

# Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: February 24-25, 2010

Reference No.: 2.2c.(10)  
Action Item

From: NORMA ORTEGA  
Chief Financial Officer

Prepared by: Jay Norvell  
Division Chief  
Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR CONSIDERATION OF FUNDING**  
**10-TUO-108, PM 1.8/6.9**  
**RESOLUTION E-10-15**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-10-15.

## **ISSUE:**

The attached resolution proposes to approve for consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Route 108 in Tuolumne County. Construct a 4-lane freeway, interchanges, bridge replacement, and roadway improvements in Sonora. (PPNOs 0021A, 0021B, 0021C)

This project in Tuolumne County will construct a 4-lane freeway replacing the existing 2-lane conventional highway currently known as Mono Way; construct interchanges near Fir Drive, Hess Avenue, and Standard Road; construct a new bridge over Sullivan Creek; and construct roadway improvements in the city of Sonora. This project is programmed in the Corridor Mobility Improvement Account and the 2008 State Transportation Improvement Program. The total estimated project cost is \$65,920,000 for capital and support. Construction is estimated to begin in Fiscal Year 2009-10. The scope as described for the preferred alternative is consistent with the project scope set forth in the proposed project baseline agreement amendment (CMIA-PA-0910-018, STIP Amendment 08S-067).

A copy of the FEIR has been provided to Commission staff. Construction activities will occur in habitat areas of several endangered or threatened plant and animal species. The project will also cause impacts to visual, cultural, and riparian resources that will be mitigated by aesthetic treatments, establishing environmentally sensitive areas, and riparian restoration. As a result, a Final Environmental Impact Report was prepared for the project.

The Department has approved this project for construction. This approval and the filing of the Notice of Determination with the Office of Planning and Research will satisfy the environmental requirements for this stage of the project planning process.

Attachments

## **CALIFORNIA TRANSPORTATION COMMISSION**

### **Resolution for Future Consideration of Funding**

**10-Tuo-108, PM 1.8/6.9**

**Resolution E-10-15**

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Route 108 in Tuolumne County. Construct a 4-lane freeway, interchanges, bridge replacement, and roadway improvements in Sonora. (PPNOs 0021A, 0021B, 0021C)
- 1.2** **WHEREAS**, the Department has certified that the Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Environmental Impact Report; and
- 1.4** **WHEREAS**, the Environmental Impact Report did not identify significant effects after mitigation; and
- 1.5** **WHEREAS**, Findings were made pursuant to the State CEQA Guidelines.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Findings of Fact that support approval of the above referenced project to allow for future consideration of funding.

## FINDINGS

**CALIFORNIA DEPARTMENT OF TRANSPORTATION FINDINGS FOR  
EAST SONORA BYPASS  
10-TUO-108  
PM M1.8/R6.9  
(10-340400)**

The following information is presented to comply with State CEQA Guidelines (Title 14 California Code of Regulations, Chapter 3, Section 15901) and the Department of Transportation and California Transportation Commission Environmental Regulations (Title 21, California Code of Regulations, Chapter 11, Section 1501). Reference is made to the Final Environmental Impact Report (FEIR) for the project, which is the basic source for the information.

The following effects have been identified in the EIR as resulting from the project. Effects found not to be significant have not been included.

### **Aesthetics**

#### Adverse Environmental Effects:

Substantial changes in the visual characteristics of the project area would occur from construction of the ultimate four-lane freeway with a 46 ft. median. Construction of a bridge over Sullivan Creek, in addition to the magnitude of the excavation slopes, would result in visual impacts. Visual resources that would be adversely affected the most by the proposed project are vegetation and landform. Major visual impacts include:

- Removal of vegetation within the proposed right-of-way throughout the project limits.
- Proposed construction of an 800 ft. long bridge over Sullivan Creek.
- Two excavation slopes from just west of Sullivan Creek, approximately 1,200 ft. long by 60 ft. high.
- A benched excavation slope near the proposed Standard Road Interchange, approximately 1,500 ft. in length by approximately 240 ft. high.
- An excavation slope between the proposed easterly Mono Way Undercrossing and the Dog Patch Road undercrossing, approximately 1,000 ft. in length by 120 ft. high.

#### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

### Statement of Facts:

Visual impacts resulting from the construction of a bridge over Sullivan Creek, the excavation of slopes, and the construction of the ultimate four lane freeway will be mitigated by applying visually compatible architectural treatments such as color, texture, pattern, and overall form to structures, and by revegetating excavation and embankment slopes with native plants to reestablish vegetation lost from grading operations. Shrubs removed during clearing and grubbing will be chipped and stockpiled and the top few inches of surface organic material will be collected and mixed with the stockpiled chipped vegetation and reapplied to embankments. Slope rounding and contour grading will be used to minimize the impacts of grading. Desirable trees will be preserved by adjusting slope stakes prior to grading and by installing guardrails to preserve the desirable trees. These commitments will be implemented at the time of construction or within two years after completion of each stage.

### **Cultural Resources**

#### Adverse Environmental Effects:

In accordance with 36 CFR 800, a Finding of Adverse Effect has been determined for the Costa site (TUO-2643) and the Edgemont Acres site (TUO-4559). The sites are considered eligible for listing on the National Register of Historic Places under Criterion D, for their ability to contribute additional important information to regional research issues. Project redesign to avoid the sites proved to be infeasible and will impact these locations.

#### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

#### Statement of Facts:

A Data Recovery Program consistent with the Secretary of the Interior's standards and Guidelines for Archeological Documentation has been developed to guide mitigation for the two eligible archeological sites directly affected by construction. It has been incorporated, by reference, with a Memorandum of Agreement (MOA) signed by the FHWA, Caltrans, the State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP). This plan will serve as a guide for the recovery of data to mitigate the effects of the project on the National Register-eligible sites.

The SHPO and the ACHP have concurred with an Environmentally Sensitive Area action plan. This plan, which is part of the MOA, requires fencing of prehistoric archeological sites during construction and the monitoring of construction by a qualified archeologist and a representative of the Central Sierra Me-Wuk Cultural and Historic Preservation Committee. This will help assure the protection of sensitive sites during construction. It will be incorporated into the project's Plans, Specifications and Estimates.

### **Biological Resources;**

### Adverse Environmental Effects:

- Deer: Completion of the preferred alternative would impact 198.4 acres of deer habitat. Impact refers to the acquisition of right of way in which the habitat occurs. Deer habitat will be fenced, but deer will be able to use migratory routes along Sullivan Creek.
- Elderberry: Completion of the preferred alternative would impact two elderberry bushes. Elderberry bushes would be removed and mitigated.
- Oak Woodland: Completion of the preferred alternative would impact 111.5 acres of blue oak woodland and 5.7 acres of valley oak woodlands. Oak habitat will be cleared and grubbed.

### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

### Statement of Facts:

- Deer: Caltrans, in consultation with the California Department of fish and Game, will provide deer fencing for about 1650 ft. on either side of Sullivan Creek to channel deer movements through the riparian area along the creek and away from the roadway. Four one-way gates will be installed to restrain deer from passage into the right of way, but will allow egress from it. A corridor at least 10 feet wide along both sides of Sullivan Creek will be maintained for deer and other wildlife passage. Habitat fragmentation will be minimized by requiring equipment storage areas for the construction contractor to be located in already degraded sites. Habitat fragmentation will be kept to a minimum, and where feasible, deer brush will be used for revegetation.
- Elderberry: Impacts to the two elderberry bushes with 48 stems will be mitigated on a 5:1 ratio. The two elderberry bushes will be relocated and supplemented with at least 240 additional stems and 96 associated plantings (willows, alder and cottonwoods) on the mitigation site proposed near Sullivan Creek. Approximately 1.8 acres of land will be needed for elderberry mitigation. A biologist will monitor the elderberry and associated vegetation for 10 years and submit an annual report to the U.S. fish and Wildlife Service on survivability and condition of the plants. One hundred and ninety-two elderberry stems and 77 of the associated plantings must survive to the end of the 10-year period for this mitigation to be deemed successful. If during this 10-year period, this survivability is not attained, supplemental planting will take place to achieve this survivability.
- Oak Woodland: Replacements for the approximately 1,152 blue oaks and 645 valley oaks which will be removed will be at a 5:1 ratio within the

project area – in Caltrans right of way or in other publicly owned parcels that are currently disturbed. Approximately 50 percent of the total blue oak impacts will be mitigated in Stage I. The remaining 50 percent of the blue oak impacts will be mitigated in Stage II. Approximately 70 percent of the valley oaks will be mitigated in Stage I and the remainder in Stage II. The California Department of Fish and Game has agreed that we can request a lower replacement ratio in Stage II if a survival rate higher than that required by the California Department of Fish and Game is attained for the Stage I plantings. The required survival rate is 80 percent at the end of five years.

In addition, Caltrans will purchase 40.0 acres of blue oak woodland habitat to be set aside as open space. All oak woodlands purchased as mitigation for the project will be retained by Caltrans or transferred to an acceptable agency for long term management and permanent protection.

### **Relocations:**

#### **Adverse Environmental Effects:**

The completion of the preferred alternative will result in impacts to 153 dwelling units – 83 in Stage I, 53 in Stage II, and 17 in Stage III. There will be 120 relocations required – 59 in Stage I, 45 in Stage II, and 16 in Stage III. The Department will be very sensitive to the needs of future displaces by liberally applying the hardship provision of 23 CFR 712.204(d) and the Caltrans policy on hardship acquisitions. The project would result in impacts to 22 businesses, with 17 requiring relocation. The business relocations would all be in Stage I. The project would require the relocation of two non-profit charity operations – the Red Church Thrift Store and Interfaith – which will be relocated in the greater Sonora area so that they can remain accessible to their clientele.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

#### **Statement of Facts:**

The impacts of residential, business, and community service displacement and property acquisition will be mitigated by providing benefits, payments, and services in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources are available and will be provided to all residential and business relocates without discrimination.

An analysis of rental units available as well as numbers and types of houses, commercial properties and business opportunities for sale in Tuolumne County indicates that there are adequate relocation resources for all owners and tenants of single family residences, apartments, duplexes, mobile homes and businesses.

### **Socio-economic:**

#### **Adverse Environmental Effects:**

The overall impact of the project on the East Sonora business district is estimated to be beneficial, although there will be negative effects on some individual businesses along existing SR 108. Based upon studies of similar projects, Caltrans has determined that sales increases are likely in 123 businesses. In Stage I, short-term sales reductions of 20% or more are expected at 27 businesses, predominantly fast food restaurants. Sales reductions of less than 20% are expected at 7 businesses. For the ultimate project, the number of short term sales reductions of 20% or more are expected to decrease to only 16 businesses and the number of businesses experiencing sales reductions of less than 20% is expected to be 18.

#### **Findings:**

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

#### **Statement of Facts:**

Caltrans will take the following steps to minimize adverse economic effects on businesses which might suffer because of construction of the bypass. Before construction begins, Caltrans will consult with businesses that will be affected by nearby construction activities to identify construction techniques to be employed that would reduce adverse effects on nearby businesses. Caltrans will try to maintain reasonable access for customers to businesses during business hours. Construction near businesses will be expedited to reduce the length of time that businesses and customers are inconvenienced by construction activities.

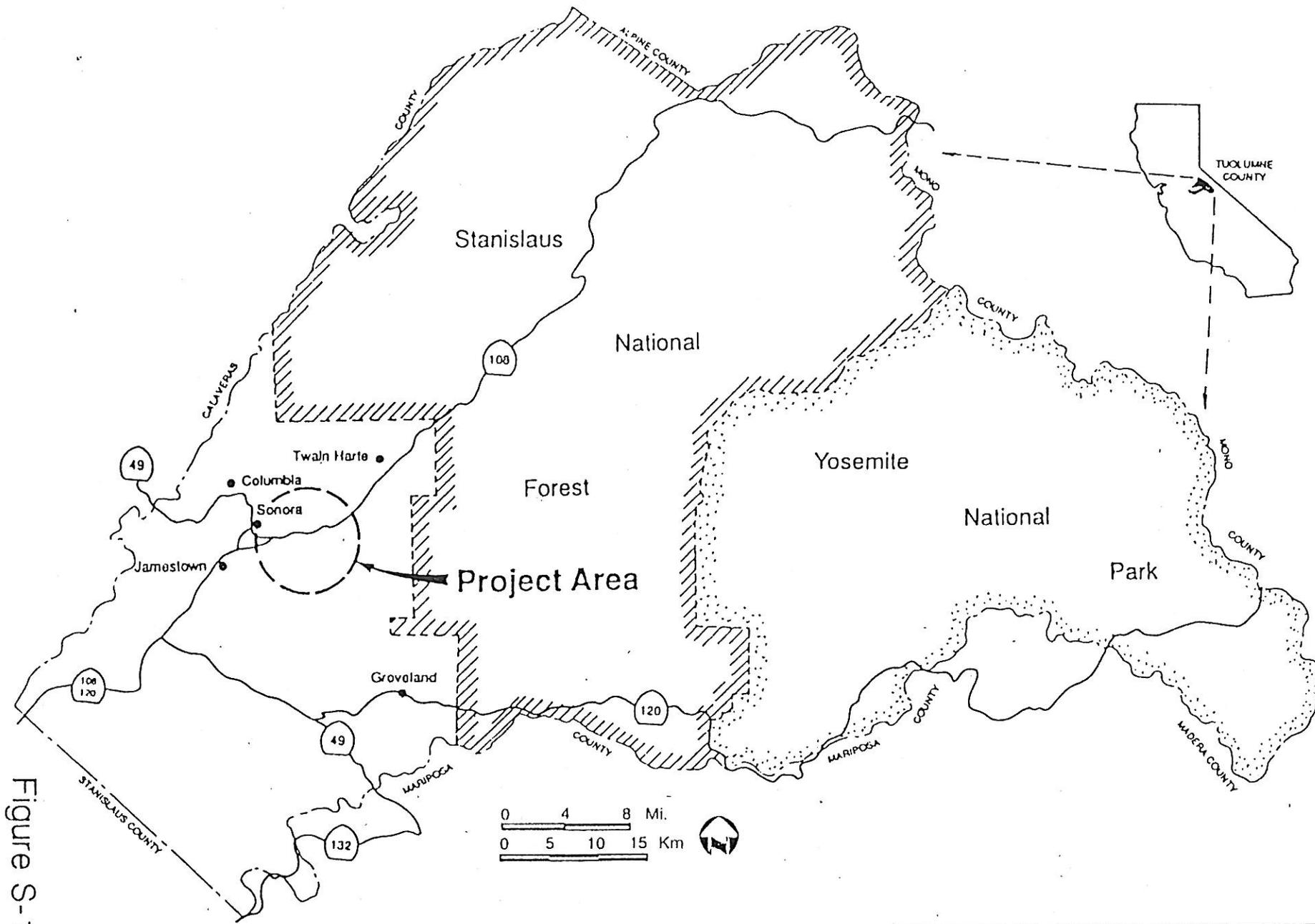


Figure S-1

Regional Location of the East Sonora Bypass Project