based on unavailable data (proportion of out-of-town traffic that will stop in Willits and generate business activity; and, the extent that local business relies on non-local traffic, page A3), "guestimates" (industry composition of Willits, page A7), and testimony from officials with the City of Cloverdale who are essentially paid to paint a rosy picture of Cloverdale (footnote 6, page 16). This is not science. This is not a legitimate analysis. Often times, a study will at least include a sensitivity analysis, especially when there is a high probability of variability in the input variables. There is no sensitivity analysis in the Economic Impact Report.

For example, the Economic Impact Report uses a complete guess as to the effectiveness of downtown revitalization on attracting new commerce. It is assumed that the within 8 years of the opening of the bypass, the downtown revitalization efforts will have contributed an additional 26.5% growth to the Willits economy (over and above inflation rates). It is also recognized that there is no data available as

34-45 and 34-46 Guidelines for determining business impacts are listed on page 5-8 (DEIS/EIR). Caltrans and FHWA have not adopted thresholds of significance for business impacts, which are determined by professional judgment on a project-by-project basis and are based partly on intensity and magnitude

For instance, the worst-case scenario would mean the loss of the 26 businesses that have been identified as catering primarily to tourists or to both tourists and area residents. This scenario would result in a significant decrease in sales tax revenues; the loss of 26 businesses would translate into a loss of approximately 17 percent of all taxable sales in Willits. In this sense, the comment correctly identifies an adverse impact on the Willits community resulting from the loss of businesses that serve through customers.

The loss of 26 businesses is extremely unlikely to occur as a result of the proposed project. Willits is the largest community on U.S. 101 north of Ukiah for approximately 100 miles. As such, it offers southbound vehicles their first major opportunity and northbound vehicles their last opportunity for some services, such as stops at large grocery stores or a selection of several fast-food restaurants and gas stations.

34-47 The comment is noted. The construction of any economic model involves the use of best estimates, forecasts, and the best available information. In the case of the proposed project, the economic model's essential inputs were the traffic forecasts and the estimates of the costs of construction, both of which can be assumed to be reasonable.

Additionally, the experience of the City of Cloverdale is valuable. The most objective data on retail transactions in this city comes from the California State Board of Equalization. According to these data, Cloverdale's per capita retail sales in the year 2000 were 20 percent higher than in 1990, before the city was bypassed. While per capita retail sales fell precipitously in the mid-1990s, when the bypass was constructed, they had rebounded within the next five years.

The biggest difference between retail sales in Cloverdale and Willits is the superiority of Willits' retail base. In 1990 and 2000, Cloverdale's per capita retail sales were between 35 and 36 percent of Willits' per capita retail sales, despite higher average traffic volumes in Cloverdale.

34-48 The Economic Impact Report's discussion of retail sales in Willits is based on two sources: the California State Board of Equalization's records of retail permits and taxable transactions in the City of Willits and on a visual survey of business activity along the U.S. 101 corridor. At the time of this visual survey, Caltrans staff identified 26 retail stores visible from the U.S. 101 corridor that catered primarily to through traffic. The businesses that are most likely to be impacted as a result of the proposed project are those that serve through traffic and that are visible from U.S. 101. When viewed in the context of all retail sales, however, those that come from through traffic are relatively small: only 17 percent of all retail businesses in Willits both cater primarily to through traffic and are located on U.S. 101.

Businesses that provide everyday goods and services – such as groceries or dry cleaning – would be the least affected by the proposed bypass. Visitors to Willits needing items or services from businesses that primarily serve residents of this area would continue to have access to these businesses, and would likely have easier access as a result of lower traffic volumes in the City.

to the effects the revitalization will have on the local economy (page A3). This amounts to nothing more than a wild guess.

The Economic Impact Report consists of total guesses, built on educated guesses, built on opinions from highly biased sources. It is of absolutely no value in predicting what will happen when the bypass opens. The bottom line is that we simply don't know what will happen. Therefore, the only conclusion that can be stated with any certainty is that the bypass will have a Potentially Significant Impact on local business. There is no mitigation offered for this impact.

Recommended Change: Delete this sentence and add business loss to the list of Unavoidable Significant Impacts.

Page 5-21, second paragraph, first sentence: "Under the worst-case scenario, Willits would lose the sales tax of 17 percent of the businesses located along U.S. 101."

34-48 Discussion: This is not a "worst-case scenario". This is probably an optimistic scenario, if anything. First, it is virtually impossible to follow the logic and analysis presented in the Economic Impact Report. From the visual survey (Table 3) conducted along Highway 101 within the City limits, there appears to be 28 businesses (11 hotel/motel + 15 gift/variety + 2 other tourist services) that cater primarily to tourist traffic. According to the Economic Impact Report, page 4, there are another 40 businesses that cater to both tourist and local customers. It is also assumed on page 4 that 120 businesses cater "primarily to local area residents". However, the 17% used in the EIS/EIR comes from a survey of *retail* stores in Table 2. I have no idea what this includes since there is absolutely no correlation between the numbers in Table 2 and Table 3. Why didn't you just use Table 3 for your analysis? It seems to be much more relevant to the issue at hand.

Second, I think you are assuming that the 44 "local retail" stores in Table 3 cater primarily to local residents. This is simply not the case. When tourists visit Willits, they often shop in the local retail stores as they walk along Main Street. It appears that you simply assumed that these local retail stores cater primarily to residents without having any data to back it up. Based on my own habits, I tend to do most of my non-grocery shopping in Ukiah, since I work there anyway. I suspect many people in Willits and Brooktrails do the same.

The true "worst case" scenario is much more severe than you indicate. It would be reasonable to assume that the 28 businesses that cater primarily to tourists would be in danger of failing. It would also be reasonable to assume that a portion of the 40 businesses that cater to both local and tourist customers would be in danger of failing. And, you must include an analysis of the tourist contribution to the 44 "local retail" businesses that you wrote off as being unaffected. Many of the local businesses are operating on the edge of profitability and any decrease in revenue could result in business failure.

There is also a much more important issue of job loss as a result of these failures. Even just assuming that the 28 businesses that cater to tourists will fail, and assuming that each business employed 4 people, would result in the loss of 112 jobs. This loss of jobs will affect the entire Willits economy,

See Section 2.4 (FEIS/EIR) for construction scenarios, as well as Section 3.18.1.3 (FEIS/EIR). Construction is expected to have a positive economic impact, overall, in both Willits and this region. A relatively large proportion (between 30 and 40 percent) of workers employed in bypass construction are expected to look for hotel or motel rooms during the construction period. These workers would sustain many of the businesses that normally cater to other visitors.

After the completion of the bypass, the number of customers utilizing hotel and motel rooms in Willits is not expected to drop significantly. Willits will maintain its position as the largest community on U.S. 101 north of Ukiah for approximately 100 miles. U.S. 101 bypasses Ukiah and – according to the 1997 US Economic Census – its taxable sales of accommodations were 50 percent higher, per capita, than Willits'. Both of these communities are positioned to benefit from traffic on U.S. 101.

including local professional services.

Your analysis completely leaves out the effect of bypass construction on the local tourist trade. For example, on page 3-7, the least amount of fill required is 2.4 million cubic yards for Alternative C1T. All of the fill is coming from "oil well hill" north of Willits. Therefore, for a majority of the construction the fill will have to be hauled through town. Assuming that an average dump truck can hold 10 cubic yards, this will result in roughly 308 round trips through town every work-day for a minimum of 3 years. This added congestion will impact the tourist trade. This impact could also lead to compounded future problems. As businesses catering to the tourist industry fail due to the effects of construction, they may temporarily be replaced by businesses supporting the construction. However, once the bypass is complete, and the construction money dries up, there will be few tourist-oriented businesses to make up the difference.

Yet another issue that is not discussed is the effect the loss of tourism will have on the local hotels and motels. I single these businesses out because 100% of the bed tax paid by hotels and motels goes to the City, making them especially important.

Finally, there is another potential loss of business that is not mentioned in the EIS/EIR, and that is the potential loss of Brooktrails shoppers. At the present time, Brooktrails contributes about 74% as much to the Willits economy as the City of Willits does (based on population). This is especially lucrative to the City of Willits because it enjoys the sales tax revenue without the cost of providing residential services (fire, water, sewer, police, roads, etc.). In essence, Brooktrails acts as a permanent tourist base. Once the bypass is built, however, there is a potential of losing a significant portion of this base. Roughly 40% of the Brooktrails population commutes to Ukiah and other points south on a daily basis. By making it possible for Brooktrails commuters to bypass the city, there is a strong possibility the Brooktrails shoppers who used to stop in Willits to shop, would do their shopping in Ukiah or other commute destinations, then drive directly home without having to stop in Willits. This effect would be amplified if the Brooktrails second access road is built. The construction of the second access is a reasonably foreseeable future project that must be addressed in the cumulative impact analysis.

Recommended Change: Obviously, your analysis of business impacts is woefully inadequate. A loss of 17% of business is not a worst case scenario, and is probably not even a reasonable-case scenario. This sentence must be deleted and replaced by a much more comprehensive study. The bottom line is that trying to predict business loss is merely a shot in the dark. Business loss must be listed as a potentially significant unavoidable impact.

34-49 **Page 5-21, second paragraph, last sentence**: "However, the City of Willits would be expected to see an increase in sales tax during project construction, given the need for construction workers to occupy motel rooms and to purchase food and other supplies."

Discussion: While I agree that the construction will generate business in Willits, the disruption will also drive away certain other types of business such as tourism. I suspect that many people will try to avoid Willits as much as possible during the 3-5 year bypass construction. This is discussed in more detail in

Fill material for the bypass would not need to be hauled through town. See Section 2.4.2 (FEIS/EIR) regarding roadway construction (earthwork) scenarios.

Any bypass alternative that routes traffic around Willits will provide Brooktrails residents commuting out of the area to work with a choice between shopping elsewhere and bypassing Willits or shopping in Willits. Given the proximity of retail centers in Willits to Brooktrails, and the lack of comparable facilities in Brooktrails, Willits is likely to continue to be frequented by Brooktrails residents after construction of the proposed bypass. Also, see responses to Comments 34-43, 34-45 through 34-48, and 159-7 (Gary Owen).

34-49 The modeling used in the Economic Impacts Report anticipates that construction-period expenditures will buoy the economy during the construction period and that, after construction, Willits will be able to attract more retail activity than it currently does.

Economic impacts of the proposed bypass are likely to be higher for businesses that primarily serve tourists. Impacts to these businesses are not likely to be significant during the period of construction. Generally, construction activities conducted off of major highways are stopped at night and on weekends. These are the times when recreational travel is at its peak. This would help to minimize construction impacts on tourist-serving businesses.

the previous comment, but it needs to be addressed here as well.

Recommended Change: This sentence needs to include a discussion on the offset of business discussed above and also the fact that the construction-generated revenue is short term.

Page 5-21, Section 5.2.5.9, first sentence: "In terms of the movement of people and goods..."

34-50 Discussion: This section only discusses the regional economic impacts in terms of the cost of congestion on the movement of people and goods. However, "regional economic impacts" go way beyond the cost of moving people and goods. For example, you must consider the regional economic impacts of either growth inducement if land is available for development, or increased housing costs if land is not available for development. In fact, increased residential development is normally an economic drain on an area because the cost of providing services is rarely recovered through property tax and rates and fees. This also becomes a cumulative impact issue with the soon-to-be constructed Hopland bypass and the Laytonville bypass.

Recommended Change: Include a complete analysis on the cost of housing and/or growth inducement to the region as a result of the Willits bypass. In the cumulative impact analysis, include the effects of the Hopland bypass and the Laytonville bypass.

Section 5.2 - Omission

34-51 Discussion: A two-lane bypass would help reduce Community Impacts by enticing more traffic into town. A 4-lane freeway has a very powerful psychological effect of putting drivers into "freeway mode", where suddenly getting to the destination becomes far more important than taking the time to enjoy the trip.

Comment: Include 2-lane alternatives in the analysis.

Chapter 5.3 - Community Facilities and Services Impacts

34-52 **Page 5-23, top of page**: "If either the City of Willits or Mendocino County believes that long-term maintenance costs of relinquished roadways will negatively affect the maintenance of other local roadways, these issues will be raised during the process of establishing a relinquishment agreement."

Discussion: It is apparent from this sentence that Caltrans has not addressed the issue of road maintenance costs for the relinquished portion of Highway 101. The future "establishment of a relinquishment agreement" is not a mitigation or even an assurance that Willtis can afford to maintain the new roadway, the busiest roadway in the City. There is also no assurance of the condition of the roadway when it is relinquished. This becomes even more apparent from the first sentence in the next paragraph "...the satisfaction of all parties is not a condition of roadway relinquishment...*Generally* (emphasis added), the process of reaching a relinquishment agreement includes the reasonable accommodation of the protesting parties' requests."

34-50 See responses to Comments 34-40 and 73-3 (Karen Delaney).

The comment requests an analysis of the costs of increasing the area's attractiveness as a result of improvements in access brought by the proposed bypass. No analysis can determine precisely what the post-project value of housing in Brooktrails would be. As the response to Comment 34-40 points out, accessibility is clearly less important to property values in Brooktrails than the quality of construction and Brooktrails' location itself.

One useful comparison may be the City of Ukiah, located 20 miles south of Willits on U.S. 101. At the time of the 2000 Census, the median reported value of a home in Ukiah was nearly 14 percent higher than in Willits, and eight percent higher than in Brooktrails. To some extent, the higher prices in Ukiah reflect this city's relative accessibility: it is closer to S.R. 20 east and to employment centers in Sonoma County than Willits or Brooktrails. While other factors confound this comparison, the median home value in Ukiah is likely to represent a useful ceiling for an estimate of the increase in Brooktrails' housing values as a result of accessibility improvements. An eight percent increase in housing costs, over and above other market factors, may result from the Bypass. The significance of this increase would be difficult to gauge, given the volatility in housing costs in this area.

Regarding Hopland and Laytonville bypasses, see responses to Comments 34-7 and 33-11 (Johanna Burkhardt).

34-51 The comment is noted. See General Response 1.10 for a discussion of a two-lane bypass.

34-52 See response to Comment 9-1(2c) and 9-18 (City of Willits Mayor's Office).