

California Department of Housing and Community Development
Neighborhood Stabilization Program (NSP)



Environmental Assessment for HUD-funded Proposals

*Recommended format per 24 CFR 58.36, revised March 2005
[Previously recommended EA formats are obsolete].*



Project Identification: Merced Pacific Associates, L.P. – Woodbridge Place
Apartments

Preparer: Robert L. Borchard, Environmental Planner

Responsible Entity: City of Merced Redevelopment Agency

Month/Year: March, 2011

Environmental Assessment

Responsible Entity [24 CFR 58.2(a)7]: City of Merced Redevelopment Agency

Certifying Officer [24 CFR 58.2(a)(2)]: John M. Bramble, Executive Director

Project Name: Woodbridge Place Apartments

Project Location: Highway 59 and Willowbrook Drive, Merced, California
Assessor Parcel #s 58-11-1, 2, 3, 4, 5, 6, 7, 9, 11, and 12

Estimated Total Project Cost:	\$7,,500
HCD HOME Program Loan	\$300,000.
Neighborhood Stabilization Program Loan	\$1,300,000.
City of Merced RDA Loan	\$800,000.
City of Merced RDA Loan	\$4,888,500.
City of Merced Energy Efficiency Loan	\$157,000.

Grant Recipient [(24 CFR 58.2(a)(5)]: Merced Pacific Associates, L.P.-City of Merced

Recipient Address: **Merced Pacific Associates, L.P.** 767 East Yosemite Ave.
Merced, CA 95340
City of Merced. 678 West 18th Street Merced, CA 95340

Project Representative: Todd D. Bender, Merced Pacific Associates, L.P.

Telephone Number: (209)-383-1211, ext. 119

Conditions for Approval: *(List all mitigation measures adopted by the responsible entity to eliminate or minimize adverse environmental impacts. These conditions must be included in Project contracts or other relevant documents as requirements). [24 CFR 58.40(d), 40 CFR 1505.2(c)].*

The project must conform to all applicable Federal, State and local (City of Merced) requirements as set forth in Federal/State law and applicable regulations and comply with City of Merced site design and development standards for multi-family dwelling units including the City's Multi-Family Design Guidelines.

Such compliance with law shall include, but is not limited to the following:

- 1). Provisions for treatment of accidental discovery of archaeological resources during construction, per the *California Environmental Quality Act (CEQA) §15064.5(f)*; *Health and Safety Code §7050.5*; and *Public Resources Code §5097.98*, which mandate the process to be followed in the event of accidental discovery of human remains in a location other than a dedicated cemetery.
- 2). The San Joaquin Valley Unified Air Pollution Control District Rules and Regulations. Any permit requirements should be identified in the construction plans and specifications for the Project.
- 3) Prior to construction, the developer shall submit Stormwater Prevention Plan and obtain NPDES Permit from the California Regional Water Quality Control Board.
- 4) The developer shall comply with all City of Merced requirements pursuant to DDA of a 75 unit apartment complex in an R-3 (Multiple Residential) District, as approved on March 7, 2011 by the Merced City Council (see attached Resolution No. 2011-14).
- 5) Construction shall be limited to daytime hours, and construction equipment shall be properly maintained to limit noise impacts as per City of Merced Noise Standards. Construction design shall comply with City standards with respect to outdoor/indoor noise thresholds.

FINDING: [58.40(g)]

Finding of No Significant Impact

(The Project will not result in a significant impact on the quality of the human environment)

Finding of Significant Impact

(The Project may significantly affect the quality of the human environment)

Preparer Signature: _____ **Date:** _____

Environmental Consultant: Robert L. Borchard, Environmental Planner
Merced Pacific Associates, L.P. – Woodbridge Place Apartments

Reviewer Signature: _____ **Date:** _____

Title/Agency: Daniel Ainslie, Development Manager
City of Merced Redevelopment Agency

RE Approving Official Signature: _____ **Date:** _____

Title/Agency: John M. Bramble, Executive Director
City of Merced Redevelopment Agency

Project Identification: Woodbridge Place Apartments - Merced Pacific Associates, L.P.

Statement of Purpose and Need for the Proposal: [40 CFR 1508.9(b)]

The project is intended to increase the number of affordable housing units for low-income families in the City of Merced. The project will assist the City in attaining the housing goals set forth in the adopted Housing Element of City of Merced General Plan for low and moderate income households.

Description of the Proposal: (24 CFR 58.32, 40 CFR 1508.25)

The project consists of the design and construction of a multi-family apartment complex on a 4.2 acre vacant parcel located south of California State Highway 59 at the Willowbrook Drive (see Figure 1, attached site plan). The developer is The Cirrus Company LLC. The project site is zoned R-3 (Multiple Residential).

The project will consist of seventy five (75) rental units and will feature four (4) buildings with a mix of 1, 2, and 3 bedroom units. Additional amenities include a community room/recreational area, a management office, laundry facility, parking areas, a tot lot/playground area, swimming pool, and outdoor activity areas. Units will be available to households with low-incomes ranging from 50% (13 units) to 60% (61 units) of the Area Median Income. The remaining unit is reserved for the apartment complex manager.

The City of Merced Redevelopment Agency has determined that this project is statutorily exempt from the California Environmental Quality Act pursuant to Sections 15192, 15194 and 15195 of the State CEQA Guidelines. *This exemption shall apply to this Project and the proposed federal funding to be provided. No further review under CEQA is therefore required.*

Project Phasing:

Construction is anticipated to begin in September 30, 2011 with completion anticipated in September 30, 2012. The project is to be completed in one (1) phase.

Existing Conditions and Trends: [24 CFR 58.40(a)]

General Environmental Setting, History and Geography

Located in the heart of the San Joaquin Valley, the City of Merced is the Merced County seat as well as the retail commercial center for the surrounding region. Known as the "Gateway to Yosemite" because of its historic and current status as a stopping place for visitors on their way to Yosemite, Merced is just 80 miles from the national park.

Merced is approximately 150 miles southeast of San Francisco and is one of a chain of cities located along State Highway 99. Highway 99 is one of the two main north-south arteries connecting Southern California to the Pacific Northwest region. The City of Modesto is located 40 miles, Stockton 65 miles, and Sacramento 100 miles to the north of Merced along Highway 99. The City of Fresno is 55 miles and Bakersfield is 165 miles to the south along Highway 99. The City of Merced is located in central Merced County, along California State Highway 99, approximately 110 miles southeast of San Francisco and 310 northwest of Los Angeles.

Merced is a medium sized, compact city surrounded by farmland and adjacent to the City of Atwater to the north, with a traditional downtown and older neighborhoods on a rectilinear street grid at the city's Historic Downtown and newer residential developments primarily

located to the north toward the new U.C Campus. Highway 99, Union Pacific (UP) and the Burlington Northern /Santa Fe (BN&SF) Railroads bisect the from the southern edge of the City. The existing incorporated area of the City of Merced is 23.1 square miles.

Merced was founded in 1871 and incorporated in 1889 as a result of the growing importance of the surrounding agricultural lands and the arrival of the two railroads serving the community, Agriculture and Agri-Business still continues to play an important role in the community, providing jobs and influencing the physical design of Merced; however, with the new development of the new U.C. Merced campus and expansion of the City's manufacturing and service centers, has resulted in a more diverse economic base and provided employment opportunities in the City.

According to the US Census, there were 80,985 people living in Merced in 2010, which represented a 21.8 percent increase from 2000, or about 2.2 percent average per year. With the recession, starting in 2008, growth is projected to slow however, growth and expansion of the U. C. California Campus at Merced, is expected to have a moderating effect on the overall regional economy and support moderate growth rates over the next few years.

Specific Environmental Setting

The project site contains approximately 4.2+/-acres. (See Figure 2, attached) The property is vacant; individual parcels were cleared as part of a road widening project along Highway 59. The proposed development will be sited on "remainder" properties along the roadway. The site is flat and contains no native vegetation as a result of previous development and site clearance. The site is Zoned and bound by multi-family (R-3-1.5) development to the south and west, Highway 59 and Industrial development (I-L & I-H) to the north and a railroad corridor to the east. (See Figure 3, Zoning)

1. Toxic Hazard

The project site has been used, historically, for residential purposes. The site is not listed on the City's or State's lists of Hazardous waste sites. According to the 16th Street/Olive Avenue Widening Project EA/IS, of which this project occupied a portion, the site is not known to contain any toxic hazards. An Initial Site Assessment was completed on June 27, 2002. Field surveys and record searches were used to identify potential hazardous waste concerns within the project area. One of the five potential concerns requiring further study were identified in the project area was the use of lead-based paint that might exist on residential structures on the project site. The other five concerns did not affect this development site. The lead-based paint concern was addressed when the buildings were demolished and the remains disposed of in accordance with state law and the City's Hazardous Mitigation Plan.

2. Soils/Geologic Hazards

As identified in the Natural Resources Conservation Service, *Soil Survey of Merced County, CA, Eastern Part*, the soil type found at the project site is Wyman Clay Loam (WOA), 0 to 3 percent slope. Given the flat slopes on the site, there is limited potential for erosion. The project site is not within the boundaries of an Agricultural Preserve, nor does it have a Williamson Act contract.

The City of Merced is in an area characterized by a low earthquake hazard. The closest fault is the San Joaquin Fault which lies to the west of the City.

3. Airports Runways and Clear Zones

The City of Merced is served by two airports. Castle Airport, a retired Air Force facility is located four miles to the northwest of the project site and the Merced Municipal Airport is located approximately three miles to the south of the project site. (See Figure Airport Clear Zones) The project is adjacent to, but outside of, the Castle Airport compatibility zone "C" which terminates on the west side of Highway 59. Clear Zone "C" permits residential development but limits density. These restrictions do not apply to the project site.

4. Air Quality

The City of Merced, the San Joaquin Valley and the State of California does not meet Air Quality Standards.

3. Biological Resources

Located in a portion of the NE ¼ of Section 24, T7S, R13E, Mount Diablo Baseline & Meridian, the Project site is not located within the boundaries of an adopted Habitat Conservation Plan. The project site is within an urbanized area and consists of property previously developed. The potential habitat value of the site for wildlife and native plant species is considered low and the habitat for special plant species is non-existent. Biological resource surveys previously conducted as a part of the City's General Plan update, *Merced Vision 2015 and 2030 General Plan EIRs*, (See Reference Docs), concluded that the site area, no longer maintain a wildland habitat for migratory fish or wildlife species nor is it a corridor or a nursery site. Additional Biological survey work and research was done on the site as part of the 16th Street/Olive Avenue Widening Project on State Route 59 IS/AE in October 2005. The site does not contain any Wetlands (See Figure 5, National Wetlands Inventory)

5. Floodplain

The project site is located in a Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% Annual Chance of Flood. The 1% annual chance flood (100 year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The special flood hazard area is the area subject to flooding by a 1% chance of flood. The project site is located within an area designated as AH. AH flood Zones have flood depths of 1 to 3 feet (usually areas of ponding). The base flood elevation near the project site is 164 feet and this elevation has been used by the project architects to design structures that are above the potential flood area depth.

Because the project is located within a SFHAs area, the project is subject to the regulations of Title 24, Part 55, Subpart "C Section 55.20 (the Eight (8)-Step Decision Making process.

6. Historic and Cultural Resources

The project site is part of a larger project that was reviewed by SHPO in April of 2005 (File Reference FHWA050324D). The Woodbridge Place Apartment project includes Assessor Parcel numbers 58-11-1, 2, 3, 4, 5, 6, 7, 9, 11, and 12. as depicted on Merced County Assessor's Parcel Map page 58-11. Of those parcels, residences existed on parcels 58-11-11, 9 and 3. These residences were found to be ineligible for listing on the National Register of Historic Places and, because of their dilapidated state, were demolished. The entire 4.2+/- acres of this site has been cleared and the site made available for the construction of 75 low-moderate income apartment units.

Subsequent review, based on the previous Highway 59 project IS/EA and other relevant reports and studies, resulted in no new information that would alter the previous concurrence letter issued by the State Historical Preservation Office (SHPO) regarding this particular portion of the much larger original Area of Potential Effects (APE).

As part of the update review, the Central California Information Center and the Native American Heritage Commission were contacted. It was found that members of the Merced County contacts on the list were some of the original contacts that were consulted as part of the larger project survey. Efforts were made to follow up with some of these contacts.

In general, given the “in-fill” nature of the site within an extensively developed portion of the City of Merced and the extensive site modification that has occurred on the site over the span of many years, it felt that this site is not likely to be of any historic or archaeological value.

7. Utility Services

Pacific Gas and Electric Company, the Merced Irrigation District, and the City of Merced will provide electrical, gas, and water and sewer service to the project site.

Statutory Checklist

[24CFR §58.5]

Record the determinations made regarding each listed statute, executive order or regulation. Provide appropriate source documentation. Note reviews or consultations completed as well as any applicable permits or approvals obtained or required. Note dates of contact or page references. Provide compliance or consistency documentation. Attach additional material as appropriate. Note conditions, attenuation or mitigation measures required.

Factors	Determination and Compliance Documentation
<p>Historic Preservation [36 CFR 800]</p>	<p>The project site is part of a larger project that was reviewed by the State Office of Historic Preservation in April of 2005 (File Reference FHWA050324D). The Woodbridge Place Apartment project includes Assessor Parcel numbers 58-11-1, 2, 3, 4, 5, 6, 7, 9, 11, and 12 as depicted on Merced County Assessor's Parcel Map page 58-11. Of those parcels, residences existed on parcels 58-11-11, 9 and 3. These residences were found to be ineligible for listing on the National Register of Historic Places and, because of their dilapidated state, were demolished. The entire 4.2+/- acres of this site has been cleared and the site made available for the construction of 75 low-moderate income apartment units.</p> <p>Subsequent review, based on the previous Highway 59 project IS/EA and other relevant reports and studies, resulted in no new information that would alter the previous concurrence letter issued by the State Historical Preservation Office (SHPO) regarding this particular portion of the much larger original Area of Potential Effects (APE).</p> <p>As part of the update review, the Central California Information Center and the Native American Heritage Commission were contacted. It was found that members of the Merced County contacts on the list were some of the original contacts that were consulted as part of the larger project survey. Efforts were made to follow up with some of these contacts.</p> <p>In general, given the "in-fill" nature of the site within an extensively developed portion of the City of Merced and the extensive site modification that has occurred on the site over the span of many years, it felt that this site is not likely to be of any historic or archaeological value. (See Attachment "A")</p>
<p>Floodplain Management [24 CFR 55, Executive Order 11988]</p>	<p>The project site is located in a Special Flood Hazard Areas (SFHAs) subject to inundation by the 1 % Annual Chance of Flood. The 1% annual chance flood (100 year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The special flood hazard area is the area subject to flooding by a 1% chance of flood. The project site is located within an area designated as AH. AH flood Zones have flood depths of 1 to 3 feet (usually areas of ponding). The base flood elevation near the project site is 164 feet and this elevation has been used by the project architects to design structures that are above the potential flood area depth.</p> <p>Because the project is located within a SFHAs area, the project is subject to the regulations of Title 24, Part 55, Subpart "C Section 55.20 (the Eight (8)-Step Decision Making process. (See Attachment "B").</p>
<p>Wetlands Protection [Executive Order 11990]</p>	<p>The site does not contain any Wetlands (See Figure 5, National Wetlands Inventory)</p>

Factors	Determination and Compliance Documentation
Coastal Zone Management Act [Sections 307(c), (d)]	The site is located within the Central Valley of California and not subject to the Coastal Zone Management Act regulations.
Sole Source Aquifers [40 CFR 149]	The EPA has not designated any existing aquifers in Merced County to be a sole source aquifer. (<u>Region IX Sole Source Aquifers Map and List by EPA</u>). Region IX consists of Arizona, California, Guam, Hawaii and Nevada.
Endangered Species Act [50 CFR 402]	Located in a portion of the NE ¼ of Section 24, T7S, R13E, Mount Diablo Baseline & Meridian, the Project site is not located within the boundaries of an adopted Habitat Conservation Plan. The project site is within an urbanized area and consists of property previously developed. The potential habitat value of the site for wildlife and native plant species is considered low and the habitat for special plant species is non-existent. Biological resource surveys previously conducted as a part of the City's General Plan update, <i>Merced Vision 2015 and 2030 General Plan EIRs</i> , (See <i>Reference Docs</i>), concluded that the site area, no longer maintain a wildland habitat for migratory fish or wildlife species nor is it a corridor or a nursery site. Additional Biological survey work and research was done on the site as part of the 16th Street/Olive Avenue Widening Project on State Route 59 IS/AE in October 2005.
Wild and Scenic Rivers Act [Sections 7(b), (c)]	Per the National Wild and Scenic River System (www.rivers.gov), there are no wild and scenic rivers designated in Merced County.
Air Quality [Clean Air Act, Sections 176(c) and (d), and 40 CFR 6, 51, 93]	The project is located within the San Joaquin Valley Air Pollution Control District (SJVAPCD) and subject to the rules, regulations and standards adopted by the District and the State of California Air Resources Control Board. (See following Environmental Assessment Check list-Air Quality section.) All development projects within the City of Merced are subject to the rules of the SJVAPCD (http://www.valleyair.org/rules/1ruleslist.htm)
Farmland Protection Policy Act [7 CFR 658]	The project is located within a developed portion of the incorporated City of Merced and does not contain any "Farmland" as defined by the Farmland Protection Policy Act. (See following Environmental Assessment Check list-Unique Natural Features-Agricultural lands section.)
Environmental Justice [Executive Order 12898]	The project directly addresses the need for affordable housing and is intended to principally benefit low/moderate income households. Issues pertaining to noise, toxic and hazardous materials, explosive and flammable products, and the airport clear zones, identify no impacts that would adversely effect the residents of this affordable housing project. Environmental Justice has been considered in the discussion and findings of the Environmental Assessment.

HUD Environmental Standards	Determination and Compliance Documentation
Noise Abatement and Control [24 CFR 51 B]	The project is located adjacent to State Highway 59 and will require on-site noise attenuation in accordance with Merced City standards. (See following Environmental Assessment Check list-Noise section.) All development within the City of Merced is subject to the City's noise standards. See the Noise Element of the Merced City Vision 2015 General Plan (http://www.cityofmerced.org/depts/cd/planning/merced_vision_2015_general_plan.asp).

HUD Environmental Standards

Determination and Compliance Documentation

<p>Toxic/Hazardous/Radioactive Materials, Contamination, Chemicals or Gases [24 CFR 58.5(i)(2)]</p>	<p>The project site has been used, historically, for residential purposes. The site is not listed on the City's or State's lists of Hazardous waste sites. According to the 16th Street/Olive Avenue Widening Project EA/IS, of which this project occupied a portion, the site is not known to contain any toxic hazards. An Initial Site Assessment was completed on June 27, 2002. Field surveys and record searches were used to identify potential hazardous waste concerns within the project area. One of the five potential concerns requiring further study were identified in the project area was the use of lead-based paint that might exist on residential structures on the project site. The other five concerns did not affect this development site. The lead-based paint concern was addressed when the buildings were demolished and the remains disposed of in accordance with state law and the City's Hazardous Mitigation Plan.</p>
<p>Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]</p>	<p>.The project is not located within an area that contains any "Hazardous Operations". (See following Environmental Assessment Check list-Hazards and Nuisances including Site Safety section.)</p>
<p>Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]</p>	<p>The City of Merced is served by two airports. Castle Airport, a retired Air Force facility is located four miles to the northwest of the project site and the Merced Municipal Airport is located approximately three miles to the south of the project site. (See Figure Airport Clear Zones) The project is adjacent to, but outside of, the Castle Airport compatibility zone "C" which terminates on the west side of Highway 59. Clear Zone "C" permits residential development but limits density. These restrictions do not apply to the project site.</p>

Environmental Assessment Checklist

[Environmental Review Guide HUD CPD 782, 24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27]

Evaluate the significance of the effects of the proposal on the character, features and resources of the project area. Enter relevant base data and verifiable source documentation to support the finding. Then enter the appropriate impact code from the following list to make a determination of impact. **Impact Codes:** (1) - No impact anticipated; (2) - Potentially beneficial; (3) - Potentially adverse; (4) - Requires mitigation; (5) - Requires project modification. Note names, dates of contact, telephone numbers and page references. Attach additional material as appropriate. Note conditions or mitigation measures required.

Land Development	Code	Source or Documentation
Conformance with Comprehensive Plans and Zoning	2	The Project is in conformance with the City of Merced General Plan and Zone District designations for the project site. The zoning of the project site is R-3, Multiple Residential. The land use is compatible with the existing land uses in the vicinity of the Project site. (<i>See Figure 2 Merced Zoning Map</i>) A Site Plan will be required to conform to the Multi-Family Residential Improvement Standards of the City of Merced. The adopted <i>City of Merced Housing Element</i> contain goals which promote affordable housing opportunities for families who have low or moderate incomes. The proposed housing development would address those goals by providing 75 units of affordable housing opportunities to qualified households with incomes ranging from 30% to 60% of the median income for Merced, depending on the type of unit and number of bedrooms.
Compatibility and Urban Impact	2	The proposed housing project is considered an "in-fill" type of urban development and is compatible with the existing residential and commercial land uses nearby the project site. The <i>City of Merced Housing Element and Merced Vision 2015 General Plan</i> contains goals to provide for a full range of housing densities and types, and encourages housing concepts which meet the needs of the community and particularly of low income and moderate income groups. This affordable housing project addresses these goals.
Slope	1	According to the project area Soils Classification Map, Flood Insurance Rate Map and site investigations, the project site is relatively flat and is situated at approximately 184 feet above sea level.
Erosion	2	The potential for erosion will be reduced by the proposed improvements to the project site. Improvements will include soil compaction, asphalt concrete paving, curbs, gutters, drainage improvements, and landscaping.
Soil Suitability	1	According to the United States Department of Agriculture, Natural Resources Conservation Site (NRCS), (http://websoilsurvey.nrcs.usda.gov/app/), the soil type found at the project site is Wyman Clay Loam (WoA), with moderate low shrink-swell (LEP 3-6 0.50). Given the relatively level terrain in the community in general and the site specifically, there is limited potential for erosion. (<i>See Figure 10 NRCS Soils Map</i>)

Land Development	Code	Source or Documentation
Hazards and Nuisances including Site Safety	1	<p>In June 2002, The project site was reviewed as part of the 16th Street/Olive Avenue Widening Project ES/IS process. The conclusion from this assessment is that there is no evidence of hazardous or radioactive materials on the or near the proposed development site.</p> <p>As part of the 16th Street/Olive Avenue Widening Project ES/IS process and it was determined that properties within the specified search radius of the subject site which appeared on local, state, or federally published lists of sites that use or have had releases of hazardous materials are of sufficient distance and/or situated hydraulically cross- or down gradient from the subject site such that impact to the subject site is not likely. The Project site is therefore considered to be in compliance with Part 51 Section 3.</p>
Energy Consumption	1	<p>Natural gas and electrical service are to be provided to the project site by the Pacific Gas and Electric Company and the Merced Irrigation District. The development of the project should not create a substantial increase in demand upon existing energy sources nor require the development of new sources of energy. The project will participate in the City of Merced Energy Efficiency Loan Program and solar systems will be installed as part of the project development.</p>
Noise - Contribution to Community Noise Levels	3	<p>According to the U.S. Department of Housing and Urban Development (HUD) Exterior Noise standards, acceptable exterior noise levels for new housing construction cannot exceed 65 dB(A) (HUD Noise Assessment Guidelines and 24 CFR Part 51, Subpart B, Section 51.103). Potential noise sources which may impact a Project include highways, railroads, and airports.</p> <p>The project site is located adjacent to the Burlington Northern/Santa Fe (BN&SF) Railroad which abuts the northern edge of the site and State Highway 59 which borders the northern edge of the project site. Due to the low occurrence and moderate speeds of the trains, the 60 dBA Ldn noise contour would be within 100 feet of the railroad tracks. (<i>Merced 2030 Draft General Plan EIR, Chapter 3.11</i>). In addition, the noise impacts from the Highway 59 traffic at General Plan build out have been modeled. While the 65 dBA Ldn noise contour extends into the southerly portion of the project site, it does not encroach on the outdoor activity areas. Standard construction will provide sufficient attenuation to achieve interior noise levels of 45 dBA Ldn or less. Noise attenuation will be required as an element of project design as required as per Merced City policy and standards. Therefore, noise from these sources will not be significant to the residents of this housing development. Additionally, noise studies were conducted for the site as part of the Highway 59 Widening EA/IS and the noise levels are displayed on Table 2.9 (page 47) of that document.</p> <p>Development of a multi-family residential complex will result in an increase overall noise levels in the vicinity of the project site; however, this increase is not considered to be significant. Construction of the Project may generate a temporary increase in the levels of noise which could adversely impact residents immediately north and east of the Project site. Therefore, construction shall be kept to day-time working hours, and construction equipment shall be properly maintained in order to minimize noise emissions as per City of Merced policy and regulations.</p>

Land Development	Code	Source or Documentation
Air Quality Effects of Ambient Air Quality on Project and Contribution to Community Pollution Levels	3	<p>The project site is located within the central portion of the San Joaquin Valley. The San Joaquin Valley has been designated as serious non-attainment for ground level ozone and non-attainment area for fine particulate matter (PM-10 and PM-2.5) by the State Air Pollution Control Board.</p> <p>The San Joaquin Valley Air Pollution Control District (SJVAPCD) has plans to regulate both ozone and particulate matter. The project will be subject to the SJVAPCD Indirect Source Rule (Rule 9510). In addition, during construction, fugitive dust and debris control should be carried out in accordance with SJVAPCD Fugitive Dust Rules (Regulation VIII). These requirements, as well as, the requirements for obtaining any air permits shall be incorporated into the construction specification documents and complied with by the contractor as per City building requirements and the rules and regulations of the SJVAPCD. (<i>Merced 2030 General Plan Draft EIR Chapter 3.3</i>).</p>
Environmental Design Visual Quality - Coherence, Diversity, Compatible Use and Scale	2	<p>The multi-family residential development will be consistent with existing development within the neighborhood. The City of Merced Multi-Family Design Guidelines, City Improvement Standards and Zoning Code addresses City development standards including necessary road improvements, on-site parking, landscaping and building requirements.</p>

Socioeconomic	Code	Source or Documentation
Demographic Character Changes	1	<p>The proposed housing development consists of up to 75 multi-family housing units. According to the 2000 Census, (Demographic Profile) the average household size in the City of Merced is 3.06 persons. Therefore, the development could provide housing to approximately 230 persons. Median age of Merced residents is 27.8 years.</p>
Displacement	1	<p>The project site is currently unoccupied. When the original Highway 59 widening project was initiated there were occupants residing on the property. They were relocated in accordance with federal and state law when these residences were removed to accommodate the Highway improvement project. As a direct result of the development of the Woodbridge Place Apartment project there will be no displacement of residents and/or demolition of existing housing units as a result of constructing the multi-family residential development.</p>
Employment and Income Patterns	2	<p>The project will provide 75 units of needed affordable housing to families. There may be an increase in employment opportunities for service and retail businesses that will serve the new households that will occupy the project. Conversely, there may be increased demand for employment from the households who move into the Woodbridge Place Apartment multi-family development project. Based on 2000 Census data, the City unemployment rate was 7.6%; recent 1/11 figures are considerably higher as a result of the nationwide recession. The Year 2000 Census set the 1999 Median Household Income level at \$30,249 but the Median Family Income at \$14,745. The Census set the Poverty Rate for families in the year 2000 at 22.4% and individuals at 27.9%. It is expected, that when the Year 2010 Census data is available, the poverty rates in the City will have increased.</p>

Community Facilities and Services

	Code	Source or Documentation
Educational Facilities	1	The Merced High School and Unified School Districts serves the project area. The area is also served by the Merced College District, a two year college. The University of California-Merced is located in the northern portion of the City and provides higher education access to students throughout the state with a service focus in the Central Valley. Pursuant to Government Code (Sections 65995, 56996, and 65997), mitigation of this project's impacts on public school facilities will be limited to the collection of statutory fees authorized under Education Code (Section 176209 and Government Code Sections 65995, 65995.6 and 65995.7) at the time that building permits are issued. <i>(See Figure 8, School Facilities)</i>
Commercial Facilities	1	The proposed housing development is located within one mile of numerous commercial shopping facilities and services, including pharmacies, convenience stores and markets. The residents of the site have access to "Downtown" shopping and service opportunities and the large commercial service center located along Olive Avenue to the east of the project site.
Health Care	1	The City of Merced is served by several health care providers. The largest is the new Mercy Medical Center located at G Street and Mercy Avenue in North Merced. This 8-story facility presently has 260,000 s.f. with 185 beds and is planned to expand, over time, to a 600,000 facility with the capacity of 460 beds. Mercy also provides medical/health care services at the Dominican Campus, located near Bear Creek Drive and M Street for out patient care.
Social Services	1	The City of Merced, as the Seat of Merced County government, has a large network of social service program. http://www.google.com/search?sourceid=navclient&aq=2h&og=&ie=UTF-8&riz=1T4GGIC_en&q=merced+california+social+services
Solid Waste	1	The County of Merced operates a County Solid Waste Disposal site on the north side of the City. Garbage collection and solid waste disposal service for this area is provided by the City of Merced Refuse Division of the Public Works Department. The project will not significantly impact the city's ability to provide garbage collection services.
Waste Water	1	The City of Merced provides sewer service to the site and the general area. Upon the developer meeting certain conditions prior to approval and commencement of service. This includes payment of applicable connection fees.
Storm Water	1	The City of Merced provides storm water collection and disposal as part of it's basic utility infrastructure. The project site is within the City's storm water service area and is served by that system. According to the site plan/building permit approval for the project, storm water run-off from the Project site will be conveyed to the City's storm drain system The California Regional Water Quality Control Board will also require that the developer submit a Stormwater Prevention Plan and obtain a National Pollutant Discharge Elimination System (NPDES) Permit.

Community Facilities and Services

	Code	Source or Documentation
Water Supply	1	The City of Merced water service to the site and will provide hook-ups to new units upon the developer meeting certain conditions prior to approval and commencement of service. This includes payment of applicable connection fees.
Public Safety - Police	1	This neighborhood is currently patrolled by the Merced City Police Department. No additional patrols or special law enforcement services will be required as a result of this project and the project will not significantly impact the police department's ability to provide service.
- Fire	1	The project site is within the service area of the Merced Fire Department. (See Figure 7, Merced City Fire Station Locations). The City's fire service master plan anticipates multi-family development in the project area and fire service plans have been developed to adequately serve this need.
- Emergency Medical	1	Emergency (Urgent Care) medical facilities are available at the Merced Medical Center located at 13 th and D Street. Emergency care is also available at the Mercy Medical Center. Emergency ambulance service is provided by several Ambulance services that served the greater Merced area. The project will not significantly impact service delivery. The County of Merced also operates the Emergency Medical Fund (Maddy) . http://www.co.merced.ca.us/index.aspx?NID=609 .
Open Space and Recreation - Open Space	1	According to the project site development plan, approximately 15% of the project site will be landscaped. (See Figure 1 Project Site Plan).
- Recreation	1	The City of Merced contains 24 City Parks containing 328.6 acres. The City uses a standard of 5-acres of park land per 1,000 residents. (See Figure 9) Merced City Parks. Plans also include an area to be developed with recreation facilities and a swimming pool to serve residents of the apartment complex. The plan also includes a "project community center".
- Cultural Facilities	1	The City of Merced, as the Seat of Merced County Government, contains many cultural amenities such as libraries, museums and cultural centers. The Main branch of the (15-branch) Merced County Library system, is located at 21 st Street and "O" Street. Other library facilities are available at Merced College and U.C. Merced although access to these facilities is generally limited to students. The Merced Multi-Cultural Center is located in Downtown Merced and contains Art exhibits and related cultural facility space. The City also has several theaters and performing groups including the Merced Symphony Orchestra.
Transportation	1	The Project site fronts on Highway 59 as it runs between Highway 99 (16 th Street to the south and Olive Avenue to the north. Access into the project site will be from Willowbrook as it intersects with Highway 59. The project site also has direct access to the Merced Bus service http://www.mercedthebus.com/routes/pdf/system_map.pdf

Natural Features	Code	Source or Documentation
Water Resources	1	There are no natural water resources that will be impacted by this project.
Surface Water	1	No surface waters exist on or within the immediate vicinity of the project site. Bear Creek is located approximately ½ mile to the east of the project area. Wetlands generally include swamps, marshes, bogs, and similar areas. Pursuant to the definition of wetlands at 33 CFR Part 328, Section 328.3(b), there are no wetland areas in the vicinity of the project site (<i>See Figure 5 Merced National Wetlands Inventory Map</i>),
Unique Natural Features and Agricultural Lands	1	There are no unique natural features on, or within the vicinity of the project site. The Project site is currently vacant. The site, because of size and degree of surrounding "urban" types of improvements, cannot be reasonably used for agricultural purposes. According to the <i>FMMP Farmland Classification Map</i> , (<i>See figure 6 attached</i>) the project site has been identified as Urban and Built-Up Land. There is no evidence that the site has been utilized for farmland or other agricultural uses in recent times. The project site is not within the boundaries of an Agricultural Preserve, nor does it have a Williamson Act contract.
Vegetation and Wildlife	1	The project site is not located within the boundaries of an adopted Habitat Conservation Plan. The project site has been developed and is surrounded by urban uses. Biological resource surveys previously conducted as a part of the City's General Plan update, <i>Merced 2030 Draft General Plan EIR, Chapter 3.4</i> , concluded that the Sphere of Influence, which contains the developed parts of Merced, no longer maintain a wildland habitat for migratory fish or wildlife species nor is it a corridor or a nursery site.

Other Factors	Code	Source or Documentation
Flood Disaster Protection Act [Flood Insurance] [§58.6(a)]	1	The project site is located within a Special Flood Hazard Area (SFHA) AH 164 subject to 100-year flooding. (<i>Flood Insurance Rate Map (FIRM) O6047C0409G Panel Number 409 1225 revised December 2, 2008</i>). The 8-Step Decision-Making Process is required for Projects located within the 100-Year Floodplain; therefore, the 8-Step Decision Making Process must be implemented in accordance with Title 24 Section 55.20.
Coastal Barrier Resources Act/ Coastal Barrier Improvement Act [§58.6(c)]	1	The project is not located in an area subject to the requirements of the Coastal Barrier Resources Act or the Coastal Barrier Improvement Act.
Airport Runway Clear Zone or Clear Zone Disclosure [§58.6(d)]	1	In accordance with the Merced Airport Land Use Compatibility Plan, the project site is not located in any Airport Zone. (<i>See Figure 4-City of Merced Airport Compatibility Zones</i>).
Other Factors	1	None

Summary of Findings and Conclusions

The project itself does not cause or create environmental impacts that would threaten public health or safety does not place individuals or families in an environment that would threaten their health or safety. Funding and permits for the project should not be disallowed based on environmental impacts.

ALTERNATIVES TO THE PROPOSED ACTION

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9] *(Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)*

The property has been cleared of several delapidated structures and is now vacant. The proposed housing development considered a “permitted” use on the side and is not subject to any descretionary permit review. The site is within close proximity to public transportation services, schools, parks and medical facilities. The selected site at Willowbrook and State Highway 59 is of adequate size with clear title with no easements or other restrictions that would otherwise impede it’s development.

No Action Alternative [24 CFR 58.40(e)]

(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).

There are no apparent foreseeable benefits for not implementing the project at this site and the “No Action” alternative is not considered necessary or appropriate. Adverse impacts of not doing the Project would include:

- a. The property could be left undeveloped and open and could potentially be used by as a dumping site for unwanted items. This would create a blighting influence impacting the adjoining neighborhoods and work against the City's investment of public funds to improve the quality life in this area. The “No Action” alternative would result in 75 fewer multi-family dwelling units considered to be affordable to families with low/moderate incomes in Merced. Development of this project, and environmental impacts resulting from the project, are not considered significant, the “No Action” alternative is not viable.
- b. If this Project is not developed, the property could be developed with another use that is not compatible with the existing residential land uses that adjoins the property. This would require a change of zoning and possibly a General Plan Amendment and would provide an opportunity for inconsistent and incompatible land use that would counter the land use standards developed in the City of Merced Plan.

Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or its external factors should be modified in order to minimize adverse environmental impacts and restore or enhance environmental quality.)

The project must conform to all applicable Federal, State and local (City of Merced) requirements as set forth in Federal/State law and applicable regulations and comply with City of Merced site design and development standards for multi-family dwelling units including the City’s Multi-Family Design Guidelines. On the basis of this review, it has been determined that the application of existing laws and implementation of City of Merced standards for the permitting of this project is sufficient to mitigate all identified potential adverse environmental impacts resulting from project development.

Such compliance with law shall include, but is not limited to the following:

- 1). Provisions for treatment of accidental discovery of archaeological resources during construction, per the *California Environmental Quality Act* (CEQA) §15064.5(f); *Health and Safety Code* §7050.5; and *Public Resources Code* §5097.98, which mandate the process to be followed in the event of accidental discovery of human remains in a location other than a dedicated cemetery.
- 2). The San Joaquin Valley Unified Air Pollution Control District Rules and Regulations. Any permit requirements should be identified in the construction plans and specifications for the Project.
- 3) Prior to construction, the developer shall submit Stormwater Prevention Plan and obtain NPDES Permit from the California Regional Water Quality Control Board.
- 4) The developer shall comply with all City of Merced requirements pursuant to DDA of a 75 unit apartment complex in an R-3 (Multiple Residential) District, as approved on March 2011 by the Merced City Council, acting as the Merced Redevelopment Agency (RDA Resolution No. 2011-14).
- 5) Construction shall be limited to daytime hours, and construction equipment shall be properly maintained to limit noise impacts as per City of Merced Noise Standards.

Additional Studies Performed (*Attach studies or summaries*)

Based on previous studies conducted on the site and in the vicinity of the site, additional studies were not required to complete this Environmental Assessment. This EA is “Tired” from environmental documentation prepared for the site and the area as part of a State Highway project (see Source Note 1 below). Additionally, the City of Merced has prepared two environmental studies for the region that included the proposed project site (see Source Notes 3 and 5 below). On the basis of these previous environmental documents, and the studies that they were based upon along with the nature of the project, it was determined that additional studies were not required to fulfill the requirements of HUD CPD 782, 24 CFR 58.40 with respect to the development and funding of this multi-family residential project.

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]

1. Initial Study/Environmental Assessment-16th Street/Olive Avenue Widening Project, City of Merced & Caltrans District 10, October 2005.
2. City of Merced Vision 2015 General Plan, City of Merced; as amended, adopted April 7, 1997
3. City of Merced Vision 2015 General Plan PEIR, City of Merced; adopted April 7, 1997
4. City of Merced Draft Vision 2030 General Plan, City of Merced; September, 15, 2010
5. City of Merced Draft Vision 2030 General Plan EIR, City of Merced; September, 15, 2010

Report Attachments:

Attachment “A”	State Office of Historic Preservation Documentation
Attachment “B”	Special Flood Hazard 8-Step Decision Documentation
Attachment “C”	16th Street/Olive Avenue Widening Project

Report Figures

Figure 1	Project Site Plan
Figure 2	Project Site Area
Figure 3	City of Merced Zoning
Figure 4	City of Merced Airport Compatibility Zones
Figure 5	City of Merced National Wetlands Inventory
Figure 6	City of Merced FMMP Farmland Classification
Figure 7	City of Merced Existing & Proposed Fire Station Locations.
Figure 8	City of Merced Schools
Figure 9	Merced Parks and Open Space Master Plan
Figure 10	City of Merced NRCS Soils Map

Attachment "A"
State Office of Historic Preservation Documentation

Hamilton, Mark

From: Robert Borchard [robborc@sti.net]
Sent: Monday, April 04, 2011 3:02 PM
To: Hamilton, Mark; Ainslie, Daniel; Oswald, Jesse
Cc: 'Carm McKee'; 'Bill Gnass'
Subject: FW: Willowbrook Low Income Housing Project.
Attachments: SHPO Ltr 2-14.pdf

I finally got through to someone from SHPO with respect to this project. Seems like they lost our data but they have reviewed the E-Mail document. I would make the attachment the document I sent to SHPO along with this e-mail. Bob

From: Lauchner, Shannon [mailto:SLAUCHNER@parks.ca.gov]
Sent: Monday, April 04, 2011 2:03 PM
To: Robert Borchard
Subject: RE: Willowbrook Low Income Housing Project.

Hi Bob,

Thank you for your hard work and much need patience in getting through this process. I am so sorry that, for whatever reason, the hard copy of the packet never made it into our system. In an effort to get this project through the consultation process I have reviewed the information that you submitted electronically over a month ago, and can concur with the finding that no historic properties will be affected by the undertaking, which is the development of the Willowbrook Low Income Housing Project in the City of Merced, as it is proposed.

Again, thank you for all of your persistence and hard work through this process. It is normally much smoother, and I am sorry that you had to bear the burden of one of the few consultations that do not go as easily as they should.

Please feel free to use this email as evidence of our consultation and use it as my comments.

Thanks & all my best,

Shannon

Shannon Lauchner

Historian II, Local Government Unit
California Office of Historic Preservation
(916)445-7013 voice
slauchner@parks.ca.gov
www.ohp.parks.ca.gov

From: Robert Borchard [mailto:robborc@sti.net]
Sent: Monday, April 04, 2011 1:56 PM
To: Lauchner, Shannon
Subject: Willowbrook Low Income Housing Project.

Thank you Ms. Lauchner for your help with our project. I appreciate how sometimes our communications system breaks down. I also appreciate the time that you have spent looking through your project tracking files for the information regarding the "subject" project. If it is possible that that you can comment on our project, based on my e-mail transmission, it would be most appreciated. Thanks again for your help, Bob

Robert L. Borchard

City Planner

Home Office:

4850 Morningstar Ln.

Mariposa, CA 95338

Home Office 209.966-3412

Cell 209.617.8366

**Robert L. Borchard, Community Planning and
Environmental Specialist**

State Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816
Atten: Ms. Lucinda Woodward, State Historian III
HUD Assisted Projects
Government Unit Supervisor

February 14, 2011

Re: The Willowbrook Place Apartment project in the City of
Merced, California

Dear Ms. Woodward:

This letter is in follow-up of our conversation regarding this project a few weeks ago. Since speaking with you, we have found that the project site is part of a larger project that was reviewed by your office in April of 2005 (File Reference FHWA050324D).

The Willowbrook Place Apartment project includes Assessor Parcel numbers 58-11-1, 2, 3, 4, 5, 6, 7, 9, 11, and 12. as depicted on the attached Assessor's Parcel Map page 58-11. Of those parcels, residences were existing on parcels 58-11-11, 9 and 3. These residences were found to be ineligible for listing on the National Register of Historic Places and, because of their dilapidated state, were demolished. The entire 4.2+/- acres of this site has been cleared and the site made available for the construction of 75 low-moderate income apartment units.

Attached is a location map and an APN map for the project area that the City of Merced Redevelopment Agency is planning to develop into a housing complex. The Merced Redevelopment Agency (RDA) project area contains several parcels that are the "remainder" properties from the original Caltrans roadway expansion project along Highway 59 referenced above. The area will be developed into a low-moderate income housing complex that will be financed with a combination of state, federal and local funds.

Because of the HUD federal participation, the project is subject to Section 106 of the National Historic Preservation Act and its regulations found at 36 CFR Part 800.

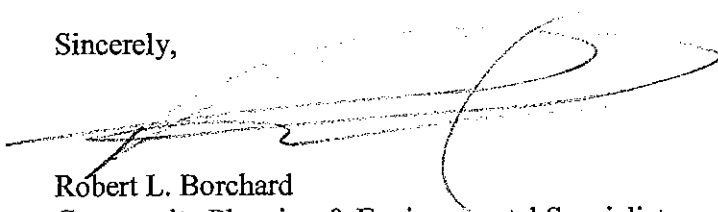
Our subsequent review, based on the previous Highway 59 project IS/EA and other relevant reports and studies, resulted in no new information that would alter your previous concurrence letter (attached) regarding this particular portion of the much larger original Area of Potential Effects (APE).

As part of our review, we contacted the Central California Information Center (see attached reply) and the Native American Heritage Commission. We found that members of the Merced County contacts on the list were some of the original contacts that were consulted as part of the larger project survey. Efforts were made to follow up with some of these contacts.

In general, given the "in-fill" nature of the site within an extensively developed portion of the City of Merced and the extensive site modification that has occurred on the site over the span of many years, it felt that this site is not likely to be of any historic or archaeological value. For this reason, it is requested that your office issue a follow-up letter of Concurrence that the finding of No Historic Properties Affected is appropriate for this project.

If you have any further questions or require additional documentation in support of this request, please feel free to contact me at (209) 966-3412. Thank you for your timely assistance with this Matter,

Sincerely,



Robert L. Borchard
Community Planning & Environmental Specialist
4850 Morningstar Ln
Mariposa, CA 95338

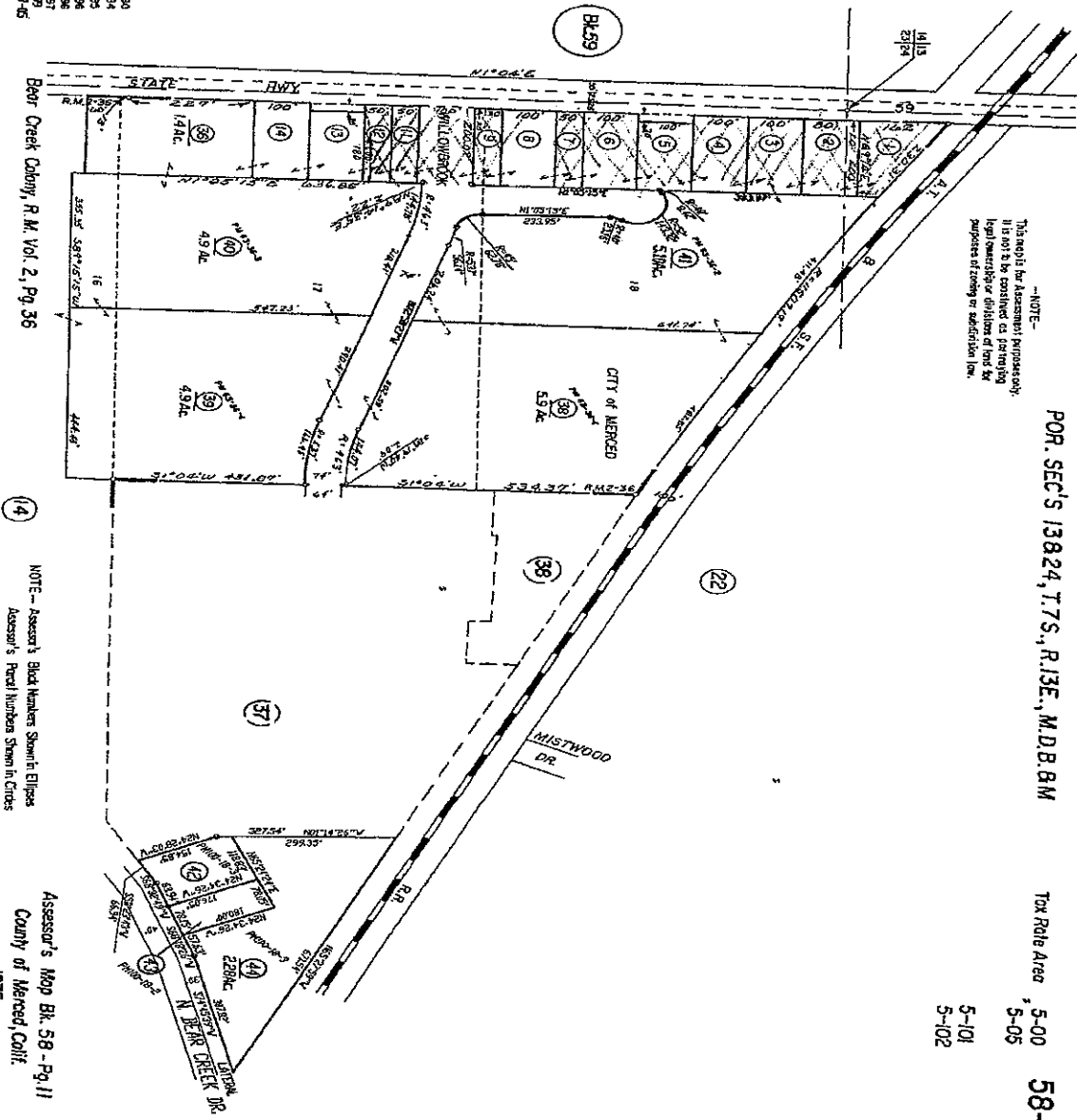
CC: William E. Gnass, General Council-Cirrus Company
Daniel Ainslie, Development Coordinator, Merced Redevelopment Agency

Attachments:

Project APN Map
Letter from the Central California Information Center
Native American Contact List
Appendix A, State Historic Preservation Officer Concurrence Letter; 16th Street/Olive
Avenue Widening Project IS-MND/EA-October 2005

The map attached, if any, may or may not be a survey of the land depicted hereon. TransCounty Title Co. and Old Republic National Title Insurance Company expressly disclaims any liability for loss or damage which may result from reliance on this map except to the extent coverage for such loss or damage is expressly provided by the terms and provisions of the title insurance policy, if any, to which this map is attached.

REVISIONS
 6-80
 7-84
 7-88
 6-98
 6-97
 11-95



NOTE:
 This map is for Assessment purposes only.
 It is not to be construed as forming any
 legal ownership or division of land for
 purposes of zoning or subdivision law.

POR. SEC'S 13824, T.7S., R.13E., M.D.B.M

Tax Role Area 5-00
 5-05
 58-11

5-101
 5-102

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 58 - Pg. 11
 County of Merced, Calif.
 1975



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus

One University Circle, Turlock, California 95382

(209) 667-3307 - FAX (209) 667-3324

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

Date: February 9, 2011

CCIC File #: 7880 I

Project: Willowbrook Place,
proposed development by the City of
Merced

Robert L. Borchard, City Planner
4850 Morningstar Lane
Mariposa, CA 95338

Dear Mr. Borchard,

We have conducted a records search as per your request for the above-referenced project area located on the Atwater USGS 7.5-minute quadrangle map in Merced County.

Search of our files includes review of our maps for the specific project area and the immediate vicinity of the project area, and review of the National Register of Historic Places, the California Register of Historical Resources, the *California Inventory of Historic Resources* (1976), the *California Historical Landmarks* (1990), and the California Points of Historical Interest listing (May 1992 and updates), the Directory of Properties in the Historic Property Data File (HPDF) and the Archaeological Determinations of Eligibility (ADOE) (Office of Historic Preservation current computer lists dated 10/05/2010 and 09/30/2010, respectively), the CALTRANS State and Local Bridge Survey (1989 and updates), the *Survey of Surveys* (1989), GLO Plats, and other pertinent historic data available at the CCIC for each specific county.

The following details the results of the records search:

Prehistoric or historic resources within the project area:

No prehistoric or historic archaeological resources have been reported to the Information Center.

RE: Historic properties and structures: Caltrans evaluated several properties and structures for the 16th Street/Olive Avenue Widening Project Initial Study (October 2005); some of these may have been in or directly adjacent to the project area—segments of SR 59, residences at 2808 N. SR 59 and 2810 Willowbrook Drive (both on parcel 058-110-11), sections of the BNSF Railroad tracks, Bridge 39-66, some irrigation features, and a segment of railroad berm (see

attached pages 89-90 from the report). OHP has concurred with Caltrans' determination that none of these are eligible for the NRHP (pages 15-17 of the HPDF computer printout attached).

There may have been other buildings in the Willowbrook project area that were not evaluated at that time (perhaps they were not at least 45 years old). But as all the parcels are now vacant, it is a moot point to consider whether they now need to be evaluated.

Prehistoric or historic resources within the immediate vicinity of the project area:

None have been reported to the Information Center.

Resources that are known to have value to local cultural groups:

None have been formally reported to the Information Center.

Previous investigations within the project area:

3 reported as follows:

CCIC Report #	Author/Date
ME-663	Parker (1978) <i>Archaeological Evaluation of a Proposed Road Widening Project of State Route 59 in Merced County, California.</i>
693	Swenson (1980) <i>Archaeological Survey Report for Two Proposed Bridge Widening Projects and One Bridge Improvement Project in Merced County, California</i>
7352	U.S. Department of Transportation (and) Caltrans (2005) <i>16th Street/Olive Avenue Widening Project, 10-MER-59, K.P. 24.6/26.7, OE5900, Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment</i>

Previous investigations within the immediate vicinity of the project area:

4 reported as follows:

CCIC Report #	Author/Date
ME-2972	Napton (1997) <i>Cultural Resource Investigations of the Proposed Merced Irrigation District, Atwater-Merced 115-kV Loop, Merced County, California.</i>

CCIC Report # Author/Date

ME-

3995

Nelson (2000)

Cultural Resource Survey for the Level (3) Communications Long Haul Fiber Optics Project; Segment WS04: Sacramento to Bakersfield

6345

SWCA (2006)

Cultural Resources Final Report of Monitoring and Findings for the QWest Network Construction Project, State of California. SWCA Project No. 10715-180.

6858

Holman and Hellman (2008)

An Archival Study to Identify Potential Cultural Resources Located in the City of Atwater General Plan and Program EIR Project Area, Merced County, CA

Recommendations/Comments: Based on existing data in our files the project area has a low sensitivity for the possible discovery of historical resources. Previous cultural resource studies by Caltrans appear to have determined that the area has a low sensitivity for prehistoric or historic archaeological resources, and have also determined that no properties in this area are (or were) eligible for the NRHP. OHP has provided concurrence with the property evaluations; see the attached pages 15-17 of the HPDF computer printout (properties and structures with project review reference #FHWA050324D, as well as a few previously-evaluated bridges). No recommendations for further study are offered by the Information Center at this time.

Please be advised that a historical resource is defined as a building, structure, object, prehistoric or historic archaeological site, or district possessing physical evidence of human activities over 45 years old. There may be unidentified features involved in your project that are 45 years or older and considered as historical resources requiring further study and evaluation by a qualified professional of the appropriate discipline.

We advise you that in accordance with Federal and State law, if any historical resources are discovered during project-related activities, all work is to stop and the lead agency and a qualified professional are to be consulted to determine the importance and appropriate treatment of the find. If Native American remains are found the County Coroner and the Native American Heritage Commission, Sacramento (916-653-4082) are to be notified immediately for recommended procedures.

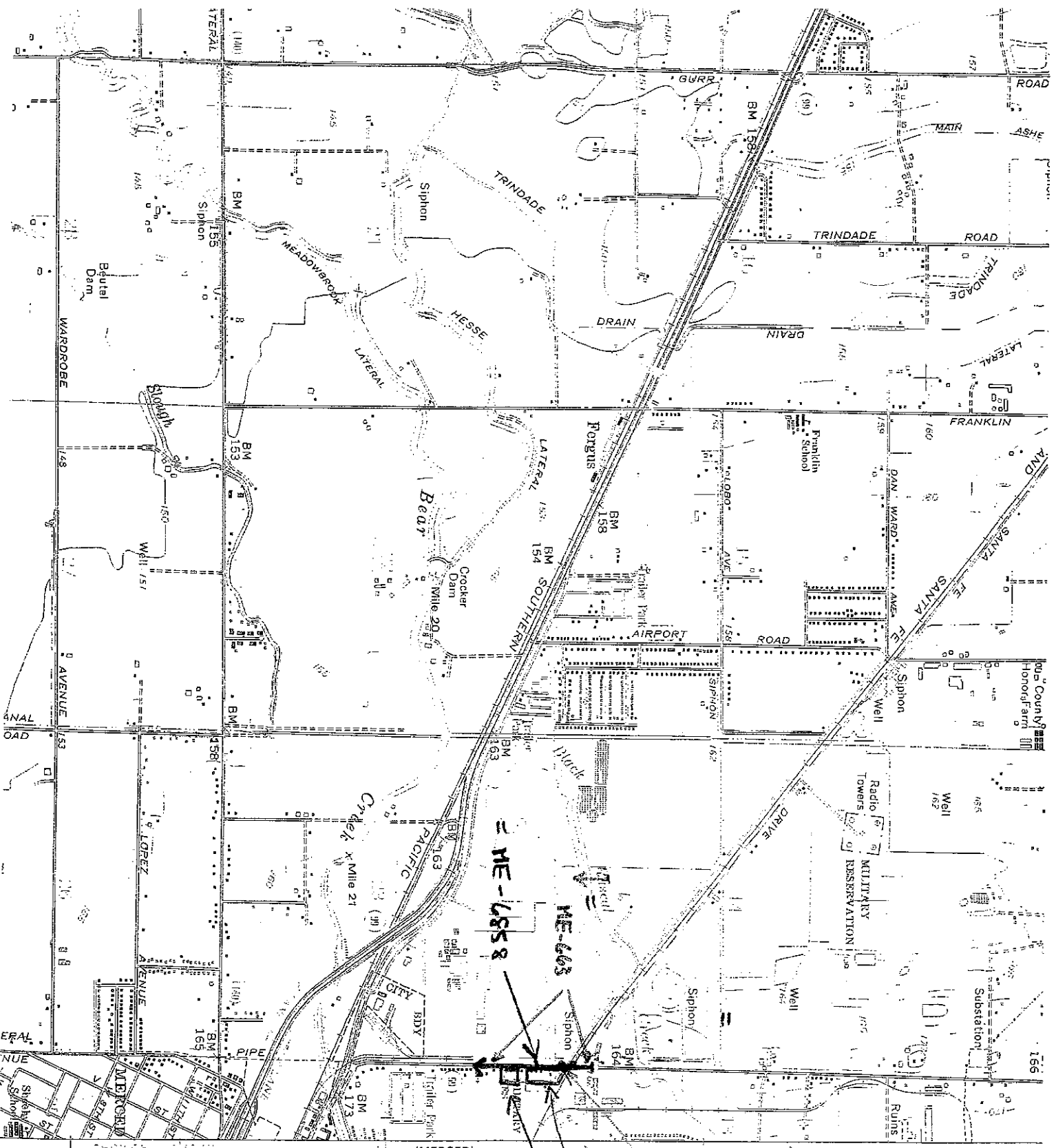
We thank you for contacting this office regarding historical resource preservation. Please let us know when we can be of further service. Billing is attached, payable within 60 days of receipt of the invoice.

Sincerely,



Robin Hards, Assistant Research Technician

Central California Information Center/California Historical Resources Information System



(MERCED) 1958 IV SW
 4132
 4133
 4134
 4135
 20'

= ME-7352
 (2005 Initial
 Study Proj. Vic)

CCIC # 7880 I
 ME-693

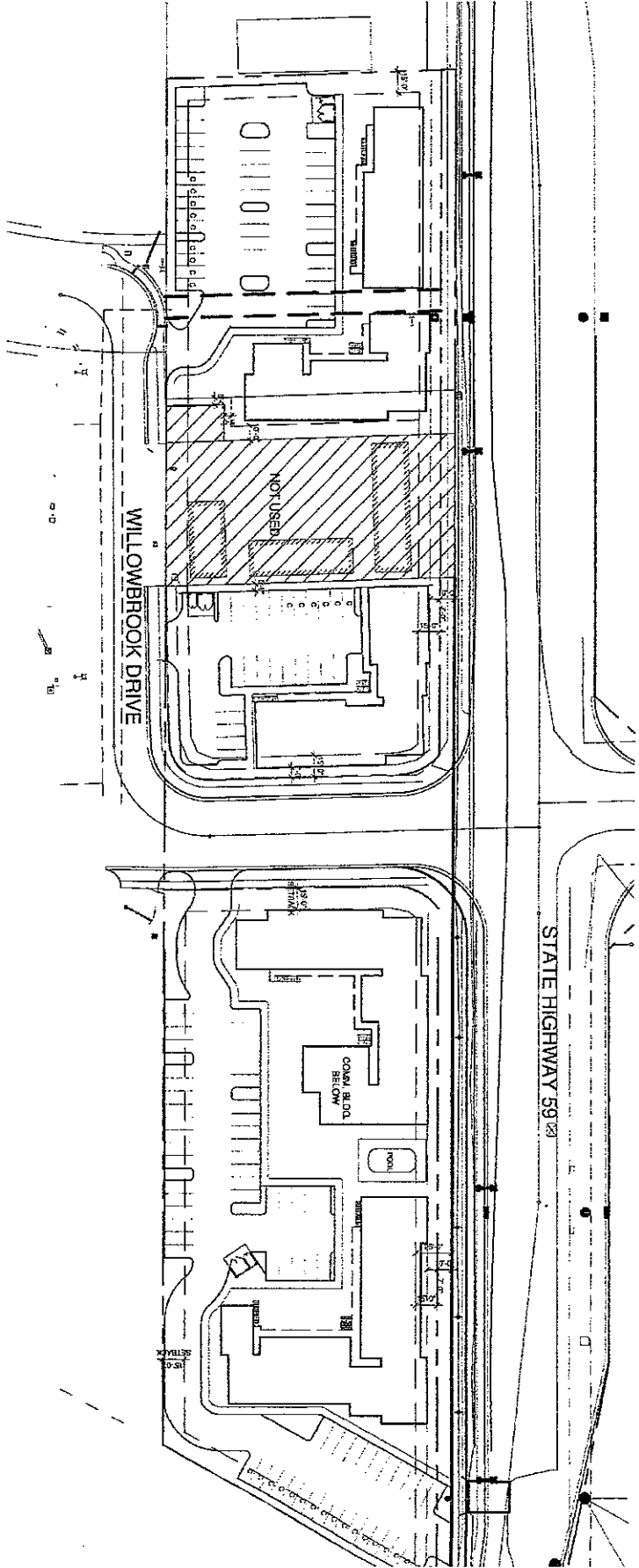
Proposed
 Project area


= ME-685 &
 ME-663

= ME-3995
 + 6345
 (42 Row)

"ME" = Investigations

Avasten
 USS 7.5




SCALE: 1" = 40'-0"
SITE PLAN

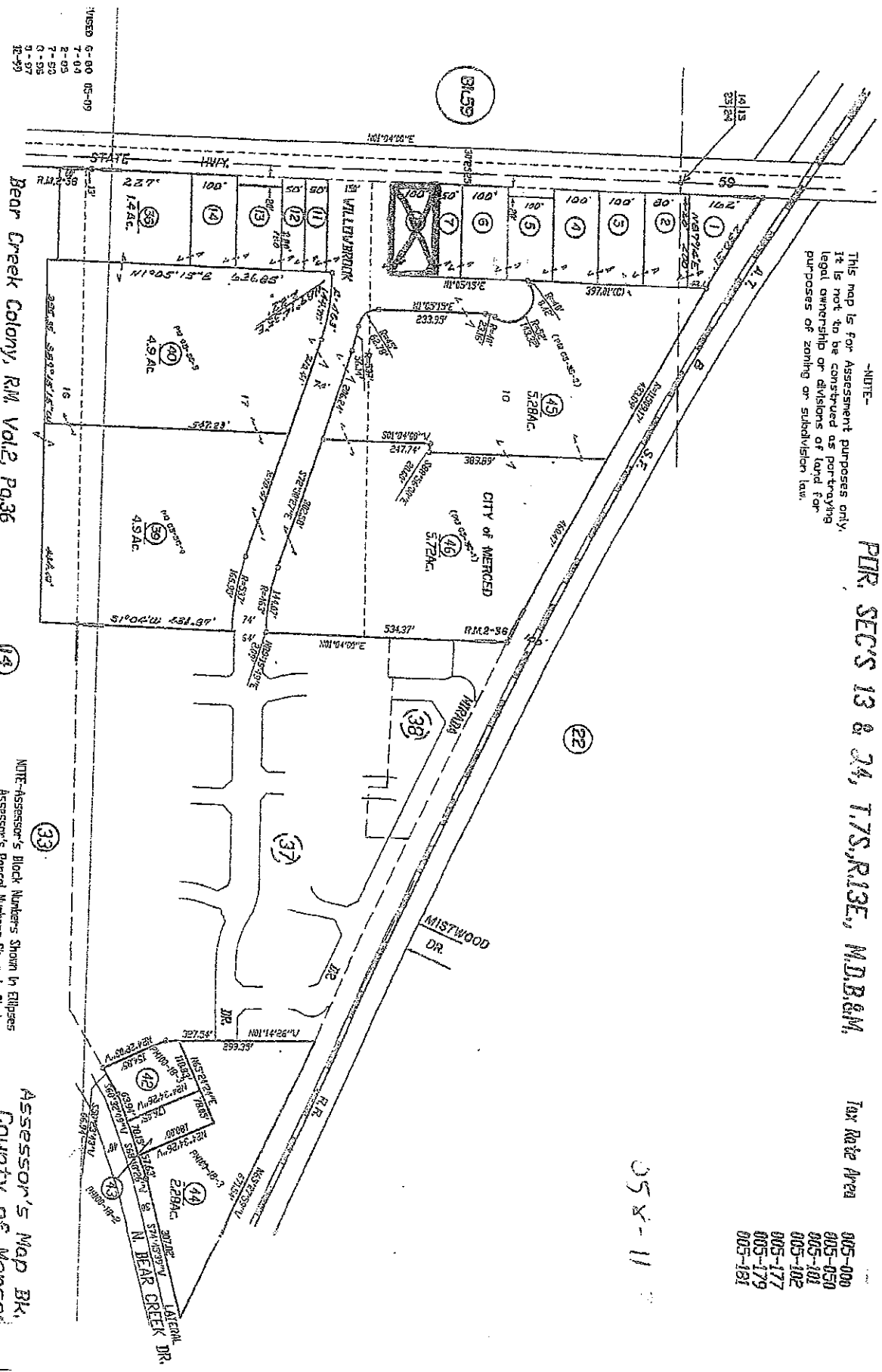
NOTE-
This map is for Assessment purposes only.
It is not to be construed as portraying
legal ownership or divisions of land for
purposes of zoning or subdivision law.

PUR. SECS 13 & 24, T.7S, R.13E, M.D.B.&M.

Tax Rate Area

- 005-000
- 005-050
- 005-101
- 005-102
- 005-177
- 005-179
- 005-181

058-11



NOTE- Assessor's Block Numbers Shown In Ellipses
Assessor's Parcel Numbers Shown In Circles

Assessor's Map BK,
County of Merced,
1975

CCIC # 7880T

EXHIBIT A

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Highway 59 Residential

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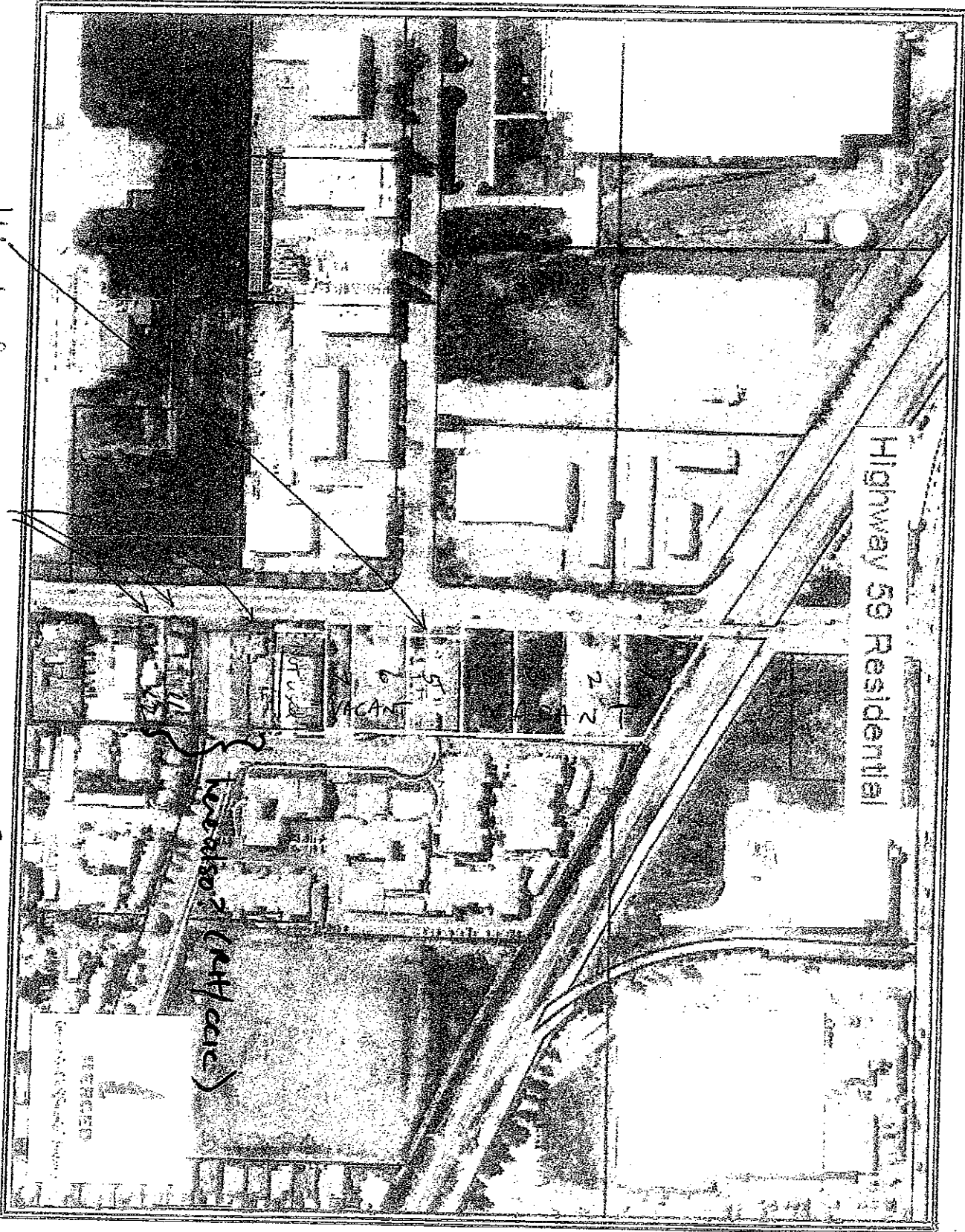
5 1 2

blss already removed - 12.11

now vacant - RH

CCIC # 7880 I

also (RH/carc)



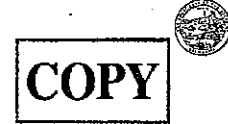
Appendix E State Historic Preservation Officer Concurrence Letter

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94293-0601
(916) 653-6824 Fax (916) 653-9824
calhp.po@ohp.parks.ca.gov



April 18, 2005

In Reply Refer to: FHWA050324D

Brian Gassner
Associate Environmental Planner, Caltrans District 6
2015 East Shields Avenue, Suite A-10
Fresno, CA 93726-5428

Re: Highway 59/16th Street Widening Project, Merced County, California: 10-MER-59: EA 10-0E5900, KP 24.6/26.7 (PM 15.3/16/6).

Dear Mr. Gassner:

Thank you for consulting with me about the subject undertaking in accordance with the Programmatic Agreement (PA) Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California.

As per Stipulation VIII of the PA, the California Department of Transportation (Caltrans) has determined the Area of Potential Effects (APE) and has completed identification and evaluation of historic properties within the APE. Caltrans is requesting my concurrence, pursuant to Stipulation VIII.C.5 of the PA, on eligibility of the historic properties identified within the APE for the National Register of Historic Places (NRHP), and on a finding of No Historic Properties Affected. After review of the letter and documentation submitted in support of this undertaking, I have the following comments:

I concur that the following historic properties identified in the APE and evaluated in the Historic Property Survey Report (HPSR) are not eligible for the NRHP:

- Bear Creek Bridge (39-0009L&R)
- State Route 59 (2-Lane Highway)
- 41 Bear Creek Court, 2434-54 N. State Highway 59 (3 Residences, Barn) APN 058-150-02
- 2668 N. State Highway 59 (Residence) APN 058-140-06
- 2678 N. State Highway 59 (Residence) APN 058-140-05
- 2686 N. State Highway 59 (Residence) APN 058-140-03
- 2696 N. State Highway 59 (Residence) APN 058-140-03
- 2808 N. State Highway 59 (Residence) APN 058-110-11
- 2810 Willowbrook Drive (Residence) APN 058-110-11
- 2824 N. State Highway 59 (Residence) APN 058-110-09
- 2922 N. State Highway 59 (Residence) APN 058-110-03
- Burlington Northern Santa Fe Main Line (Railroad Tracks)
- Black Rascal Canal

- Concrete Siphons, Railroad Berm (Irrigation Features) (Railroad Berm demolished for Underground Utility Installation)
- 3380 N. State Highway 59 (Residence) APN 058-020-24 (demolished after recordation)
- 3384 N. State Highway 59 (Residence) APN 058-020-24 (demolished after recordation) site in HPSR)



I concur that the following properties identified in the APE that had been previously found ineligible for the NRHP, remain ineligible:

- Black Rascal Canal Branch Bridge, Bridge #39-0066 (P-24-000652, HRI # 5340-0010-0000)
- Black Rascal So. Fork Bridge, Bridge #39-0067 (P-24-000653, HRI # 5340-0011-000)
- Black Rascal Canal Bridge, Bridge #39-0068 (P-24-000654, HRI # 5340-0012-0000)

I concur that the finding of No Historic Properties Affected is appropriate as per Stipulation IX.A of the PA, and that the documentation supporting this finding has been submitted to me for review as per Stipulation XVI of the PA.

Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule at phone 916-654-4614 or email wsoul@ohp.parks.ca.gov.

Sincerely,

Milford Wayne Donaldson, FALA
State Historic Preservation Officer

069832	24-000835	1537 MASSACIO ST	MERCED	U	1905	PROJ.REVW.	HUD901214B	01/11/91	6Y	
069839	24-000836	1901 MC SWAIN RD	MERCED	U	1915	PROJ.REVW.	HUD901214B	01/11/91	6Y	
069838	24-000837	1949 MC SWAIN RD	MERCED	U	1935	PROJ.REVW.	HUD901214B	01/11/91	6Y	
130249		521 MOOMJEAN AVE	MERCED	P		HIST.RES.	DOE-24-02-0049-0000	02/26/02	6Y	
130250		523 MOOMJEAN AVE	MERCED	P	1948	PROJ.REVW.	FHWA020109A	02/26/02	6Y	
179598		41 N BEAR CREEK CT	MERCED	P	1944	PROJ.REVW.	FHWA020109A	02/26/02	6Y	
130350		496 N EASY ST	MERCED	P	1939	HIST.RES.	FHWA050324D	09/20/02	6Y	
130353		510 N EASY ST	MERCED	P	1942	PROJ.REVW.	FHWA020109A	02/26/02	6Y	
130349		521 N EASY ST	MERCED	P	1940	HIST.RES.	DOE-24-02-0070-0000	02/26/02	6Y	
163424		1732 N HIGHWAY 99	MERCED	P	1934	PROJ.REVW.	DOE-24-02-0068-0000	02/26/02	6Y	
178452		5500 N LAKE RD	MERCED	C	1883	PROJ.REVW.	FHWA060310A	05/11/06	6Y	
129371	24-1678	N QUINLEY AVE	MERCED	P		HIST.RES.	FCC090820B	10/01/09	2S2	A
179610		N SR 59	MERCED	P	1915	PROJ.REVW.	FHWA010529H	09/15/01	6Y	
179672		N SR 59	MERCED	P	1895	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
163818		2434 N SR 59	MERCED	P	1915	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
179609		2434 N SR 59	MERCED	P	1915	PROJ.REVW.	FHWA050324D	04/18/05	6Y	
179604		2454 N SR 59	MERCED	P	1942	PROJ.REVW.	FHWA050324D	09/20/02	6Y	
163819		2668 N SR 59	MERCED	P	1949	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
163820		2678 N SR 59	MERCED	P	1932	PROJ.REVW.	FHWA050324D	04/18/05	6Y	
163822		2686 N SR 59	MERCED	P	1940	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
163823		2696 N SR 59	MERCED	P	1938	PROJ.REVW.	FHWA050324D	04/18/05	6Y	
163825		2808 N SR 59	MERCED	P	1948	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
163826		2810 N SR 59	MERCED	P		PROJ.REVW.	FHWA050324D	04/18/05	6Y	
179665		2824 N SR 59	MERCED	P	1928	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
163827		2824 N SR 59	MERCED	P	1928	PROJ.REVW.	FHWA050324D	04/20/05	6Y	
163828		2922 N SR 59	MERCED	P	1948	PROJ.REVW.	FHWA050324D	04/18/05	6Y	
163831		3380 N SR 59	MERCED	P		PROJ.REVW.	FHWA050324D	04/18/05	6Y	
163832		3384 N SR 59	MERCED	P		PROJ.REVW.	FHWA050324D	04/20/05	6Y	
056647	24-000627	N SR 59	MERCED	C	1874	ST.FND.PRG	619.0-HR-24-002	12/19/88	3	
057031	24-000632	1715 N ST	MERCED	P	1928	HIST.SURV.	NPS-75000441-0000	10/29/75	1S	
056973	24-000838	O ST	MERCED	P	1873	HIST.SURV.	SPHT-MER-003	06/02/67	7L	
057375	24-000839	O ST	MERCED	P	1894	HIST.SURV.	5340-0025-0058	07/22/85	1S	C
057342	24-000840	1427 O ST	MERCED	P	1925	HIST.SURV.	NPS-80000821-0000	10/03/80	1S	
057346	24-000841	1732 O ST	MERCED	P	1912	HIST.SURV.	5340-0027-0196		5S2	

YOSEMITE LAKE BRIDGE #39C-0095
 BARN ON PARCEL WITH THREE HOUSES
 ROAD SEGMENT OF N SR 59 AT BURLING
 41 BEAR CREEK CT

FRANKLIN-MILLER HOUSE

RESIDENCE-DEMOLISHED AFTER RECORDS
 MERCED COUNTY COURTHOUSE

TIOGA HOTEL / TIOGA APARTMENTS
 HISTORIC DISTRICT
 O TO R STS HISTORIC DISTRICT

PROPERTY-NUMBER	PRIMARY-#	STREET ADDRESS	NAMES	CITY NAME	OWN	YR-C	OHP-PROG.	PRG-REFERENCE-NUMBER	STAT-DATE	NRS	CRIT
057347	24-000842	1733 O ST		MERCED	P	1939	HIST. SURV.	5340-0027-0197		592	
057348	24-000843	1815 O ST		MERCED	P	1917	HIST. SURV.	5340-0027-0198		592	
057349	24-000844	1826 O ST		MERCED	P	1923	HIST. SURV.	5340-0027-0199		592	
057350	24-000845	1835 O ST		MERCED	P	1932	HIST. SURV.	5340-0027-0200		592	
057351	24-000846	1837 O ST		MERCED	P	1936	HIST. SURV.	5340-0027-0201		592	
057352	24-000847	1910 O ST		MERCED	P	1933	HIST. SURV.	5340-0027-0202		592	
057353	24-000848	2005 O ST	H. S. SHAFER HOME, RALPH TEMPLE L	MERCED	P	1912	HIST. SURV.	5340-0027-0203		592	
057354	24-000849	2011 O ST		MERCED	P	1912	HIST. SURV.	5340-0027-0204		592	
057355	24-000850	2023 O ST	PARKSIDE APARTMENTS, SOUTHWARD APTA	MERCED	P	1912	HIST. SURV.	5340-0027-0205		592	
057356	24-000851	2029 O ST		MERCED	P	1912	HIST. SURV.	5340-0027-0206		592	
057357	24-000852	2037 O ST	EDWARD SHERBY HOME	MERCED	P	1912	HIST. SURV.	5340-0027-0207		78	
057358	24-000853	2045 O ST		MERCED	P	1912	HIST. SURV.	5340-0027-0208		592	
057359	24-000854	2227 O ST		MERCED	P	1925	HIST. SURV.	5340-0027-0209		592	
057543	24-000855	2525 O ST	APPLIGATE PARK	MERCED	M	1885	HIST. SURV.	5340-0182-0000		35	
133121			COUNTY BRIDGE #39C-351	MERCED	C		HIST. RES.	DOE-24-00-0031-0000	01/31/00	6Y	
057360	24-000856	1730 P ST	OKADALE RD	MERCED	P	1940	HIST. SURV.	COB991217A	01/31/00	6Y	
057361	24-000857	1825 P ST		MERCED	P	1925	HIST. SURV.	5340-0027-0210		592	
057362	24-000858	1919 P ST		MERCED	P	1929	HIST. SURV.	5340-0027-0211		78	
057363	24-000859	2021 P ST		MERCED	P	1918	HIST. SURV.	5340-0027-0212		592	
057364	24-000860	2032 P ST		MERCED	P	1912	HIST. SURV.	5340-0027-0213		592	
057365	24-000861	2120 P ST		MERCED	P	1900	HIST. SURV.	5340-0027-0214		592	
057366	24-000862	2228 P ST		MERCED	P	1927	HIST. SURV.	5340-0027-0215		592	
125254	24-000600	207 PARSONS AVE		MERCED	P	1914	HIST. RES.	DOE-24-00-0007-0000	06/15/00	6Y	
125256	24-000601	256 PARSONS AVE		MERCED	P	1946	PROJ. REVW.	PHMA000107A	06/15/00	6Y	
057544	24-000863	1424 Q ST		MERCED	P	1885	HIST. SURV.	5340-0183-0000		78	
057367	24-000864	1820 Q ST		MERCED	P	1937	HIST. SURV.	5340-0027-0217		592	
057368	24-000865	1821 Q ST		MERCED	P	1936	HIST. SURV.	5340-0027-0218		592	
057369	24-000866	1919 Q ST		MERCED	P	1938	HIST. SURV.	5340-0027-0219		78	
057370	24-000867	1927 Q ST		MERCED	P	1930	HIST. SURV.	5340-0027-0220		592	
057371	24-000868	1928 Q ST		MERCED	P	1929	HIST. SURV.	5340-0027-0221		592	
057372	24-000869	2028 Q ST		MERCED	P	1923	HIST. SURV.	5340-0027-0222		592	
057373	24-000870	2230 Q ST		MERCED	P	1915	HIST. SURV.	5340-0027-0223		592	
100786	24-000871	650 R ST		MERCED	P	1925	PROJ. REVW.	HUD960118B	02/07/96	78	
057545	24-000872	736 R ST		MERCED	P	1910	HIST. SURV.	5340-0184-0000		592	
057374	24-000873	1814 R ST		MERCED	P	1929	HIST. SURV.	5340-0027-0224		592	
130090		392 S COPPER ST		MERCED	P	1930	HIST. RES.	DOE-24-02-0006-0000	02/26/02	6Y	
147908	24-000874	1135 S HENRY ST		MERCED	P	1926	PROJ. REVW.	PHMA020109A	03/04/04	6Y	
056644	24-000655	SR 140		MERCED	S	1917	HIST. SURV.	5340-0013-0000	12/18/01	78	
130827		3106 SR 140	BRIDGE #39-94	MERCED	P	1948	HIST. RES.	DOE-24-01-0029-0000	12/18/01	6Y	
068326	24-000874	18819 SR 140		MERCED	U		HIST. RES.	DOE-24-89-0001-0000	09/13/89	6Y	
179682		SR 59	FORMER RAILROAD BERM	MERCED	P	1900	PROJ. REVW.	PHMA050324C	09/13/89	6Y	
179588		SR 59	BEAR CREEK BRIDGE	MERCED	S	1940	PROJ. REVW.	PHMA050324D	04/20/05	6Y	
179594		SR 59	HIGHWAY STATE ROUTE 59	MERCED	S	1933	PROJ. REVW.	PHMA050324E	12/16/02	6Y	
179653		SR 59	BEAR CREEK BRIDGE #39-09-L&R LOC. P	MERCED	S	1940	PROJ. REVW.	PHMA050324F	09/24/02	6Y	
179673		SR 59	BLACK BASCAL CREEK AND CANAL	MERCED	D	1920	PROJ. REVW.	PHMA050324G	04/20/05	6Y	
179676		SR 59	IRRIGATION SIPHON A 1916	MERCED	P	1916	PROJ. REVW.	PHMA050324H	04/20/05	6Y	
179681		SR 59	IRRIGATION SIPHON B	MERCED	P	1916	PROJ. REVW.	PHMA050324I	04/20/05	6Y	
056641	24-000652	SR 59	BRIDGE #39-66	MERCED	S	1925	HIST. SURV.	5340-0010-0000	04/20/05	78	

PROPERTY-NUMBER	PRIMARY #	STREET ADDRESS	NAMES	CITY NAME	OWN	YR-C	OHP-PROG.	PRG-REFERENCE-NUMBER	STRT-DAT	NRS	CRIT
056642	24-000653		BRIDGE #39-67	MERCED	S	1927	HIST. SURV.	5340-0011-0000		7R	
056643	24-000654		BRIDGE #39-68	MERCED	S	1916	HIST. SURV.	5340-0012-0000		7R	
163816			2-LANE HWY	MERCED	S	1888	PROJ. REVW.	FHMA050324D		6Y	
124655			MER-99 MISSION/HEALY INTERCHANGES	MERCED	S		PROJ. REVW.	FHMA050324D		6Y	
125244	24-001696		MILES CREEK BRIDGE #39-07	MERCED	S		HIST. RES.	FHMA000107A		6Y	
125245	24-000649		MILES CREEK OVERTFLOW BRIDGE #39-57	MERCED	F		PROJ. REVW.	FHMA000107A		6Y	
125246	24-001712		MILES CREEK OVERTFLOW BRIDGE #39-58	MERCED	F		HIST. RES.	DOE-24-00-0009-0000		6Y	
125248	24-001713		PANMADLE SLOUGH BRIDGE #39-99	MERCED	F		PROJ. REVW.	FHMA000107A		6Y	
125249	24-001716		NORTH PANMADLE SLOUGH BRIDGE #39-1	MERCED	F		HIST. RES.	DOE-24-00-0012-0000		6Y	
125251	24-00085		KOPF LATERAL CANAL	MERCED	M		PROJ. REVW.	FHMA000107A		6Y	
125252	24-00094		FARMDALE LATERAL, MERCED IRRIGATION	MERCED	M		HIST. RES.	DOE-24-00-0016-0000		6Y	
125253	24-00088		HARTLEY LATERAL, MERCED IRRIGATION	MERCED	M		PROJ. REVW.	FHMA000107A		6Y	
125257	24-001715		ABANDONED SEGMENT OF US HIGHWAY 99	MERCED	F		PROJ. REVW.	FHMA000107A		6Y	
125250	24-001714		COLONY SLOUGH BRIDGE #39C0050	MERCED	F		HIST. RES.	DOE-24-00-0013-0000		6Y	
056648	24-000727		4775 ST LAWRENCE DR	MERCED	M	1917	HIST. SURV.	5340-0022-0000		3S	
130176			3185 STRETCH RD	MERCED	P	1953	HIST. RES.	DOE-24-02-0020-0000		6Y	
130177			3287 STRETCH RD	MERCED	P		PROJ. REVW.	FHMA020109A		6Y	
130178			3297 STRETCH RD	MERCED	P		HIST. RES.	DOE-24-02-0021-0000		6Y	
130179			3435 STRETCH RD	MERCED	P		PROJ. REVW.	FHMA020109A		6Y	
155121			2432 VALLEY DR	MERCED	P	1952	PROJ. REVW.	KUDO050902D		6Y	
119203	24-000875		VAN CLIFF ROAD BRIDGE #39C-122	MERCED	C		HIST. RES.	DOE-24-98-0001-0000		6Y	
148026	24-1833		VADGHN FARMSTEAD	MERCED	P		PROJ. REVW.	FCC030703D		6Y	
057396	24-000876		536 W 10TH ST	MERCED	P	1880	HIST. SURV.	5340-0035-0000		7N	
154481			620 W 10TH ST	MERCED	P		PROJ. REVW.	HUDD050526R		6Y	
057397	24-000877		629 W 10TH ST	MERCED	P	1885	HIST. SURV.	5340-0036-0000		7R	
057398	24-000878		735 W 10TH ST	MERCED	P	1875	HIST. SURV.	5340-0037-0000		5S2	
057399	24-000879		755 W 10TH ST	MERCED	P	1880	HIST. SURV.	5340-0038-0000		5S2	
057400	24-000880		951 W 10TH ST	MERCED	P	1900	HIST. SURV.	5340-0039-0000		5S2	
057401	24-000881		959 W 10TH ST	MERCED	P	1900	HIST. SURV.	5340-0040-0000		5S2	
057402	24-000882		1007 W 10TH ST	MERCED	P	1895	HIST. SURV.	5340-0041-0000		5S2	
057403	24-000883		601 W 11TH ST	MERCED	P	1890	HIST. SURV.	5340-0042-0000		5S2	
057404	24-000884		620 W 11TH ST	MERCED	P	1880	HIST. SURV.	5340-0043-0000		7N	
057405	24-000885		637 W 11TH ST	MERCED	P	1890	HIST. SURV.	5340-0044-0000		5S2	
057406	24-000886		746 W 11TH ST	MERCED	P	1880	HIST. SURV.	5340-0045-0000		7R	
057407	24-000887		935 W 11TH ST	MERCED	P	1880	HIST. SURV.	5340-0046-0000		7R	
057415	24-000888		STATION #3 WATER TOWER	MERCED	M	1934	PROJ. REVW.	DOE-24-01-0013-0000		2S2	A
							HIST. SURV.	FCC010611B		2S2	A
								5340-0054-0000		3S	



CENTRAL CALIFORNIA INFORMATION CENTER

California Historical Resources Information System

Department of Anthropology – California State University, Stanislaus

One University Circle, Turlock, California 95382

(209) 667-3307 - FAX (209) 667-3324

Alpine, Calaveras, Mariposa, Merced, San Joaquin, Stanislaus & Tuolumne Counties

INVOICE FOR SERVICES RENDERED

DATE: February 9, 2011

CCIC File #: 7880 I

Project: Willowbrook Place,
proposed development by the City of
Merced

Submitted to:

Robert L. Borchard, City Planner
4850 Morningstar Lane
Mariposa, CA 95338

Please remit \$225.45 for records search or other services rendered as outlined below.

1.5 hrs x \$150.00/hour = \$225.00

3 copies @ \$.15/page = \$.45

Total = \$225.45

PLEASE MAKE REMITTANCE PAYABLE TO:

CENTRAL CALIFORNIA INFORMATION CENTER (State Trust TM317-20004)

Remittance payable within 60 days of receipt.

Thank you.

[CSUS Federal TAX ID #77-0492209]

Native American Contact List
Merced County
February 10, 2011

Southern Sierra Miwuk Nation
Jay Johnson, Spiritual Leader
5235 Allred Road
Mariposa , CA 95338
209-966-6038

Miwok
Pauite
Northern Valley Yokut

Southern Sierra Miwuk Nation
Les James, Spiritual Leader
PO Box 1200
Mariposa , CA 95338
209-966-3690

Miwok
Pauite
Northern Valley Yokut

North Valley Yokuts Tribe
Katherine Erolinda Perez
PO Box 717
Linden , CA 95236
(209) 887-3415
canutes@verizon.net

Ohlone/Costanoan
Northern Valley Yokuts
Bay Miwok

Amah Mutsun Tribal Band
Edward Ketchum
35867 Yosemite Ave
Davis , CA 95616
aerieways@aol.com

Ohlone/Costanoan
Northern Valley Yokuts

Southern Sierra Miwuk Nation
Anthony Brochini, Chairperson
P.O. Box 1200
Mariposa , CA 95338
tony_brochini@nps.gov
209-379-1120
209-628-0085 cell

Miwok
Pauite
Northern Valley Yokut

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Low-Mod Income Housing; Merced County.

10-MER-59-KP 24.6/26.7

(PM 15.3/16.6)

10-0E5900

State Route 59 from 16th Street in the City of Merced to just north of Black Rascal Creek, kilometer post 24.6 to 26.7 (post mile 15.3 to 16.6)

INITIAL STUDY

With Proposed Mitigated Negative Declaration

/ENVIRONMENTAL ASSESSMENT

Submitted Pursuant to: (State) Division 13, Public Resources Code

(Federal) 42 USC 4332(2)(C)

U.S. DEPARTMENT OF TRANSPORTATION

Federal Highway Administration, and

THE STATE OF CALIFORNIA

Department of Transportation

Regulatory Setting

“Cultural resources” as used in this document refers to historic and archaeological resources eligible for or listed in the National, State, or local register of historic places. The primary federal laws dealing with historic and archaeological resources include:

The National Historic Preservation Act, as amended, sets national policy and procedures regarding “historic properties”—that is, districts, sites, buildings, structures, and objects included in or eligible for the National Register of Historic Places. Section 106 of National Historic Preservation Act requires federal agencies to consider the effects of their undertakings on such properties, following regulations issued by the Advisory Council on Historic Preservation (36 Code of Federal Regulations 800).

The Native American Graves Protection and Repatriation Act addresses the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to Native American human remains and certain cultural items with which they are affiliated, and directs federal agencies and federally assisted museums to identify and repatriate the cultural affiliation of Native American human remains and related cultural items in holdings or collections under their possession or control.

Cultural resources may also be protected by Section 4(f) of the U.S. Department of Transportation Act.

Under California law, cultural resources are protected by the California Environmental Quality Act, as well as Public Resources Code Section 5024.1, which established the California Register of Historic Places. Section 5024.5 requires state agencies to provide notice to, and to confer with the State Historic Preservation Officer before altering, transferring, relocating, or demolishing state-owned historic resources.

Affected Environment

Architectural History

Buildings in the project area are primarily single-family residences and apartment complexes. There are also two churches, industrial and business properties, four bridges, and a canal.

Nineteen properties requiring consideration were identified. All other properties in the project area did not require evaluation. Three of the identified properties were bridges previously determined ineligible for the National Register, and requiring no further evaluation. The remaining properties, consisting of 10 buildings, one bridge, State Route 59 (the old Snelling

Road), railroad tracks, Black Rascal Canal, and a group of irrigation features were evaluated for eligibility for inclusion in the National Register of Historic Places. The evaluation was done in accordance with the National Historic Preservation Act, the Federal Highway Administration, and the State Historic Preservation Office guidelines. None of the properties evaluated were deemed eligible for inclusion in the National Register of Historic Places.

Archaeology

A surface survey did not locate any archaeological material. Where surface visibility was limited, alternate methods of investigation were used to determine the presence of cultural resources. Data gathered from the Merced County Historical Society, archived material and personal communications from Merced Junior College, archives at the State Library, Caltrans bridge data, and the history of the Merced Irrigation District shows the study area is not likely to contain archaeological resources. Additional field studies also indicated that stable soils below the surface that may be associated with archaeological resources were not present within the project area.

Impacts

There are no impacts to eligible properties or archaeological resources. The State Historic Preservation Officer concurred with Caltrans' finding of No Historic Properties Affected on April 18, 2005. The letter can be found in Appendix E.

Avoidance, Minimization, and/or Mitigation Measures

If artifacts were discovered during excavation, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist can assess the find.

If human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease. The County Coroner must be notified of the find immediately so that he/she may ascertain the origin. Pursuant to Public Resources Code Section 5097.98 if the remains were thought to be Native American, then the coroner would notify the Native American Heritage Commission, who would then notify the Most Likely Descendent. The Most Likely Descendent may inspect the remains with the approval of the landowner or the landowner's authorized representative. The Most Likely Descendent must complete this inspection within 24 hours after notification by the Native American Heritage Commission. The Most Likely Descendent may recommend scientific removal and nondestructive analysis.

Native American Tribes, Groups, and Individuals

- **10 June 2003:** Packets that included letters of introduction, project descriptions, and project area maps were sent to the American Indian Council of Mariposa County and Katherine Erolinda Perez.

- **10 February 2005:** Supplemental letters with updated maps were sent to the American Indian Council of Mariposa County and Katherine Erolinda Perez. No response to the letters was received.
- **18 March 2005:** Phone messages were left for the American Indian Council of Mariposa County and Katherine Erolinda Perez stating that Caltrans wanted their input on the project and that Caltrans wanted to update them on the status of the project. No response was received from Ms. Perez. Chairperson Brochini of the American Indian Council of Mariposa County stated that the council had no comment.
- **21 March 2005:** Another message was left for Ms. Perez restating that Caltrans was interested in her comments and that the Historic Property Survey Report was about to be submitted to the State Historic Preservation Officer. Ms. Perez would receive a copy of the report.
- **23 March 2005:** Ms. Perez contacted Caltrans regarding the report. Her review and comments will be done concurrently with the State Historic Preservation Officer review.

Appendix A State Historic Preservation Officer Concurrence Letter

STATE OF CALIFORNIA - THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P. O. BOX 942898
SACRAMENTO, CA 94296-0001
(916) 650-6624 Fax (916) 653-9824
calshpo@ohp.parks.ca.gov

COPY



April 18, 2005

In Reply Refer to: FHWA050324D

Brian Gassner
Associate Environmental Planner, Caltrans District 6
2015 East Shields Avenue, Suite A-10
Fresno, CA 93726-5428

Re: Highway 59/16th Street Widening Project, Merced County, California: 10-MER-59: EA 10-
OE5900, KP 24.6/26.7 (PM 15.3/16/6).

Dear Mr. Gassner:

Thank you for consulting with me about the subject undertaking in accordance with the Programmatic Agreement (PA) Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California.

As per Stipulation VIII of the PA, the California Department of Transportation (Caltrans) has determined the Area of Potential Effects (APE) and has completed identification and evaluation of historic properties within the APE. Caltrans is requesting my concurrence, pursuant to Stipulation VIII.C.5 of the PA, on eligibility of the historic properties identified within the APE for the National Register of Historic Places (NRHP), and on a finding of No Historic Properties Affected. After review of the letter and documentation submitted in support of this undertaking, I have the following comments:

I concur that the following historic properties identified in the APE and evaluated in the Historic Property Survey Report (HPSR) are not eligible for the NRHP:

- Bear Creek Bridge (39-0009L&R)
- State Route 59 (2-Lane Highway)
- 41 Bear Creek Court, 2434-54 N. State Highway 59 (3 Residences, Barn) APN 058-150-02
- 2668 N. State Highway 59 (Residence) APN 058-140-06
- 2678 N. State Highway 59 (Residence) APN 058-140-05
- 2686 N. State Highway 59 (Residence) APN 058-140-03
- 2696 N. State Highway 59 (Residence) APN 058-140-03
- 2808 N. State Highway 59 (Residence) APN 058-110-11
- 2810 Willowbrook Drive (Residence) APN 058-110-11
- 2824 N. State Highway 59 (Residence) APN 058-110-09
- 2922 N. State Highway 59 (Residence) APN 058-110-03
- Burlington Northern Santa Fe Main Line (Railroad Tracks)
- Black Rascal Canal

- Concrete Siphons, Railroad Berm (Irrigation Features) (Railroad Berm demolished for Underground Utility Installation)
- 3380 N. State Highway 59 (Residence) APN 058-020-24 (demolished after recordation)
- 3384 N. State Highway 59 (Residence) APN 058-020-24 (demolished after recordation) (no site In HPSR)

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I concur that the following properties identified in the APE that had been previously found ineligible for the NRHP, remain ineligible:

- Black Rascal Canal Branch Bridge, Bridge #39-0066 (P-24-000652, HRI # 5340-0010-0000)
- Black Rascal So. Fork Bridge, Bridge #39-0067 (P-24-000653, HRI # 5340-0011-000)
- Black Rascal Canal Bridge, Bridge #39-0068 (P-24-000654, HRI # 5340-0012-0000)

I concur that the finding of No Historic Properties Affected is appropriate as per Stipulation IX.A of the PA, and that the documentation supporting this finding has been submitted to me for review as per Stipulation XVI of the PA.

Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule at phone 916-654-4614 or email wsoul@ohp.parks.ca.gov.

Sincerely,



Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Attachment “B”
Special Flood Hazard 8-Step Decision Documentation

City of Merced

Floodplain Avoidance
for Woodbridge Place Apartment Project

Step 1 – Action

The proposed project consists of construction of 75-unit multi-family residential project to serve low and moderate income families. The project will include the construction of four apartment buildings on the 4.2-acre site located on State Highway 59 near its intersection with Willowbrook Drive. The housing project is located within the City limits of Merced, California with population of 63,893 according to the 2000 census.

The project site is located in a floodplain as identified on FEMA flood map #O6047C0409G, Panel 409 1225, revised December 2, 2008. About 70% of the entire City of Merced is located in a floodplain. Specifically, the site is in Zones AH 164 and generally subject to shallow flooding—flood depths of 1 to 3 feet. No further impacts to the flood plain would result from this project.

Step 2 – Early Public Review

The public is notified of intent to do work in these floodplain areas using HCD HOME Program funds and Neighborhood Stabilization funds along with funds from the City of Merced Redevelopment Agency. A public notice concerning the projects was published in the Merced County Times, a local newspaper for the Merced Area, on March 24, 2011. Attachment 1 is a copy of the published public notification that appeared in the Merced County Times on March 24, 2011.

Step 3 – Practical Alternative Evaluation

Alternative Sites: Given the nature of the project, construction of income qualified apartment buildings, is limited to vacant site(s), with available infrastructure with sufficient size located within reasonable proximity of services and appropriately zoned for multi-family uses. At present, there is no other alternative site available to accommodate the proposed project. Therefore, the project has no practical alternative sites if this project is to be pursued.

Alternative Actions: Alternative actions include the no action alternative and the floodplain elimination alternatives.

- a) No Action: No action, i.e., not building the 75 low-moderate income housing units in Merced would frustrate the City in meeting its State mandates to provide affordable housing. Even if the project were to be halted and not built, the floodplain would still exist unchanged and no improvements to the vacant site would be accomplished. No Action will result in the property not being developed with a use

that is potentially not compatible with adjacent and surrounding uses or remaining vacant and subject to creation of a fire or health hazard for surrounding uses.

- b) Floodplain Elimination: Eliminating the floodplain conditions is an alternative action that is being pursued by the Army Corps of Engineers. The potential project, however, is very costly and long term in scope. This alternative would not be economical for the City alone to pursue.

Step 4 – Impacts of Proposed Actions

Local Policy: Local policy allows construction in floodplain where sheet type shallow flooding (average depths of 1 to 3 feet) could exist. New constructions must be elevated above the established shallow floodplain base elevation to comply with FEMA and City of Merced flood regulations. In major rehabilitation (substantial improvement), the building has to comply with FEMA and other regulations.

Lives and Properties: There will be no additional floodplain effects on lives and properties due to construction, or other improvements on the project site.

Natural and Beneficial Floodplain Values: The natural and beneficial floodplain values have already been significantly reduced or made less valuable by the existing streets, buildings, and public facilities in the City of Merced and at the project site.

Positive and Negative Impacts: The construction of the project site will have few positive or negative impacts on the floodplain. The nature of the site, extent of development in the immediate area, existence of a State Highway bounding the property to the north and a railroad grade to the east create barriers to the natural flow of floodwaters in the area. The development of the project site, on improved elevations, will further protect existing improvements located adjacent to the project site from the effects of flooding.

Step 5 – Opportunities to Minimize, Restore, and Preserve the Values of the Floodplain

Restoring or returning the original floodplain does not appear to be practical. This would require relocation of much of the City of Merced and all the people, homes, and improvements therein. Impacts from flooding are being minimized by requiring any new structures to be built one or three feet, depending on the flood zone, above the shallow flooding base elevation, flood proofing, and flood insuring as needed. All off site drainage from this project would be controlled as so not to flood adjacent properties.

Step 6 – Re-evaluation of Alternatives

Locating in the Base Floodplain/Limit Action: It still does not appear feasible to relocate out of the base floodplains since the project is based on redevelopment of a vacant urban site within an existing floodplain area. The floodplain elimination alternative proposed through the Army Corps of Engineers has the best long-term possibilities for solving the City's shallow floodplain problem.

No Action: There are no apparent foreseeable benefits for not implementing the project at this site and the “No Action” alternative is not considered necessary or appropriate. Adverse impacts of not doing the Project would include:

- a. The property could be left undeveloped and open and could potentially be used by as a dumping site for unwanted items. This would create a blighting influence impacting the adjoining neighborhoods and work against the City's investment of public funds to improve the quality life in this area. The “No Action” alternative would result in 75 fewer multi-family dwelling units considered to be affordable to families with low/moderate incomes in Merced. Development of this project, and environmental impacts resulting from the project, are not considered significant, the “No Action” alternative is not viable.
- b. If this Project is not developed, the property could be developed with another use that is not compatible with the existing residential land uses that adjoin the property. This would require a change of zoning and possibly a General Plan Amendment and would provide an opportunity for inconsistent and incompatible land use that would counter the land use standards developed in the City of Merced Plan.

Step 7 – Finding – Public Explanations

It is our determination that there is no practicable alternative to locating this project in the flood zone. Most of the City is in a floodplain and not allowing development of this presently undeveloped site would serve no beneficial purpose and could promote blight in the immediate area of the proposed project site. Notice has been filed with a local newspaper, Merced County Times, that the proposed project is located in a floodplain and that there are no practical alternatives and no impacts on the floodplain from the proposed actions; date published March 24, 2011. Attachment 2 is a copy of second flood notice that appeared in the Merced County Times.

Step 8 – Implement Action

The development of the Woodbridge Place Apartments project will be elevated above the baseline flood elevation in accordance with the standards of the City of Merced and in conformance with the standards of FEMA.

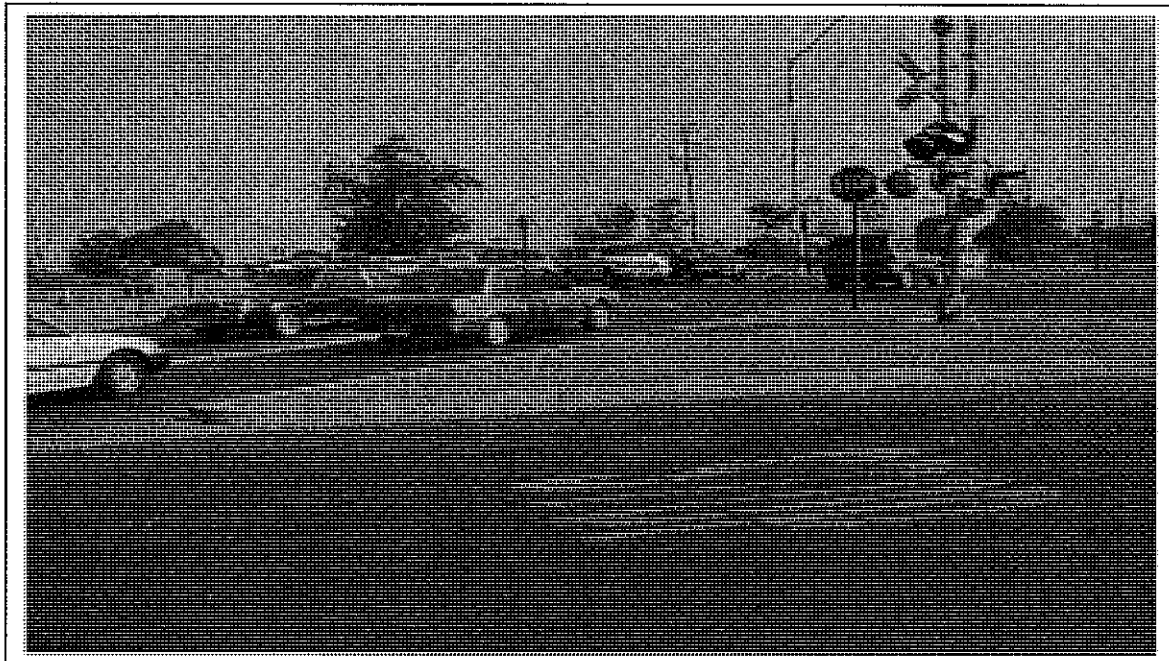
(Attach Publication Notice)

Attachment "C"
16th Street/Olive Avenue Widening Project

16th Street/Olive Avenue Widening Project

MERCED COUNTY, CALIFORNIA
DISTRICT 10 – MER – 59, KP 24.6/26.7 (PM 15.3/16.6)
0E5900

Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment



Prepared by the
U.S. Department of Transportation
Federal Highway Administration
and the
State of California Department of Transportation

October 2005



General Information About This Document

What's in this document?

The California Department of Transportation (Caltrans) and the Federal Highway Administration have prepared this Initial Study/Environmental Assessment, which examines the potential environmental impacts of the alternatives being considered for the proposed project located in Merced County, California. The document describes why the project is being proposed, alternatives for the project, the existing environment that could be affected by the project, the potential impacts from each of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures.

What should you do?

- Please read this Initial Study/Environmental Assessment. Additional copies of this document, as well as the technical studies, are available for review at the district office, 1976 E. Charter Way, Stockton, California 95201 and/or the Merced County Library, 2100 O Street, Merced, California 95340.
- We welcome your comments. If you have any comments regarding the proposed project, please attend the public hearing and/or send your written comments to Caltrans by the deadline.
- Submit comments via postal mail to: Lance Brangham, Environmental Branch Chief, Department of Transportation, Environmental Planning, 2015 E. Shields Avenue, Fresno, CA 93726 or via email to lance_brangham@dot.ca.gov.
- Submit comments by the deadline: _____, 2005.

What happens after this?

After comments are received from the public and reviewing agencies, Caltrans and the Federal Highway Administration may: (1) give environmental approval to the proposed project, (2) undertake additional environmental studies, or (3) abandon the project. If the project is given environmental approval and funding is appropriated, Caltrans could design and construct all or part of the project.

<p>For individuals with sensory disabilities, this document can be made available in Braille, large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Department of Transportation, Attn: Lance Brangham, Environmental Planning, 2015 E. Shields, Fresno, CA 93726; 559-243-8161 Voice, or use the California Relay Service TTY number, 1-800-735-2929.</p>
--

SCH Number: [number]
10-MER-59-KP 24.6/26.7
(PM 15.3/16.6)
10-0E5900

State Route 59 from 16th Street in the City of Merced to just north of Black Rascal Creek, kilometer post
24.6 to 26.7 (post mile 15.3 to 16.6)

**INITIAL STUDY
With Proposed Mitigated Negative Declaration
/ENVIRONMENTAL ASSESSMENT**

Submitted Pursuant to: (State) Division 13, Public Resources Code
(Federal) 42 USC 4332(2)(C)

U.S. DEPARTMENT OF TRANSPORTATION
Federal Highway Administration, and

THE STATE OF CALIFORNIA
Department of Transportation

Date of Approval

Lance H. Brangham
Branch Chief
San Joaquin Valley Analysis Branch
California Department of Transportation

Date of Approval

Gene K. Fong
Division Administrator
Federal Highway Administration

Proposed Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) proposes to widen 2.1 kilometers (1.3 miles) of State Route 59 from a two-lane highway to a four-lane highway within the City of Merced.

Determination

This proposed Mitigated Negative Declaration is included to give notice to interested agencies and the public that it is Caltrans' intent to adopt a Mitigated Negative Declaration for this project. This does not mean that Caltrans' decision regarding the project is final. This Mitigated Negative Declaration is subject to modification based on comments received by interested agencies and the public.

Caltrans has prepared an Initial Study for this project and, pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons:

- The proposed project would have no effect on farmland, timber, educational facilities, any publicly owned park or recreational area, or any property eligible for the National Register of Historic Places.
- The proposed project would have no significant effect on water quality, air quality, or vegetation.
- The proposed project would not cause a change in the growth rate or current land use.
- The proposed project would not increase erosion, change the topography, or make the facility more prone to seismic damage.
- The proposed project would not cause a significant impact to businesses, industry, the economy, or employment.

The proposed project would have no significant adverse effect on biological resources, visual resources, noise, or minority and low-income populations, nor expose the public to hazardous waste because the following mitigation measures would reduce potential effects to insignificance:

- Compensation for impacts to wetlands and waters of the U.S. would include construction monitoring, Best Management Practices, and replacement of wetlands.
- Compensation for special-status species habitat, pre-construction surveys, a pre-construction educational meeting, avoidance and minimization, and construction contract special provisions.
- Compensation for removal of screening vegetation and replacement planting for eucalyptus removal.
- Construction of noise barriers to reduce noise to acceptable levels.
- Provision of relocation assistance for relocated individuals.
- All hazardous waste materials would be properly disposed of at a Class 1 landfill.

Lance H. Brangham, Branch Chief
San Joaquin Valley Analysis Branch
California Department of Transportation

Date

Summary

The California Department of Transportation (Caltrans) and the Federal Highway Administration propose to widen State Route 59 from a two-lane to a four-lane highway in the City of Merced. Alternatives under consideration include one build alternative and a no-build alternative.

The purpose of the project is to improve safety, increase capacity, and correct design features. The existing two-lane highway has become congested with traffic and has an above average accident rate when compared to similar state highways. Additionally, this segment does not have standard sight distance at the intersection with the Burlington Northern Railroad and the shoulder width is non-standard.

Build Alternative

State Route 59 would be widened from the existing two-lane highway to a four-lane highway. A continuous left-turn lane would also be built. Widening would begin just east of Bear Creek and end just beyond Black Rascal Creek. The total length of the project is 2.1 kilometers (1.3 miles). Adding signals to the intersections, constructing wider shoulders, improving the sight distance and widening the highway would improve the safety and operation, as well as increase capacity within this segment.

No-Build Alternative

The No-Build Alternative would leave the existing roadway as it is. Without improvements (additional lanes and signals), the higher-than-average traffic accidents would continue and congestion would continue to worsen. The No-Build Alternative has the least environmental impacts, but does not address the purpose and need of the project.

A range of environmental studies was conducted to analyze potential environmental impacts of each alternative. Potential effects of the proposed project include the following:

- Relocation

Residents of nine single-family residences would be relocated, as well as residents of a two-building apartment complex (a nine-unit apartment building and a three-unit apartment building on the same property). Relocation assistance would be provided for all displaced persons.

- Increased Noise

Construction of new highway lanes would increase the noise level for residences along State Route 59 within the project area. Sound barriers were found to be reasonable and feasible for receptors within the Riviera Holiday Mobile Estates.

- Environmental Justice

The proposed project would not cause disproportionately high and adverse effects on any minority or low-income population. The proposed project would affect Hispanic and low-income populations by displacing residents of an apartment complex located within a minority and low-income area. However, Hispanics and low-income populations make up the highest percentage of the population living within the project area. Additional impacts, such as increasing noise levels, are uniformly dispersed throughout the project area. Beneficial effects of the project, including improving safety, increasing capacity, and adding bus stops and bike lanes would benefit the entire community within the project area.

Permits/agreements would be required for this proposed project, including:

- Section 404 Letter of Permission or Nationwide Permit from the U.S. Army Corp of Engineers for impacts to the jurisdictional wetlands and waters of the United States.
- Section 401 Water Quality Certification Permit from the California Regional Water Quality Control Board.
- Section 1602 Streambed Alteration Agreement from the California Department of Fish and Game.

Table S.1, Summary of Major Potential Impacts from Alternatives, compares potential impacts for the Build Alternative and the No-Build Alternative and includes design, environmental, and right-of-way information.

Table S.1 Summary of Major Potential Impacts From Alternatives

Potential Impact		Build Alternative	No-Build Alternative
Visual Resources		Removal of screening vegetation, eucalyptus, oak, alder, sycamore, and olive	None
Relocation	Business displacements	No businesses would be displaced, one would be affected.	None
	Housing displacements	Two apartment buildings, one consisting of nine apartments and the other, three apartments. 9 single-family residences.	None
	Utility service relocation	Utility poles and underground gas, sewer, water, and communications lines	None
Environmental Justice		Residents within a minority cluster would need to be relocated and would be provided with relocation assistance	None
Hazardous Waste/Materials		Treated wood, soil, and paint require disposal in a Class 1 landfill	None
Noise		Forty total receptors, 12 meet criteria for soundwall	Noise levels would remain between 58.6 to 66.5 dBA
Wetlands and other Waters of the United States		0.32 hectare (0.80 acre) of temporary impacts and 0.04 hectare (0.10 acre) of permanent impacts to Bear Creek; up to 0.18 hectare (0.44 acre) of jurisdictional wetlands	None
Threatened and Endangered Species		None expected with standard avoidance measures implemented at construction.	None

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List of Abbreviated Terms

Caltrans	California Department of Transportation
dB(A)	a-weighted decibels
KP	kilometer post
PM	post mile
USC	United States Code

Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) and the Federal Highway Administration propose to widen State Route 59 (Snelling Highway) from a two-lane to a four-lane highway in the City of Merced. State Route 59 would be widened from east of Bear Creek to north of Black Rascal Creek. The total length of the project is 2.1 kilometers (1.3 miles). The existing two-lane highway has become congested with traffic, has an above average accident rate when compared to similar state highways, and has non-standard design features. Figures 1-1 and 1-2 show the project vicinity and location maps.

The environmental analysis and preliminary design for this project was funded in the 2000 Statewide Transportation Improvement Program. It was also included in the cost-constrained Merced County Association of Governments' 2004 Regional Transportation Plan and the 2004 cost-constrained Merced County Regional Transportation Improvement Program. Construction is anticipated to be completed in 2012.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of the project is to:

- Improve the safety and operation of State Route 59
- Relieve traffic congestion
- Bring State Route 59 up to current design standards.

1.2.2 Need

State Route 59 is an important route for transporting people and agricultural products in Merced County, especially in and around the City of Merced. This segment of State Route 59 has a higher-than-average accident rate when compared to similar roads in the state. The proposed project area also has become congested with traffic, exceeding the highway's current capacity. Additionally, this segment does not have standard sight distance at the intersection of the Burlington Northern Railroad and the shoulder width is non-standard.

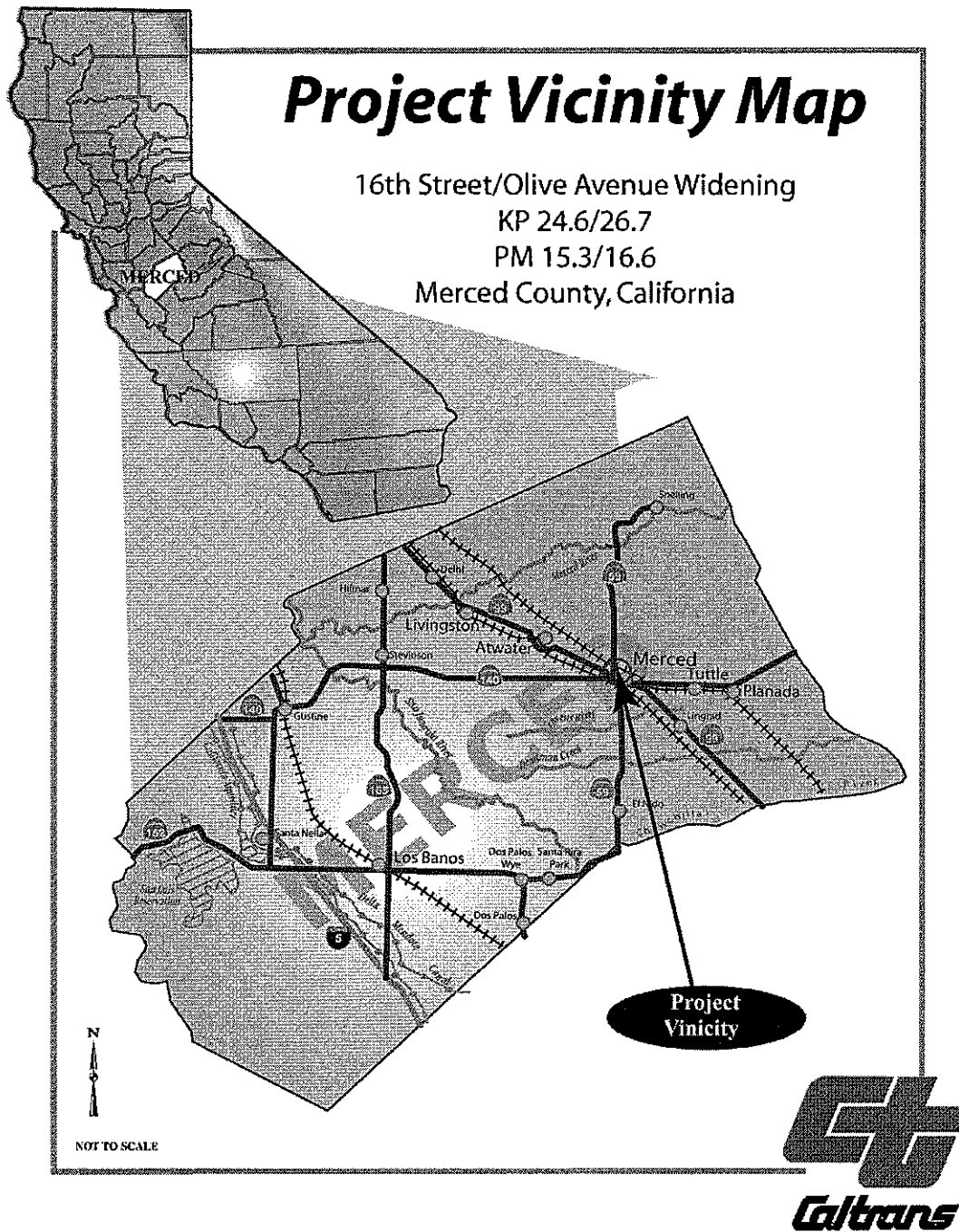


Figure 1-1 Project Vicinity Map

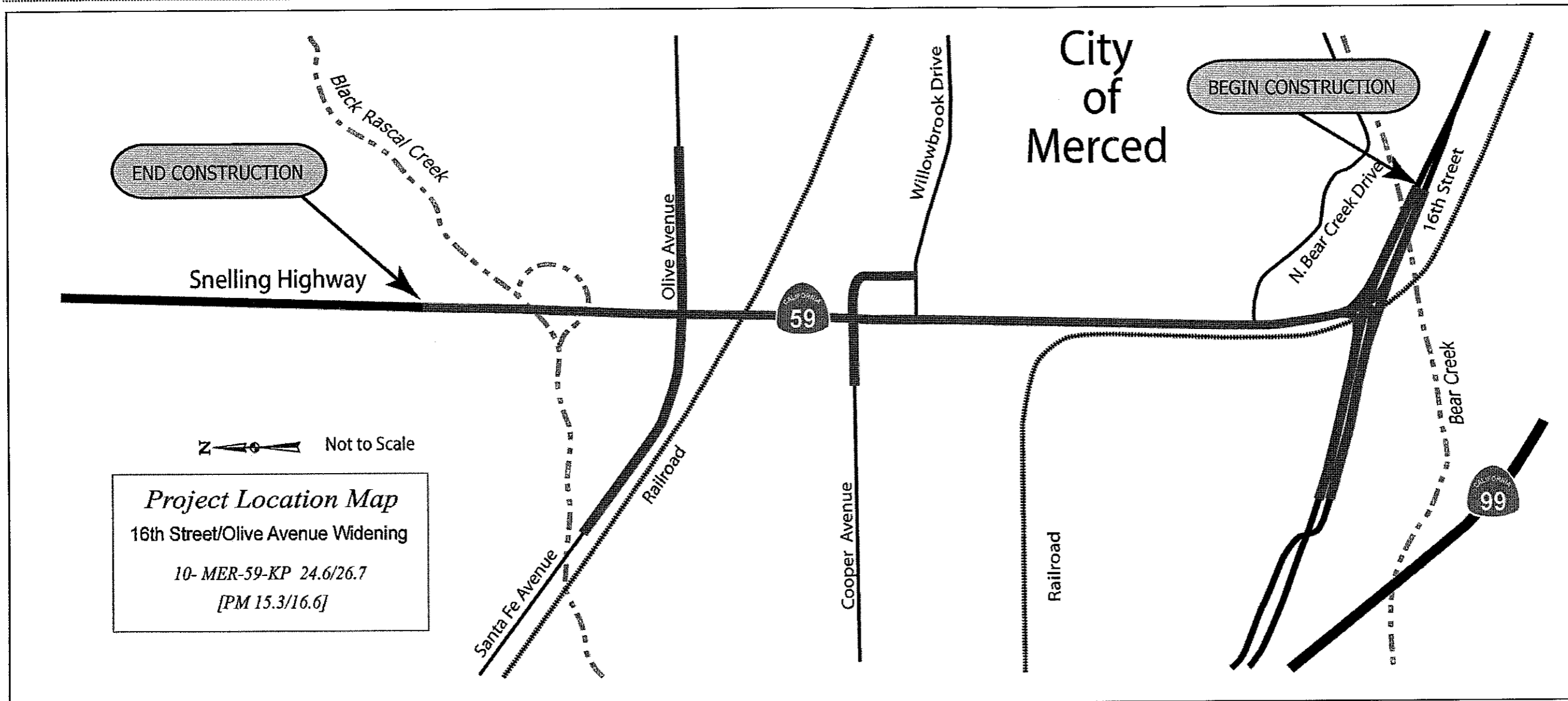


Figure 1-2 Project Location Map

1.2.2.1 Safety and Operations

Accident data for the project area was studied for the most recent three-year period, January 1, 2001 to December 31, 2003. Table 1.1 compares the accident rates on State Route 59 within the project area, kilometer post 24.6 to 26.7 (post mile 15.3 to 16.6), to the statewide average for similar highways. Accident rates were also studied at the intersection of State Route 59 and Olive/Santa Fe Avenue. Table 1.1 also compares the accident rates at the intersection of State Route 59 and Olive/Santa Fe Avenue to the statewide average for similar highway intersections.

Table 1.1 State Route 59 Accident Rates

Accident Rates in Project Area			
Comparison	FATAL	FATAL + INJURY	*TOTAL
Actual	0.062	3.500	7.060
Statewide Average	0.016	1.190	2.820
Accident Rates at Olive/Santa Fe Avenue			
Comparison	FATAL	FATAL + INJURY	*TOTAL
Actual	0.000	1.270	2.610
Statewide Average	0.002	0.190	0.430

TASAS Table B District 6 (expressed in accidents per million vehicle miles traveled)

* Total includes other factors. Total column will not equal the sum of the Fatal and Fatal + Injury columns.

State Route 59 within the project area and at the intersection of Olive/Santa Fe Avenue exhibits accident rates higher than the statewide average for similar highways and highway intersections as shown in Table 1.1. According to traffic studies prepared by Caltrans staff, the majority of accidents occurred at the intersections of State Route 59 and 16th Street and Olive/Santa Fe Avenue. If no improvements were made, the accident rates would continue to be higher than the statewide average.

During the three-year traffic study period, there were a total of 113 accidents within the project area. One hundred and three of the accidents involved multiple vehicles. The types (and number) of accidents that occurred were: rear end (68), broadside (21), hit object (10), sideswipe (6), other and not stated (5), and head on (3). The primary causes (and number) of these accidents were from speeding (57), failure to yield (18), other violations (17), influence of alcohol (6), other than driver (6), unknown (4), improper turn (3), improper driving (1), and following too close (1).

1.2.2.2 Congestion

Within the project limits, State Route 59 has become congested from an increasing regional population and local development in the northern part of the city of Merced.

Congestion is measured as Level of Service, which is an indicator of driving conditions on a roadway or at an intersection and is defined in categories ranging from “A” to “F” (Figure 1-3). A Level of Service of “A” indicates free-flowing traffic with no hindrance to driving speed caused by traffic conditions. A Level of Service of “F” indicates substantial congestion with slow-moving, stop-and-go traffic. The existing and forecasted traffic data is displayed in Table 1.2.

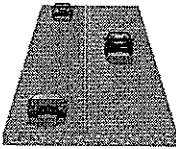
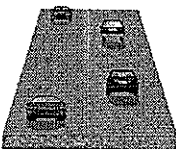

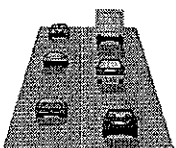


Table 1.2 Existing and Forecasted Traffic Within the Project Limits

	Existing Facility	2010 without Improvements	2020 without Improvements
Level of Service	D	F	F
Number of Vehicles (Average Daily Traffic Count)	15,300	24,400	31,925
Peak Hour Number of Vehicles	1,685	2,685	3,500
% Trucks	8%	8%	8%

As shown in Table 1.2, the existing facility is currently at a Level of Service D. If the proposed improvements are not constructed, congestion on State Route 59 would continue to worsen to a Level of Service F. Congestion would remain at this level until improvements are made to increase the capacity of this segment of State Route 59.

LEVELS OF SERVICE

for Two-Lane Highways

Level of Service	Flow Conditions	Operating Speed (mph)	Technical Descriptions
A		55+	Highest quality of service. Free traffic flow with few restrictions on maneuverability or speed. No delays
B		50	Stable traffic flow. Speed becoming slightly restricted. Low restriction on maneuverability. No delays
C		45	Stable traffic flow, but less freedom to select speed, change lanes or pass. Minimal delays
D		40	Traffic flow becoming unstable. Speeds subject to sudden change. Passing is difficult. Minimal delays
E		35	Unstable traffic flow. Speeds change quickly and maneuverability is low. Significant delays
F			Heavily congested traffic. Demand exceeds capacity and speeds vary greatly. Considerable delays

Source: 2000 HCM, Exhibit 20-2, LOS Criteria for Two-Lane Highways in Class 1

Figure 1-3 Level of Service for Two-Lane Highways

1.2.2.3 Non-Standard Design Features

State Route 59 has the following non-standard design features:

- Difference in elevation between State Route 59 and the railroad track
- Shoulder widths that range between 0.0 meters (0.0 feet) and 1.2 meters (4 feet)

Currently, the railroad is at a higher elevation than State Route 59, causing the highway to rise and fall as it crosses the railroad tracks. This design feature prevents the driver from seeing oncoming traffic at great distances. Since the highway elevation does not match the railroad grade, vehicles cannot see oncoming traffic from greater distances preventing head-on collisions. Non-standard shoulder widths do not provide room for vehicle maneuverability in the event of an accident or hazardous driving condition.

1.3 Alternatives

Caltrans traffic studies identified the need to increase safety for motorists and reduce traffic congestion within the projects limits. Once problems were identified, Caltrans created a project development team to identify alternative solutions. Alternative solutions created by the project development team were based on cost, schedules, environmental effects, accident data, level of service, and project mitigation. The project development team ensures that state and federal requirements are followed to meet state design standards and to minimize environmental impacts and cost.

In 2000, the project development team developed alternatives in relation to railroad constraints to the west and residential development to the east. These alternatives varied by length and two were subsequently eliminated based on project need. The project development team included a design option to realign Willowbrook Avenue based on improved residential circulation, improved operations on State Route 59, and disruptions to industrial truck traffic. The Willowbrook Avenue realignment provides improved access to future planned multi-family developments by utilizing planned local street extensions.

1.3.1 Build Alternative

State Route 59 would be widened from the existing two-lane highway to a four-lane highway. A continuous left-turn lane would also be built. Widening begins east of Bear Creek and ends just beyond Black Rascal Creek. See Appendix F for cross-

sections of the Build Alternative. The following features would be incorporated into the build alternative:

- Widening shoulder widths to the standard 2.4 meters (8 feet)
- Raising roadway elevation at the intersection of State Route 59 and the Burlington Northern Railroad
- Constructing a curb and gutter drainage system with a basin for storm water runoff
- Shifting State Route 59 west of its current alignment, from where the Union Pacific Railroad veers west through to the end of the northern project limit
- Signalizing the intersections of State Route 59 and 16th Street, Cooper Avenue, and the entrance for the Riviera Holiday Mobile Estates
- Constructing two left-turn lanes at Olive/Santa Fe Avenue as it intersects State Route 59
- Realigning Willowbrook Avenue to form a four-way intersection with Cooper Avenue
- Constructing two soundwalls on the east side of State Route 59 between kilometer post 15.47 and 15.59 (post mile 9.61 and 9.69)
- Designating both directions of travel on State Route 59 as a Class 3 bike route via additional bike-lane striping
- Constructing bus stop turnouts on both the east and west side of State Route 59 at Willowbrook Avenue
- Widening and lengthening the Black Rascal Canal Bridge (Number 39-68) to accommodate five lanes and redirecting Black Rascal Creek to flow under this bridge, which would have rock-slope protection
- Removing the South Fork Black Rascal Creek Bridge (Number 39-67) and replacing it with a large pipe culvert
- Filling the area adjacent to and under the removed bridge with imported borrow (dirt from another area)
- Widening the Bear Creek bridges (Number 39-09)
- Removing the Branch Black Rascal Bridge (Number 39-66) and replacing it with a pipe culvert
- Constructing a 3 meter (9.84 foot) sidewalk on the east side of State Route 59 from 16th Street to Olive/Santa Fe Avenue and on the west side of State Route 59 from existing Willowbrook Avenue to Olive/Santa Fe Avenue. Sidewalks would border all of the Willowbrook Avenue realignment

To widen the project area to four lanes as proposed, right-of-way would need to be acquired. The project would acquire 8 meters (26.2 feet) of right-of-way on the east side of State Route 59 where the Union Pacific Railroad runs parallel to the highway as well as 8 meters (26.2 feet) of right-of-way on the west side where the railroad moves away from the highway. The total right-of-way acquisition for this alternative would be 2.64 hectares (6.53 acres). The surrounding terrain is flat, so cuts and fills would be minimal. The current estimated cost of this alternative is \$24 million (2005 dollars).

Construction of the Build Alternative would require relocation of Pacific Gas and Electric Company, South Bell Communications, and Comcast cable television utility poles. The following underground utilities would also be affected: Pacific Gas and Electric Company gas lines, South Bell Communications, the Merced Water Company water lines, the Merced Irrigation District irrigation lines, and the City of Merced storm drains and sewer lines.

1.3.2 No-Build Alternative

Consideration of a No-Build Alternative is required by the National Environmental Policy Act and the California Environmental Quality Act. The No-Build Alternative would leave the existing roadway as it is. Additional lanes would not be provided and non-standard roadway features would continue to be present. The No-Build Alternative has the least environmental impacts, but does not address the purpose and need of the project, which is to improve safety and increase capacity. Without improvements (additional lanes and signals), the higher-than-average traffic accidents would continue and congestion would continue to worsen.

1.3.3 Comparison of Alternatives

Criteria to evaluate alternatives include project purpose and need, project cost, and potential environmental effects of the proposed project. Table 1.3 compares the alternatives using the evaluation criteria.

The Build Alternative would improve safety, relieve traffic congestion, and provide bus turnouts and a bicycle lane, but would result in increased noise, relocation of residents, and impacts to wetlands. The No-Build Alternative would not relieve traffic congestion, improve safety, or provide bus turnouts and a bicycle lane. Noise levels would remain as existing, wetlands would not be affected, and residents would not be relocated. Air quality may decline as a result of the increased congestion.

Table 1.3 Comparison of Build Alternative to the No-Build Alternative

Potential Impact		Build Alternative	No-Build Alternative
Safety		Safety would be improved by adding traffic signals, widening the shoulders, and improving highway sight distance.	Accidents rates would continue to be higher than the statewide average.
Transportation Modes		The widened shoulders would be designated to accommodate bicycle travel; bus stop turnouts would be provided for both directions of travel.	A bike lane would continue to exist only in the northern part of the project. There would continue to be no bus stop turnouts within the project area.
Congestion		Congestion would be reduced by providing four lanes with a continuous left-turn lane and widening intersections.	Increased congestion would cause considerable traffic delays.
Visual Resources		Removal of screening vegetation, eucalyptus, oak, alder, sycamore, and olive	None
Relocation	Business displacements	No businesses would be displaced, one would be affected.	None
	Housing displacements	Nine single-family residences; 12 apartment units	None
	Utility service relocation	Utility poles and underground gas, sewer, water, and communications lines	None
Environmental Justice		Residents within a minority area would be relocated and would be provided with relocation assistance.	None
Hazardous Waste/Materials		Treated wood, soil, and paint require disposal in a Class 1 landfill.	None
Air Quality		Level of Service may reduce overall idling time at intersections. The reduction in idling time may reduce idle emissions of PM ₁₀ and PM _{2.5} and thus improve the air quality.	Emissions may increase with increased idling time due to congestion and air quality may decline.
Noise		Forty total receptors, 12 meet criteria for soundwall	Noise levels would remain between 58.6 to 66.5 dBA.
Wetlands and other Waters of the United States		0.32 hectare (0.80 acre) of temporary impacts and 0.04 hectare (0.10 acre) of permanent impacts to Bear Creek; up to 0.18 hectare (0.44 acre) of jurisdictional wetlands	None
Threatened and Endangered Species		None with avoidance measures for salmon implemented at construction	None

1.3.4 Transportation System Management

Transportation System Management strategies consist of actions that increase the efficiency of existing roadways; they are actions that increase the number of vehicle trips a road can carry without increasing the number of through lanes. Examples of Transportation System Management strategies include: ramp metering, auxiliary lanes, turn lanes, reversible lanes, and traffic signal coordination. Transportation System Management also encourages automobile, public and private transit, ridesharing programs, and bicycle and pedestrian improvements as elements of a unified urban transportation system. Alternatives integrate multiple forms of transportation modes, such as pedestrian, bicycle, automobile, rail, and transit.

This project has included some of these actions in the Build Alternative rather than identifying them as separate alternatives. Although these actions are not separate alternatives (the actions would not address all aspects of the purpose and need), they have been added to the Build Alternative to assist in reducing congestion. These actions are:

- A continuous left-turn lane along State Route 59
- Two left-turn lanes at Olive/Santa Fe Avenue as it intersects State Route 59
- Traffic signal coordination
- Bike lane improvements
- Transit improvements – bus turnouts

1.3.5 Decision Making Process

After the public circulation period, all comments will be considered. Caltrans and the Federal Highway Administration, with input from the City of Merced, Merced County, and the Merced County Association of Governments, will select a preferred alternative and make the final determination of the project's effect on the environment. In accordance with the California Environmental Quality Act, if no unmitigable significant adverse impacts are identified, Caltrans will prepare a Negative Declaration or Mitigated Negative Declaration. Similarly, if the Federal Highway Administration determines the action does not cause a significant impact to the environment, it will issue a Finding of No Significant Impact in accordance with the National Environmental Policy Act.

1.3.6 Alternatives Considered but Eliminated from Further Discussion

Two alternatives similar to the Build Alternative were discussed but have been eliminated from further consideration. Alternative 2 included the same features as the Build Alternative, but extended the northern project limits to Belcher Avenue, kilometer post 28.3 (post mile 17.6). Alternative 3 also included the same features as the Build Alternative, but extended the northern project limits to Bellevue Avenue, kilometer post 30.6 (post mile 19.0). These alternatives are no longer being considered because currently State Route 59 within those extended project limits is operating at a Level of Service B. Without any improvements, State Route 59 from Olive Avenue to Bellevue would remain above a Level of Service D through 2027.

1.4 Permits and Approvals Needed

The following permits, reviews, and approvals would be required for project construction and they would be requested during the final design phase:

Table 1.4 Permits and Approvals Needed

Agency	Permit/Approval
United States Army Corps of Engineers	Section 404 Nationwide Permit 14 for filling or dredging waters of the United States
Regional Water Quality Control Board	Section 401 Certification for a Water Discharge Permit
California Department of Fish and Game	1602 Streambed Alteration Agreement

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

This chapter explains the impacts that the project would have on the human, physical, and biological environments in the project area. It describes the existing environment that could be affected by the project and potential impacts from each of the alternatives.

As part of the scoping and environmental analysis conducted for the project, the following environmental resources and issues were considered, but no potential for adverse impacts was identified. Consequently, there is no further discussion regarding these issues in this document.

- **Farmland:** No farmland exists within the project area.
- **Wild and Scenic Rivers:** No Wild and Scenic Rivers exist within the project area (Natural Environmental Study, September 2004).
- **Growth:** This project is not anticipated to encourage unplanned growth (Growth Inducement Checklist, March 2005).
- **Parks and Recreation Facilities:** No park or recreation facilities are located near the project.
- **Emergency Service:** This project would not affect emergency services.
- **Natural Communities:** No natural communities exist within the project area. Two highly disturbed riparian areas are described under Wetlands and Waters of the United States (Section 2.3.2)
- **Invasive Species:** There are no species in the project area that are on the California Department of Food and Agriculture's Noxious Weed List. Construction would not likely lead to further spread of invasive species (Natural Environmental Study, September 2004).
- **Paleontology:** This project would not affect paleontological resources (Initial Paleontology Study, April 20, 2005).

2.1 Human Environment

2.1.1 Land Use

2.1.1.1 Existing and Future Land Use

Affected Environment

Current land use was identified using Merced County’s 2004 Regional Transportation Plan and the Merced Vision 2015 General Plan. The project area is urban and includes zoning for industrial, high medium-density residential, open space, and a mobile home park.

The proposed project lies in the northern portion of the City of Merced. The urban uses in the project area consist of single-family residential, commercial buildings, apartments, and a mobile home park. Large residential developments are being constructed outside and northeast of the project area. The developments nearest the project area are The Cottages at El Redondo and Silver Creek Unit No. 4A (Table 2.1).

Table 2.1 Proposed Developments Near the Project Area

Name and Location	Jurisdiction	Proposed Uses	Status
The Cottages at El Redondo East of State Route 59 and northeast of Olive Avenue	City of Merced	Subdivide 5.6 hectares (13.94 acres) into 138 lots for high medium-density residential housing	Public improvements under construction, building permits have not been submitted
Silver Creek Unit No. 4A East of State Route 59 and northeast of Olive Avenue	City of Merced	Subdivide 0.4 hectare (2.5 acres) into 14 lots for medium-density residential housing	Under Construction

Impacts

The proposed project would not require nor encourage a change in the land use. The Merced Vision 2015 General Plan designated the area adjacent to the proposed project as urban. The proposed project would require small slivers of additional right-of-way, which would not create a conflict with current urban uses.

Consistency with State, Regional, and Local Plans

Merced County Regional Transportation Plan

The proposed project is included in the Merced County Regional Transportation Plan, as part of its Recommended Regional Improvement Project Priorities list. The plan was adopted on August 19, 2004 by the Merced County Association of Governments.

Merced Vision 2015 General Plan

The proposed project is in concurrence with the Merced Vision 2015 General Plan because State Route 59 has been identified to serve Merced's new growth areas north of the city.

2.1.2 Community Impacts

2.1.2.1 Community Character and Cohesion

The National Environmental Policy Act of 1969, as amended, established that the federal government use all practicable means to ensure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings [42 United States Code 4331(b)(2)]. The Federal Highway Administration in its implementation of the National Environmental Policy Act [23 United States Code 109(h)] directs that final decisions regarding projects are to be made in the best overall public interest. This requires taking into account adverse environmental impacts, such as destruction or disruption of human-made resources, community cohesion, and the availability of public facilities and services.

Under the California Environmental Quality Act, an economic or social change by itself is not to be considered a significant effect on the environment. However, if a social or economic change is related to a physical change, then social or economic change may be considered in determining whether the physical change is significant. Since this project would result in physical change to the environment, it is appropriate to consider changes to community character and cohesion in assessing the significance of the project's effects.

Affected Environment

The project area begins east of the Bear Creek Bridges on 16th Street and extends north just beyond Black Rascal Creek. Within the project area, single-family homes, as well as apartment complexes, border most of State Route 59 on the east. One religious facility, the Calvary Temple Church is among the residences. No parks, recreation centers, or community halls have been identified within the project area. To the west of State Route 59 within the project area, the land use is industrial and is

occupied by several businesses (including lumber, plumbing, and irrigation) that serve the city of Merced and are not specific to the community surrounding them.

Demographic data from the 2000 United States Census indicate an average resident age of 41 years for the project area. The average family size in the project area consists of three family members. Most of the residents in the project area were identified as renter occupants, averaging 154.5 people when compared to owner occupants, which averaged 27.1 people.

Impacts

The proposed project would have a beneficial impact on the character of the communities within the project area. Widening State Route 59 to four lanes would increase public access to other parts of the city by adding bicycle lanes to the shoulders and constructing turnouts for the City of Merced's bus transit system in both directions of travel. The addition of a bicycle lane, wider shoulders, bus stop turnouts, curbs and sidewalks would improve safety for both pedestrian and vehicle travel. The curbs, sidewalks, and bus stop turnouts would be designed to meet the American Disabilities Act standards.

Widening the highway would not divide any neighborhoods or isolate neighborhoods from community facilities, such as the Calvary Temple Church. The quality of life within the project area is expected to increase because of proposed safety improvements, such as the addition of signals and standard shoulder widths. The addition of two lanes on State Route 59 through the project area would improve the flow of traffic to other parts of Merced, therefore creating better access for the residents in the project area.

No community activities would be disrupted and residents would not be isolated from, but rather have better access to other community members and activities. Further, the average age of residents in the project area is approximately 41 and the majority of the residents are renter occupants, statistics typically associated with lower levels of cohesion.

2.1.2.2 Relocations

Regulatory Setting

The Caltrans Relocation Assistance Program is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations Part 24. The purpose of the Relocation Assistance Program is to ensure that persons displaced as a result of a

transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole (see Appendix C for a summary of the Relocation Assistance Program).

All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 United States Code 2000d, et seq.). See Appendix B for a copy of Caltrans' Title VI policy statement.

Affected Environment

Single-family residences, an apartment building, and the Riviera Holiday Mobile Estates are located on State Route 59 near the southern end of the project. The Calvary Temple, a commercial building, an apartment building, and more residences are located further north, but south of Willowbrook. The G.P. Norton Company, 84 Lumber Company, residences, and an apartment building are located at the intersection of State Route 59 and Cooper Avenue. Horizon Irrigation is located at the northwest corner of State Route 59 and Santa Fe Avenue.

Impacts

The Build Alternative would displace nine single-family residences, a nine-unit apartment building, and a three-unit apartment building (Table 2.2). The average estimated number of residents that would be displaced is 64, which is based on an average of 3.06 residents per home or unit. A tire service shop business located on 16th Street near Bear Creek would be affected by the project, but would not require relocation. No employees would be displaced.

Table 2.2 Summary of Residential and Non-Residential Displacements

Alternative	Single-Family Homes	Apartment Units	Residential Displacements (Residents)¹	Non-Residential Displacements (# of Employees)
Build	9	12	64	0

¹ Estimate of residents is based on average of 3.06 residents per unit (2000 Census); Source: U.S. Census Bureau. Residential displacees were not interviewed or contacted

Table 2.3 shows the potential relocation resources for displaced residents. Potential relocation resources (Table 2.3) for displaced residents were calculated by multiplying vacancy rates (in parentheses) times the Total Housing Stock in Merced.

Table 2.3 Summary of Relocation Resources Available

Relocation Resource	For Rent	For Sale	Total Units*
Single-Family Homes	717 (5.75%)	150 (1.2%)	12,465
Multiple-Family Units	1,595 (21.5%)	None	7,418

*Total Housing Stock for Merced is taken from the 2000 Census. Discussions with city planners suggest that the number is approximately 75% higher than reflected in the 2000 Census.

Avoidance, Minimization, and/or Mitigation Measures

Caltrans would provide relocation advisory assistance to any person, business, farm, or non-profit organization displaced as a result of acquisition of real property for public use. Relocation resources would be available to all displaced individuals, free of discrimination. All displaced individuals would be contacted by a Relocation Agent, who would ensure that eligible individuals receive their full relocation benefits and that all activities would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970, as amended.

At the time of the first written offer to purchase, owner occupants would be given a detailed explanation of the Caltrans Relocation Program and Services. Tenant occupants of properties to be acquired would be contacted soon after the first written offer to purchase and would also be given a detailed explanation of the Caltrans Relocation Program and Services.

2.1.2.3 Environmental Justice

Regulatory Setting

All projects involving a federal action (funding, permit, or land) must comply with Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, signed by President Clinton on February 11, 1994. This order directs federal agencies to take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by law. Low income is defined based on the Department of Health and Human Services poverty guidelines. For 2005, this amount was \$19,350 for a family of four.

Poverty data for specific communities was not available from the Department of Health and Human Services; therefore, poverty data disclosed in this document reflects information obtained from the 2000 United States Census Bureau.

All considerations under Title VI of the Civil Rights Act of 1964 and related statutes have also been included in this project. Caltrans' commitment to upholding the mandates of Title VI is evidenced by its Title VI policy statement (see Appendix B).

Affected Environment

Minority and low-income populations have been identified using 2000 Census data. Ethnicity information for the project area was available by individual Blocks (12 Blocks were identified in the project area). For low-income populations, poverty figures were available by Block Groups (5 Block Groups were identified within the project area). The following Census Tracts, Block Groups, and Blocks would be affected by this project:

- Census Tract 10.02, Block Group 1: Blocks 1022 and 1026 (no residents in this block)
- Census Tract 10.03, Block Group 1: Block 1003 (no residents in this block)
- Census Tract 10.03, Block Group 2: Block 2005
- Census Tract 10.05, Block Group 1: Blocks 1004, 1007, 1009, 1010, 1011, 1012, 1013, 1014, 1017, 1018, 1019 (no residents in this block), and 1027 (no residents in this block)
- Census Tract 13.01, Block Group 3: Blocks 3030 (no residents in this block) and 3031 (no residents in this block)

In the 2000 Census, seven categories of race/ethnicity were recognized within Merced County, the City of Merced, the project area, and throughout the individual blocks as shown in Table 2.4. The race categories add up to the total population. For the overall project area, the Hispanic population was slightly above 42 percent, Whites were just under 38 percent and Blacks, Asians, American Indians, Native Hawaiians, and other races were all under 10 percent. Poverty in the overall project area was slightly under 25 percent, as shown in Table 2.5.

Caltrans identified three minority clusters (Census Blocks 1004, 1007, and 1017). Block 1004 includes the apartment complex that would be relocated and a few homes and has the highest percentage of Hispanics at 58 percent (Table 2.4). Block 1007, which includes more homes and Block 1017, which includes the Riviera Holiday Mobile Estates, have Hispanic populations slightly under 50 percent (Table 2.4). While the percentage of Hispanics in these Census Blocks is somewhat higher than the project area as a whole, it is worth noting that Hispanics comprise the largest

single racial group in the project area, however all racial groups within the project area would experience equal project benefits and impacts.

Table 2.4 U.S. 2000 Census: Racial and Ethnic Profile

	Merced County	Merced City	Project Area	Block 1004	Block 1007	Block 1009	Block 1010	Block 1011	Block 1012	Block 1013	Block 1014	Block 1017	Block 1018	Block 1022	Block 2005
Hispanic	95,466	26,425	888	40	496	19	13	22	28	28	12	72	0	69	89
% of Total	45%	41.4%	42.4%	58%	47%	36%	25%	42%	43%	43%	18%	48%	0%	32%	36%
White	85,585	24,121	781	27	328	32	38	23	30	32	47	33	1	124	66
% of Total	74.4%	64.4%	66.4%	93%	58.4%	94.1%	97.4%	74.2%	81%	86.5%	88.7%	42.3%	50%	86.1%	41.8%
Black	7,594	3,864	205	2	157	1	0	1	0	4	3	12	0	1	24
% of Total	6.6%	10.3%	17.4%	6.9%	27.9%	2.9%	0%	3.2%	0%	10.8%	5.7%	15.4%	0%	0.7%	15.2%
American Indian	1,115	368	13	0	2	1	1	5	0	0	0	0	0	1	3
% of Total	1%	1%	1.1%	0%	0.4%	2.9%	2.6%	16.1%	0%	0%	0%	0%	0%	0.7%	1.9%
Asian	14,041	7,182	101	0	20	0	0	2	4	0	1	3	1	10	60
% of Total	12.2%	19.2%	8.6%	0%	3.6%	0%	0%	6.5%	10.8%	0%	1.9%	38%	50%	6.9%	38%
Native Hawaiian	281	77	6	0	5	0	0	0	0	0	0	0	0	0	1
% of Total	0.2%	0.2%	0.5%	0%	0.9%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0.6%
Other and Two or More Races	6,472	1,856	70	0	50	0	0	0	3	1	2	2	0	8	4
% of Total	5.6%	5%	6.0%	0%	8.9%	0%	0%	0%	8.1%	2.7%	3.8%	2.6%	0%	5.6%	2.5%
Total Population	210,554	63,893	2064	69	1,058	53	52	53	65	65	65	150	2	213	247

Source: 2000 U.S. Census

Please note: Percent figures for total population and population may add up to more than 100% because individuals may report more than one racial background. An individual may be Black or white and still be Hispanic. The racial percentages should add up to or near 100 percent without the Hispanic ethnicity.

Data from the 2000 Census was used to determine the percentage of families, within the project limits, living with incomes above and below the poverty level (Table 2.5). Table 2.5 illustrates that a higher percentage of families within the study area have incomes above the poverty level.

Table 2.5 Poverty Profile

Poverty Breakdown	Project Area
% of Families Living in Poverty	24.4%
% of Families Living above Poverty	75.6%

Source: U.S. Census Bureau, Census 2000

Impacts

Caltrans identified beneficial and adverse impacts of the project. The beneficial effects resulting from this project would affect the entire population within the project area. Those beneficial effects are:

- Improving safety and operation
- Increasing capacity would relieve traffic congestion and reduce idling time for vehicles, which would improve air quality in the project area (see Section 2.2.3)
- Adding two bus stops (none currently exist within the project area)
- Providing designated bike lanes that would be incorporated into the shoulders of the highway
- Improving sight distance at the railroad crossing
- Constructing a sidewalk on both sides of State Route 59 and for the Willowbrook Avenue realignment would provide for safe pedestrian travel

Adverse effects from this project include:

- Noise
- Residential Relocations

Impacts from increasing noise levels would occur throughout the entire project area and would not disproportionately affect minority and low-income populations. Noise levels are discussed in detail in Section 2.2.4.

Constructing the project would result in the acquisition of 12 apartments and nine residences and the partial acquisition of one small business. Sufficient housing resources exist to relocate all displacees. Currently, no Section 8 families live within

the project limits and no special relocation problems are anticipated. Right-of-way would be acquired in a linear strip along the existing right-of-way in an effort to accommodate the future roadway requirements. Caltrans investigated avoiding residences to be acquired by realigning the roadway to the west. Acquisition of residential properties cannot be avoided. Realignment to avoid acquiring residences and apartment complexes is partially constrained by a railroad right-of-way and existing residential development.

The proposed realignment of Willowbrook Avenue occurs in Census Block 1004 (a minority and low-income population), where 12 apartment units (36 residents) and one residence with approximately 3 people would be displaced and relocated. Displacing and relocating persons within a minority and low-income population would be an adverse effect, however the effect would not be disproportionately high for the following reasons:

- Mitigation measures such as relocation assistance would be provided to all displaced persons, thereby lessening the severity of the impact to the minority and low-income populations within the project area.
- Beneficial effects such as improved safety, increased capacity, and alternative methods of transit are being proposed to benefit the overall population within the project area, as well as the public as a whole.
- Displacements occur throughout the project area. In addition to the apartment complex, nine residences would be acquired which are scattered throughout the project area.

Apartment complexes are not typically associated with prolonged periods of residency and since the minority data was evaluated using the United States 2000 Census, current populations or residents may not represent the population from five years ago due to tenant turnover. Eight out of 12 units of the apartment complex are currently being occupied by individual families (as opposed to extended families). Four are unoccupied. Six of the 12 units are currently occupied by Hispanic families and the other two units are occupied by white families. To validate the 2000 Census data, 2003 California Department of Finance estimates for Merced County and racial demographics of schools near the project area were analyzed. In addition, a Caltrans environmental planner met with the management of the potentially acquired apartment building (May 2005) to determine the current ethnicity of the tenants. This updated data indicated the same demographics as the 2000 Census.

Caltrans evaluated an alternative intersection configuration that would realign Cooper Avenue to form a four-way intersection with Willowbrook Avenue and State Route 59, as opposed to realigning Willowbrook Avenue and affecting the apartment complex. A Cooper Avenue realignment would result in damages to an industrial complex, requiring removal of a storage building, equipment, and parking lots, and affect all truck traffic servicing the businesses and using Cooper Avenue. Cooper Avenue would have to be realigned further to meet turning standards for the trucks. Retail businesses currently using Cooper Avenue could see a decline in their customer base as their business traffic is rerouted to a less direct access from State Route 59. The cost estimate for the Cooper Avenue realignment was \$6,101,900 as opposed to \$3,315,600 for the Willowbrook Avenue realignment, due to the considerable cost difference the Cooper Avenue realignment was not considered practicable.

Based on the above discussion, the proposed project would not cause disproportionately high and adverse effects on any minority or low-income populations as discussed in Executive Order 12898 regarding environmental justice.

Avoidance, Minimization, and/or Mitigation Measures

Project measures include noise abatement for the increasing noise levels that would occur throughout the project area. Two noise barriers are proposed for the locations in front of the mobile home park. Other locations within the project area did not meet the criteria for noise abatement.

As part of Caltrans' mitigation, a Relocation Assistance Program would be provided to any displaced persons as a result of this project. The purpose of the Relocation Assistance Program is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 United States Code 2000d, et seq.). Comparable housing would be made available for all displaced persons.

2.1.3 Utilities

Affected Environment

Utility poles and aerial service lines within the project area are operated by Pacific Gas and Electric Company, Comcast cable television, and South Bell

Communications. Pacific Gas and Electric Company and South Bell Communications also have underground utilities, which include high-pressure gas lines and fiber optic telephone lines. Additional underground utilities include the Merced Water Company water lines, the Merced Irrigation District irrigation lines, and the City of Merced storm drains and sewer lines.

Impacts

Construction of the Build Alternative would require relocation of approximately 43 utility poles. The following underground utilities would also be affected: Pacific Gas and Electric Company gas lines, South Bell Communications, the Merced Water Company water lines, the Merced Irrigation District irrigation lines, and the City of Merced storm drains and sewer lines.

Avoidance, Minimization, and/or Mitigation Measures

Although utility poles and service lines would be relocated, minimal service interruption may occur as services are transferred or relocated.

2.1.4 Traffic and Transportation / Pedestrian and Bicycle Facilities

Regulatory Setting

The Federal Highway Administration directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (see 23 Code of Federal Regulations 652). It further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

Caltrans and the Federal Highway Administration are committed to carrying out the 1990 Americans with Disabilities Act by building transportation facilities that provide equal access for all persons. The same degree of convenience, accessibility, and safety available to the general public will be provided to persons with disabilities.

Affected Environment

The intersection of State Route 59 and 16th Street currently operates using stop signs. Bear Creek Road, Willowbrook Avenue, and Cooper Avenue all access the two-lane highway as T-intersections rather than four-way intersections. For vehicles driving on State Route 59, there are no stop signs or traffic signals at these intersections.

Olive/Santa Fe Avenue intersects State Route 59 towards the northern end of the project.

Although the City of Merced's bus system uses State Route 59, there are currently no designated bus turnouts within the project area. A bike path enters the project area from the east at the southeast corner of Olive Avenue and State Route 59. The bike path continues across Olive Avenue, along State Route 59, until it reaches Black Rascal Creek where it veers eastward. The rest of the project area does not have bike lanes because the shoulder widths are non-standard and therefore the highway would not accommodate a bike lane.

Impacts

The proposed project would have the following beneficial impacts to traffic and transportation:

- To improve the operation of State Route 59 within the project area, traffic signals are proposed for the 16th Street and State Route 59 intersection, the entrance to the Riviera Holiday Mobile Estates, and the proposed four-way intersection of Willowbrook and Cooper avenues.
- Willowbrook Avenue would be realigned to intersect State Route 59 directly across from Cooper Avenue, creating a four-way intersection. The new intersection at Willowbrook and Cooper avenues would provide improved operation of the highway because it would be signalized and would eliminate the two T-intersections.
- Since the project area is developed, a left-turn lane has been proposed for the length of the project, which would allow for improved access to both residences and businesses.
- Dual left-turn lanes at the intersection of Olive Avenue and State Route 59 would further improve the flow of traffic within the project area.
- To provide for alternative methods of transportation, the proposed widened shoulders would be designated as a bike lane to accommodate bicycle traffic throughout the project area.
- Two bus turnouts would also be provided on both the east and west side of the highway, which would make it easier to use the bus system.
- Implementation of the Build Alternative would relieve traffic congestion and improve safety within the proposed project limits by satisfying the Level of Service D criteria for 12 years after being constructed (Figure 2-1). To satisfy the standard 20-year Level of Service D criteria, the project would need to be a six-

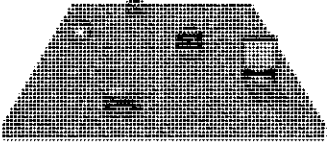
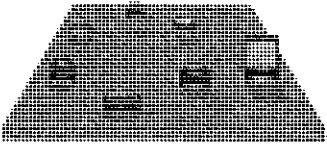
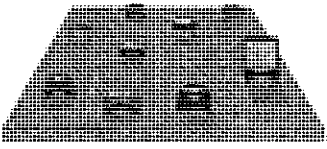
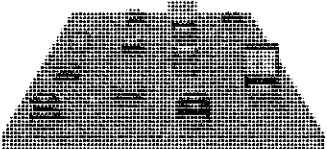


lane facility instead of a four-lane facility. Widening to six lanes would result in significant environmental effects to established neighborhoods, such as the acquisition and relocation of businesses, mobile homes, single-family homes, and apartments. Additionally, the Merced County Association of Governments is conducting preliminary design and environmental studies for relocating State Route 59 to bypass the City of Merced. The proposed bypass facility is anticipated to reduce travel demand on State Route 59 within the project area.

Avoidance, Minimization, and/or Mitigation Measures

This project would be constructed in phases. During construction, a Traffic Management Plan would be developed to accommodate local traffic patterns and reduce delays and congestion. Standard Caltrans construction practices include: information updates on roadway conditions; portable changeable message signs; lane and road closures; advance warning signs; alternate routes; reverse and alternative traffic control; and a traffic contingency plan for unforeseen circumstances and emergencies. Caltrans would meet with local public officials to review the plan, as well as publicize plan details. Construction may be scheduled to avoid areas that need access during seasonal periods, such as harvest season. Typically, Caltrans would provide access to property owners.

LEVELS OF SERVICE

for Multi-Lane Highways

Level of Service	Flow Conditions	Operating Speed (mph)	Technical Descriptions
A		60	Highest level of service. Traffic flows freely with little or no restrictions on maneuverability. No delays
B		60	Traffic flows freely, but drivers have slightly less freedom to maneuver. No delays
C		60	Density becomes noticeable with ability to maneuver limited by other vehicles. Minimal delays
D		57	Speed and ability to maneuver is severely restricted by increasing density of vehicles. Minimal delays
E		55	Unstable traffic flow. Speeds vary greatly and are unpredictable. Minimal delays
F		<55	Traffic flow is unstable, with brief periods of movement followed by forced stops. Significant delays

Source: 2000 HCM, Exhibit 21-3, Speed-Flow Curves with LOS Criteria for Multi-Lane Highways

Figure 2-1 Levels of Service for Multi-Lane Highways

2.1.5 Visual/Aesthetics

Regulatory Setting

The National Environmental Policy Act of 1969, as amended, establishes that the federal government use all practicable means to ensure all Americans safe, healthful, productive, and *aesthetically* and culturally pleasing surroundings [42 United States Code 4331(b)(2)]. To further emphasize this point, the Federal Highway Administration in its implementation of National Environmental Policy Act [23 United States Code 109(h)] directs that final decisions regarding projects are to be made in the best overall public interest, taking into account adverse environmental impacts, including among others, the destruction or disruption of aesthetic values.

Likewise, the California Environmental Quality Act establishes that it is the policy of the state to take all action necessary to provide the people of the state “with . . . enjoyment of *aesthetic*, natural, scenic and historic environmental qualities.” [California Public Resources Code Section 21001(b)].

Affected Environment

A Scenic Resource Evaluation was completed on May 5, 2005. Land uses adjacent to State Route 59 within the project area are a mixture of rural undeveloped land, single- and multi-family residences, industrial businesses, a church, and a mobile home park. Large trees and shrubs screen some of the properties. Large trees are within the right-of-way at various locations, including Bear Creek, Black Rascal Creek, and an area north of Black Rascal Canal.

Impacts

The proposed project would remove trees and shrubs that provide vegetative screens for the church, businesses, and residences. The trees and shrubs function as a visual barrier to and from the road.

Numerous eucalyptus trees within the state right-of-way are considered visual resources. These trees would potentially be removed to accommodate the widening of the existing roadway. The highway widening would also affect the trees lining 16th Street near the vacant Firestone Tire building and some olive trees between 16th Street and North Bear Creek Drive. Within the riparian area next to Bear Creek Bridge, a large oak tree and a large alder tree would be affected. Between the two Bear Creek bridges, a large sycamore could potentially be affected. Additional trees and plants that would be removed include oleanders, black locust, and willow.

Avoidance, Minimization, and/or Mitigation Measures

Property owners who experience a removal of screening vegetation from their properties would be compensated at the time of right-of-way purchase. Removal of any sizable eucalyptus, alder, sycamore, or native oaks from Caltrans' right-of-way would be replaced with similar trees. The trees lining 16th Street, the oleanders, black locust, and willow would need to be replanted.

2.1.6 Cultural Resources

Regulatory Setting

“Cultural resources” as used in this document refers to historic and archaeological resources eligible for or listed in the National, State, or local register of historic places. The primary federal laws dealing with historic and archaeological resources include:

The National Historic Preservation Act, as amended, sets national policy and procedures regarding “historic properties”—that is, districts, sites, buildings, structures, and objects included in or eligible for the National Register of Historic Places. Section 106 of National Historic Preservation Act requires federal agencies to consider the effects of their undertakings on such properties, following regulations issued by the Advisory Council on Historic Preservation (36 Code of Federal Regulations 800).

The Native American Graves Protection and Repatriation Act addresses the rights of lineal descendants, Indian tribes, and Native Hawaiian organizations to Native American human remains and certain cultural items with which they are affiliated, and directs federal agencies and federally assisted museums to identify and repatriate the cultural affiliation of Native American human remains and related cultural items in holdings or collections under their possession or control.

Cultural resources may also be protected by Section 4(f) of the U.S. Department of Transportation Act.

Under California law, cultural resources are protected by the California Environmental Quality Act, as well as Public Resources Code Section 5024.1, which established the California Register of Historic Places. Section 5024.5 requires state agencies to provide notice to, and to confer with the State Historic Preservation Officer before altering, transferring, relocating, or demolishing state-owned historic resources.

Affected Environment

Architectural History

Buildings in the project area are primarily single-family residences and apartment complexes. There are also two churches, industrial and business properties, four bridges, and a canal.

Nineteen properties requiring consideration were identified. All other properties in the project area did not require evaluation. Three of the identified properties were bridges previously determined ineligible for the National Register, and requiring no further evaluation. The remaining properties, consisting of 10 buildings, one bridge, State Route 59 (the old Snelling Road), railroad tracks, Black Rascal Canal, and a group of irrigation features were evaluated for eligibility for inclusion in the National Register of Historic Places. The evaluation was done in accordance with the National Historic Preservation Act, the Federal Highway Administration, and the State Historic Preservation Office guidelines. None of the properties evaluated were deemed eligible for inclusion in the National Register of Historic Places.

Archaeology

A surface survey did not locate any archaeological material. Where surface visibility was limited, alternate methods of investigation were used to determine the presence of cultural resources. Data gathered from the Merced County Historical Society, archived material and personal communications from Merced Junior College, archives at the State Library, Caltrans bridge data, and the history of the Merced Irrigation District shows the study area is not likely to contain archaeological resources. Additional field studies also indicated that stable soils below the surface that may be associated with archaeological resources were not present within the project area.

Impacts

There are no impacts to eligible properties or archaeological resources. The State Historic Preservation Officer concurred with Caltrans' finding of No Historic Properties Affected on April 18, 2005. The letter can be found in Appendix E.

Avoidance, Minimization, and/or Mitigation Measures

If artifacts were discovered during excavation, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist can assess the find.

If human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease. The County Coroner must be notified of the find immediately so that he/she may ascertain the origin. Pursuant to Public Resources Code Section 5097.98 if the remains were thought to be Native American, then the coroner would notify the Native American Heritage Commission, who would then notify the Most Likely Descendent. The Most Likely Descendent may inspect the remains with the approval of the landowner or the landowner's authorized representative. The Most Likely Descendent must complete this inspection within 24 hours after notification by the Native American Heritage Commission. The Most Likely Descendent may recommend scientific removal and nondestructive analysis.

2.2 Physical Environment

2.2.1 Water Quality and Storm Water Runoff

Regulatory Setting

The primary federal law regulating water quality is the Clean Water Act. Section 401 of the act requires a water quality certification from the State Board or Regional Board when a project: 1) requires a federal license or permit (a Section 404 permit is the most common federal permit for Caltrans projects), and 2) will result in a discharge to "waters of the United States." Waters are defined as anything that might be considered waterways either on a commercial or recreational scale.

Section 402 of the act establishes the National Pollutant Discharge Elimination System permit system for the discharge of any pollutant (except dredge or fill material) into waters of the United States. To ensure compliance with Clean Water Act Section 402, the State Water Resources Control Board has issued a National Pollutant Discharge Elimination System Statewide Storm Water Permit to regulate storm water discharges from Caltrans facilities. The permit regulates storm water discharges from the Caltrans right-of-way both during and after construction, as well as from existing facilities and operations.

In addition, the State Water Resources Control Board has issued a construction general permit for most construction activities covering greater than 0.40 hectare (1 acre), that are part of a Common Plan of Development exceeding 2.02 hectares (5 acres) or that have the potential to significantly impair water quality. Some construction activities may require an individual construction permit. All Caltrans projects that are subject to the construction general permit require a Storm Water

Pollution Prevention Plan, while all other projects require a Water Pollution Control Program. Subject to Caltrans' review and approval, the contractor prepares both the Storm Water Pollution Prevention Plan and the Water Pollution Control Program. These identify construction activities that may cause pollutants in storm water and measures to control these pollutants. Since neither the Water Pollution Control Program nor the Storm Water Pollution Prevention Plan are prepared at this time, the following discussion focuses on anticipated pollution controls.

In some areas, Regional Water Quality Control Boards have issued permits that supersede parts of the general permit. Also, some Regional Water Quality Control Boards have issued Water Discharge Requirements in addition to the general permit. An example is the requirement in some areas to notify the Regional Water Quality Control Board that soils containing aerielly deposited lead will be reused.

Additional laws regulating water quality include the Porter-Cologne Water Quality Act, Safe Drinking Water Act, and Pollution Prevention Act. State water quality laws are codified in the California Water Code.

Affected Environment

The project site lies within the North Valley Floor Hydrologic Area of the San Joaquin River watershed. The principal streams in this area are the San Joaquin River and its larger tributaries, the Upper Merced River, Lower Merced River, Chowchilla River, and the Bear and Owens creeks. Bear Creek and Black Rascal Creek are the only water bodies within the project limits. A Water Quality Report was completed on February 16, 2005.

Impacts

Short-term impacts to surface water quality could occur during the construction of this project. The potential surface water quality impacts are:

- Increases in sediments, turbidity, and total dissolved solids
- Toxicity due to chemical substances originating from construction activities

Impacts may occur from exposing loose soil during excavation, as well as grading and filling activities. Suspended solids, dissolved solids, and organic pollutants in surface water runoff could increase when nearby soils are disturbed and dust is generated. Changes in storm water drainage could potentially affect the water quality as well.

No groundwater impacts are expected and no adverse short-term and long-term impacts are anticipated as a result of the proposed project because minimization and/or mitigation measures would be incorporated into the project as explained below.

Avoidance, Minimization, and/or Mitigation Measures

Management measures and Best Management Practices would be needed to address any water quality impacts. Best Management Practices for roads, highways, and bridges include the following:

- Protect areas that provide important water quality benefits or are particularly susceptible to erosion
- Limit land disturbance such as clearing, grading, cutting, and filling to prevent erosion
- Limit disturbance of natural drainage features and vegetation
- Position bridge structures so that sensitive and valuable aquatic ecosystems are protected
- Prepare and implement an approved Storm Water Pollution Prevention Plan
- Ensure proper storage and disposal of toxic material
- Incorporate pollution prevention into operation and maintenance procedures
- Develop and implement runoff pollution controls for existing road systems

2.2.2 Hazardous Waste Materials

Regulatory Setting

Hazardous materials and hazardous wastes are regulated by many state and federal laws. These include not only specific statutes governing hazardous waste, but also a variety of laws regulating air and water quality, human health, and land use.

The primary federal laws regulating hazardous wastes/materials are the Resource Conservation and Recovery Act of 1976 and the Comprehensive Environmental Response, Compensation and Liability Act of 1980. The Resource Conservation and Recovery Act provides for “cradle to grave” regulation of hazardous wastes. The purpose of the Comprehensive Environmental Response, Compensation and Liability Act, is to clean up contaminated sites so that public health and welfare are not compromised. Other federal laws include the following:

- Community Environmental Response Facilitation Act of 1992
- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Occupational Safety & Health Act
- Atomic Energy Act
- Toxic Substances Control Act
- Federal Insecticide, Fungicide, and Rodenticide Act

In addition to the acts listed above, Executive Order 12088, Federal Compliance with Pollution Control, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

Hazardous waste in California is regulated primarily under the authority of the federal Resource Conservation and Recovery Act of 1976 and the California Health and Safety Code. Other California laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during project construction.

Affected Environment

An Initial Site Assessment was completed on June 27, 2002. Field surveys and record searches were used to identify potential hazardous waste concerns within the project area. The project area consists of single-family residential homes, community housing, a trailer park, and several businesses.

Five potential concerns requiring further study were identified in the project area. They are lead-based paint, treated wood, asbestos-containing materials, aerially deposited lead, and potential soil impacts adjacent to the railroad.

Impacts

Due to the fact that residential structures and bridges within the project area are of the age when lead-based paint was used, it is recommended that all paints within the project area be treated as containing lead during any future maintenance, renovation, and demolition activities. For the three bridges, 12 square meters (39.4 square feet) of peeling and flaking paint was present.

The Black Rascal Canal Bridge railings are made of treated wood that contain the chemical pentachlorophenol in amounts that exceed the threshold to be classified as a hazardous material. The wood samples collected from the bridge rail were also analyzed for arsenic, copper, and zinc. Based on the analysis, these chemicals also exceeded their threshold for being toxic and should be classified as a hazardous material.

Bridge samples were collected and analyzed for asbestos-containing materials. Based on the results of the analysis, asbestos was not detected in the bridge samples.

It is recommended that if excavations are 0.61 meter (2 feet) or more in depth, the soil may be reused onsite as clean fill material or disposed of as a non-hazardous waste with regards to aerially deposited lead. If the excavations are less than 0.61 meter (2 feet) in depth, the soil could contain lead concentrations in an amount that exceeds the threshold to be classified as a hazardous waste. Additional sampling for waste classification of stockpiled soil is recommended before re-use or disposal if the excavations are 0.61 meter (2 feet) or less.

Soil samples that were collected adjacent to the railroad right-of-way were analyzed for Total Petroleum Hydrocarbons from gasoline and metals other than lead. The results of the analysis determined that the Total Petroleum Hydrocarbons and metals were not present in amounts that would classify the soil as hazardous waste.

Avoidance, Minimization, and/or Mitigation Measures

The residential structures that would be acquired should be surveyed for lead-based paint and asbestos-containing materials prior to demolition. If Caltrans requires partial or full acquisition of parcels, property, or structures known to have or, through further investigation, found to have hazardous waste on or within the parcel boundaries, property, or structures, then these wastes should be removed and disposed of in an appropriate Class 1 land fill.

Before planned demolition work, any flaking and peeling paint on the bridges should be removed and disposed of properly. The intact lead-painted materials that are removed and demolished do not require disposal as a hazardous waste; however, the painted waste materials should be characterized before disposal. The bridge rails that are made of treated wood should be handled as a hazardous waste and disposed of accordingly.

For excavations less than 0.61 meter (2 feet) in depth, the soil may be re-used onsite only if it meets the standards of the Department of Toxic Substance Control. For soil that has been stockpiled, a sample analysis should be done to classify the soil as a hazardous waste or as soil suitable for re-use onsite.

2.2.3 Air Quality

Regulatory Setting

The Clean Air Act, as amended in 1990, is the federal law that governs air quality. Its counterpart in California is the California Clean Air Act of 1988. These laws set standards for the quantity of pollutants that can be in the air. At the federal level, these standards are called National Ambient Air Quality Standards. Standards have been established for carbon monoxide, nitrogen dioxide, ozone, and particulate matter that is 10 microns in diameter or smaller.

Under the 1990 Clean Air Act Amendments, the U.S. Department of Transportation cannot fund, authorize, or approve federal actions to support programs or projects that are not first found to conform to the Clean Air Act requirements. Conformity with the Clean Air Act takes place on two levels—first, at the regional level and, second, at the project level. The proposed project must conform at both levels to be approved.

Regional level conformity is concerned with how well the region is meeting the standards set for the pollutants listed above. At the regional level, Regional Transportation Plans are developed that include all of the transportation projects

planned for a region over a period of years, usually 20. Based on the projects included in the Regional Transportation Plans, an air quality model is run to determine whether or not the implementation of those projects would result in a violation of the Clean Air Act. If no violations would occur, then the regional planning organization, such as the Merced County Association of Governments for Merced County, and the appropriate federal agencies, such as the Federal Highway Administration, make the determination that the Regional Transportation Plan is in conformity with the Clean Air Act. Otherwise, the projects in the Regional Transportation Plan must be modified until conformity is attained. If the design and scope of the proposed transportation project are the same as described in the Regional Transportation Plans, then the proposed project is deemed to be in conformity at the regional level.

Conformity at the project level is also required. As above, the pollutants of concern are carbon monoxide, nitrous dioxide, ozone, and particulate matter that is 10 microns in diameter or smaller. If a region is meeting the standard for a given pollutant, then the region is said to be in "attainment" for that pollutant. If the region is not meeting the standard, then it is designated a "non-attainment" area for that pollutant. Areas that were previously designated as non-attainment areas but have recently met the standard are called "maintenance" areas. If a project is located in a non-attainment or maintenance area for a given pollutant, then additional air quality analysis and reduction measures for that pollutant are required. This is most frequently done for carbon monoxide and particulate matter that is 10 microns in diameter or smaller.

Affected Environment

The proposed project lies in the San Joaquin Valley Air Basin. The mountain ranges bordering the air basin influence wind direction and speed. They channel winds through the valley, affecting both the climate and dispersion of air pollutants, and they contribute to an atmospheric inversion layer in the valley. Inversions occur when the upper air becomes warmer than the air beneath it and traps pollutants near the earth's surface before they disperse upward. Inversions occur throughout the year in the San Joaquin Valley, although they are more prevalent and of greater magnitude in late summer and fall. An Air Quality Analysis was completed on April 28, 2005.

For federal standards, Merced County is considered in attainment with respect to carbon monoxide and nitrogen dioxide, and in non-attainment with respect to ozone, PM₁₀, and PM_{2.5}. For state standards, Merced County is considered in attainment with respect to carbon monoxide and sulfur dioxide and in non-attainment with respect to ozone and particulate matter, and unclassified with respect to hydrogen sulfide.

Table 2.6 shows the air quality classifications for particulate matter, ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and hydrogen sulfide by federal and state standards.

Table 2.6 Air Quality Emissions Standards

Criteria Pollutant	Federal Standard	Federal Attainment Status	State Standard	State Attainment Status
Ozone	0.12 ppm (1-hour average)	Non-attainment/ Severe	0.09 ppm (1-hour average)	Non-attainment
Carbon Monoxide	35 ppm (1-hour average) 9 ppm (8-hour average)	Attainment/ Maintenance	20 ppm (1-hour average) 9 ppm (8-hour average)	Attainment
Particulate Matter _{2.5}	15 micrograms/m ³ (annual arithmetic mean) 150 micrograms/m ³ (24 hour average)	Non-Attainment	No Standard	No Standard
Particulate Matter ₁₀	150 g/m ³ (annual arithmetic mean)	Non-Attainment/ Serious	50 g/m ³ (annual arithmetic mean)	Non-Attainment
Nitrogen Oxide	.053 ppm (1-hour annual average)	Attainment	0.25 ppm (1-hour annual average)	Attainment
Sulfur Dioxide	0.14 ppm (24 hours)	Attainment	0.25 ppm (1 hour)	Attainment
Hydrogen Sulfide	No federal standard	N/A	0.03 ppm (1 hour)	Unclassified

ppm = parts per million
micrograms/m³ = micrograms per cubic meter
g/m³ = grams per cubic meter

Impacts

Regional Analysis

The cost-constrained 2004 Regional Transportation Plan for Merced County was found to conform by the Merced County Association of Governments on August 19, 2004, and the Federal Highway Administration and Federal Transit Administration adopted the air quality conformity finding on September 22, 2004. The project is also included in the Merced County Association of Governments' cost-constrained Federal Transportation Improvement Program, which was found to conform by the Federal Highway Administration and Federal Transit Administration on September 22, 2004.

The project is expected to improve the Level of Service and reduce the overall idling time at intersections. The reduction in idling time would reduce idle emissions of PM₁₀ and thus improve the air quality in the project area. In addition, this project would not create or worsen an existing violation of the PM₁₀ National Ambient Air Quality Standard.

During construction, the proposed project would generate air pollutants. The exhaust from construction equipment contains hydrocarbons, oxides of nitrogen, carbon monoxide, suspended particulate matter, and odors. However, the largest percentage of pollutants would be windblown dust generated during excavation, grading, hauling, and various other activities. The impacts of these activities would vary each day as construction progresses.

Avoidance, Minimization, and/or Mitigation Measures

No mitigation measures are required for the long-term operational air quality effects. To minimize construction-related impacts to air quality, the contractor would be required to comply with all local air quality ordinances. Dust would be controlled by standard construction practices, such as spraying disturbed areas with water and limiting work on windy days. The project would also be subject to the San Joaquin Valley Unified Air Pollution Control District regulations to control dust emissions from human activities. Rule 8020 (Control of Fine Particulate Matter from Construction, Demolition, Excavation, and Extraction Activities) would apply to the project. Rule provisions require that:

- Disturbed areas not actively used for seven days would be stabilized to limit visible dust emissions.
- Ground-disturbing activities be undertaken with appropriate dust control measures during disturbance.
- Visual dust emission from onsite, unpaved roads and offsite, unpaved access roads would be effectively limited.
- Accumulated mud or dirt would be removed from paved public roads, including shoulders next to construction.

2.2.4 Noise

Regulatory Setting

The National Environmental Policy Act of 1969 and the California Environmental Quality Act provide the broad basis for analyzing and abating highway traffic noise effects. The intent of these laws is to promote the general welfare of the public and to foster a healthy environment.

For highway transportation projects with Federal Highway Administration involvement, the Federal-Aid Highway Act of 1970 and the associated implementing regulations (23 Code of Federal Regulations 772) govern the analysis and abatement of traffic noise impacts. The regulations require that potential noise impacts in areas of frequent human use be identified during the planning and design of a highway project. The regulations contain noise abatement criteria that are used to determine when a noise impact would occur. The noise abatement criteria differ depending on the type of land use under analysis. For example, the noise abatement criterion for residences (67 decibels) is lower than for commercial areas (72 decibels). Table 2.7 lists the noise abatement criteria.

In accordance with the Caltrans *Traffic Noise Analysis Protocol for New Highway Construction and Reconstruction Projects, October 1998*, a noise impact occurs when the future noise level with the project results in a substantial increase in noise level (defined as a 12-decibel or more increase) or when the future noise level with the project approaches or exceeds the noise abatement criteria. Approaching the noise abatement criteria is defined as coming within 1 decibel of the noise abatement criteria.

If it is determined that the project would have noise impacts, then potential abatement measures must be considered. Noise abatement measures that are determined to be reasonable and feasible at the time of final design are incorporated into the project plans and specifications. This document discusses noise abatement measures that would likely be incorporated in the project. Table 2.8 shows typical noise levels.

Table 2.7 Noise Abatement Criteria Thresholds

Activity Category	Noise Abatement Criteria Hourly A-Weighted Noise Level, dBA $L_{eq}(h)$	Description of Activities
A	57 Exterior	Lands on which serenity and quiet are of extraordinary significance and serve an important public need and where the preservation of those qualities is essential if the area is to continue to serve its intended purpose.
B	67 Exterior	Picnic areas, recreation areas, playgrounds, active sport areas, parks, residences, motels, hotels, schools, churches, libraries, and hospitals.
C	72 Exterior	Developed lands, properties, or activities not included in Categories A or B above.
D	--	Undeveloped lands.
E	52 Interior	Residences, motels, hotels, public meeting rooms, schools, churches, libraries, hospitals, and auditoriums.

dBA = A-weighted decibels, which are adjusted to approximate the way humans perceive sound

Table 2.8 Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet Fly-over at 300m (1000 ft)	110	Rock Band
Gas Lawn Mower at 1 m (3 ft)	100	
Diesel Truck at 15 m (50 ft), at 80 km (50 mph)	90	Food Blender at 1 m (3 ft)
Noisy Urban Area, Daytime	80	Garbage Disposal at 1 m (3 ft)
Gas Lawn Mower, 30 m (100 ft)	70	Vacuum Cleaner at 3 m (10 ft)
Commercial Area		Normal Speech at 1 m (3 ft)
Heavy Traffic at 90 m (300 ft)	60	Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (Background)
Quiet Suburban Nighttime	30	Library
Quiet Rural Nighttime	20	Bedroom at Night, Concert Hall (Background)
	10	Broadcast/Recording Studio
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

The Caltrans *Traffic Noise Analysis Protocol* sets forth the criteria for determining when an abatement measure is reasonable and feasible. Feasibility of noise abatement is basically an engineering concern. A minimum 5-decibel reduction in the future noise level must be achieved for an abatement measure to be considered feasible. Other considerations include topography, access requirements, other noise sources, and safety considerations. The reasonableness determination is basically a cost-benefit analysis. Factors used in determining whether a proposed noise abatement measure is reasonable include: residents' acceptance, the absolute noise level, build versus existing noise, environmental impacts of abatement, public and local agencies input, newly constructed development versus development pre-dating 1978, and the cost per benefited residence.

Affected Environment

Caltrans completed a noise investigation for this project, which included identifying noise-sensitive receptors, such as residences, businesses, and a church. Land uses within the project area are mostly industrial and residential, including apartments and a mobile-home park. The distances from the State Route 59 edge of the roadway to the receptors (homes and businesses) range from 18.6 meters (61.0 feet) to 66.6 meters (218.5 feet).

Impacts

Forty individual receptors were identified as being affected by the proposed project (see Appendix H, Noise Receptor Map). Future noise levels were predicted at these locations to determine if the project would have traffic noise impacts.

Of the 40 receptors, only 12 meet the noise abatement criteria by approaching or exceeding 67 decibel (criteria for residential uses) (Table 2.9).

Receptors 2 to 13 are all located within the Riviera Holiday Mobile Estates and require noise abatement in the form of sound barriers to achieve a 5-decibel decrease in noise. The future noise level with the proposed project at these receptors is predicted to increase, causing an adverse impact. To achieve a 5-decibel reduction for these receptors, a 1.8-meter (6-foot) high sound wall would be needed.

The remaining receptors (1, and 14 to 40) also experienced an increase in noise level from the proposed project. However, it was determined that these receptors did not meet the noise abatement criteria as the noise at these receptors remained below the 67 decibels.

Avoidance, Minimization, and/or Abatement Measures

Based on the studies completed to date, Caltrans and the Federal Highway Administration intend to incorporate noise abatement in the form of two barriers. The barriers would be placed in front of the Riviera Holiday Mobile Estates so as not to block the entrance. Each barrier would be 96.87 meters (317.81 feet) long with an average height of 1.8 meters (6 feet). Calculations based on preliminary design data indicate that the barriers would reduce noise levels from 5 to 13 decibels. If, during final design, conditions have substantially changed, noise abatement may not be necessary. The final decision regarding noise abatement would be made upon completion of the project design and public involvement.

Table 2.9 Noise Levels for the Olive Avenue/16th Street Widening

Receptor	Address	Existing Noise Level	Future Modeled Noise Level (Leq (h)) (No Build)	Predicted Noise Level (Leq(h), 20 years) w/o Barrier (Build Condition)	Feasible and Reasonable	Predicted Noise Level with Abatement		
						1.8 m (6 ft)	2.4 m (8 ft)	3.0 m (10 ft)
1	2434 Hwy 59	54.8	58.6	59.7	No/No	*	*	*
2	Mobile Home 1	61.3	62.6	66.2	Yes/Yes	55.7	54.5	53
3	Mobile Home 2	61.3	62.6	64.5	Yes/Yes	56.9	55.7	54.1
4	Mobile Home 3	61.5	63.1	65.9	Yes/Yes	56.8	55.5	53.8
5	Mobile Home 4	63.2	64.5	65.9	Yes/Yes	56.7	55.4	53.7
6	Mobile Home 5	63.2	65.7	65.8	Yes/Yes	56.9	55.6	53.9
7	Mobile Home 6	64.0	64.6	66.1	Yes/Yes	56.9	55.8	53.9
8	Mobile Home 7	63.9	63.0	66.1	Yes/Yes	57.1	55.6	54.2
9	Mobile Home 8	63.8	64.5	66.1	Yes/Yes	58.8	55.8	56.4
10	Mobile Home 9	63.8	60.5	66.9	Yes/Yes	57.1	57.7	59.6
11	Mobile Home 10	66.0	66.3	70.2	Yes/Yes	58.8	60.1	55.9
12	Mobile Home 11	61.6	66.5	70.2	Yes/Yes	60.5	57.3	53.5
13	Mobile Home 12	61.1	64.5	65.6	Yes/Yes	58.5	55.2	52.9
14	2610 Hwy 59	61.1	61.1	64.4	No/No	*	*	*
15	2620 Hwy 59	61.1	62.5	64.4	No/No	*	*	*
16	2636 Hwy 59	61.0	62.8	64.4	No/No	*	*	*
17	2646 Hwy 59	60.3	62.7	64.4	No/No	*	*	*
18	2652 Hwy 59	60.7	62.8	64.4	No/No	*	*	*
19	2668 Hwy 59	63.3	63.3	64.4	No/No	*	*	*
20	2678 Hwy 59	64.4	63.7	64.4	No/No	*	*	*
21	2680 Hwy 59	57.6	62.7	64.4	No/No	*	*	*
22	2686 Hwy 59	66.0	64.1	64.4	No/No	*	*	*
23	2696 Hwy 59	62.4	62.5	64.4	No/No	*	*	*
24	2708 Hwy 59	65.7	64.9	64.4	No/No	*	*	*
25	2740 Hwy 59	63.1	66.2	64.4	No/No	*	*	*
26	2750 Hwy 59	63.0	64.0	64.4	No/No	*	*	*
27	2790 Hwy 59	62.0	62.1	61.6	No/No	*	*	*
28	2794 Hwy 59	58.1	60.7	61.6	No/No	*	*	*
29	2800 Hwy 59	61.6	61.1	61.6	No/No	*	*	*
30	2808 Hwy 59	65.7	62.7	61.6	No/No	*	*	*
31	2824 Hwy 59	60.8	60.1	61.6	No/No	*	*	*
32	2872 Hwy 59	63.9	62.7	61.6	No/No	*	*	*
33	2896 Hwy 59	64.9	63.5	61.6	No/No	*	*	*
34	2901 Hwy 59	65.4	64.1	65.3	No/No	*	*	*
35	2940 Hwy 59	64.8	63.8	65.3	No/No	*	*	*
36	2940 Hwy 59	61.6	63.0	65.3	No/No	*	*	*
37	2940 Hwy 59	62.2	62.9	65.3	No/No	*	*	*
38	2940 Hwy 59	62.0	62.8	65.3	No/No	*	*	*
39	2940 Hwy 59	62.6	62.9	65.3	No/No	*	*	*
40	3065 Hwy 59	57.8	58.6	62.0	No/No	*	*	*

* Values for these receptors were not calculated because they did not meet the noise abatement criteria.
m = meters; ft = feet

2.2.5 Hydrology and Floodplain

Regulatory Setting

Executive Order 11988 (Floodplain Management) directs all federal agencies to refrain from conducting, supporting, or allowing actions in floodplains unless it is the only practicable alternative. The Federal Highway Administration requirements for compliance are outlined in 23 Code of Federal Regulations 650 Subpart A.

To comply, the following must be analyzed:

- The practicability of alternatives to any longitudinal encroachments
- Risks of the action
- Impacts on natural and beneficial floodplain values
- Support of incompatible floodplain development
- Measures to minimize floodplain impacts and to preserve/restore any beneficial floodplain values affected by the project.

The 100-year floodplain is defined as “the area subject to flooding by the flood or tide having a one percent chance of being exceeded in any given year.” An encroachment is defined as “an action within the limits of the 100-year floodplain.”

Affected Environment

A Location Hydraulic Study was completed on December 10, 2002 using Flood Insurance Rate Maps. The Location Hydraulic Study analyzed the potential impacts that the proposed project could have on the floodplain. According to the Flood Insurance Rate Maps, the 100-year base floodplain crosses the proposed project between kilometer post 24.6 and 26.7 (post mile 15.3 and 16.6) and is designated as “Zone AO, Zone AE, and Zone AH”. Zones AO, AE, and AH are defined as areas inundated by 100-year shallow flooding where depths are between 0.30 meters (1 foot) and 0.91 meters (3 feet).

Impacts

The proposed project does not create a longitudinal encroachment within the 100-year floodplain because the highway, including bridges, would be constructed to allow through water flow. Further, the project would not have a substantial encroachment on the base floodplain. There would be no substantial effects on natural or beneficial floodplain values.

Avoidance, Minimization, and/or Mitigation Measures

Routine construction procedures to minimize floodplain impacts and restore or preserve floodplain values would be incorporated into the final design. These procedures include, but are not limited to, raising the bridge elevation at Black Rascal Creek by 1.5 meters (5 feet) to stay above the 100-year floodplain level, constructing a curb-and-gutter drainage network, and creating discharge basins to collect runoff.

2.3 Biological Environment

As expected in an urban area, no natural communities exist within most of the project area because paved areas, residences, commercial facilities, an active railroad, and parking lots encompass most of the area. The few places that are unpaved consist of the State Route 59 shoulders, disked areas, dirt parking lots/pullout areas, and recently imported fill dirt. The Caltrans right-of-way and adjacent areas within the northern portion of the project area support some vegetation typical of disturbed areas, including annual, non-native ripgut brome (*Bromus diandrus*), prickly lettuce (*Lactuca serriola*), and foxtail barley (*Hordeum murinum*).

2.3.1 Wetlands and Waters of the United States

Regulatory Setting

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Clean Water Act (33 United States Code 1344) is the primary law regulating wetlands and waters. The Clean Water Act regulates the discharge of dredged or fill material into “waters of the United States,” including wetlands. “Waters of the United States” include navigable waters, interstate waters, territorial seas, and other waters that may be used in interstate or foreign commerce. To classify wetlands for the purposes of the Clean Water Act, a three-parameter approach is used that includes the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils subject to saturation/inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the Clean Water Act.

Section 404 of the Clean Water Act establishes a regulatory program that provides that no discharge of dredged or fill material can be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation’s waters would be significantly degraded. The Section 404 permit program is run by the

U.S. Army Corps of Engineers with oversight by the Environmental Protection Agency.

The Executive Order for the Protection of Wetlands (Executive Order 11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, this executive order states that a federal agency, such as the Federal Highway Administration, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: 1) that there is no practicable alternative to the construction and 2) the proposed project includes all practicable measures to minimize harm.

At the state level, wetlands and waters are regulated primarily by the California Department of Fish and Game and the Regional Water Quality Control Boards. Sections 1600-1607 of the Fish and Game Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify the California Department of Fish and Game before beginning construction. If the California Department of Fish and Game determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement would be required. California Department of Fish and Game jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of the U.S. Army Corps of Engineers may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the California Department of Fish and Game.

The Regional Water Quality Control Boards were established under the Porter-Cologne Water Quality Control Act to oversee water quality. The Regional Water Quality Control Boards also issue water quality certifications in compliance with Section 401 of the Clean Water Act. Please see Water Quality and Storm Water Runoff, Section 2.2.1, for additional details.

Affected Environment

Bear Creek flows under 16th Street and is maintained for the controlled release of irrigation water. Peak flows for Bear Creek occur from as early as March and as late as October when irrigation demand is greatest (see Table 2.11). From approximately November through February, irrigation water stops flowing and the creek mostly carries precipitation from the Sierra Nevada foothills. Black Rascal Creek flows under State Route 59 in the northern portion of the project area. Black Rascal Creek

carries irrigation water as well, but flows are typically less. Black Rascal Creek splits into two channels as it approaches and flows under State Route 59's two bridges.

Bear Creek and Black Rascal Creek qualify as Waters of the U.S. under the jurisdiction of the U.S. Army Corp of Engineers. Black Rascal Creek also contains jurisdictional wetlands in shallower areas. The term "jurisdictional wetlands" refers to areas that are saturated by surface or ground water at a frequency and duration sufficient to support vegetation adapted for saturated soil conditions.

Two riparian areas are in the project area. Riparian refers to vegetation that grows along the banks of a stream, river, or lake. One riparian area around Bear Creek contains intermittent patches of vegetation, mainly comprised of blackberry vines (*Rubus* sp.) and a sparse mixture of non-native and native trees. Native trees include the Fremont cottonwood (*Populus fremontii*) and the valley oak (*Quercus lobata*). The riparian habitat along the creek has been greatly degraded and has lost virtually all of its original integrity.

The other riparian area around Black Rascal Creek maintains a greater riparian diversity than Bear Creek in a thin riparian belt, mainly comprised of large eucalyptus trees (*Eucalyptus* sp.) and blackberry vines. Flow velocity is slow enough to reduce scouring (erosion caused by moving water) and to allow for intermittent patches of wetland vegetation to take hold in shallower areas including bulrush (*Scirpus* sp.), juncus (*Juncus* sp.), and cattails (*Typha* sp.).

Impacts

Approximately 0.32 hectare (0.80 acre) of Bear Creek may be temporarily affected from the construction of new bridge columns for the Bear Creek bridges (see Table 2.10). Construction equipment would need access to the creek channel during construction activities. However, permanent impacts are expected to total less than 0.04 hectare (0.10 acre), resulting from the placement of new bridge columns within the Bear Creek channel.

Table 2.10 Wetland and Other Waters Impacts

	Permanent Impacts*	Temporary Impacts*	Jurisdictional Agency
Bear Creek (Waters of the US)	0.04 hectare (0.10 acre)	0.32 hectare (0.80 acres)	U. S. Army Corp of Engineers
Black Rascal Creek (Wetlands)	0.18 hectare (0.44 acre)	None	U. S. Army Corp of Engineers

Within Black Rascal Creek, construction activities could permanently affect up to 0.18 hectare (0.44 acre) of jurisdictional wetlands. Less than 0.04 hectare (0.10 acre) of Waters of the U.S. would be permanently removed.

Avoidance, Mitigation, and/or Minimization Measures

Impacts to wetlands and waters of the U.S. would be minimized to the greatest extent practicable. For unavoidable impacts to wetlands, proposed mitigation would consist of the creation of a wetland onsite or the purchase of credits at a wetland mitigation bank.

Permits required for work within Bear and Black Rascal Creeks include:

- 1602 Streambed Alteration Agreement from the California Department of Fish and Game
- 404 Nationwide Permit 14 (linear transportation projects) and 33 (temporary construction, access, and dewatering) from the Army Corp of Engineers
- 401 Certification from the Regional Water Quality Control Board

2.3.2 Plant Species

Regulatory Setting

The U.S. Fish and Wildlife Service and California Department of Fish and Game share regulatory responsibility for the protection of special-status plant species. “Special-status” species are selected for protection because they are rare and/or subject to population and habitat declines. Special-status is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act and/or the California Endangered Species Act. For detailed information regarding these species, please see the Threatened and Endangered Species section (2.3.4) in this document.

This section of the document discusses all of the other special-status plant species, including California Department of Fish and Game fully protected species and species of special concern, U.S. Fish and Wildlife Service candidate species, and non-listed California Native Plant Society rare and endangered plants.

The regulatory requirements for the Federal Endangered Species Act can be found at United States Code 16, Section 1531, et. seq. See also 50 Code of Federal Regulations Part 402. The regulatory requirements for the California Endangered

Species Act can be found in the California Fish and Game Code, Section 2050, et. seq. Caltrans projects are also subject to the Native Plant Protection Act, found in the California Fish and Game Code, Section 1900-1913, and the California Environmental Quality Act, Public Resources Code, Sections 2100-2117.

Affected Environment

Caltrans biologists surveyed the proposed project area for impacts to rare and sensitive plant species after a review of the California Department of Fish & Game California Natural Diversity Database, the U.S. Fish and Wildlife Service special-status species list, and the California Native Plant Society Electronic Inventory.

The majority of the surface acreage of the project area includes paved areas, residences, commercial facilities, an active railroad, and parking lots. The few places that are unpaved consist of the shoulders of State Route 59, disked areas, dirt parking lots/pullout areas, and recently imported fill dirt. The Caltrans right-of-way and adjacent areas within the northern portion of the project area support some vegetation typical of disturbed areas, including annual, non-native ripgut brome (*Bromus diandrus*), prickly lettuce (*Lactuca serriola*), and foxtail barley (*Hordeum murinum*).

Bear Creek contains intermittent patches of vegetation, mainly comprised of blackberry vines (*Rubus* sp.) and a mixture of non-native and native trees. Native trees include the Fremont cottonwood (*Populus fremontii*) and valley oak (*Quercus lobata*). The riparian habitat along the creek has been greatly degraded and has lost virtually all of its original integrity.

Black Rascal Creek maintains a greater riparian diversity than Bear Creek in a thin riparian belt, mainly comprised of large eucalyptus trees (*Eucalyptus* spp.) and blackberry vines. Black Rascal Creek flows slow enough to allow for intermittent patches of wetland vegetation to take hold in shallower areas including bulrush (*Scirpus* sp.), juncus (*Juncus* sp.), and cattails (*Typha* sp.).

Impacts

Several large riparian trees on Bear Creek and Black Rascal Creek would require removal before construction.

Avoidance, Mitigation, and/or Minimization Measures

To compensate for the removal of riparian vegetation, riparian trees and shrubs would be planted in a location and at a ratio determined later as required by the California Department of Fish and Game.

2.3.3 Animal Species

Regulatory Setting

Many state and federal laws regulate impacts to wildlife. The U. S. Fish and Wildlife Service, the National Oceanic and Atmospheric Administration Fisheries, and the California Department of Fish and Game are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with wildlife not listed or proposed for listing under the state or federal Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in Section 2.3.4 below. All other special-status animal species are discussed here, including California Department of Fish and Game fully protected species and species of special concern, and United States Fish and Wildlife Service or National Oceanographic and Atmospheric Administration Fisheries candidate species.

Federal laws and regulations pertaining to wildlife include the National Environmental Policy Act, Migratory Bird Treaty Act, and Fish and Wildlife Coordination Act. State laws and regulations pertaining to wildlife include the California Environmental Quality Act, Sections 1601–1603 of the Fish and Game Code, and Sections 4150 and 4152 of the Fish and Game Code.

Affected Environment

Caltrans biologists investigated potential impacts to wildlife in the proposed project area, after a review of the California Department of Fish & Game California Natural Diversity Database and the U.S. Fish and Wildlife Service special-status species list.

Large trees, primarily eucalyptus, provide potential nesting and roosting habitat for raptors within the project area. The two most common species are the red-tailed hawk (*Buteo jamaicensis*) and the Swainson's hawk (*Buteo swainsoni*). In addition, trees, shrubs, and other structures provide potential nesting habitat for a variety of migratory birds. The undersides of the bridges at Bear Creek and Black Rascal Creek provide nesting habitat for cliff swallows (*Hirundo pyrrhonota*). Additionally, the Bear Creek Bridge expansion joints provide high quality day and night roosting habitat for bats.

Impacts

If trees and other structures with active raptor nests are removed during the nesting season, mortality to young raptors may occur. If trees, shrubs, and structures occupied by migratory birds are removed during the nesting season, mortality to migratory bird young may occur. Widening of the Bear Creek Bridge and the replacement of Black Rascal Creek Bridge may result in the reduction of swallow nesting and bat roosting

habitat. If construction occurs during the nesting season, mortality to swallow young may occur. Construction on these bridges may also result in the permanent removal of the bat roosting habitat and if bats are present during the construction, mortality could occur.

Avoidance, Mitigation, and/or Minimization Measures

Actions taken to mitigate for impacts to raptors and/or migratory birds would follow guidelines provided in Caltrans' Migratory Bird Special Provisions (see Natural Environmental Study). If practicable, trees, shrubs, and other suitable nesting habitat should be removed during the non-breeding season, which is September 2 through February 14 (see Table 2.11).

If construction occurs during the swallow nesting season, February 15 through September 1, existing nests would be removed prior to February 15 and periodic scalping would be required for the duration of the project, or exclusionary devices such as netting would be used to prevent swallows from building new nests. Actions taken to mitigate for impacts to swallows would follow guidelines provided in Caltrans' Swallow Special Provisions (see Natural Environmental Study).

At least six months prior to construction, visual surveys would be performed to determine existing bat usage of the bridge. If bats were detected, exclusionary devices such as netting or foam would be used to deter bats from occupying the bridge prior to and/or during construction. To compensate for lost roosting habitat, replacement habitat would be incorporated into the new bridge design and/or installed offsite.

2.3.4 Threatened and Endangered Species

Regulatory Setting

The primary federal law protecting threatened and endangered species is the Federal Endangered Species Act: United States Code, Title 16 Section 1531, et seq. See also 50 CFR Part 402. This act and subsequent amendments provide for the conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration, are required to consult with the United States Fish and Wildlife Service and the National Oceanographic and Atmospheric Administration Fisheries to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation

under Section 7 is a Biological Opinion or an incidental take permit. Section 3 of the Federal Endangered Species Act defines “take” as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect or any attempt at such conduct.”

California has enacted a similar law at the state level, the California Endangered Species Act, California Fish and Game Code, Section 2050, et seq. The California Endangered Species Act emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project-caused losses of listed species populations and their essential habitats. The California Department of Fish and Game is the agency responsible for implementing the California Endangered Species Act. Section 2081 of the Fish and Game Code prohibits “take” of any species determined to be an endangered species or a threatened species. “Take” is defined in Section 86 of the Fish and Game Code as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” The California Endangered Species Act allows for take incidental to otherwise lawful development projects; for these actions, an incidental take permit is issued by the California Department of Fish and Game. For projects requiring a Biological Opinion under Section 7 of the Federal Endangered Species Act, the California Department of Fish and Game may also authorize impacts to California Endangered Species Act species by issuing a Consistency Determination under Section 2080.1 of the Fish and Game Code.

Affected Environment

An official species list was obtained from the United States Fish and Wildlife Service in July 2004. Field surveys were conducted from 2001 through 2004 in the study area and indicated that Central Valley fall/late fall-run chinook salmon (*Oncorhynchus tshawytscha*) could potentially occur in the project area during extraordinary high flow.

The Central Valley fall/late fall-run chinook salmon, a species of Pacific salmon (*Oncorhynchus* spp.), is a federal candidate for listing as Threatened. Bear Creek serves as an Essential Fish Habitat for the Central Valley fall/late fall-run chinook salmon. Congress defines Essential Fish Habitat for federally managed fish species as “Those waters and substrate necessary for spawning, breeding, feeding, or growth to maturity.” Black Rascal Creek, which is a tributary to Bear Creek, also is included as an Essential Fish habitat.

Since the Central Valley fall/late fall-run chinook salmon is a species of concern, it would not have the protection that is provided by the Federal Endangered Species Act. However, the National Oceanic and Atmospheric Administration Fisheries agrees with the protective measures outlined in the Natural Environmental Study for this species. The National Oceanic and Atmospheric Administration Fisheries concurred with the protective measures on September 8, 2004 (see Appendix G).

Impacts

Construction activities may result in a temporary increase in turbidity (cloudiness) and sedimentation downstream of the construction site. Various contaminants, such as fuel and oils, could be introduced into the system either directly or through surface runoff. Sediment could also enter the river from disturbed upland areas during rain events. Salmon are only rarely seen in Bear Creek, and typically, downstream of the project site. Therefore, it is not expected that chinook salmon would be present during construction, even if construction occurs within the typical migration window of October 1 through June 1. In the rare event that chinook salmon make their way to the project construction site, passage beyond the construction site could potentially be obstructed and contaminants (sediments, fuels) might interfere with fish respiration.

Essential Fish Habitat may be temporarily affected by construction associated with the widening of Bear Creek Bridge and replacement of Black Rascal Creek Bridge, specifically from the addition of pile footings and columns. The bridge foundation may require the use of cofferdams for dewatering, pile driving, and footing construction. A cofferdam is a temporary barrier to exclude water and allow construction in an area that is usually submerged. To construct cofferdams, a trestle may be built with floats positioned so that work may be conducted or a gravel access bed may be constructed.

No suitable spawning habitat occurs within the project area. However, Bear Creek and Black Rascal Creek within the project area could be used by migrating chinook salmon, which could be obstructed by construction activities. Water quality could be reduced during construction and affect the fish both in the project area and downstream. Caltrans submitted a concurrence request letter outlining proposed Essential Fish Habitat conservation measures to the National Oceanic and Atmospheric Administration Fisheries on August 11, 2004. The National Oceanic and Atmospheric Administration Fisheries determined that the project activities would not adversely affect Essential Fish Habitat for Pacific salmon, based on their review of the project description and conservation measures provided.

Avoidance, Mitigation, and/or Minimization Measures

Although it is unlikely that chinook salmon would use Bear Creek and/or Black Rascal Creek during construction, the following reasonable mitigation measures are proposed to reduce the potential effects of the proposed project on chinook salmon to a level of *not likely to adversely affect*, assuming the listing status of the chinook salmon is elevated prior to or during construction. These measures would be incorporated into the project design, schedule, and specifications. These measures are also expected to address potential impacts to Essential Fish Habitat.

If practicable, all in-water work would be restricted to the period from June 1 to October 1 (see Table 2.11). This is a period when chinook salmon are not expected to be present in the general area and subject to physical disturbance. If in-water construction activities occur outside this restricted period, a qualified biologist would evaluate the condition of the creek during the in-water construction window to verify that no chinook salmon are present within the project area.

- Fish passage would be maintained at all times. If dewatering is necessary, an upstream diversion dam and flumes would be installed to carry water across the work area. The flumes would be sized to carry all of the anticipated flow. The diversion would be left in place until the construction area is backfilled and compacted. The upstream diversion dam would be constructed of non-erodible materials such as sandbags, water bladders, geo-tubes, or K-rails.
- Stranded aquatic life would be captured and removed from the work area on a daily basis.
- All material excavated from the streambed would be stockpiled where it cannot be washed back into the stream or outside the designated construction limits.
- Sediment control devices, such as silt fences, would be placed around all work areas, staging areas, soil stockpiles, or other disturbed ground and maintained for the duration of construction to prevent erosion of fine-textured sediment into the river. If dewatering is necessary, water would be pumped into adjacent upland areas more than 30 meters (100 feet) from the channel. The contractor would take all reasonable precautions to prevent increases in downstream turbidity.
- Construction equipment would not be refueled within 30 meters (100 feet) of the creek.
- Surface runoff from the bridge would be collected and directed into an adjacent upland zone more than 30 meters (100 feet) from the river to allow the water to drop sediment before re-entering the river.

- The construction contractor would also comply with all requirements specified by the California Department of Fish and Game, National Oceanic and Atmospheric Administration Fisheries, the Regional Water Quality Control Board, and/or the Army Corp of Engineers.

Table 2.11 Construction Windows

	Construction Within Creeks	Tree and Shrub Removal
Time Frame	June 1 to October 1	September 2 to February 14

Chapter 3 **Comments and Coordination**

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process to determine the scope of environmental documentation, the level of analysis, potential impacts and mitigation measures, and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including project development team meetings and interagency coordination meetings. This chapter summarizes the results of Caltrans' efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

Early Coordination

Caltrans project managers and various members of the project development team have met quarterly with the Merced County Association of Governments, the City of Merced, and the County of Merced. All three agencies are interested in this project and support its construction.

Coordination with Public Agencies

California Department of Fish and Game

- **20 July 2001:** Mr. Clarence Mayott confirmed that a 1602 permit would be required prior to construction for disturbance to both Bear Creek and Black Rascal Creek.
- **23 March 2004:** Mr. Clarence Mayott indicated during a telephone conversation that he would not require an acoustic bat survey to be performed at the 16th Street Bridge over Bear Creek. Mr. Mayott did, however, say that mitigation for impacts to bat habitat would be required in the 1602 Streambed Alteration Agreement. He left it up to Caltrans to propose a mitigation strategy, but said that he approves of "bat boxes" as replacement habitat, either attached to the bridge's outer surface or incorporated into the bridge interior.
- **27 July 2004:** Mr. Clarence Mayott was consulted via telephone regarding the unoccupied stick nest that occurs approximately 76 meters (250 feet) east of the project area north of Black Rascal Creek. Mr. Mayott requested that preconstruction surveys be completed to determine which species (if any) is using the nest. If raptors (including Swainson's hawks) are observed using the nest, construction may proceed, as long as a qualified monitor is onsite and confirms

that nest abandonment would not occur. Timing of construction to occur during the non-nesting season (September 1 – February 15) would be preferable.

National Oceanic and Atmospheric Administration Fisheries

- **2 June 2004:** Ms. Madelyn Martinez indicated that Bear Creek and Black Rascal Creek occur within an appropriate watershed to serve as Essential Fish Habitat. California Department of Fish and Game data submitted in 2001 also show that Central Valley fall/late fall-run chinook salmon (*Oncorhynchus tshawytscha*) were observed in a downstream portion of Bear Creek during an extraordinary high flow. However, Ms. Martinez agreed that the chance of salmon occurring in Bear Creek during construction is slim, and if Caltrans submits a letter agreeing to implement standard avoidance and minimization measures to reduce impacts to the chinook salmon and Essential Fish Habitat, she would not require further consultation if the listing status for chinook salmon is elevated prior to or during construction. Caltrans mailed a concurrence request letter outlining proposed Essential Fish Habitat conservation measures to Ms. Martinez on August 11, 2004. A letter dated September 8, 2004 from the National Oceanic and Atmospheric Administration Fisheries determined that the project activities would not adversely affect Essential Fish Habitat for Pacific Salmon based on their review of the project description and conservation measures provided.

Army Corp of Engineers

- **24 March 2004:** Ms. Nancy Haley submitted verification of delineated wetland boundaries for Black Rascal Creek. Verification is valid for five years.

State Office of Historic Preservation

- **24 March 2005:** Caltrans sent the completed Historic Property Survey Report to the State Historic Preservation Officer.
- **18 April 2005:** The State Historic Preservation Officer concurred with Caltrans findings stating that the evaluated properties were not eligible for the National Register of Historic Properties.

Coordination with Native American Groups

Native American Heritage Commission

- **5 May 2003:** Caltrans contacted the Native American Heritage Commission requesting a search of sacred lands files and a list of potentially interested Native American groups and individuals. The Native American Heritage Commission responded with a letter indicating the search failed to indicate the presence of

Native American cultural resources in the immediate project area and that Katherine Erolinda Perez, as well as the American Indian Council of Mariposa County, were potentially interested parties who may have knowledge of cultural resources near the undertaking.

Native American Tribes, Groups, and Individuals

- **10 June 2003:** Packets that included letters of introduction, project descriptions, and project area maps were sent to the American Indian Council of Mariposa County and Katherine Erolinda Perez.
- **10 February 2005:** Supplemental letters with updated maps were sent to the American Indian Council of Mariposa County and Katherine Erolinda Perez. No response to the letters was received.
- **18 March 2005:** Phone messages were left for the American Indian Council of Mariposa County and Katherine Erolinda Perez stating that Caltrans wanted their input on the project and that Caltrans wanted to update them on the status of the project. No response was received from Ms. Perez. Chairperson Brochini of the American Indian Council of Mariposa County stated that the council had no comment.
- **21 March 2005:** Another message was left for Ms. Perez restating that Caltrans was interested in her comments and that the Historic Property Survey Report was about to be submitted to the State Historic Preservation Officer. Ms. Perez would receive a copy of the report.
- **23 March 2005:** Ms. Perez contacted Caltrans regarding the report. Her review and comments will be done concurrently with the State Historic Preservation Officer review.

Public Participation

Public Hearing

Caltrans will hold a public hearing in Merced when the draft environmental document is approved for circulation. Letters of invitation to the public hearing will be sent to federal, state, and local officials; property owners in the study area; and businesses located along State Route 59 within the project area. The public hearing will also be announced to the general public by advertisements in local newspapers. Public comments will be requested at that time.

Chapter 4 **List of Preparers**

The following Caltrans staff contributed in the preparation of this Initial Study:

Christopher Bassar, Transportation Engineering Technician. B.S., Environmental Resource Management, Pennsylvania State University, 5 years experience writing technical studies for air quality, noise impacts, and water quality. Contribution: Noise Impact Report

Abdul Rahim Chafi, Transportation Engineer. Ph.D., Engineering Management, California Coast University; M.S., Chemistry, California State University, Fresno; M.S., Civil Engineering, California State University, Fresno; B.S., Chemistry, California State University, Fresno; 6 years experience in transportation engineering. Contribution: Air Quality Study.

Rajeev Dwivedi, Associate Engineering Geologist. Ph.D., Environmental Engineering, Oklahoma State University, Stillwater; 15 years environmental technical studies experience. Contribution: Water Quality Study.

Brian Gassner, Associate Environmental Planner (Archaeology). B.A., Anthropology, Northern Arizona University; 8 Years archaeological field and laboratory experience in Arizona and California, journeyman-level practitioner of Section 106 compliance. Contribution: Archaeology.

Geoffrey Gray, Associate Environmental Planner, Natural Sciences. M.A. and B.A., Biology, California State University, Fresno; 5 years experience in biology for Caltrans. Contribution: Natural Environmental Study.

Susan Greenwood, Associate Environmental Planner. B.S., Environmental Sciences, California State University Fresno. Registered Environmental Health Specialist with the State of California; 12 years experience as a Hazardous Waste Specialist with Counties of Fresno and Madera, 4 years experience with Caltrans in the Hazardous Waste Branch. Contribution: Hazardous Waste evaluations and reports.

Edward A. Hibbs, Associate Landscape Architect. B.S., Landscape Architecture, California Polytechnic State University, San Luis Obispo, A.A., Architecture, Rio Hondo College; more that 27 years of experience in landscape

architecture. Contribution: Scenic Resource Evaluation, Erosion Control, and Landscape Architectural recommendations.

Ram Narayan Gupta, Project Manager. M.B.A., Business Administration, University of Nevada-Reno; B.S., Civil Engineering, Indian Institute of Technology; 17 plus years of experience in project management, contract administration, construction management, budgeting, bridge design, and analysis. Contribution: Project Manager.

Martin Nishikawa, P.E. Senior Transportation Engineer. B.S., Civil Engineering, California State University, Fresno; 18 years of civil engineering experience. Contribution: Design Manager.

Sean Pledger, P. E. Project Engineer. B.S., Civil Engineering, California State University, Chico; 13 years of civil engineering experience. Contribution: Project Engineer.

Jane Sellers, Research Writer. B.A., Journalism, California State University, Fresno; more than 15 years writing/editing experience. Contribution: Document Editor.

Ahmad Shokrpour, Project Engineer. B.S., Civil Engineering, California State University, Fresno; 10 years of civil engineering experience. Contribution: Project Engineer.

Gordon Watkins, Associate Right-of-Way Agent. B.S., Real Estate and Urban Land Economics, California State University, Fresno. Public and county (10 years) experience in real estate and urban land economics; 3 years experience in Right-of-Way for Caltrans. Contribution: Draft Relocation Impact Statement.

Vickie Traxler, Chief, San Joaquin Valley Analysis Branch. M.S., Regional Resource Planning, Colorado State University; B.S., Environmental Science, Grand Valley State College; 9 years experience in resource planning. Contribution: Environmental Unit Supervisor.

Matthew Voss, Associate Environmental Planner. B.S., Biology, California State University, Fresno; 4 years experience in environmental planning. Contribution: Environmental planning coordinator and document preparation.

Appendix A California Environmental Quality Act Checklist

The following checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.”

The California Environmental Quality Act requires that environmental documents determine significant or potentially significant impacts. In many cases, background studies performed in connection with the project indicate no impacts. A mark in the “no impact” column of the checklist reflects this determination. Any needed explanation of that determination is provided at the beginning of Chapter 2.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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AESTHETICS - Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Expose sensitive receptors to substantial pollutant concentration?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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BIOLOGICAL RESOURCES - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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COMMUNITY RESOURCES - Would the project:

a) Cause disruption of orderly planned development?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Be inconsistent with a Coastal Zone Management Plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Affect life-styles, or neighborhood character or stability?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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f) Affect employment, industry, or commerce, or require the displacement of businesses or farms?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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g) Affect property values or the local tax base?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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h) Affect any community facilities (including medical, educational, scientific, or religious institutions, ceremonial sites or sacred shrines)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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i) Result in alterations to waterborne, rail, or air traffic?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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j) Support large commercial or residential development?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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k) Affect wild or scenic rivers or natural landmarks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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l) Result in substantial impacts associated with construction activities (e.g., noise, dust, temporary drainage, traffic detours, and temporary access, etc.)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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CULTURAL RESOURCES - Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Disturb any human remains, including those interred outside of formal cemeteries?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ii) Strong seismic ground shaking?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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iii) Seismic-related ground failure, including liquefaction?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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iv) Landslides?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in substantial soil erosion or the loss of topsoil?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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HAZARDS AND HAZARDOUS MATERIALS -

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

HYDROLOGY AND WATER QUALITY - Would the project:

- a) Violate any water quality standards or waste discharge requirements?

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or offsite?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or offsite?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) Create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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j) Inundation by seiche, tsunami, or mudflow?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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LAND USE AND PLANNING - Would the project:

a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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NOISE - Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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PUBLIC SERVICES -

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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RECREATION -

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

TRANSPORTATION/TRAFFIC - Would the project:

a) Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
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b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incomplete uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

UTILITY AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Result in determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	--	------------------------------	-----------

g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

MANDATORY FINDINGS OF SIGNIFICANCE -

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------



Appendix B Title VI Policy Statement

STATE OF CALIFORNIA — BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY (916) 653-4086



*Flex your power!
Be energy efficient!*

January 14, 2005

TITLE VI POLICY STATEMENT

The California Department of Transportation under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, and age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.


WILL KEMPTON
Director

"Caltrans improves mobility across California"

Appendix C Summary of Relocation Benefits

California Department of Transportation Relocation Assistance Program

RELOCATION ASSISTANCE ADVISORY SERVICES

The California Department of Transportation (Caltrans) will provide relocation advisory assistance to any person, business, farm, or non-profit organization displaced as a result of Caltrans' acquisition of real property for public use. Caltrans will assist residential displacees in obtaining comparable decent, safe, and sanitary replacement housing by providing current and continuing information on sales price and rental rates of available housing. Non-residential displacees will receive information on comparable properties for lease or purchase.

Residential replacement dwellings will be in equal or better neighborhoods, at prices within the financial means of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, displacees will be offered comparable replacement dwellings that are open to all persons regardless of race, color, religion, sex, or national origin, and are consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include supplying information concerning federal and state assisted housing programs, and any other known services being offered by public and private agencies in the area.

RESIDENTIAL RELOCATION PAYMENTS PROGRAM

The Relocation Payment program will assist eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for, or incidental to, purchasing or renting a replacement dwelling, and actual reasonable expenses incurred in moving to a new location within 80 kilometers (50 miles) of the displacee's property. Any actual moving costs in excess of 80 kilometers (50 miles) are the responsibility of the displacee. The Residential Relocation Program can be summarized as follows:

Moving Costs

Any displaced person who was "lawfully" in occupancy of the acquired property regardless of the length of occupancy in the property acquired will be eligible for reimbursement of moving costs. Displacees will receive either the actual reasonable costs involved in moving themselves and personal property up to a maximum of 80

kilometers (50 miles), a moving service authorization, or a fixed payment based on a fixed moving cost schedule that is determined by the number of furnished or unfurnished rooms of the displacement dwelling.

Purchase Supplement

In addition to moving and related expenses payments, fully eligible homeowners may be entitled to payments for increased costs of purchasing replacement housing.

Homeowners who have owned and occupied their property for 180 days prior to the date of the first written offer to purchase the property, may qualify to receive a price differential payment equal to the difference between Caltrans' offer to purchase their property and the price of a comparable replacement dwelling, and may qualify to receive reimbursement for certain nonrecurring costs incidental to the purchase of the replacement property. An interest differential payment is also available if the interest rate for the loan on the replacement dwelling is higher than the loan rate on the displacement dwelling, subject to certain limitations on reimbursement based on the replacement property interest rate. Also, the interest differential must be based on the "lesser of" either the loan on the displacement property or the loan on the replacement property. The maximum combination of these three supplemental payments that the owner-occupants can receive is \$22,500. If the calculated total entitlement (without the moving payments) is in excess of \$22,500, the displacee may qualify for the Last Resort Housing described below.

Rental Supplement

Tenants who have occupied the property to be acquired by Caltrans for 90 days or more and owner-occupants who have occupied the property 90 to 180 days prior to the date of the first written offer to purchase may qualify to receive a rental differential payment. This payment is made when Caltrans determines that the cost to rent a comparable and "decent, safe, and sanitary" replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the eligible occupant may qualify for a down payment benefit designed to assist in the purchase of a replacement property and the payment of certain costs incidental to the purchase, subject to certain limitations noted below under the "Down Payment" section (see below). The maximum amount of payment to any tenant of 90 days or more and any owner-occupant of 90 to 179 days, in addition to moving expenses, will be \$5,250. If the calculated total entitlement for rental supplement exceeds \$5,250, the displacee may qualify for the Last Resort Housing Program described below.

The rental supplement of \$7,500 or less will be paid in a lump sum, unless the displacee requests that it be paid in installments. The displaced person must rent and

occupy a “decent, safe, and sanitary” replacement dwelling within one year from the date Caltrans takes legal possession of the property, or from the date the displacee vacates Caltrans-acquired property, whichever is later.

Down Payment

Displacees eligible to receive a rental differential payment may elect to apply it to a down payment for the purchase of a comparable replacement dwelling. The down payment and incidental expenses cannot exceed the maximum payment of \$5,250, unless the Last Resort Housing Program is indicated. The one-year eligibility period in which to purchase and occupy a “decent, safe, and sanitary” replacement dwelling will apply.

Last Resort Housing

Federal regulations (49 Code of Federal Regulations 24.404) contain the policy and procedure for implementing the Last Resort Housing Program on federal-aid projects. To maintain uniformity in the program, Caltrans has also adopted these federal guidelines on non-federal-aid projects. Except for the amounts of payments and the methods in making them, last resort housing benefits are the same as those benefits for standard relocation as explained above. Last resort housing has been designed primarily to cover situations where available comparable replacement housing is not available, or when their anticipated replacement housing payments, exceed the \$2,520 and \$22,500 limits of the standard relocation procedures. In certain exceptional situations, last resort housing may also be used for tenants of less than 90 days.

After the first written offer to acquire the property has been made, Caltrans will, within a reasonable length of time, personally contact the displacees to gather important information relating to:

- Preferences in area of relocation.
- Number of people to be displaced and the distribution of adults and children according to age and sex.
- Location of school and employment.
- Special arrangements to accommodate any handicapped member of the family.
- Financial ability to relocate into comparable replacement dwelling, which will house all members of the family decently.

The above explanation is general in nature and is not intended to be a complete explanation of relocation regulations. Any questions concerning relocation should be addressed to Caltrans. Any persons to be displaced will be assigned a relocation advisor, who will work closely with each displacee to see that all payments and

benefits are fully utilized, and that all regulations are observed, thereby avoiding the possibility of displacees jeopardizing or forfeiting any of their benefits or payments.

THE BUSINESS AND FARM RELOCATION ASSISTANCE PROGRAM

The Business and Farm Relocation Assistance Program provides aid in locating suitable replacement property for the displacee's farm or business, including, when requested, a current list of properties offered for sale or rent. In addition, certain types of payments are available to businesses, farms, and non-profit organizations. These payments may be summarized as follows:

- Reimbursement for the actual direct loss of tangible personal property incurred as a result of moving or discontinuing the business in an amount not greater than the reasonable cost of relocating the property.
- Reimbursement up to \$1,000 of actual reasonable expenses in searching for a new business site.
- Reimbursement up to \$10,000 of actual reasonable expenses related to the reestablishment of the business at the new location.
- Reimbursement of the actual reasonable cost of moving inventory, machinery, office equipment, and similar business-related personal property, including dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting personal property.

Payment "in lieu" of moving expense is available to businesses that are expected to suffer a substantial loss of existing patronage as a result of the displacement, or if certain other requirements such as inability to find a suitable relocation site are met. This payment is an amount equal to the average annual net earnings for the last two taxable years prior to relocation. Such payment may not be less than \$1,000 and not more than \$20,000.

ADDITIONAL INFORMATION

No relocation payment received will be considered as income for the purpose of the Internal Revenue Code of 1954 or for the purposes of determining eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other federal law (except for any federal law providing low-income housing assistance).

Persons who are eligible for relocation payments and who are legally occupying the property required for the project will not be asked to move without being given at least 90 days advance notice, in writing. Occupants of any type of dwelling eligible

for relocation payments will not be required to move unless at least one comparable “decent, safe, and sanitary” replacement residence, open to all persons regardless of race, color, religion, sex, or national origin, is available or has been made available to them by the state.

Any person, business, farm, or non-profit organization, which has been refused a relocation payment by Caltrans, or believes that the payments are inadequate, may appeal for a hearing before a hearing officer or Caltrans’ Relocation Assistance Appeals Board. No legal assistance is required; however, the displacee may choose to obtain legal council at their expense. Information about the appeal procedure is available from Caltrans’ Relocation Advisors.

The information above is not intended to be a complete statement of all of Caltrans’ laws and regulations. At the time of the first written offer to purchase, owner-occupants are given a more detailed explanation of the state’s relocation services. Tenant occupants of properties to be acquired are contacted immediately after the first written offer to purchase, and also given a more detailed explanation of Caltrans’ relocation programs.

IMPORTANT NOTICE

To avoid loss of possible benefits, no individual, family, business, farm, or non-profit organization should commit to purchase or rent a replacement property without first contacting a Department of Transportation relocation advisor at:

State of California
Department of Transportation, District # 6
855 M Street, Suite 200, Fresno CA 93726

Appendix D Minimization and/or Mitigation Summary

The following tables summarize the mitigation and minimization measures required as a result of the proposed project's impacts to the environment.

Summary of Mitigation

Area	Impact	Mitigation
Biological Resources	Wetland impacts	Wetland replacement and construction monitoring. Use of Best Management Practices during construction.
	Sensitive species habitat	Special-status species habitat compensation, pre-construction surveys, a pre-construction educational meeting, avoidance and minimization, and construction contract special provisions.
Noise	Increase in noise to residences	Construct a noise barrier to reduce noise to acceptable levels.
Community Impacts	Displace residences	Relocation assistance and real property acquisition policies.
Environmental Justice	No disproportionately high and adverse effect would occur to low-income or minority communities.	Relocation assistance and real property acquisition policies.

Summary of Minimization and Monitoring

Area	Impact	Mitigation
Hydrology and Water Quality	Storm water runoff	Implement a Storm Water Pollution Prevention Plan during construction and a Storm Water Management Plan after construction.
Hazardous Waste Materials	Lead-based paint, treated wood, and aerially deposited lead	Classify and properly dispose of all hazardous waste materials at a Class 1 landfill.
Air Quality	PM ₁₀ and PM _{2.5} emissions during construction	Implement Caltrans Standard Specifications that require the contractor to comply with the San Joaquin Valley Unified Air Pollution Control District's rules, ordinances, and regulations.
Visual Resources	Removal of screening vegetation, eucalyptus, oak, alder, sycamore, and olive	Compensation for removal of screening vegetation and replacement planting for eucalyptus removal.

For more detailed information on mitigation, minimization, and monitoring commitments, please see Chapter 2, Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures for these impact areas.

Appendix E State Historic Preservation Officer Concurrence Letter

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-8624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov

COPY



April 18, 2005

In Reply Refer to: FHWA050324D

Brian Gassner
Associate Environmental Planner, Caltrans District 6
2015 East Shields Avenue, Suite A-10
Fresno, CA 93726-5428

Re: Highway 59/16th Street Widening Project, Merced County, California: 10-MER-59: EA 10-0E5900, KP 24.6/26.7 (PM 15.3/16/6).

Dear Mr. Gassner:

Thank you for consulting with me about the subject undertaking in accordance with the Programmatic Agreement (PA) Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California.

As per Stipulation VIII of the PA, the California Department of Transportation (Caltrans) has determined the Area of Potential Effects (APE) and has completed identification and evaluation of historic properties within the APE. Caltrans is requesting my concurrence, pursuant to Stipulation VIII.C.5 of the PA, on eligibility of the historic properties identified within the APE for the National Register of Historic Places (NRHP), and on a finding of No Historic Properties Affected. After review of the letter and documentation submitted in support of this undertaking, I have the following comments:

I concur that the following historic properties identified in the APE and evaluated in the Historic Property Survey Report (HPSR) are not eligible for the NRHP:

- Bear Creek Bridge (39-0009L&R)
- State Route 59 (2-Lane Highway)
- 41 Bear Creek Court, 2434-54 N. State Highway 59 (3 Residences, Barn) APN 058-150-02
- 2668 N. State Highway 59 (Residence) APN 058-140-06
- 2678 N. State Highway 59 (Residence) APN 058-140-05
- 2686 N. State Highway 59 (Residence) APN 058-140-03
- 2696 N. State Highway 59 (Residence) APN 058-140-03
- 2808 N. State Highway 59 (Residence) APN 058-110-11
- 2810 Willowbrook Drive (Residence) APN 058-110-11
- 2824 N. State Highway 59 (Residence) APN 058-110-09
- 2922 N. State Highway 59 (Residence) APN 058-110-03
- Burlington Northern Santa Fe Main Line (Railroad Tracks)
- Black Rascal Canal

- Concrete Siphons, Railroad Berm (Irrigation Features) (Railroad Berm demolished for Underground Utility Installation)
- 3380 N. State Highway 59 (Residence) APN 058-020-24 (demolished after recordation)
- 3384 N. State Highway 59 (Residence) APN 058-020-24 (demolished after recordation) (no site In HPSR)



I concur that the following properties identified in the APE that had been previously found ineligible for the NRHP, remain ineligible:

- Black Rascal Canal Branch Bridge, Bridge #39-0066 (P-24-000652, HRI # 5340-0010-0000)
- Black Rascal So. Fork Bridge, Bridge #39-0067 (P-24-000653, HRI # 5340-0011-000)
- Black Rascal Canal Bridge, Bridge #39-0068 (P-24-000654, HRI # 5340-0012-0000)

I concur that the finding of No Historic Properties Affected is appropriate as per Stipulation IX.A of the PA, and that the documentation supporting this finding has been submitted to me for review as per Stipulation XVI of the PA.

Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule at phone 916-654-4614 or email wsoul@ohp.parks.ca.gov.

Sincerely,

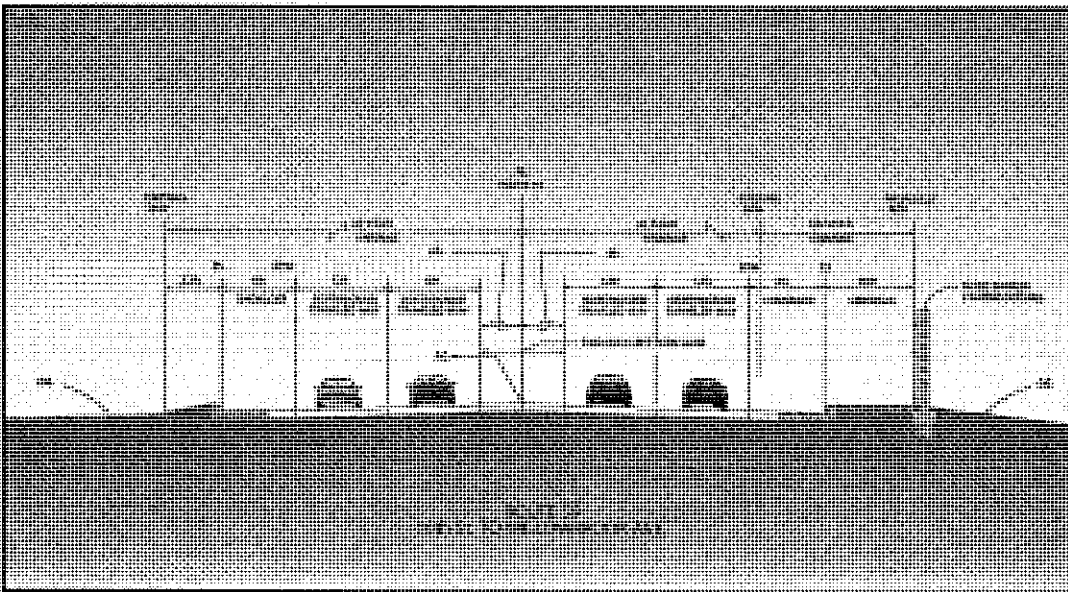
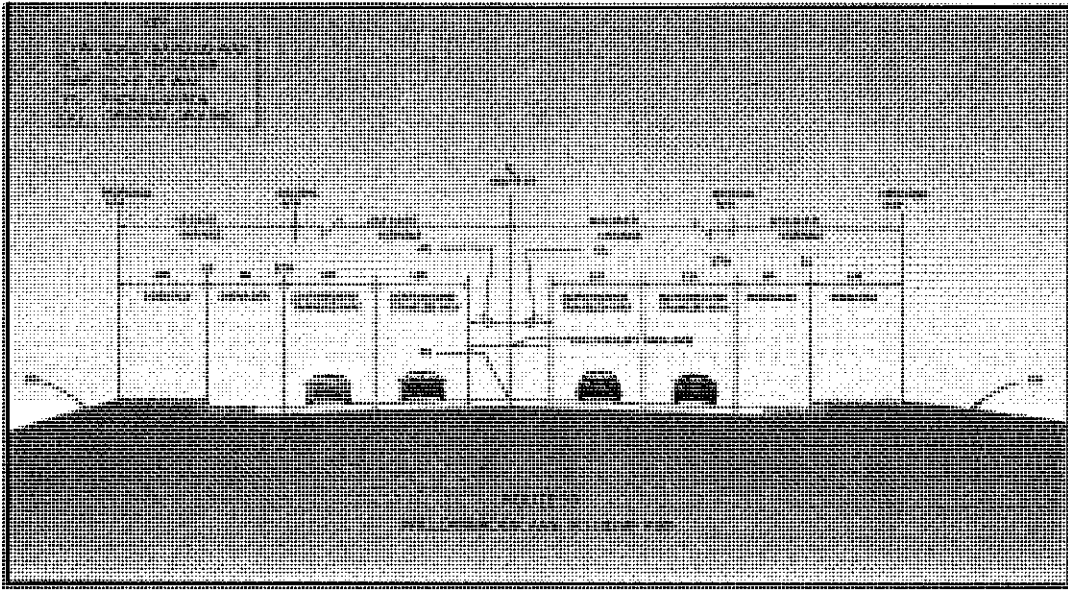
Milford Wayne Donaldson, FALA
State Historic Preservation Officer

Appendix F Build Alternative Cross Sections

TYPICAL CROSS SECTIONS



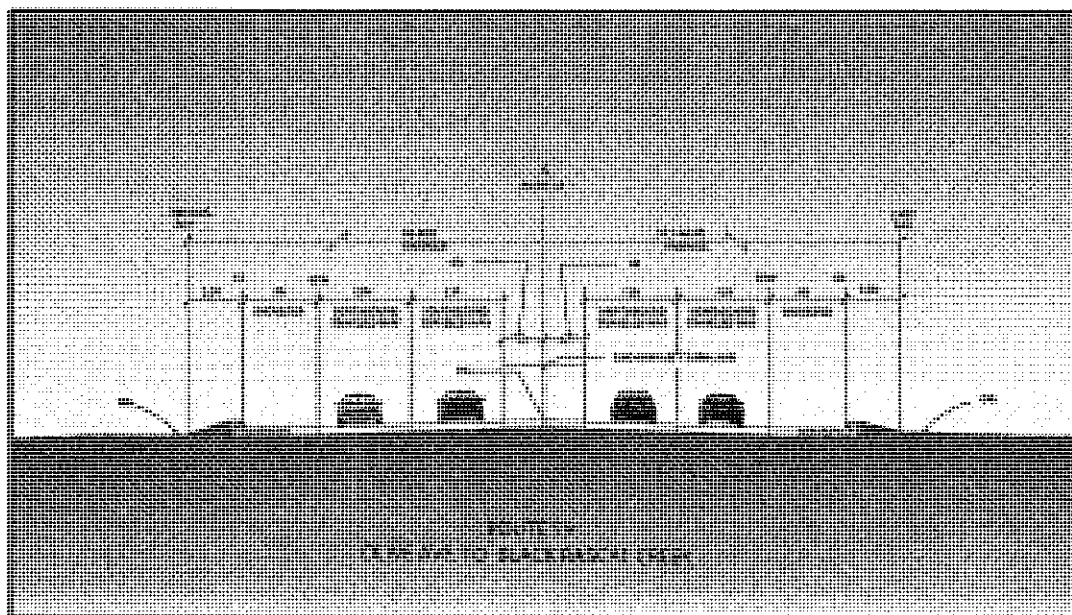
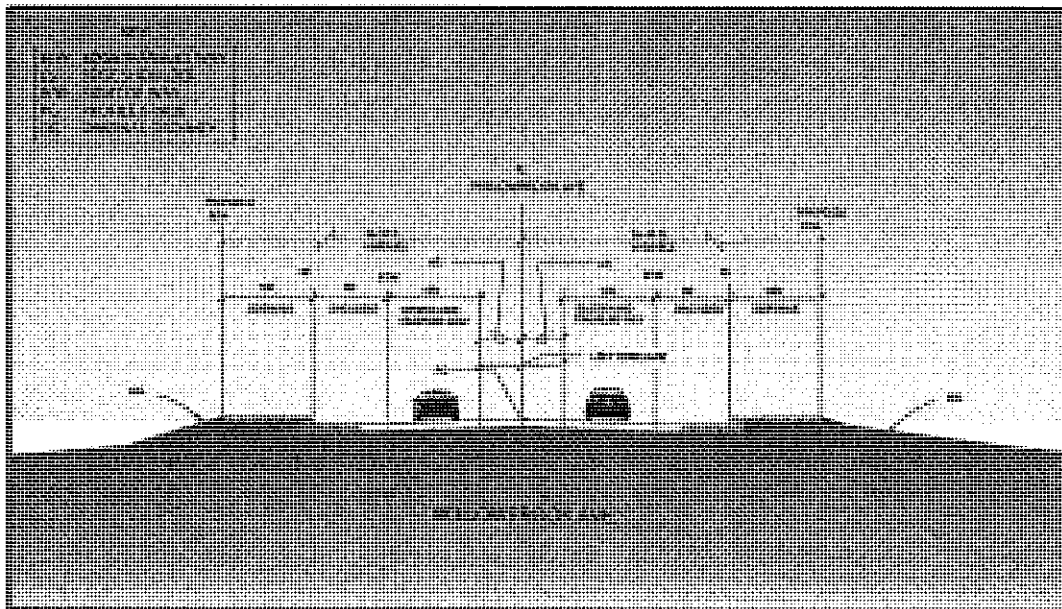
Build Alternative



TYPICAL CROSS SECTIONS



Build Alternative



Appendix G National Oceanic and Atmospheric Administration



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

September 8, 2004

In Reply Refer To:
151422SWR00SA99216:JSM

Geoffrey T. Gray
Associate Biologist, Central Region
Department of Transportation (Caltrans)
2015 E. Shields, Suite 100
Fresno, California 93726

Dear Mr Gray:

This letter responds to your request received August 13, 2004 for National Marine Fisheries Service's (NOAA Fisheries) concurrence concerning the proposed State Route 59 widening from 16th Street to 600 meters north of Black Rascal Creek (kilometer post 24.46) and on 16th Street from 100 meters east of Bear Creek to 500 meters west of Bear Creek within Merced city limits, California. Improvements are also planned at the following intersections: Olive Avenue, 16th Street, and Cooper/Willowbrook Street. You have determined that this project is not likely to adversely affect Central Valley fall-/late fall-run Chinook salmon in the event that they are listed in the future, and in addition are seeking concurrence that your proposed conservation measures sufficiently address impacts to Essential Fish Habitat (EFH) for Pacific salmon according to Amendment 14 of the Pacific Salmon Fishery Management Plan pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). Because Central Valley fall-/late fall-run Chinook salmon is a species of concern, and is not provided the protection of the Federal Endangered Species Act, it is not possible nor necessary to grant concurrence of not likely to adversely effect as requested in your letter. However, NOAA Fisheries acknowledges that the conservation measures proposed herein, are in fact, protective of Central Valley fall-/late fall-run Chinook salmon. In addition are providing the following comments regarding this projects impacts to EFH.

The proposed project widens the 16th Street Bridge as it currently exists as two structures (a one-lane structure eastbound and a one-lane structure westbound). These two structures would each be widened to two lanes. In addition, 16th Street also crosses Black Rascal Creek to the north and consists of two separate two-lane bridges. Both of these structures would also be removed and replaced with one four-lane bridge. The main flow of Black Rascal Creek will be directed through the overflow channel, eliminating flooding and erosion problems associated with high water in the oxbow channel. All in-water work is planned to be conducted between June 1 and October 1, 2004, and fish passage will be maintained at all times.


Based on our review of the project description and conservation and protective measures provided, NOAA Fisheries finds that the project activities will not adversely effect EFH for Pacific Salmon. We find the project activities incorporated in the project description include



conservation measures that will reduce adverse affects to EFH for Pacific Salmon as described in Amendment 14 of the Pacific Salmon Fishery Management Plan pursuant to the MSA. Therefore, EFH Conservation Recommendations will not be provided. Written response as required under section 305(b)(4)(B) of the Magnuson-Stevens Act and Federal regulations (50 CFR § 600.920) will not be required. Should additional information reveal that the project may affect EFH and/or impact salmonids in a way not previously considered, or should the action be modified in a way that may cause additional effects to EFH, this determination may be reconsidered.

If you have any questions regarding this correspondence or if NOAA Fisheries can provide further assistance on this project, please contact Mr. Jeff McLain in our Sacramento Area Office, 650 Capitol Mall, Suite 8-300, Sacramento, CA 95814. Mr. McLain may be reached by telephone at (916) 930-5648, or by Fax at (916) 930-3629.

Sincerely,


Rodney R. McInnis
Regional Administrator

cc: NOAA Fisheries-PRD, Long Beach CA

Appendix H Noise Receptor Map

