

April 3-4, 2002



CALIFORNIA TRANSPORTATION COMMISSION

**Resolution For Consideration of Funding
03-SUT/YUB-70 PM 0.2/8.3;0.0/R7.0**

Resolution E-02-29

- 1.1 **WHEREAS**, the California Department of Transportation (Department) has completed an Environmental Impact Report in compliance with the California Environmental Quality Act, the CEQA Guidelines, and the California Transportation Commission Environmental Regulations for a project to upgrade the existing two-lane highway on Route 70 to a four-lane expressway, south of Marysville, and
- 1.2 **WHEREAS**, The Department has certified that the Environmental Impact Report has been completed in compliance with the California Environmental quality Act (CEQA) and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the California Transportation Commission, as a lead agency, has reviewed and considered the information contained in the Environmental Impact Report; and
- 1.4 **WHEREAS**, written Findings indicate that specific economic, legal, social, technological, or other considerations make it infeasible to avoid or fully mitigate to a level less than significant the effects associated with impacts to wetlands and protected species, cumulative impacts to farmlands, and the effects associated with significant impacts to levels of noise as a result of the project; and
- 1.5 **WHEREAS**, the above significant effect is acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby adopt those Findings and Statement of Overriding Considerations that support approval of this recommended project to allow for future consideration of funding.

SCH Number 1995103063
03 SUT, YUB-70, KP 0.3/13.4;0.0/11.3
03210-376100

**Upgrade Route 70 in Sutter and Yuba Counties
To Four-lane Expressway/Freeway
From 0.6 miles South of Striplin Road to 0.3 miles South of McGowan Road Overcrossing**

***CEQA FINDINGS
AND
STATEMENT OF OVERRIDING
CONSIDERATIONS***

January 2002

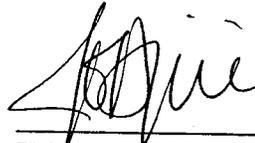


ENVIRONMENTAL CERTIFICATION

This is to certify that, in accordance with Section 15090 of the State CEQA Guidelines, the Final Environmental Impact Report (Final EIR) has been completed in compliance with CEQA and the State CEQA Guidelines.

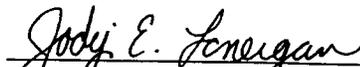

JEAN L. BAKER

Chief, Environmental Management, M-2
Caltrans - District 3


KOME AJISE, AICP

Chief, North Region
Environmental & District 3 Planning

This certifies that I have reviewed and considered the information contained in the Final EIR prior to approving the project. Findings have been prepared for each of the significant environmental impacts identified in the Final EIR. These findings and a statement of overriding considerations supporting approval of the project are provided below.


JODY E. LONERGAN

District 3 Director

1/9/02

Date

CEQA FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS

The CEQA findings are discussed in the Final EIR in Section 4.17.1, page 4-57 to 4-58, Evaluation of Cumulative Impacts: Farmland; and Section 5.3, page 5-2 to 5-3, CEQA Significance Determination. The proposed project has the potential to result in the following significant environmental impacts:

- **Wetlands** – Existing wetlands would be affected by the project. Wetlands within the project area consist of vernal pools, seasonal wetlands, freshwater

marsh, seasonal riparian, seasonal forested riparian and other waters of the United States. These habitats are present in the drainages and channels that parallel or cross the SR 70 corridor. Most of the wetlands are seasonally dry since they are not physically linked to the drainage systems, with the exception of channelized streams and sloughs that drain the regional area and irrigated croplands. A total of 115 wetland sites were identified within the project area, containing 19 ha (47 ac) of wetland or other waters of the U.S. habitat. Of this area, unavoidable impacts to waters of the U.S. as a result of the proposed alternatives range from approximately 5 ha (13 ac) to approximately 8.4 ha (21 ac). These impacts are considered potentially significant and mitigation is proposed to lessen these impacts to a less than significant level.

- **Protected Species** – Potential impacts could occur to tadpole shrimp, a federal listed endangered species; giant garter snake, a state and federal listed threatened species; valley elderberry longhorn beetle, a federal listed threatened species; Swainson’s hawk, a state listed threatened species; Central Valley steelhead, a federal listed threatened species; and, chinook salmon (fall run), a federal proposed listed threatened species. These impacts are considered to be significant since they involve effects to protected species and/or their habitat. Mitigation would be implemented, as stipulated in the U.S. Fish and Wildlife Services’ Biological Opinion, the National Marine Fisheries Service’s Biological Opinion, and the California Department of Fish and Game’s 2081 Incidental Take Permit, to lessen the impacts to less than significant levels.
- **Noise** – Noise sensitive receptors consisting of scattered, rural residences along SR 70 and local roads, would be affected by increases in traffic noise levels. Modeling predicts substantial increases in noise level at some residences in close proximity to the roadway, and levels would exceed local, state and federal criteria. This potential impact is considered significant at some receptors. Soundwall construction is considered an effective mitigation measure for noise impacts only if the construction is determined to be both “feasible” and “reasonable.” None of the affected residences meet both of these criteria. For approximately half of the receptors, soundwall construction would not be feasible, due to either access requirements for driveways, ramps, etc. or proximity to Plumas Arboga Road, an alternate source of unattenuated traffic noise which would continue to expose these homes to excessive noise. The reasonableness criteria require that soundwall construction costs for this project not exceed \$264,000 (i.e. \$33,000 per benefitted residence). The actual soundwall construction cost would be approximately \$1,023,000. Since soundwall construction was determined to be neither feasible nor reasonable, no mitigation of noise impacts is proposed.
- **Farmland** – Although the proposed project would not, in itself, result in significant impacts to farmlands, it would contribute to the incremental increase in the area’s conversion of farmlands to transportation and other uses. The alternatives for the Route 70 upgrade range from 104 ha (257 ac) to 116 ha (287

ac) of designated agricultural land being converted to highway use. Existing, approved, or proposed land use and transportation projects in proximity to the Route 70 upgrade would also result in impacts on agricultural uses and soils. For example, full build out of the Plumas Lake Specific Plan area would result in the conversion of 2,023 ha (5,000 ac) of farmland, the Yuba County Motorplex would convert 362 ha (895 ac), and the North Arboga development would convert 243 ha (600 ac) of farmland. The permanent loss of farmland resulting from the construction of transportation projects and planned developments would be viewed as a substantial cumulative effect. The sustainability of farmlands would be adversely affected if such losses continue. It would not be economically viable or practicable for the California Department of Transportation (Caltrans) to purchase and attempt to preserve replacement farmland. Recognized, effective measures for protecting farmlands include zoning and land use restrictions such as imposing minimum parcel sizes and limiting residential density. Such measures are not within the jurisdiction of this agency. Therefore, no mitigation measures are proposed.

In conclusion, the following findings apply to the proposed project:

1. The project has been changed to avoid or substantially reduce the magnitude of potential impacts to wetlands and protected species. Through project modifications and proposed mitigation measures, potentially significant impacts to these resources would be reduced to a less than significant level.
2. The project would result in significant noise level impacts and significant cumulative impacts to farmlands. Due to economic and technical considerations, mitigation of these impacts is infeasible.

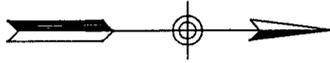
The following information is presented to comply with Section 15093 of the State CEQA Guidelines. Reference is made to the Final EIR for the project, which is the basic source for the information.

Overriding considerations that support approval of this recommended project are as follows:

The proposed State Route 70 upgrade project is needed in order to reduce traffic delays, reduce congestion, and improve safety. Presently, this segment of SR 70 is a two-lane highway, located between four-lane expressways both north and south of the project limits. The area is experiencing increasingly heavy commuter, recreational, commercial and agricultural use due to rapid growth within the region. Growth forecasts for the Sacramento to Chico corridor indicate that the current congestion and traffic delays will continue to increase if SR 70 is not improved. Without the proposed upgrade, the level of service for the existing facility would deteriorate to LOS E by the year 2010 and LOS F by the year 2020. The proposed improvements would maintain a LOS B for the year 2010 and a LOS

C for the year 2020. The upgrade would result in improved traffic flows, reduced energy consumption, improved air quality, and reduced travel times.

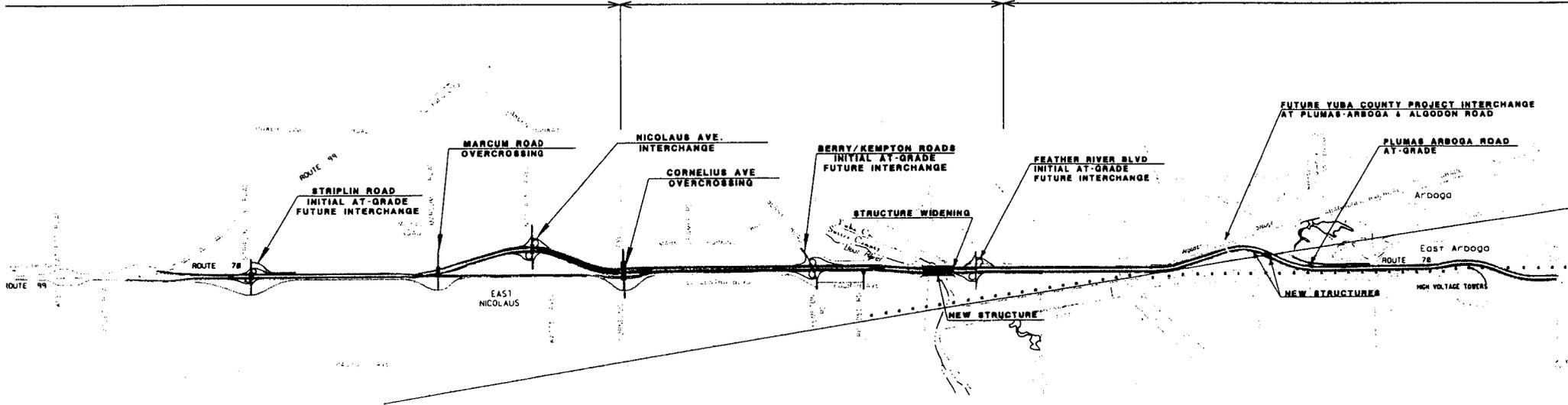
The California Department of Transportation (Caltrans) hereby finds that, for the reasons noted above, the economic, social, and other benefits of the project outweigh the unavoidable significant noise impacts and unavoidable contribution to significant cumulative farmland impacts identified in the findings.



STAGE 2

STAGE 3

STAGE 1



LEGEND

-  EXISTING ROAD
-  ROAD CONSTRUCTION
-  INTERCHANGES & OVERCROSSINGS
-  STRUCTURE WORK
-  COUNTY PROJECT
-  FRONTAGE ROADS
-  CITY & COUNTY ROADS

ROUTE 70 PROJECT