State of California
DEPARTMENT OF TRANSPORTATION

Business, Transportation and Housing Agency

M e m o r a n d u m

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 19-20, 2010

Reference No.: 2.2c.(6)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

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Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR ROUTE ADOPTION 10-STA-108, PM R27.5/R45.5 RESOLUTION E-10-36**

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-10-36.

ISSUE:

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

- Route 108 in Stanislaus County. Corridor studies for a future alignment of Route 108 near the city of Oakdale. (PPNO 0228)

This project in Stanislaus County would study corridor options for a future alignment of Route 108 near the city of Oakdale. There is no construction for this project because it is for route adoption only. Once the route adoption is approved by the Commission, and funding becomes available, the Stanislaus Council of Governments and the Department will conduct further environmental studies to identify a roadway alignment within the selected corridor. The construction of the new roadway is anticipated to occur in Fiscal Year (FY) 2025. Conceptual level cost estimates to build a new roadway range from $600 to $800 million (FY 2009 costs), and $1.3 to $1.5 billion (FY 2030 costs).

A copy of the FEIR has been provided to Commission staff. There is no construction for this project because it is for route adoption only. It is expected that the future project, however, will have potential impacts to land use, farmlands, cultural resources, biological resources, relocations, hazardous waste, water quality, paleontology, and air quality. As a result, a FEIR was completed for this project.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Route Adoption
10-Sta-108, R27.5/R45.5
Resolution E-10-36

1.1 **WHEREAS,** the California Department of Transportation (Department) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:

- Route 108 in Stanislaus County. Corridor studies for a future alignment of Route 108 near the city of Oakdale. (PPNO 0228)

1.2 **WHEREAS**, the Department has certified that the Final 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 Final Environmental Impact Report; and

1.4 **WHEREAS,** Findings were made pursuant to the State CEQA Guidelines; and

1.5 **WHEREAS,** the Final Environmental Impact Report did identify significant effects on the environment and a Statement of Overriding Considerations was prepared.

2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby approve the above referenced project to allow for route adoption.

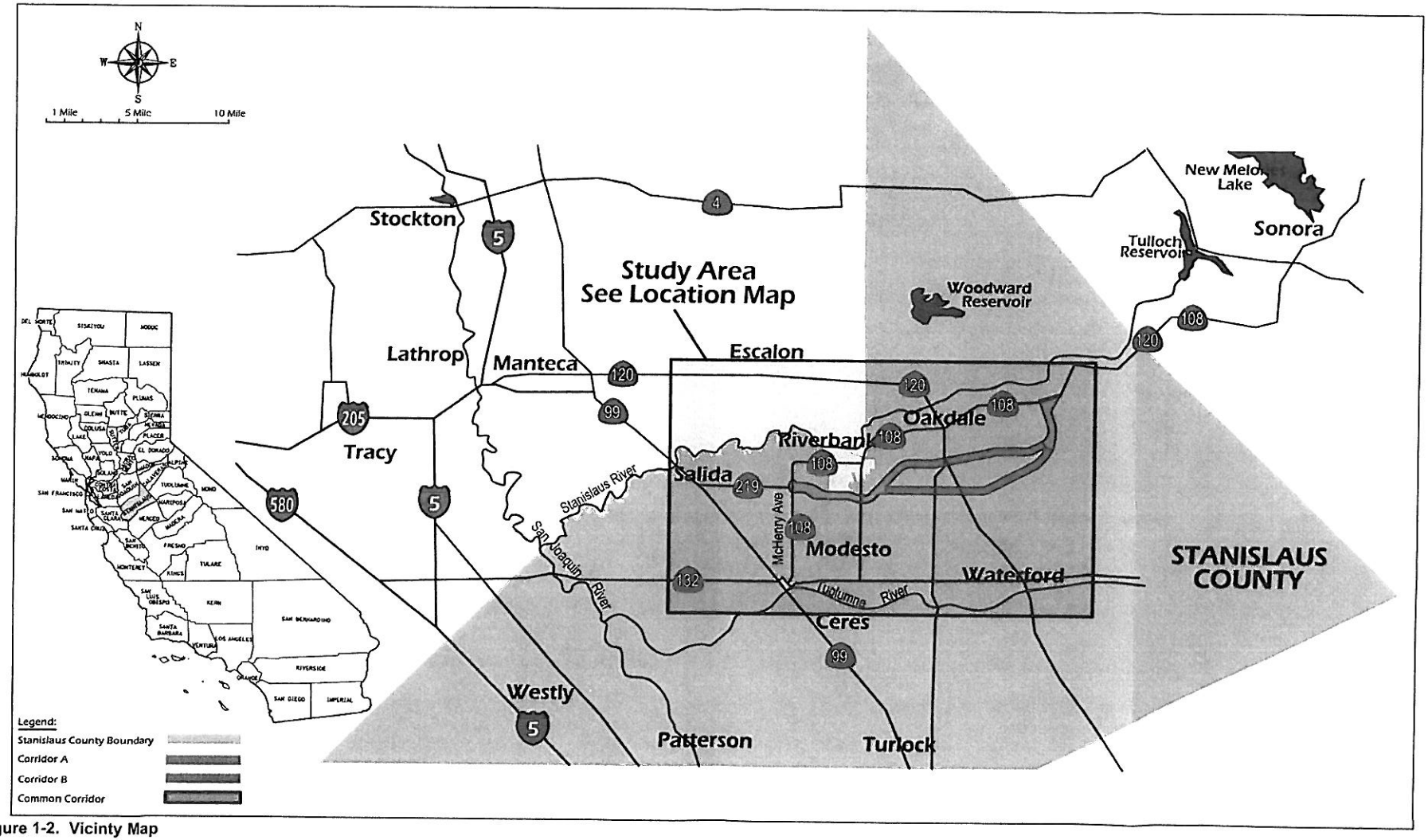
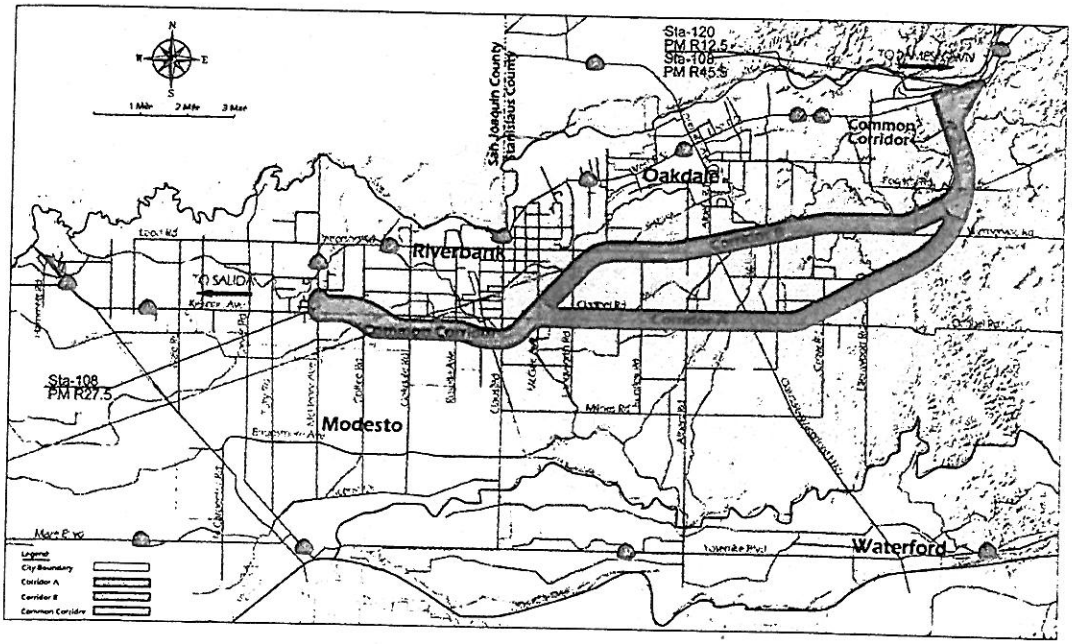


Figure 1-2. Vicinty Map

FINDINGS

CALIFORNIA DEPARTMENT OF TRANSPORTATION FINDINGS FOR THE NORTH COUNTY CORRIDOR STATE ROUTE 108 EAST ROUTE ADOPTION IN STANISLAUS COUNTY



April 2010

Caltrans

FINDINGS

CALIFORNIA DEPARTMENT OF TRANSPORTATION FINDINGS FOR THE NORTH COUNTY CORRIDOR STATE ROUTE 108 EAST ROUTE ADOPTION IN STANISLAUS COUNTY

The following finding are made in compliance 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 and that require no mitigation have not been included in the findings.

Land Use

Adverse Environmental Effects:

The project is inconsistent with the General Plans of Stanislaus County and the Cities of Modesto, Riverbank, and Oakdale to the extent that general plan amendments would be necessary in order to be fully consistent with these plans.

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 affected General Plans will be amended to reflect the alignment that is eventually adopted for the North Corridor State Route 108. Upon amendment, the existing inconsistencies would be rectified.

Growth

Adverse Environmental Effects:

The future placement of a new alignment for State Route 108 within this corridor would make the adjoining areas more accessible to the regional and interstate roads system, and thus more attractive for development. Since one of the main goals of the proposed roadway is to relieve congestion and facilitate interregional connectivity, it could be found consistent with the growth plans of the respective cities. Conversely, by attracting new development to the fringe areas of the cities, the proposed roadway may hinder realization of the infill development goals contained in the Modesto, Riverbank and Oakdale General Plans.

The project may also increase the study area's attractiveness as a location for agricultural processing (such as packing of fresh fruit and processing of agricultural commodities that used by the county's agricultural community), due to the interregional function of the project. This could result in secondary impacts associated with the physical development of such uses. At present, growth plans and policies within the unincorporated area and adjacent cities do not anticipate directing growth toward the proposed roadway. However, the project has the potential for growth inducement, which must be considered in future environmental studies required at the design stage of the project, and for future projects reviewed at the local agency level.

The construction of a new alignment for State Route 108 may increase pressures to develop remote, protected farmlands in the unincorporated area with uses catering to traffic on a new State Route 108 East. In addition, the project would contribute to the long-term loss of high-value farmland in the region by accommodating urban development outside current city limits.

Findings:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

Impacts on local growth rates and detrimental effects on local infill development goals can be minimized through implementation of phasing programs that require development in the central city before or concurrent with development at the periphery of the urban area. Implementation of this measure is the responsibility of future decision-making among the local agencies. At this stage of the project (route adoption) it would be speculative and infeasible to quantify project contributions to cumulative and indirect impacts created by new development such as air quality, habitat destruction, traffic congestion, aesthetics, and noise. Impacts associated with

future actions are subject to the control of local jurisdictions and the responsibility to offset these impacts lies in the decision-making and policies of the local jurisdictions.

Farmlands

Adverse Environmental Effects:

Alternative Corridor B would result in the permanent conversion of approximately 4,594 acres of farmland to non-agricultural use. This is a significant individual impact, as well as a considerable contribution to the significant cumulative loss of farmland within Stanislaus County and the San Joaquin Valley.

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.

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Statement of Facts:

The following measures will be undertaken during project design to avoid or minimize impacts on agricultural resources:

- Caltrans would commit in future stages of project design and environmental reviews to minimizing impacts to important farmlands with strategies such as: following section lines wherever possible; leasing back farmland purchased for projects until it is needed for construction, working with landowners to recombine remnant parcels to minimize creation of non-farmable farmland; localized avoidance of farm houses, out buildings, and irrigation systems.
- Natural Resource Conservation Service farmland site assessments would be carried out for all future projects within the corridor.

However, farmland is a finite resource. The above listed measures will not reduce this impact below a level of significance. Conversion of farmland such that it is no longer available for the production of food and fiber cannot be fully mitigated because the loss cannot be replaced.

Relocations

Adverse Environmental Effects:

Construction of a new State Route 108 alignment could result in the displacement of 95 urban residences, 124 rural residences, two manufactured home parks, 13 agricultural production buildings, and 19 industrial buildings at various locations along the alignment, in a worst-case scenario. In terms of impacts on human beings, based on the estimated average household size in Stanislaus County of 3.06 persons (California Department of Finance 2006), the project could potentially result in the relocation of up to 670 persons. The project could also result in the relocation of up to 266 industrial and commercial employees, based on a generation factor of 14 employees per acre for industrial and service commercial uses.

New development of replacement uses would have secondary impacts resulting from physical construction and operation of the replacement uses. These secondary impacts would be reasonably foreseeable, but uncertain as to their timing and extent because of the variable factors of market demand and other growth parameters. Because the timing and scale of secondary growth impacts would be subject to the control of the local jurisdictions and economic factors beyond the direct control of Caltrans, Caltrans would not bear responsibility to fully offset these secondary impacts.

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.

Changes or alterations associated with the secondary impacts are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

The following measures will be undertaken during project design to avoid or minimize impacts.

The Caltrans Relocation Assistance Program would reduce impacts as benefits are provided to relocate residences and businesses, reducing the level of impact to below a substantial level. A range of benefits is available; some include finding comparable replacement housing and paying for costs associated with moving. Details are identified at the time property is acquired. The Community Impact Assessment prepared for this project found that there is adequate comparable replacement housing property in Stanislaus County and the cities of Modesto,

Riverbank and Oakdale. With implementation of the Caltrans Relocation Assistance Program, no significant impact to persons, businesses, or property access would result from construction of the project. All parties would be treated in a fair and equal manner as prescribed by Caltrans policy, the Federal Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970 (as amended), Title 49–Code of Federal Regulations–Part 24, and Title VI of the Civil Rights Act (42 US Code 2000d, et seq.). See Caltrans' Title VI Policy Statement in Appendix C of the EIR.

Future decision-making among the local agencies would address the adverse environmental effects relative to construction and/or operation of land uses relocated as a result of the North County Corridor State Route 108 East Route Adoption project. This would include providing sufficient housing opportunities to meet their share of the Regional Housing Need Allocation.

Utilities

Adverse Environmental Effects:

The alignment would cross the facilities of the Modesto Irrigation District, the Oakdale Irrigation District, the Hetch Hetchy Aqueduct and Pacific Gas & Electric in numerous locations. Each crossing point would create the potential for interruption to service and premature destruction of facilities. Potential impacts to utilities would be the subject of future environmental review once funding is available.

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 following measures will be undertaken during project design and during construction to avoid or minimize impacts.

Caltrans' selection of a new State Route 108 alignment shall consider the least invasive alignment with respect to minimizing crossings of existing canals and utility corridors, where appropriate. Advance coordination with utility providers and stakeholders would be a required component of the project planning and design. Temporary facilities may be necessary to avoid prolonged interruptions to vital services such as water and electricity. Caltrans would perform environmental review of all utility relocations in accordance with PUC General Orders.

Emergency Services

Adverse Environmental Effects:

Construction of a new alignment for a new State Route 108 project could likely slow emergency services within the project area because of the loss of surface road connections. Response times could drop with reduced congestion in the local road network and added high-speed capacity on the road network in the region. All of the agencies interviewed expressed their concern that a limited-access expressway could impede use of the interconnected surface streets for emergency response within their service areas. Although the new State Route 108 may provide a faster and more direct route to the remote locations within the respective jurisdictions, there is a need to maintain multiple paths of travel so that response vehicles are not do not have to maneuver a series of ramps and multiple-turn movements when traveling to emergency calls. Direct and convenient surface road connections between interchanges were cited by all of the agencies as a necessary component of the new roadway.

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.

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

The following measures will be undertaken during project design and during construction to avoid or minimize impacts.

Approval of a future State Route 108 would require coordination with the Stanislaus Consolidated Fire Protection District, the Oakdale Rural Fire District, and the Stanislaus County Sheriff's Department to clarify existing critical emergency response routes, and identify measures in any future project documents (such as an emergency access and traffic plan) to maintain these paths of travel or develop alternatives that provide equal or superior routes. Once funding is available for a new State Route 108, these measures would be further defined and the subject of a future environmental review.

Traffic and Transportation/Pedestrian and Bicycle Facilities

Adverse Environmental Effects:

The construction of the proposed roadway would result in a new east-west roadway connection to McHenry Avenue near the McHenry Avenue/Kiernan Avenue intersection. The new connection could disrupt the existing transit stop at the McHenry Avenue/Kiernan Avenue intersection.

The construction of the proposed roadway would result in a new east-west roadway with interchanges on several north-south roadways where there are planned bicycle and pedestrian facilities. The interchanges could interfere with the implementation of the planned bicycle and pedestrian facilities.

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.

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

The following measures will be undertaken during project design and before construction to avoid or minimize impacts.

The final design of the interchanges would accommodate the implementation of planned bicycle and pedestrian facilities. Before road construction, Caltrans would coordinate with the local transit agencies to ensure that the transit services currently provided along McHenry Avenue would be adequately accommodated after implementation of the project.

Visual/Aesthetics

Adverse Environmental Effects:

Impacts to the study area's visual quality stem from the introduction of a new element to this historically rural agricultural setting. Construction of a future new State Route 108 alignment has the potential to affect the visual quality by expanding the width of existing country roads and utility corridors. Some areas of pasturelands would be converted when the highway changes from four lanes to eight lanes, with grade-separated railroad crossings, interchanges, and new frontage roads.

Farmland would become physically separated from the expressway motorist's view. Foreground views of orchards, vineyards, and row crop fields would be moved to middle ground views. Distant views may become available to expressway motorists from new elevated, grade-separated railroad crossings. The project would also degrade the existing visual quality for all landscape units with the increase of nighttime light from streetlights and glare from traffic headlights.

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 construction for a future State Route 108 would require that a qualitative/aesthetic approach be taken to mitigate for visual quality loss in the study area. Mitigation measures would be analyzed for specific roadway alignment alternatives addressed in future environmental review once funding is available. All visual avoidance and minimization measures would be designed and implemented with the concurrence of the Caltrans district landscape architect.

The following list of avoidance and minimization measures is typical of what could be expected in project-level documents:

- Minimize conversion of agricultural lands to roadway by placing the new expressway alignment along the routes of existing roads, where possible.

- Locate the new expressway where agricultural lands have been compromised by existing adjacent development, where possible.

- Incorporate city gateway aesthetic features into the design for new intersections at Claribel Road with Roselle Avenue and Warnerville Road. Since agricultural heritage and rural character have been identified in city and county general plans as major components of the study area's identity, city gateways could be designed to incorporate these visual images into the gateway design. For example, gateway site elements could include farmland elements. The elements could be located to screen or enhance scenic views, or the choice of gateway materials could match agricultural, scenic, or rural elements.

- Design expressway landscape to reflect vegetation patterns and plant types of the adjacent agricultural lands or native plant communities.

- Add cut-off light shields to expressway lighting to direct lighting toward the street, not toward adjacent land uses.

- Minimize impacts to the natural terrain, drainages, and vegetation, where possible. For example, visual impacts could be minimized by aligning the highway to follow natural landforms, preserving natural floodways by crossing drainages by bridge or extra-wide culvert, preserving scenic vegetation and visually prominent native trees, and by restoring native vegetation in accordance with the location, density and species characteristic for native plant communities in Stanislaus County.

- Identify important community views to culturally significant landmarks, such as mountain ranges, agricultural lands, historic buildings and other community landmarks, and design the expressway to preserve and enhance these views, where feasible.

Cultural Resources

Adverse Environmental Effects:

A records search for previously recorded cultural resources in the study area was done on December 10, 2008 at the Central California Information Center of the California Historical Resources Information System at California State University, Stanislaus. The search found no known cultural resources listed in the National Register of Historic Places or the California Register of Historical Resources in the study area. The record search showed eight cultural resources that have been previously recorded in the study area. Only two of those have been recommended as eligible for the National Register of Historic Places and are therefore historical resources for the purposes of the California Environmental Quality Act: a segment of Hetch Hetchy Aqueduct and a segment of the Sierra Railroad. Another survey of the study area on January 7, 2009 revealed about 40 parcels containing buildings and structures 45 years old or older within the boundaries of the study area for Alternative Corridor B.

Because of the age of the buildings and structures, these resources could be eligible for listing in the California Register of Historical Resources or eligible as locally designated historical resources. As noted above, however, the records search did not identify any archaeological cultural resources listed in or eligible for the National Register of Historic Places or the California Register of Historical Resources in the study area.

No formal investigations into the possible presence of archaeological cultural resources have been conducted for the project corridor, so the study area may contain significant archaeological historical resources under the California Environmental Quality Act. If cultural resources (buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, or scientific importance) cannot be completely avoided by project design, then ground-disturbing and other activities associated with construction of a new roadway may

result in damage, physical demolition, destruction, relocation, or alteration of buildings or structures. This would result in a substantial adverse change to significant cultural resources.

Previous archaeological studies near the eastern end of the study area have identified resources such as housepits, midden, lithic scatters, and milling features. Archaeological finds such as these would indicate a habitation site and would likely be considered substantial as well as have a high sensitivity for the presence of buried human remains. Therefore, within the study area of Alternative Corridor B, the potential for buried human remains to be unearthed and disturbed during ground-disturbing activities that would be associated with future roadway construction, such as grading and excavation, would be 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:

Before construction of a new state route roadway, Caltrans would ensure that cultural resources are treated appropriately according to state and federal laws and regulations, as applicable. Because the new roadway would be a state route, all cultural resources in the future project area would be appropriately inventoried and documented according to Caltrans procedures and California Environmental Quality Act guidelines. Each construction project would be designed to avoid cultural resources, if possible. Should Caltrans determine that a federal undertaking exists; Section 106 of the National Historic Preservation Act regulations would also apply and its provisions would be followed. The purpose of the Section 106 process is to evaluate the potential for the project to affect cultural resources eligible for listing in the National Register of Historic Places or any resources considered historic for the purposes of California Environmental Quality Act.

If construction of a new roadway, as a result of route adoption, results in the demolition or destruction of any cultural resources (buildings, sites, structures, or objects, each of which may have historical, architectural, archaeological, cultural, or scientific importance) located in the roadway study area, the effect cannot be fully eliminated by this measure. In this case, it is likely that further research or documentation would be required, and additional mitigation measures may need to be developed to reduce the effect.

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

If human remains are discovered during ground-disturbing activities, all work must stop in the immediate area of the find and within 100-feet of the find and the on-site environmental construction monitor, the construction foreman, and Caltrans must comply with state laws pertaining to the protection of interred human remains. State Health and Safety Code Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the county coroner contacted. Per Public Resources Code Section 5097.98, if the remains were thought to be Native American, the coroner would notify the Native American Heritage Commission, which would then notify the Most Likely Descendent. At this time, the person who discovered the remains would contact Caltrans so that Caltrans staff can work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code 5097.98 are to be followed as applicable.

Hydrology and Floodplain

Adverse Environmental Effects:

The construction of a new State Route 108 alignment has the potential to affect hydrology because of the increase in the amount of impervious surface and the number of stream and water crossings. The increase in impervious surface area could result in increased peak flows and runoff volumes and, if left untreated, could negatively affect water quality of receiving water bodies. Permanent structures such as water quality ponds, detention basins, and swales can be incorporated into roadway design to retain or delay the flow of the additional runoff, thus attenuating peak flows and reducing water quality impacts. The project would include the addition of 233 to 381 acres of impervious surface area.

Streams crossings can affect the hydrologic integrity of the watershed due to potential constriction or blockage of natural flows and streambed migration. Alteration of the streambed can also affect natural flooding regimes and reduce the downstream transport of sediment and pollutants. The project alignment would cross Wood Chopper Gulch. The gulch is highly channelized through the corridor and connects two irrigation canals. Crossings of canals and irrigation ditches can have an impact on the hydrologic integrity of the watershed and constrict or block canal flows. The combined corridor would cross 10 canals and irrigation ditches.

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.

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

Coordination with the Modesto and Oakdale Irrigation Districts would be required to determine the clearance over and on either side of their facilities that would be needed for the roadway to avoid impacts to flow patterns and volumes.

Measures including short- and/or long-term best management practices, or the construction of physical features, to retain or delay the flow of the additional runoff and prevent or offset impacts to water resources would be implemented within the study area.

Water Quality and Stormwater Runoff

Adverse Environmental Effects:

The addition of impervious surface within the study area would affect the hydrologic integrity of the watershed added to peak flows and runoff volumes, which can cause flooding downstream and increase the amount and concentration of pollutants entering water systems. Highly impervious surfaces create high velocities of runoff that easily transport solids and contaminants into waterways. Construction of the project would add impervious surface area to the watershed, constituting a long-term impact to affected water resources. The construction of physical features such as media filters, detention basins, or biofiltration swales can be incorporated into roadway design to retain or delay the flow of the additional runoff to attenuate peak flows and affect water quality volume, thus reducing water quality impacts.

Stream crossings can have an impact on the hydrologic integrity of the watershed due to potential constriction or blockage of natural flows and streambed migration. Stream crossings also provide an opportunity for stormwater runoff that may contain pollutants to enter into a waterway, both during and after construction, without the implementation of effective best management practices. Alteration of the streambed can also affect natural flooding regimes and cause a reduction or increase in the downstream transport of sediment and pollutants.

Crossings of canals and irrigation ditches can have an impact on the hydrologic integrity of the watershed and constrict or block canal flows. Crossings at canals also provide an opportunity for stormwater runoff that may contain pollutants to enter into a waterway, both during and after construction, without the implementation of effective best management practices. Coordination with the Modesto and Oakdale Irrigation Districts and owner/operators of affected canals would be required to avoid or minimize impacts to canal flow patterns and volume. Because no hydrologic modification of existing waterways would occur, only short-term impacts would be anticipated.

Within the project corridor, there are five irrigation wells managed by Modesto Irrigation District. Design elements such as the construction of physical features to collect or redirect water, as needed, and implementation of best management practices can be used to avoid impacts to groundwater wells.

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 following measure will be undertaken during project design and before construction to avoid or minimize impacts.

The construction of physical features may be incorporated into roadway design to retain or delay the flow of the additional runoff to attenuate peak flows and affect water quality volume, thus reducing water quality impacts. All construction would conform to National Pollutant Discharge Elimination System permit requirements to maintain water quality within the study area.

Geology

Adverse Environmental Effects:

Construction could affect topography and seismology, because of the potential impacts on slope stability, expansive soils, erosion, and hazardous minerals. Based on the maps reviewed and the absence of Alquist-Priolo Fault Zones, no known active faults are in the project area and surface ruptures are not anticipated.

Excavation activities producing road cuts during road construction could produce slope stability problems. This would be more likely to occur in the eastern margin of the project area where the topography is more pronounced. Some soil types that might be considered expansive were identified in the eastern half of the project area.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

Erosion and impacts to slope stability caused by construction of a new roadway for State Route 108 could be offset by adopting control measures such as hydro-seeding and surface water diversion during construction.

Additional information provided from a project-specific geotechnical investigation would further evaluate the possible impacts of seismic ground shaking, liquefaction and expansive soils, as well as provide design avoidance and minimization measures if needed.

Paleontology

Adverse Environmental Effects:

Geologic maps show the western portion and potentially the easternmost portion of the Common Corridor on alluvial sedimentary deposits of the Modesto Formation of Pleistocene age (see Figures 2-29 and 2-30 of the EIR). The Modesto Formation contains vertebrate fossils, including remains of rodents and snakes, as well as plant fossils. The Modesto Formation overlies the Riverbank Formation regionally in the Sacramento Valley. Because of its vertebrate content, the Modesto Formation is considered highly sensitive for paleontological resources. In addition, portions of the alignment are underlain by the Mehrten and Turlock Lake Formations, which area also considered highly sensitive for paleontological resources.

The main impact on paleontological resources would be ground disturbance during construction of the roadway. The potential for impact would be greatest:

- In the western portion of the corridor, where the highly sensitive Modesto Formation is exposed at the ground surface.
- In the central portion of the corridor, where the highly sensitive Riverbank Formation is exposed at the ground surface.
- In the eastern portion of the Corridor B and the Common Corridor, where the highly sensitive Turlock Lake Formation and Merhten Formation are exposed at the ground surface.
- In any of the northern portion of Corridor B where project excavation or drilling would affect Pleistocene (Modesto, Riverbank, and Turlock Lake Formations) to Pliocene-Miocene strata exposed at the surface or concealed under any soil/Holocene veneer.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

The construction of a new State Route 108 alignment has the potential to affect the paleontologically sensitive Modesto, Riverbank, Turlock Lake, and Merhten Formations, a project-specific paleontological evaluation report would be prepared for each separate future construction project. The paleontological evaluation report would include an evaluation of site- and project-specific potential for impacts on paleontologically sensitive strata that may be present in the subsurface in areas with strata of Holocene age exposed at the surface, based on available geologic and geotechnical information; project design; proposed construction or maintenance methods, including the anticipated depths of disturbance; and existing site conditions, including preexisting disturbance, if any.

If the paleontological evaluation report concludes that any of the project's potential impacts on paleontological resources cannot be avoided through project design or the establishment of environmentally sensitive areas for avoidance, a paleontological mitigation plan would be required before construction can begin.

Hazardous Waste

Adverse Environmental Effects:

A Department of Toxic Substances Control Envirostor and California Integrated Waste Management Board Solid Waste Information System search was conducted for Stanislaus County. Envirostor identified 38 hazardous material or waste sites within Stanislaus County; only three of the 38 sites were identified within 1 mile of the North County Corridor State Route 108 East Route Adoption study area. The Solid Waste Information System database search identified 28 solid waste facilities in Stanislaus County; only two were identified within one mile of the project study area.

In the database searches, one site identified on the National Priorities List/Superfund List was found within 1 mile of the study area. There was one State Response Plan site within the project area, and one State Response Plan site within 1 mile of the project area. There was one composting operations plant within 1 mile of the project area and one closed solid waste disposal site within 2 miles of the project area.

Based on the results of the hazardous material site database search, the new State Route 108 alignment has the potential to affect hazardous materials or hazardous wastes.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

Further environmental study should include review of site on the Cortese list, assessment of specific impacts to sites with hazardous materials, and development of specific avoidance and minimization measures. In addition, the following would be needed:

- Prepare initial site assessments to assess the potential for hazardous materials and hazardous waste within the route alignment of the future roadway. When indicated by the initial site assessments, perform a preliminary site assessment to conform with the standards of the American Society for Testing and Materials to identify specific avoidance and minimization measures.

- Before demolition of buildings for project construction, survey for lead-based paint and asbestos-containing materials.

- During design of the roadway, project engineers would avoid identified sites containing hazardous material or waste contamination, where possible. If the roadway would affect areas of known contamination, remediation would be conducted.

- Follow best management practices for testing, treating, and disposing of water and acquire necessary permits from the Regional Water Quality Control Board if ground dewatering is required.

- Prepare a Site Management Program/Contingency Plan before construction to address known and potential hazardous material issues, including but not limited to:
  - Measures to address management of contaminated soil and groundwater.

  - A site-specific Health and Safety Plan, including measures to protect construction workers and general public.

- Procedures to protect workers and the general public in the event that unknown contamination or buried hazards are encountered.

- As part of additional environmental review, consider effects to the environment on sites identified on the Cortese list (Government Code section 65962.4).

Air Quality

Adverse Environmental Effects:

The construction of a new State Route 108 alignment could result in temporary construction emissions from grubbing/land clearing, grading/excavation, drainage/utilities/subgrade construction, and paving activities and construction worker commuting patterns. Pollutant emissions would vary daily, depending on the level of activity, specific operations, and prevailing weather. Given the level of construction activities that are likely to occur on a project of this size and scope, it is anticipated that construction emissions could exceed the San Joaquin Valley Air Pollution Control District's (California) thresholds of significance (10 tons/year).

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

The construction of a new State Route 108 alignment this project could result in the following being required:

- Future construction of a new future State Route 108 alignment would be included in a financially constrained Stanislaus County Regional Transportation Plan and would be in conformance with air quality standards. This is an action of the Stanislaus COG.

- Preparation and implementation of a Dust Control Plan to comply with San Joaquin Valley Air Pollution Control District Regulation VIII Requirements would control construction emissions of particulate matter less than 10 microns in diameter. Caltrans would require construction contractors to prepare and submit a Dust Control Plan to the San Joaquin Valley Air Pollution Control District (California) for its approval at least 30 days before any earthmoving or construction activities. The plan would include specific

dust control measures and practices for all phases of construction activities to ensure compliance with the regulation.

- During construction the awarded contractor would be required to comply with Rule 9510 (Indirect Source Review) set forth by the San Joaquin Valley Air Pollution Control District (SJVAPCD). The Rule requires that the contractor perform a project-level analysis of construction emissions associated with construction of the proposed roadway. The contractor in conjunction with the SJVAPCD would use the most recent version of Sacramento Municipal Air Quality Management District's Road Construction Emissions Model and project-specific construction equipment information provided by the contractor. Construction emissions would be compared to the most recent SJVAPCD significance thresholds to determine impacts of construction emissions. Caltrans would require construction contractors to implement best management practices regarding reduction of construction equipment emissions and limitations on the timing and phasing of construction activities to reduce overall construction-related exhaust emissions.

Noise

Adverse Environmental Effects:

Significant traffic noise impacts would not be mitigated at isolated rural residences or other locations where only a few residences would benefit from abatement.

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 following measures will be undertaken during project design and construction to avoid or minimize impacts. However, these would not be sufficient to avoid impacts where residences are isolated and would not qualify for soundwalls or other noise reduction programs.

The construction of a future new State Route 108 alignment would use noise-reducing construction practices such that construction noise would not exceed applicable construction noise standards. Caltrans would design and implement measures where feasible to reduce traffic noise associated with operation of the roadway, with the goal of reducing traffic noise increases to less than 12 dBA.

Natural Communities

Adverse Environmental Effects:

Construction of the State Route 108 alignment has the potential to result in the disturbance or removal of riparian communities, resulting in long-term degradation of a sensitive plant community, fragmentation or isolation of an important wildlife habitat, and disruption of natural wildlife movement corridors. Impacts on riparian communities would be considered substantial.

Construction activities associated with the new roadway in the eastern portions of the corridor could result in removal of oak woodland communities and individual oak trees. Potential impacts could result from direct removal of trees and indirect activities associated with trenching, parking construction equipment under the trees, or stockpiling construction materials in the tree root zone (defined by the tree canopy). Oak woodlands were once a common natural community, but have steadily declined as a result of development and agricultural land conversion practices throughout the state. The disturbance or potential removal of oak woodland communities (particularly valley oak woodlands) and individual oaks may be considered a substantial impact because some oak communities have declined compared to their historic extent. A project-by-project determination would be made for future phases of the project; the level of effect would depend on the extent of impact, scarcity of the resource locally, habitat functions and values, and local regulations protecting or regulating oak trees.

Construction and maintenance activities associated with a proposed new State Route 108 alignment could result in conflicts with local policies or ordinances that protect locally significant biological resources.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

The construction of the State Route 108 alignment would require a qualified biologist to document the location, type, extent, and habitat functions and values of riparian communities that occur in the project corridor and that could be affected by the project. This information would be mapped and documented as part of future environmental review of roadway alignment alternatives within the adopted corridor. The measures below would be implemented concurrently to avoid, minimize, and compensate for impacts on riparian communities.

- Redesigning the roadway to avoid direct and indirect impacts on riparian communities, if feasible:

    - Protect riparian communities near the project site by installing environmentally sensitive area fencing at a minimum distance from the edge of the riparian vegetation. The distance would be determined through consultation with resource agencies. Depending on site specific conditions, this buffer may be narrower or wider than 20 feet. The location of the fencing would be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications would contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.

    - Minimize the potential for long-term loss of riparian vegetation by trimming vegetation rather than removing the entire shrub. Shrub vegetation would be cut to a minimum height above ground level to leaves the root systems intact and allow for more rapid regeneration of the species. The cut height would be determined through consultation with resource agencies. Cutting would be limited to the minimum area necessary within the construction zone. This type of removal would be allowed only for shrub species (all trees would be avoided) in areas that do not provide habitat for nesting birds. To protect nesting birds, raptors, and migratory birds, riparian vegetation would not be removed from February 15 through September 15, as required under California Fish and Game Code 3503, 3503.5, and 3513, and Migratory Bird Treaty Act. However, if removal of riparian vegetation cannot be avoided during this period, a nesting bird surveys would be necessary. Removal of vegetation could occur only if no nesting birds are observed.

- Compensate for the Loss of Riparian Community

    - If riparian vegetation is removed, Caltrans would compensate for the loss of riparian vegetation to ensure no net loss of habitat functions and values. Compensation ratios would be based on site-specific information and determined through coordination with the appropriate state and federal agencies during the permitting process. Compensation may be a combination of on-site restoration/creation, off-site restoration, or mitigation credits. Caltrans would develop a restoration and monitoring plan that describes how riparian habitat would be enhanced or re-created and monitored over a minimum period of time, as determined by the appropriate state and federal agencies.

- Install Temporary Construction Barrier Fencing to Protect Native Oak Trees next to the Construction Zone

- If determined feasible, Caltrans would install orange construction barrier fencing to identify environmentally sensitive areas around the native oak trees (the minimum size of a tree that would be protected would be determined by the local ordinance). Before construction, the contractor would work with the project engineer to identify the locations for the barrier fencing and would place stakes around the sensitive resource sites to indicate these locations. The fencing would be installed before construction activities are begun and would be maintained throughout the construction period. The following paragraph would be included in the construction specifications:

  The Contractor's attention is directed to the areas designated as "environmentally sensitive areas." These areas are protected, and no entry by the Contractor for any purpose would be allowed unless specifically authorized in writing by Caltrans. The Contractor would take measures to ensure that Contractor's forces do not enter or disturb these areas, including giving written notice to employees and subcontractors.

- Temporary fences around the environmentally sensitive areas would be installed as the first order of work. Temporary fences would be furnished, constructed, maintained, and removed as shown on the plans, as specified in the special provisions, and as directed by the project engineer. The fencing would be commercial-quality woven polypropylene, orange in color, and at least 4 feet high (Tensor Polygrid or equivalent). The fencing would be tightly strung on posts with a maximum spacing of 10 feet.

Wetlands and Other Waters

Adverse Environmental Effects:

The construction of a future new State Route 108 alignment could result in the disturbance or loss of wetlands and other waters, including riverine systems, vernal pools, marshes, and other types of seasonal and perennial wetland communities. Wetlands and other waters of the United States could be affected by the following: direct removal; filling; hydrological interruption (including dewatering); alteration of bed and bank; and/or other construction-related activities. The result could be long-term degradation of a sensitive plant community, fragmentation or isolation of an important wildlife habitat, and disruption of natural wildlife movement corridors.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

The construction of a future new State Route 108 alignment would require project-level environmental review. Caltrans would retain a qualified wetlands ecologist to identify areas that could qualify as waters of the United States, including jurisdictional and isolated wetlands. Wetlands would be identified using both the U.S. Army Corps of Engineers and U.S. Fish and Wildlife Service/California Department of Fish and Game definitions of wetlands. U.S. Army Corps of Engineers jurisdictional wetlands would be delineated using the methods outlined in the U.S. Army Corps of Engineers 1987 *Wetlands Delineation Manual* and the *Arid West Manual*. The jurisdictional boundary for other waters of the United States would be identified based on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding area (*33 CFR 328.3[e]*).

This information would be mapped and documented as part of the California Environmental Quality Act and National Environmental Policy Act documentation, as applicable, and in wetland delineation reports.

To the extent possible, Caltrans would avoid and minimize impacts on wetlands and other waters of the United States by implementing the following measures:

- Redesign or change the project to avoid direct and indirect impacts on wetland habitats, if feasible.

- Protect wetland habitats that occur near the project site by installing environmentally sensitive area fencing at a minimum distance from the edge of the wetland. The distance would be determined through consultation with resource agencies. The location of the fencing would be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications would contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.

- Avoid installation activities in saturated or ponded wetlands during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as the use of padding or vehicles with balloon tires, would be employed.

- Where determined necessary by resource specialists, use geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, or geotextile fabric) in saturated conditions to minimize damage to the substrate and vegetation.

- Stabilize exposed slopes and streambanks immediately on completion of installation activities. Other waters of the United States would be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system.

- In highly erodible stream systems, stabilize banks using a nonvegetative material that binds the soil initially and breaks down within a few years. If the project engineers determine that more aggressive erosion control treatments are needed, use geotextile mats, excelsior blankets, or other soil stabilization products.

- During construction, remove trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high water mark of drainages in a manner that minimizes disturbance of the drainage bed and bank.

These measures would be incorporated into contract specifications and implemented by the construction contractor. In addition, Caltrans would ensure that the contractor incorporates all state and federal permit conditions into construction specifications.

If waters of the United States, including wetlands, are filled or disturbed as part of the proposed project, Caltrans would compensate for the loss of waters of the United States to ensure no net loss of habitat functions and values. Compensation ratios would be based on site-specific information and determined through coordination with state and federal agencies (including California Department of Fish and Game, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers). The compensation would be at a minimum ratio of 1:1 (1 acre restored or created for every acre filled) and may be a combination of on-site restoration/creation, off-site restoration, or mitigation credits. A restoration and monitoring plan would be developed and implemented if on-site or off-site restoration or creation is chosen. The plan would describe how wetlands would be created and monitored over the minimum duration required by the regulatory agencies.

Plant Species

Adverse Environmental Effects:

Several threatened and endangered species of plant species, not listed as threatened or endangered under California Endangered Species Act or Federal Endangered Species Act, have the potential to occur in the study area (Biology Technical Memorandum, 2009). According to the California Natural Diversity Database (2009), one threatened and endangered species of plant listed as a California Native Plant Society 1B— beaked clarkia (*Clarkia rostrata*)—has been documented in the project corridor (see Figure 2-24 of the EIR).

Construction activities associated with a new roadway for State Route 108 could result in the direct loss or indirect disturbance of threatened and endangered species of plants that are known to grow or that could occur in the corridors. Impacts on threatened and endangered species of plants could result in a substantial reduction in local population size, lowered reproductive success, or habitat fragmentation. Because Caltrans cannot guarantee that threatened and endangered species of plants would be avoided during construction of future phases of the proposed project, future construction activities could result in substantial impacts on threatened and endangered species of plants.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

The construction of a future new State Route 108 project, would retain a qualified botanist to document the presence or absence of threatened and endangered species of plants before project implementation. The following steps would be implemented to document threatened and endangered species of plants and determine potential impacts on the populations:

- Review existing information. The botanist would review existing information to develop a list of threatened and endangered species of plants that could grow in the project area. Sources of information would include the California Department of Fish and Game's California Natural Diversity Database, previously prepared environmental documents, and the California Native Plant Society electronic inventory.

- Coordinate with agencies. The botanist would coordinate with the appropriate agencies (California Department of Fish and Game, U.S. Fish and Wildlife Service, Caltrans) to discuss botanical resource issues and determine the appropriate levels of survey necessary to document threatened and endangered species of plants.

- Conduct field studies. The botanist would evaluate existing habitat conditions for each project and determine what levels of botanical survey may be required. The type of botanical survey would depend on species richness, habitat type and quality, and the probability of threatened and endangered species of species occurring in a particular habitat type. Depending on these factors and the proposed construction activity, one or a combination of the following levels of survey may be required:

    - Habitat assessment. A habitat assessment would be done to determine whether suitable habitat is present. This type of assessment can be done at any time of year and is used to assess and characterize habitat conditions and determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys would be required.

    - Species-focused surveys. Species-focused surveys (or target species surveys) would be done if suitable habitat is present for threatened and endangered species of plants. The surveys would focus on threatened and endangered species of plants that could grow in the region and be done during a period when the target species are evident and identifiable.

    - Floristic protocol-level surveys. Floristic surveys that follow the California Native Plant Society Botanical Survey Guidelines (also accepted by California Department of Fish and Game) would be done in areas that are relatively undisturbed and/or have a moderate to high potential to support threatened and endangered species of plants. The California Native Plant Society Botanical Survey Guidelines require that all species be identified to the level necessary to determine whether they qualify as threatened and endangered species of plants or are plant species with unusual or significant range extensions. The guidelines also require that field surveys be conducted when threatened and endangered species of plants that could occur in the area are evident and identifiable. To account for different threatened and endangered species of plant identification periods, one or more field surveys may be required in spring and summer months.

- Threatened and endangered species of plant populations identified during the field surveys would be mapped and documented as part of the California Environmental Quality Act and National Environmental Policy Act process, as applicable. If threatened and endangered species of plants are identified in the project corridor, the project applicant would implement the following

measures to avoid and minimize impacts on threatened and endangered species of plants:

- Redesign or change specific project elements to avoid direct and indirect impacts on threatened and endangered species of plants, if feasible.

- Protect threatened and endangered species of plants near their project site by installing environmentally sensitive area fencing (orange construction barrier fencing) around threatened and endangered species of plant populations. The environmentally sensitive area fencing would be installed at a minimum distance from the edge of the population. The distance would be determined through consultation with resource agencies. The location of the fencing would be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications would contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.

- Coordinate with the appropriate resource agencies and local experts to determine whether transplantation is feasible. If the agencies concur that transplantation is a feasible mitigation measure, the botanist would develop and implement a transplantation plan through coordination with the appropriate agencies. The threatened and endangered species of plant transplantation plan would involve the following: identifying a suitable transplant site; moving the plant material and seed bank to the transplant site; collecting seed material and propagating it in a nursery; and monitoring the transplant sites to document recruitment and survival rates.

Wildlife Species

Adverse Environmental Effects:

Construction of a future new State Route 108 could disturb habitat for many common wildlife species associated with non-native annual grassland and agricultural habitats. Also, a small amount of this habitat for common wildlife species would be removed as a result of site-specific roadway construction. The amount of habitat that would be removed is expected to be small relative to the amount of habitat available to common species in the project region.

In addition to losing habitat from construction, the disturbance would cause many species to move out of project sites and into nearby habitat areas, and inevitably, some individuals would be lost as a result. This loss of individual animals would not result in a substantial reduction or elimination of common wildlife species (in diversity or abundance).

Construction of a new State Route 108 could result in the direct loss or indirect disturbance of threatened and endangered species of wildlife or their habitats that are known to occur or could occur in the study area and surrounding region (see Figure 2-25 of the EIR). Impacts on threatened and endangered species of wildlife or their habitat could result in a substantial reduction in local population size, lowered reproductive success, or habitat fragmentation.

Substantial impacts on threatened and endangered species of wildlife associated with the construction and operation of highway projects would include, but are not limited to:

- Injury or death from the collapse of underground burrows resulting from soil compaction.
- Injury or death resulting from equipment and vehicles moving through the project area.
- Injury or death caused by more vehicles on new or widened roads in migration corridors.
- Loss of breeding and foraging habitat resulting from the filling of seasonal or perennial wetlands.
- Loss of breeding, foraging, and refuge habitat resulting from the permanent removal of riparian vegetation.
- Abandoned eggs or young and subsequent nest failure for threatened and endangered species of nesting birds, including raptors, as a result of construction-related noises.
- Loss of suitable foraging habitat for threatened and endangered species of raptor species,
- Loss of migration corridors resulting from the construction of permanent building structures or features.

Numerous drainages, canals, and other waterways connected to the Stanislaus River could support habitat for threatened and endangered species of fish species. For this project, it is assumed that tributary drainages to the Stanislaus River could support potential habitat. Therefore, construction of a new State Route 108 alignment could result in impacts on threatened and endangered species of fish and their aquatic habitat in these tributary waterways.

Impacts on aquatic habitat could result from an increase in sediment input, contaminant input, and removal of streamside riparian vegetation. Construction and maintenance activities next to waterways could disturb soils and cause sediment to be transported into and through the channel; this would result in temporary increases in turbidity (murkiness) and sedimentation downstream of construction sites. Periods of localized high concentrations of sediments and turbidity from channel disturbance could reduce feeding opportunities for sight feeding fish, plus clog and irritate fish gills. Sediments can also degrade food-producing habitat downstream of project

areas. Finally, sediments can interfere with photosynthesis of aquatic plants, resulting in the displacement of aquatic life.

Fuel and concrete could spill into the waterway during construction. Various contaminants, such as fuel oils, grease, and other petroleum products used in construction activities, could be introduced into the system either directly or through surface runoff. Contaminants may be lethal or sub-lethally toxic to fish and other aquatic organisms or may change the rate at which oxygen is diffused; as a result, they may reduce the survival and growth rates of aquatic species.

Removal of riparian vegetation from tributary waterways that support fish habitat could increase a stream bank's susceptibility to erosion. Alteration of fish habitat would occur if the channel bed and banks were disturbed or mechanically disturbed sites were further disturbed by high flow events before being stabilized. Streamside riparian vegetation provides cover for juvenile rearing, shade, and food, and is considered a valuable component of fish habitat. Removal of woody riparian vegetation may affect fish directly by removing habitat. Fish use complex woody debris structures to avoid predators and conceal themselves from prey. Woody debris in the waterway reduces water velocity, providing resting habitat as well.

Construction activities could cause fish to avoid biologically important habitat for substantial periods. Avoidance of important habitat may increase deaths, reduce reproductive success, or substantially reduce local population size.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

A project-level environmental review for a new roadway for State Route 108 alignment would require a qualified wildlife biologist to document the presence or absence of suitable habitat for threatened and endangered species of wildlife in the corridor, as follows:

- Review existing information. The wildlife biologist would review existing information to develop a list of threatened and endangered species of wildlife species that could occur in the project area. The following information would be reviewed as part of this process:
  - U.S. Fish and Wildlife Service threatened and endangered species of species list for the project region

- U.S. Fish and Wildlife Service recovery plans
- California Department of Fish and Game's California Natural Diversity Database
- Previously prepared environmental documents
- City and county general plans
- Habitat conservation plans and natural community conservation plans (if any are adopted by the time the project is built)
- U.S. Fish and Wildlife Service-issued biological opinions for previous projects

- Coordinate with state and federal agencies. The wildlife biologist would coordinate with the appropriate agencies (California Department of Fish and Game, U.S. Fish and Wildlife Service, and Caltrans) to discuss wildlife resource issues in the project region and determine the appropriate levels of survey necessary to document threatened and endangered species of wildlife and their habitats.

- Conduct field studies. The wildlife biologist would evaluate existing habitat conditions and determine the levels of biological survey that may be required. The type of survey required would depend on species richness, habitat type and quality, and the probability of threatened and endangered species of species occurring in a particular habitat type. Depending on the existing conditions in the project area and the proposed construction activity, one or a combination of the following levels of survey may be required:

  - Habitat assessment. A habitat assessment determines whether suitable habitat is present. This type of assessment can be done at any time of year and is used to assess and characterize habitat conditions and determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys would be required.

  - Species-focused surveys. Species-focused surveys (or target species surveys) would be conducted if suitable habitat is present for threatened and endangered species of wildlife and it is necessary to determine the presence or absence of the species in the project area. The surveys would focus on threatened and endangered species of wildlife species that have the potential to occur in the region. The surveys would be conducted during a period when the target species are present and/or active.

  - Protocol-level wildlife surveys. Caltrans would comply with protocols and guidelines issued by responsible agencies for certain threatened and endangered species of species. The U.S. Fish and Wildlife Service and California Department of Fish and Game have issued survey protocols and guidelines for several threatened and endangered species of wildlife species that could occur in the project region, including (but not limited to)

valley elderberry longhorn beetle, vernal pool fairy and tadpole shrimps, California tiger salamander, riparian brush rabbit, and western burrowing owl. The protocols and guidelines may require that surveys be done during a particular time of year and/or time of day when the species is present and active. Many survey protocols require that only a U.S. Fish and Wildlife Service- or California Department of Fish and Game-approved biologist perform the surveys. The project proponent would coordinate with the appropriate state or federal agency biologist before beginning protocol level surveys to ensure that the survey results would be valid. Because some species can be difficult to detect or observe, multiple field techniques may be used during a survey period, and additional surveys may be required in subsequent seasons or years as outlined in the protocol or guidelines for each species. Threatened and endangered species of wildlife and/or suitable habitat identified during the field surveys would be mapped and documented as part of the California Environmental Quality Act and National Environmental Policy Act documentation, as applicable.

Caltrans would implement the following measures to avoid and minimize impacts on threatened and endangered species of wildlife and their habitats:

- Redesign or change the project to avoid direct and indirect impacts on threatened and endangered species of wildlife or their habitats, if feasible.

- Protect threatened and endangered species of wildlife and their habitat near the project site by installing environmentally sensitive area fencing around habitat features, such as seasonal wetlands, burrows, and nest trees. The environmentally sensitive area fencing or staking would be installed at a minimum distance from the edge of the resource as determined through coordination with state and federal agency biologists (U.S. Fish and Wildlife Service and California Department of Fish and Game). Location of the fencing would be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications would contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.

- Restrict construction-related activities to the non-breeding season for threatened and endangered species of wildlife species that could occur in the project area. Timing restrictions may vary depending on the species and could occur during any time of the year.

- Coordinate with the appropriate resource agencies to determine whether a monitoring plan for threatened and endangered species of wildlife is necessary as part of all highway projects. If a monitoring plan is required, it

would be developed and implemented in coordination with appropriate agencies and would include:

- A description of each of the wildlife species and the suitable habitat for species that could occur at the project site.
- The locations of known occurrences of threatened and endangered species of wildlife species within 5 miles of the project site.
- The location and size of no-disturbance zones in and next to environmentally sensitive areas for wildlife.
- Directions on handling and relocating threatened and endangered species of wildlife species found on the project site that are in immediate danger of being destroyed.
- Notification and reporting requirements for threatened and endangered species of species identified on the project site.

As part of project-level environmental review, a qualified fisheries biologist would locate and identify streams that could support threatened and endangered species of fish habitat. Aquatic and streamside habitat conditions would be mapped and documented as part of California Environmental Quality Act and National Environmental Policy Act documentation and biological assessment reports, as applicable.

Project elements that could affect threatened and endangered species of fish and their habitat would be built (to the extent possible) during time periods that avoid the sensitive life stages of threatened and endangered species of fish species. Construction activities would be scheduled so that they do not interfere with the reproductive cycles of fish species. Work in most of the systems would take place between June 1 and October 15 to avoid causing impacts on the majority of the adult and juvenile migration stages of anadromous species.

In addition, Caltrans would implement best management practices in the Storm Water Pollution Prevention Plans, as applicable, to control the transport of sediments to streams, promote the restoration of construction areas to pre-construction conditions, and avoid the potential for spills of hazardous substances. The Storm Water Pollution Prevention Plans would include pollution prevention measures (erosion and sediment control measures and measures to control non-storm water discharges and hazardous spills), demonstration of compliance with all applicable local and regional erosion and sediment control standards, identification of responsible parties, a detailed construction timeline, and a best management practice monitoring and maintenance schedule. A staging and storage area would be provided away from the waterway for equipment, construction materials, fuels, lubricants, solvents, and other possible contaminants.

The contractor would do periodic maintenance of erosion and sediment control measures. Soil exposure would be minimized through the use of best management practices, ground cover, and stabilization practices. Exposed dust-producing surfaces would be sprinkled daily until wet while avoiding the production of runoff. Paved streets would be swept daily after construction activities.

Threatened and Endangered Species

Adverse Environmental Effects:

The potential for threatened and endangered species of plants to occur in the project corridor is relatively high, especially in undeveloped lands in the eastern portion of the corridor. Construction activities associated with a new State Route 108 alignment could result in the direct loss or indirect disturbance of threatened and endangered species of plants that are known to grow or that could occur in the corridors. Impacts on threatened and endangered species of plants could result in a substantial reduction in local population size, lowered reproductive success, or habitat fragmentation. Because Caltrans cannot guarantee that threatened and endangered species of plants would be avoided during construction of future phases of the proposed project, future construction activities could result in substantial impacts on threatened and endangered species of plants.

The project corridor contains documented occurrences of vernal pool fairy shrimp and vernal pool tadpole shrimp, both of which are listed under the Federal Endangered Species Act. In addition, numerous occurrences of threatened and endangered species of wildlife species have been documented within a 10-mile buffer of the corridor, and the study area is within the geographical range of additional threatened and endangered species of species (see Figures 2-34 and 2-35 of the EIR). The potential for threatened and endangered species of wildlife species to occur in the corridor is relatively high, especially along the Stanislaus River and in undeveloped lands in the eastern portion of the corridor.

Construction of a new State Route 108 could result in the direct loss or indirect disturbance of threatened and endangered species of wildlife or their habitats, which are known to occur or could occur in the study area and surrounding region (see Figure 2-25 of the EIR). Impacts on threatened and endangered species of wildlife or their habitat could result in a substantial reduction in local population size, lowered reproductive success, or habitat fragmentation. The mechanisms for impacts on threatened and endangered species of wildlife associated with the construction and operation of highway projects are the same as listed above for Wildlife Species.

Numerous drainages, canals, and other waterways are connected to the Stanislaus River and could support habitat for threatened and endangered species of fish species. For this project, it is assumed that tributary drainages to the Stanislaus River could support potential habitat. Therefore, construction of a new State Route

108 could result in impacts to threatened and endangered species of fish and their aquatic habitat in these tributary waterways. The impact mechanisms are the same as listed above for Wildlife Species.

Removal of riparian vegetation from tributary waterways that support fish habitat could increase a stream bank's susceptibility to erosion. Alteration of fish habitat would occur if the channel bed and banks were disturbed or mechanically disturbed sites were further disturbed by high flow events before being stabilized. Streamside riparian vegetation provides cover for juvenile rearing, shade, and food, and is considered a valuable component of fish habitat. Removal of woody riparian vegetation may affect fish directly by removing habitat. Fish use complex woody debris structures to avoid predators and conceal themselves from prey. Woody debris in the waterway reduces water velocity, providing resting habitat as well.

Construction activities could cause fish to avoid biologically important habitat for substantial periods. Avoidance of important habitat may increase deaths, reduce reproductive success, or substantially reduce local population size.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

A qualified botanist to document the presence or absence of threatened and endangered species of plants before project implementation would be required. The following steps would be implemented to document threatened and endangered species of plants and determine potential impacts on the populations:

- Review existing information. The botanist would review existing information to develop a list of threatened and endangered species of plants that could grow in the project area. Sources of information would include the California Department of Fish and Game's California Natural Diversity Database, previously prepared environmental documents, and the California Native Plant Society electronic inventory.

- Coordinate with agencies. The botanist would coordinate with the appropriate agencies (California Department of Fish and Game, U.S. Fish and Wildlife Service, Caltrans) to discuss botanical resource issues and determine the appropriate levels of survey necessary to document threatened and endangered species of plants.

- Conduct field studies. The botanist would evaluate existing habitat conditions for each project and determine what levels of botanical survey may be required. The type of botanical survey would depend on species richness, habitat type and quality, and the probability of threatened and endangered species of species occurring in a particular habitat type. Depending on these factors and the proposed construction activity, one or a combination of the following levels of survey may be required:

    - Habitat Assessment. A habitat assessment would be done to determine whether suitable habitat is present. This type of assessment can be done at any time of year and is used to assess and characterize habitat conditions and determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys would be required.

    - Species-focused surveys. Species-focused surveys (or target species surveys) would be done if suitable habitat is present for threatened and endangered species of plants. The surveys would focus on threatened and endangered species of plants that could grow in the region and be done during a period when the target species are evident and identifiable.

    - Floristic protocol-level surveys. Floristic surveys that follow the California Native Plant Society Botanical Survey Guidelines (also accepted by California Department of Fish and Game) would be done in areas that are relatively undisturbed and/or have a moderate to high potential to support threatened and endangered species of plants. The California Native Plant Society Botanical Survey Guidelines require that all species be identified to the level necessary to determine whether they qualify as threatened and endangered species of plants or are plant species with unusual or significant range extensions. The guidelines also require that field surveys be done when threatened and endangered species of plants that could occur in the area are evident and identifiable. To account for different threatened and endangered species of plant identification periods, one or more field surveys may be required in spring and summer months.

- Threatened and endangered species of plant populations identified during the field surveys would be mapped and documented as part of the California Environmental Quality Act and National Environmental Policy Act process, as applicable.

As part of project-level environmental review for a new roadway for State Route 108, a qualified wildlife biologist would document the presence or absence of suitable habitat for threatened and endangered species of wildlife in the alternative corridors, as described above for Wildlife Species.

Caltrans would implement the measures described above for Wildlife Species to avoid and minimize impacts on threatened and endangered species of wildlife and their habitats. If the above measures are not feasible and site-specific construction activities would result in substantial impacts on wildlife species listed under the Federal Endangered Species Act and/or California Endangered Species Act, a compensation plan would be developed in coordination with the appropriate resource agency, or agency-approved compensation guidelines would be followed to reduce the impact to a less-than-significant level. Compensation guidelines have been identified for several threatened and endangered species of wildlife species, including valley elderberry longhorn beetle, vernal pool fairy and tadpole shrimps, California tiger salamander, Swainson's hawk, and burrowing owl. The amount of compensation would vary depending on the amount of habitat loss or degree of habitat disturbance anticipated. The compensation plan would be developed and implemented in coordination with the appropriate state or federal agency and would involve identifying an agency-approved mitigation bank or mitigation site (on or off the site); transplanting (elderberry shrubs), recreating (burrows and vernal pools), and/or preserving additional habitat for threatened and endangered species of wildlife species; monitoring the mitigation site; and funding the management of the mitigation site.

As part of project-level environmental review, a qualified fisheries biologist would locate and identify streams that could support threatened and endangered species of fish habitat, as described above for Wildlife Species.

Project elements that could affect threatened and endangered species of fish and their habitat would be built (to the extent possible) during time periods that avoid the sensitive life stages of threatened and endangered species of fish species, as described above for Wildlife Species.

In addition, Caltrans would implement best management practices in the Storm Water Pollution Prevention Plans and do periodic maintenance of erosion and sediment control measures, as described above for Wildlife Species.

Project elements that are built in, near, or across tributaries to the Stanislaus River could affect steelhead trout and chinook salmon or their Essential Fish Habitats. To minimize potential impacts, Caltrans would request that the federal lead agency on the project (Caltrans/Federal Highway Administration) initiate consultation with National Marine Fisheries Service and/or U.S. Fish and Wildlife Service to obtain a determination from the agency as well as approval to proceed with the project and the approved avoidance, minimization, and compensation measures.

Invasive Species

Adverse Environmental Effects:

Approximately 138 invasive species could occur in the project region (Biology Technical Memorandum, 2009). Project construction could introduce or spread invasive species into currently uninfested areas, possibly resulting in the displacement of threatened and endangered species of plant species and degradation of habitat for threatened and endangered species of wildlife. Plants or seeds may be dispersed via construction equipment if the appropriate measures are not implemented. The introduction or spread of invasive species could result in a substantial reduction in diversity or abundance or elimination of a species.

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 following measures will be undertaken during project design and before construction to avoid or minimize impacts.

As part of project-level environmental review for a new State Route 108 alignment, a qualified botanist would document invasive species and address noxious weed impacts. The botanist would determine whether noxious weeds are an issue for the project and whether they could displace native plants and natural habitats, affect the quality of forage on rangelands, or affect cropland productivity.

If the botanist determines that noxious weeds are an issue, Caltrans would review the Stanislaus County Agricultural Commission's noxious weed list, the California Department of Food and Agriculture's A, B, and C lists of noxious weeds, and the California Exotic Pest Plant Council's list of pest plants of ecological concern. These lists would be used to identify weeds that would be targeted during field surveys by the botanist. Surveys would focus on target weed species that are considered locally important for documentation and control purposes.

If noxious weed infestations are located during the field surveys, they would be mapped and documented in the California Environmental Quality Act and National Environmental Policy Act documentation, as applicable.

If noxious weeds infestations are identified in site-specific project areas, Caltrans would incorporate the following measures into project plans and specifications to avoid the introduction or spread of noxious weeds into uninfested areas:

- Use certified, weed-free imported erosion-control materials (or rice straw in upland areas).

- Coordinate with the Stanislaus County agricultural commissioner to ensure that the appropriate best management practices are implemented.

- Educate construction supervisors and managers on weed identification and the importance of controlling and preventing the spread of noxious weeds.

- Clean equipment at designated wash stations after leaving noxious weed infestation areas.

Alternatives

Findings:

Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Statement of Facts:

The No-Action alternative is infeasible because it does not meet any of the project objectives, as described in section 1.2.1 of the EIR.

- Improve regional network circulation: As illustrated in Table 2-10 of the EIR, the No-Action alternative would result in travel times substantially longer than the preferred alternative.

- Relieve existing traffic congestion: Table 2-10 illustrates the additional travel time that would result if the No-action alternative were selected.

- Reduce traffic delay: Table 2-9 illustrates the additional vehicle hours of delay that would result if the No-action alternative were selected.

- Accommodate future traffic: Based on average daily traffic counts, level of service, travel time and vehicle hours of delay as performance measures, and traffic analyses, State Route 108 is not serving the east-west mobility needs of the region. Existing through traffic must share the road network with local traffic, reducing system capacity and performance and thus the ability of the transportation network to accommodate future traffic volume increases. During peak traffic hours, State Route 108 and the surrounding roadway network are congested, leading to more delay. Table 1-3 of the EIR illustrates the poor level of service projected for the No-Action alternative.

- Benefit commerce: As discussed on pages 1-18 and 1-19 of the Draft EIR, pages hereby incorporated by reference, east-west mobility and access to transportation systems are key requirements of business and industry for job creation and retention, movement of goods and services, and economic stability and growth. The No-action alternative's resultant traffic congestion and delay will hinder east-west mobility.

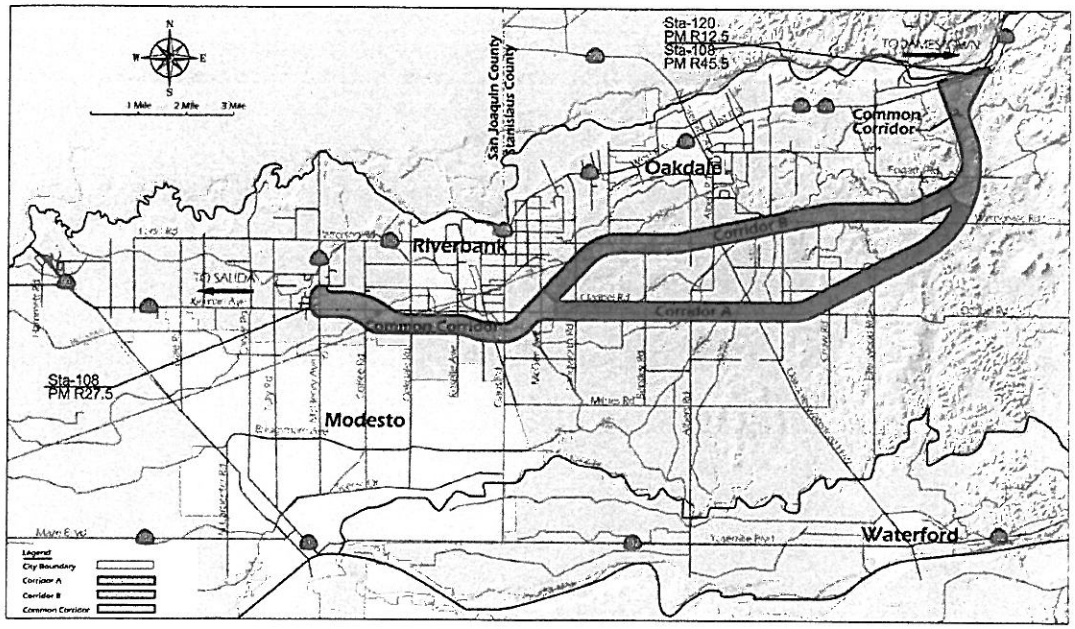
- Enhance traffic safety: Accident data for the existing State Route 108 indicates that the roadway exceeds the statewide average for accidents in comparison to similar facilities. For example, the overall rate of accidents on State Route 108 between McHenry Avenue and Yosemite Avenue is approximately 35% higher than the statewide average. The No-action alternative would maintain this above average accident rate and would not enhance safety.

Alternative Corridor A is infeasible because, as described in the EIR, it would have greater environmental impacts than Alternative Corridor B. This includes greater potential for impacts to known historic and archaeological resources and Threatened and Endangered species, less reduction in future air pollution emissions, less consistency with general plan policies pertaining to land use and growth, and fewer reductions in the response times for emergency service providers.

Alternative Corridor A is anticipated to have 5 – 8% longer travel times in 2030 than Alternative Corridor B. Comparatively, Corridor B also provides improved travel time reliability by allowing long distance travelers to bypass the high congestion areas of existing State Route 108 East through the cities of Riverbank and Oakdale. Short distance travelers would also benefit from Alternative Corridor B because several north/south roadways would directly connect the communities of Riverbank and Oakdale to Corridor B.

STATEMENT OF OVERRIDING CONSIDERATIONS

CALIFORNIA DEPARTMENT OF TRANSPORTATION STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE NORTH COUNTY CORRIDOR STATE ROUTE 108 EAST ROUTE ADOPTION IN STANISLAUS COUNTY



April 2010

Caltrans

STATEMENT OF OVERRIDING CONSIDERATIONS

CALIFORNIA DEPARTMENT OF TRANSPORTATION STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE NORTH COUNTY CORRIDOR STATE ROUTE 108 EAST ROUTE ADOPTION IN STANISLAUS COUNTY

This Statement of Overriding Considerations is made in compliance with California Environmental Quality Act (CEQA) Guidelines (Title 14 California Code of Regulations, Chapter 3, Section 15903), and the California Department of Transportation (Caltrans) 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 (Final EIR) for the project, which is the basic source for the information.

CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable" (CEQA Guidelines Section 15093).

Selected Alternative

Caltrans considered all comments received during the public circulation period, which began on September 22 and closed on November 6, 2009. Following the close of the comment period, Caltrans identified Alternative Corridor B as the preferred alternative. Caltrans concluded this following consideration of the results of the Draft EIR concerning purpose and need, environmental impacts, and input provided by agencies, individuals, and organizations.

The purpose of the proposed project is to designate a corridor to accommodate a future east-west freeway/expressway, which would do the following:

- Improve regional network circulation
- Relieve existing traffic congestion
- Reduce traffic delay
- Accommodate future traffic
- Benefit commerce
- Enhance traffic safety

Both Alternative Corridors A and B would improve regional network circulation by providing an alternate and more reliable east-west route to existing State Route 108

when compared to the No-Action Alternative. Alternative Corridor B is anticipated to have a travel time savings in 2030, which is 5 – 8% higher than that of Corridor A. Comparatively, Corridor B also provides improved travel time reliability, as it will allow long distance travelers to bypass the high congestion areas of existing State Route 108 East through the cities of Riverbank and Oakdale. Short distance travelers would also benefit from Alternative Corridor B as several north/south roadways would directly connect the communities of Riverbank and Oakdale to Corridor B. In addition, Corridor B has a shorter overall length than Corridor A, which contributes to the travel time savings.

Corridors A and B would both result in reductions to existing and future levels of traffic congestion. However, Alternative Corridor B provides for a slightly higher net benefit in terms of the number of intersections that will improve by at least one level of service. The existing State Route 108 experiences accident rates that exceed the statewide average. Both corridors would reduce traffic congestion and greatly enhance traffic safety when compared to the No-Action Alternative, which does not include planned or programmed safety projects.

Alternative Corridor B would better improve east-west mobility and access to transportation systems needed for job creation and retention, movement of goods and services, and economic stability and growth when compared to Alternative Corridor A or the No-Action Alternative. The Project Development Team determined that the proximity of Alternative Corridor B to the City of Oakdale when compared to Alternative Corridor A would more substantially improve access to the high-capacity corridor for trucks serving local businesses in this area. In addition, in the eastern portion of the study area, Corridor B is located in closer proximity to existing businesses and commercial centers. As such, driver visibility of businesses adjacent to Corridor B would be greater than it would from Corridor A.

Alternative Corridors A and B have potential for greater impacts to the human, physical, and natural environment when compared to the No-Action Alternative. However, the No-Action Alternative would not meet the project's purpose and need. Compared to Alternative Corridor A, the Project Development Team determined that Alternative Corridor B has fewer environmental impacts, including less potential for impacts to known historic and archaeological resources and Threatened and Endangered species. Alternative Corridor B also provides a better reduction in future air pollution emissions, more consistency with general plan policies pertaining to land use and growth, and greater reductions in the response time for emergency service providers.

Significant and Unavoidable Impacts of This Alternative

The following impacts have been identified as significant and not fully mitigable:

Farmland – There are approximately 4,600 acres of farmlands within either Corridors A or B. A portion of these farmlands would be converted to public use if an alignment were constructed within the corridor. This would contribute

to cumulative impacts to farmlands within the region, even with implementation of the avoidance and minimization measures. The precise number of acres to be converted will depend, in part, on any future build projects, but were estimated to less than 872 acres. This figure is based on a total of approximately 4,600 acres of farmland within either corridor and a 400-foot wide alignment. It also presumes that all lands impacted by the project are farmlands. As identified in the final EIR, the lost of agricultural land from the project would be considered significant and unavoidable conversion of farmland.

Statement of Overriding Considerations

The statement of overriding considerations describes those benefits of the project that make it acceptable. For the reasons stated below Caltrans finds that the projects unavoidable environmental impacts are acceptable in light of the projects benefits.

Stanislaus County is an important food-processing region. Poultry, dairy, and vegetable products from the County are processed and distributed everyday throughout the world. Goods movement is the result of production activities within and outside of the region, and movement takes place within a complex system of routes, modes, terminals, and warehouse facilities. The State has recognized the importance of agricultural goods movement in Central Valley areas such as Stanislaus County. The State of California's *Goods Movement Action Plan* identifies four high-priority gateway regions in California that are necessary to support the continued growth of the California economy. The Central Valley region, which includes State Route 99, Interstate 5, and important east-west corridors that run through Stanislaus County, is one of these high-priority regions.

Traffic congestion and operational conflicts between trucks and passenger vehicles are key issues that need to be addressed to maintain efficient goods movement. East-west mobility and access to transportation systems are key requirements of businesses and industries within the region for job creation and retention, movement of goods and services, and economic stability and growth.

As described in Chapter 1 (*Proposed Project*) of the EIR, continued growth in Stanislaus County, its communities, and the surrounding San Joaquin Valley, coupled with increased travel needs through northern Stanislaus County for improved access to and around the growing urbanized cities of Modesto, Riverbank, and Oakdale, has resulted in the need for a future unencumbered east-west roadway from west of Riverbank to east of Oakdale.

The existing State Route 108 is capacity-constrained in both existing and future traffic conditions, hampering travel times, contributing to travel delays, and contributing to undesirable traffic redistribution on the network. This capacity constraint is the result of local and commuter traffic competition and uncontrolled access on existing State Route 108. State Route 108 is serving and will continue to serve primarily commuter and local traffic, and not the through travel it was intended

to serve. Through travel that should be using State Route 108 as intended is being shifted onto alternative routes such as Claribel Road and Pelandale Avenue. This is undesirable because it limits the ability of these roads to carry commuter and local traffic.

Based on the countywide traffic model, average daily traffic volumes are projected to increase through 2030. Additionally, projected growth in the region will continue to constrain east-west travel, tax the capacity of the region's roadway network (particularly existing State Route 108), and add to poor traffic circulation. Accordingly, additional mobility capacity (beyond that provided by the existing and future planned regional transportation network) will be needed to effectively improve east-west travel.

Absent the project, restrictions on east-west mobility would be expected to continue to constrain economically beneficial farm-to-market, recreational, and other commerce-related travel. The increased traffic congestion and resulting travel delays summarized above will continue to hinder the efficient use of the region's roadway network for commerce. The region's commerce will continue to experience increased travel times. This will increase vehicle operating costs for travelers on State Route 108 and reduce the economic benefit to California's commerce, particularly for agricultural production areas in the valley and foothills and the processing centers in urban areas such as Modesto.