AGENDA (Amended)
SPECIAL MEETING

CHOWCHILLA CITY COUNCIL

Council Chambers, Chowchilla City Hall
130 S. Second Street, Chowchilla, CA 93610

February 17, 2016

Agendas for all City Council Special Meetings are posted at least 24 hours prior to the meeting at the Civic Center, 130 S. Second St., Chowchilla, CA.

Any writing or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter. In addition, most documents will be posted on the city website at www.CityofChowchilla.org.

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CALL TO ORDER

ROLL CALL

Mayor: Waseem Ahmed
Mayor Pro Tem: Mary Gaumnitz
Council Member: John Chavez, Dennis Haworth, Richard Walker

City staff and contract employees present at the meeting will be noted in the minutes

OPEN SESSION – 6:00 PM

PLEDGE OF ALLEGIANCE:

INVOCATION:

PUBLIC ADDRESS

This time is reserved for members of the audience to address the City Council on items on this Special Meeting Agenda only.

It is recommended that speakers limit their comments to no more than 3 minutes each. The Council is prohibited by law from taking any action on matters discussed that are not on the Agenda. No adverse conclusions should be drawn if the Council does not respond to public comment at this time.

Speakers are asked to please use the microphone, and provide their name. Prior to addressing the Council, any handouts are to be provided to City Clerk who will distribute them to the Council and the appropriate staff.

NEW BUSINESS – Section 1

1.1 Council Resolution # -16, Requesting Suspension Work on the Current Preferred Alternative for the Highway 99 / SR233 Roundabout Interchange Project (Locke)

ADJOURNMENT

PUBLIC NOTIFICATION

I, Joann McClendon, Interim City Clerk for the City of Chowchilla, do hereby declare under penalty of perjury that the foregoing agenda was posted at the Chowchilla City Hall, 130 S Second Street, Chowchilla, CA and made available for public review on this 12th day of February, 2016 at or before 5:00 p.m..

_____

Joann McClendon
Interim City Clerk

Item # 1.1

REPORT TO THE CITY COUNCIL

Special Council Meeting of February 17, 2016

Agenda Section:	New Business
SUBJECT:	**A Resolution of the City Council of the City of Chowchilla Requesting Suspension Work on the Current Preferred Project Alternative for the Highway 99 / SR233 Roundabout Interchange**
Prepared By:	Craig Locke, City Engineer/Public Works Director
Authorized By:	Craig Locke, City Engineer/Public Works Director
Approved By:	Brian Haddix, City Administrator

RECOMMENDATION:
Adopt the Resolution rejecting the Environmental Document as it is currently written and request the inclusion of a Five-Phased project approach to the configuration of the Highway 99 / SR233 Interchange.

HISTORY / BACKGROUND:
In 2012 the City of Chowchilla and CalTrans entered into a Cooperative Agreement to redesign on the Highway 99 and SR233 interchange keeping project costs within the funding limits that could reasonably be expected. This analysis declared roundabouts to be the 'Preferred Project Alternative' based on cost savings and other environmental factors.

The subsequent environmental analysis administered by Madera County Transportation Commission (MCTC) on behalf of the City resulted in the Environmental Document that is the subject of today's special meeting.

Previous public meetings to discuss the configuration of the Highway 99 SR 233 interchange have revealed a lack of public support for the roundabout alternative. CalTrans has engaged the community in two informational presentations before City Council to educate the public and their elected representatives; however comments received by City staff are largely against the roundabout option.

In an effort to keep the project on track, City staff met with CalTrans to discuss options. The result of the discussion is a five phased approach to address operational efficiency and increased capacity at the interchange. These phases allow for the City to increase the operational efficiency of the interchange by completing these projects in any order, although they phases are presented in the assumed sequence. Through constructing the overall project in five phases, the City can accomplish various aspects of operational improvement as funding becomes available and not in a single project. The phases developed during the meeting are:

1) Construction of an interim signal at the end of the northbound Highway 99 off ramp.
2) Construction of Pedestrian and ADA improvements linking the SR 233 crossing of Highway 99 to existing pedestrian facilities creating a continuous path of travel across the City of Chowchilla

3) Widen the existing structure by constructing an adjacent structure which will conform to current accessibility and vertical clearance standards
4) Improve the southbound off-ramp from Highway 99 at SR 233. This could take the form of roundabout or signal, depending on the required geometry and available funding.
5) Replace the northbound interim signal with permanent intersection improvements that would provide a service level B through 2038.

Additional technical comments have been developed from a detailed analysis of the Environmental Document. The compromise phased approach however accommodates the input from public comments and provides for improvements consistent with anticipated funding availability.

FINANCIAL IMPACT:
Undetermined. Total project cost will depend on which alternatives are constructed and in what sequence.

SUPPLEMENTS ATTACHED:
Resolution
CalTrans Draft Project Report and Initial Study with Mitigated Negative Declaration

COUNCIL RESOLUTION # -16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHOWCHILLA REQUESTING SUSPENSION WORK ON THE CURRENT PREFERRED ALTERNATIVE FOR THE HIGHWAY 99 / SR233 ROUNDABOUT INTERCHANGE

WHEREAS, the current 'Preferred Project Alternative' as represented in the Cooperative Project Agreement dated June 1012 does not provide a constructible project due to the capital required to construct in a single phase; and

WHEREAS, the Initial Study with Proposed Mitigated Negative Declaration dated December 2015 is based on the construction of roundabouts in two phases, a process that is neither popular nor affordable; and

WHEREAS, the opinions expressed by the public in open public hearing tend not to support the continued expenditure of funds on this project alternative; and

WHEREAS, though a meeting between City of Chowchilla Administration and CalTrans on February 9, 2016 a phased approach was suggested that met the projects goals and satisfies constructability concerns

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Chowchilla rejects the Environmental Document as presented but supports the inclusion of the five phased approach described above:

1. The above recitals are true and correct.

2. That no more local funds or funds intended for use by the City of Chowchilla be expended to advance this project alternative absent the inclusion of the five phases.

3. This resolution is effective immediately upon adoption.

PASSED AND ADOPTED by the City of Chowchilla this 17th day of February 2016 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

_____
Mayor Waseem Ahmed

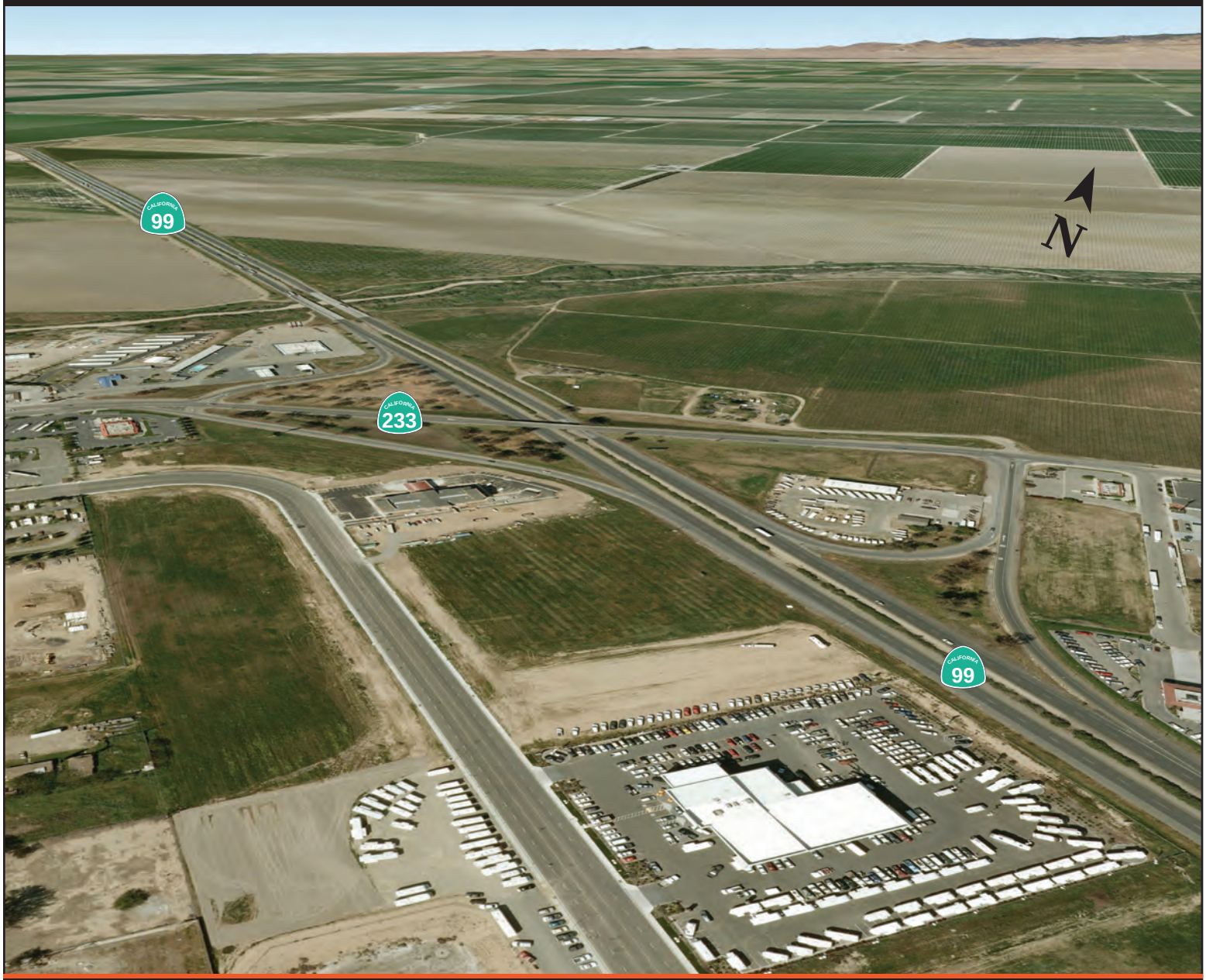
ATTEST:

_____
Joann McClendon, CMC
Interim City Clerk

February 2016

Chowchilla Interchange Improvement Project

Initial Study with Proposed Mitigated Negative Declaration



State Route 99/233 Interchange Improvements

06-Mad-99-26.3/26.8
06-0P910
06-12000307

Prepared by the California Department of Transportation

General Information About This Document

What's in this document:

The California Department of Transportation (Caltrans) has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for the proposed project in Madera County in California. The document explains why the project is being proposed, the alternatives being considered for the project, the existing environment that could be affected by the project, the potential impacts of each of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures.

What you should do:

- Please read the document.
- Additional copies of the document and the related technical studies are available for review at the Caltrans District Office at 1352 West Olive Avenue in Fresno, California and the Chowchilla branch of the Madera County Library at 300 Kings Avenue in Chowchilla, California. This document can be downloaded at the following website: http://www.dot.ca.gov/dist6/environmental/envdocs/d6/.
- We'd like to hear what you think. If you have any comments regarding the proposed project, please send your written comments to Caltrans by the deadline. Submit comments via U.S. mail to: Michelle Ray, Senior Environmental Planner, California Department of Transportation, 855 M Street, Suite 200, Fresno, CA 93721.
- Submit comments via email to: michelle.ray@dot.ca.gov.
- Submit comments by the deadline: **February 22, 2016.**

What happens next:

After comments are received from the public and reviewing agencies, Caltrans may 1) give environmental approval to the proposed project, 2) do 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.

Printing this document: To save paper, this document has been set up for two-sided printing (to print the front and back of a page). Blank pages occur where needed throughout the document to maintain proper layout of the chapters and appendices.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please call or write to Caltrans, Attn: Michelle Ray, Central Region Environmental Division, 855 M Street, Suite 200, Fresno, CA 93721; (559) 445-5286 (Voice), or use the California Relay Service 1 (800) 735-2929 (TTY), 1 (800) 735-2929 (Voice), or 711.

06-Mad-99-26.3/26.8
06-1200-0307

Improve the State Route 99/233 Interchange in the City of Chowchilla

INITIAL STUDY
with Proposed Mitigated Negative Declaration

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

THE STATE OF CALIFORNIA
Department of Transportation

12/28/2015
Date of Approval

for Jennifer H. Taylor
Office Chief—South
Central Region Environmental Division
California Department of Transportation
CEQA Lead Agency

The following person may be contacted for additional information concerning this document:

Michelle Ray, Senior Environmental Planner
Central Region Environmental Division
855 M Street, Suite 200
Fresno, CA 93721
(559) 445-5286

Proposed Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans) proposes to improve the State Route 99/233 interchange in the City of Chowchilla in Madera County.

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 on the project is final. This Mitigated Negative Declaration is subject to change based on comments received from interested agencies and the public.

Draft

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: aesthetics, farmland and timber lands, geology, soils, topography, seismicity, land use and growth, community character and cohesion, environmental justice, minerals, utilities or emergency services, hydrology and floodplains, cultural resources, parks and recreation, wild and scenic rivers, and special-status and sensitive plant species.

The proposed project would have no significant effect on: biological resources, hazards and hazardous materials, real property and acquisition, water quality, air quality, and noise.

In addition, the proposed project would have no significantly adverse effect on paleontological resources because the following mitigation measures would reduce potential effects to insignificance:

- Impacts to paleontological resources would be mitigated by implementation of a paleontological mitigation plan, which includes full-time monitoring of all qualifying earthmoving activities and the handling of any finds in accordance with generally accepted paleontological practices.

_____ _____

Jennifer H. Taylor
Office Chief—South
Central Region Environmental Division
California Department of Transportation

Date

Table of Contents

Proposed Mitigated Negative Declaration....iii
Table of Contents v
List of Figures vii
List of Tables vii
Chapter 1 Proposed Project....1
1.1 Introduction....1
1.2 Purpose and Need....1
1.2.1 Purpose....1
1.2.2 Need....2
1.3 Project Description....3
1.4 Project Alternatives....5
1.4.1 BuildAlternative....5
1.4.2 No-Build (No-Action) Alternative....6
1.5 Comparison of Alternatives....6
1.6 Identification of a Preferred Alternative....6
1.7 Alternatives Considered but Eliminated from Further Discussion....6
1.8 Permits and Approvals Needed....8
Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures....9
2.1 Human Environment....10
2.1.1 Relocations and Real Property Acquisition....10
2.1.2 Utilities and Emergency Services....11
2.2 Physical Environment....12
2.2.1 Paleontology....12
2.2.2 Hazardous Waste and Materials....14
2.3 Biological Environment....16
2.3.1 Natural Communities....16
2.3.2 Wetlands and Other Waters....18
2.3.3 Animal Species....21
2.3.4 Threatened and Endangered Species....24
2.3.5 Invasive Species....27
2.4 Construction Impacts....28
2.5 Climate Change....30
Chapter 3 Comments and Coordination....37
Chapter 4 List of Preparers....39
Chapter 5 Distribution List....41
Appendix A California Environmental Quality Act Checklist....43
Appendix B Title VI Policy Statement....53
Appendix C Summary of Relocation Benefits....55
Appendix D Minimization and/or Mitigation Summary....61
Appendix E U.S. Fish and Wildlife Service Species List....67

Appendix F Listed and Proposed Species and Critical Habitat Potentially Occurring or Known to Occur in the Project Area 73
Appendix G Preliminary Design Mapping 75
List of Technical Studies 77

List of Figures

Figure 1-1 Project Vicinity Map 3
Figure 1-2 Project Location Map 4
Figure 2-1 California Greenhouse Gas Forecast 32

List of Tables

Table 2-1. Proposed Property Acquisitions 11

Chapter 1 Proposed Project

1.1 Introduction

State Route 99 is an important local and regional roadway and transportation corridor through the San Joaquin Valley. It is a major truck route that provides critical access for the shipment of agricultural goods to markets outside of the valley. It also serves as a significant travel route when motorists head to recreational areas and vacation spots throughout the state and beyond.

Through the City of Chowchilla, where the project lies (see Figures 1-1 and 1-2), State Route 99 is a four-lane facility with a posted speed limit of 65 miles per hour. In the project area, the travel lanes are 12 feet wide with 5-foot left and 10-foot right paved shoulders. A 46-foot-wide median divides the northbound and southbound travel ways.

State Route 233 (Robertson Boulevard) is a northeast-running roadway that bisects the City of Chowchilla. State Route 233 begins at State Route 152 and extends through the downtown area before ending at State Route 99. Within the project area, State Route 233 is a two-lane undivided highway with 12-foot-wide lanes and 8-foot shoulders. The width of the existing right-of-way varies from 50 feet within the interchange area to 100 feet on the east and west sides of the interchange. In the downtown area, the highway is a four-lane roadway with a center median two-way left-turn lane with a posted speed limit of 30 miles per hour.

The State Route 99/State Route 233 interchange currently has a partial cloverleaf spread-diamond configuration. The off-ramp intersections are controlled by stop signs for ramp traffic.

The project is programmed in the Madera County Regional Transportation Program and would be funded with local sales taxes earmarked for transportation projects. The California Department of Transportation (Caltrans) is the California Environmental Quality Act (CEQA) lead agency and, if federal funds are eventually used, will be the National Environmental Policy Act (NEPA) lead agency. The project would be constructed by the City of Chowchilla.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of this project is to widen State Route 233 to provide the capacity to accommodate anticipated future traffic at a Level of Service (LOS) “D” or better through the year 2038.

The changes would also improve traffic operations at the interchange endings and improve pedestrian circulation.

1.2.2 Need

The existing State Route 233 two-lane undivided highway has adequate capacity for the existing traffic. A decline in level of service below LOS "D" is expected at the north State Route 99 and State Route 233 connector within the next few years. The southbound and northbound off-ramps with one-way stop control currently operate at LOS "D" and LOS "F," (or congested conditions) respectively, during peak travel hours. This overall decline will continue as the City of Chowchilla approves residential and commercial development east of the interchange.

An operational analysis report was completed by Caltrans Traffic Operations in August 2013. According to the report, the following recommendations were outlined for the northbound and southbound ramp intersections (note that the inscribed center diameter [ICD] should range from 180 to 220 feet):

State Route 233/Northbound Ramps Recommendation

- Construct a roundabout at the northbound ramp intersection, two circulating lanes on the eastbound and westbound direction, and one circulating lane on the southbound and northbound directions. The inscribed center diameter used in the roundabout analysis was 180 feet.
- Northbound approach: one left-turn and one right-turn lane (400 feet in length)
- Westbound approach: one shared left-turn/U-turn/through lane and one through lane
- Eastbound approach: one through lane and one shared through/right-turn lane

State Route 233/Southbound Ramps Recommendation

- Construct a roundabout at the southbound ramp intersection, two circulating lanes on the eastbound and westbound direction, and one circulating lane on the southbound and northbound directions. The inscribed center diameter used in the roundabout analysis was 180 feet.
- Southbound approach: one left-turn lane and one right-turn lane.
- Eastbound approach: two through lanes (U-turn on the inside lane) and one right-turn bypass lane
- Westbound approach: one shared through/left-turn lane (with U-turn) and one through lane

The recommended two-lane roundabouts would operate at an acceptable level of service for the 20-year design life of the project. With the project, the 2038 LOS would be “A” for the northbound off-ramp and “B” for the southbound off-ramp.

1.3 Project Description

The project would construct two roundabouts in Phase 1 at the ramp intersections on State Route 233 at the State Route 99 interchange in the City of Chowchilla. See Figures 1-1 and 1-2. If funding becomes available, an additional bridge would be built on State Route 233 crossing State Route 99 in Phase 2 of the project. The need for the project is to relieve congestion and improve operations at the interchange.

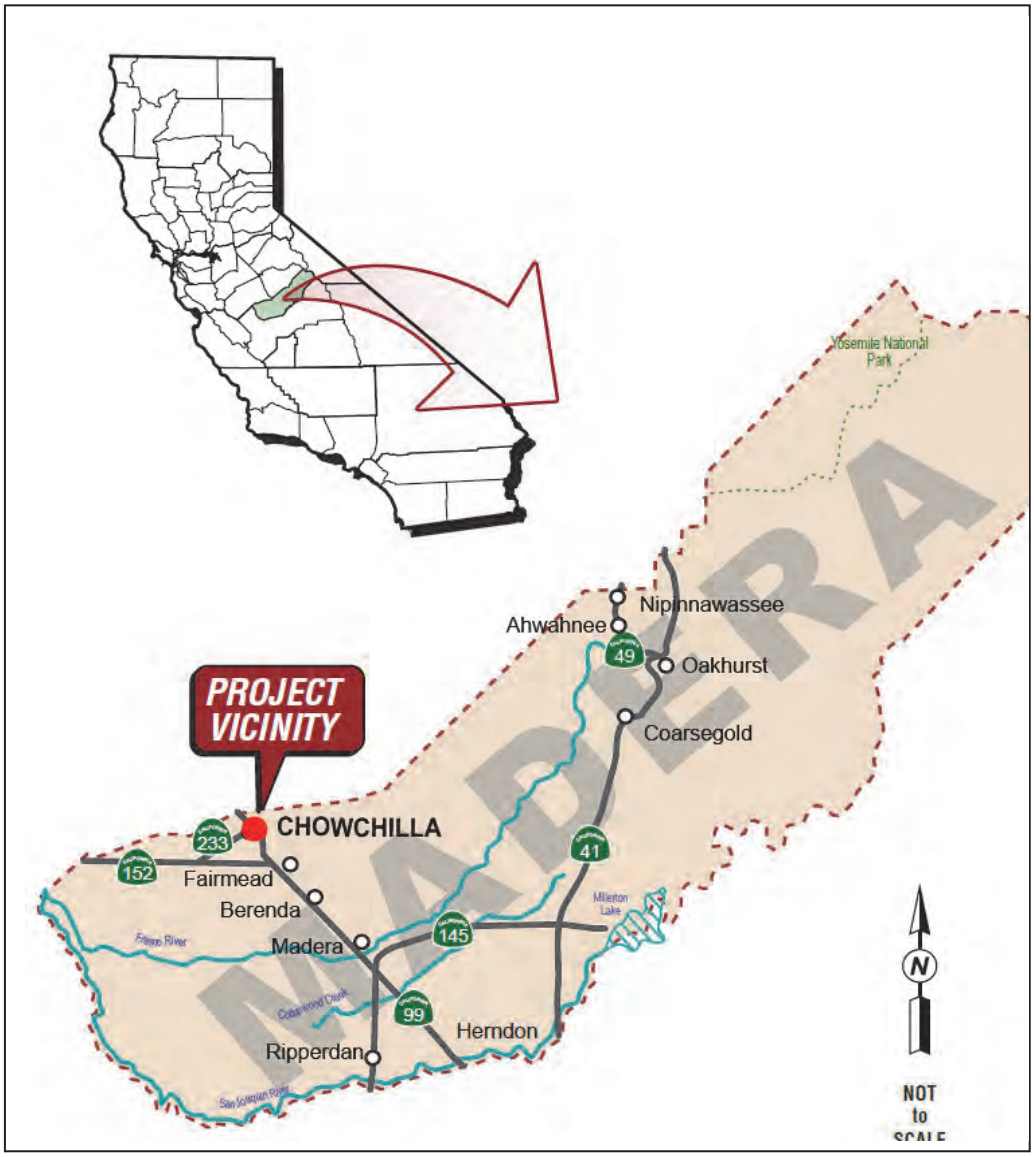


Figure 1-1 Project Vicinity Map

Figure 1-2 Project Location Map

1.4 Project Alternatives

Two alternatives, the Build and No-Build, are under consideration.

1.4.1 BuildAlternative

The Build alternative proposes to construct the project in two phases. Maps showing both phases are in Appendix G:

Phase 1

- Construct two single-lane (expandable) roundabouts at the State Route 99 ramp end at the Robertson Boulevard (State Route 233) and State Route 99 interchange. The existing State Route 233 two-lane overcrossing bridge would remain as is. The single-lane roundabouts would be striped as one lane in Phase 1, but would be built to accommodate expansion as dual-lane roundabouts with connection to a second through lane in the future.

- Realign the State Route 99 southbound off-ramp to accommodate the roundabout orientation.

- Widen (up to 9 feet) the south end of the southbound Ash Slough Bridge to accommodate minor realignment of the State Route 99 southbound off-ramp.

- Existing utilities within the project area would be relocated outside the right-of-way.

- Construction of a basin in the southeast quadrant of the interchange.

Phase 1 would provide a 10-year design life at an estimated capital construction cost of $7,540,000 (2015 dollars). The estimated right-of-way cost is $1,900,000 (2015 dollars). Construction would be expected to begin in fall 2018 and would take approximately 225 days to complete.

Phase 2

When additional funding becomes available, the following work would occur:

- Add a second through lane to the constructed roundabouts.

- Construct a separate two-lane bridge north of the existing overcrossing for the westbound lanes, increasing the bridge from a two-lane structure to a four-lane structure. The new structure would provide standard-width shoulders and sidewalks.

- Relocation of existing underground electrical and telephone lines that cross State Route 99 north of the existing State Route 233 overcrossing.

Phase 2 would provide a 20-year design life with an additional estimated capital cost of construction of $5,000,000 (2015 dollars). Right of way costs are estimated at $1,900,000 (2015 dollars). The total design life after the construction of Phase 1 and Phase 2 would be 30 years. Construction would be expected to begin in fall 2018 and would take approximately 400 days to complete.

1.4.2 No-Build (No-Action) Alternative

The No-Build alternative would leave the interchange as it is now. Although minor maintenance would continue to occur, the deteriorating LOS would not be addressed and the purpose and need would not be met.

1.5 Comparison of Alternatives

The Build alternative would require additional right-of-way and displace a single-family residence and a vacant business. There would be minor widening of the shoulder at the south end of the southbound State Route 99 bridge crossing of Ash Slough to accommodate the realignment of the off-ramp to State Route 233. The LOS of the interchange would be improved for the 20-year design life of the project.

The No-Build alternative would leave conditions as they are now. No right-of-way would be acquired, and no displacements would occur. The widening at the Ash Slough bridge would not occur. The current congestion on State Route 233 at the interchange would worsen, and the purpose and need would not be met.

1.6 Identification of a Preferred Alternative

After the public circulation period, all comments will be considered. Caltrans will select a preferred alternative and make the final determination of the project's effect on the environment.

1.7 Alternatives Considered but Eliminated from Further Discussion

Three other alternatives were eliminated due to excessive costs or an insufficient design life. The alternatives along with their reason for elimination are as follows:

Alternative 2

Alternative 2 proposed a signalized intersection at the existing ramp intersection. This alternative was eliminated because a left-turn lane would also be needed at Robertson Boulevard, which would require a realignment of the existing State Route 99 southbound off-ramp to accommodate sufficient deceleration time and storage length for vehicles exiting the ramp. Also, the bridge at Robertson Boulevard would require widening or replacement to provide the left-turn lane and a future State Route 99

southbound loop on-ramp. The ramp realignment would require full replacement of the southbound Ash Slough Bridge instead of minor widening as outlined in the Build Alternative. This alternative estimated a 3- to 7-year design life and would cost approximately $12,000,000 (2015 dollars).

Alternative 3

Alternative 3 proposed signalized ramp intersections and a new four-lane State Route 233 bridge overcrossing, a standard 18-foot median, and a left-turn lane to the southbound on-ramp to State Route 99. This alternative was eliminated because the proposed left-turn lane and through lanes provided on Robertson Boulevard would require the existing southbound off-ramp from State Route 99 to be realigned to accommodate sufficient deceleration time and storage length for vehicles exiting the ramp. To accommodate the future southbound loop on-ramp, a full replacement of the southbound Ash Slough Bridge on State Route 99 would be necessary instead of minor widening. This alternative estimated a 10- to 15-year design life, with an approximate cost of $19,000,000 (2015 dollars).

Alternative 4

Alternative 4 proposed to construct a signalized ultimate modified L-9 interchange requiring a new six-lane State Route 233 bridge overcrossing with a standard 18-foot median, one additional southbound loop on-ramp and northbound slip on-ramp to State Route 99. This alternative would also realign the southbound off-ramp to State Route 233 and cause a full replacement of the southbound Ash Slough Bridge as well as the northbound Ash Slough Bridge to accommodate the northbound slip on-ramp. This alternative would have a 20- to 25-year design life. Alternative 4 would cost approximately $50,000,000 (2015 dollars).

A Project Study Report completed in 2009 outlined a completed L-9 interchange as the standard alternative, but the project did not progress due to lack of funding. In August 2012, the Project Development Team (in conjunction with the City) decided to proceed with a minimal build alternative based on funding availability and exclude the standard build alternative from further consideration and study.

A second Project Study Report, completed in November 2013, outlined the minimal build alternative. Following the completion of this document, the City of Chowchilla requested additional alternatives be considered which included the standard build alternative identified in 2009. However, because of its cost and the lack of available funds, that alternative was eliminated.

Phasing of Alternatives 2, 3 and 4 was not considered because of the high cost, available funds, or limited design year life.

1.8 Permits and Approvals Needed

The following permits, reviews, and approvals may be required for project construction:

Agency	Permit/Approval	Status
Regional Water Quality Control Board	Clean Water Act Section 402—National Pollutant Discharge Elimination System (NDPES): Waste Discharge Permit A Storm Water Pollution Prevention Plan required by Caltrans will be prepared and is expected to provide all the necessary temporary pollution and erosion control measures required during construction.	Compliance with (1) the Statewide National Pollutant Discharge Elimination System Permit (Order No. 99-06-DWQ NPDES No. CAS000003) and (2) the General Permit, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (Order No. 99-08-DWQ, NPDES No. CAS000002).
	Clean Water Act Section 401 Water Quality Certification	If required, a 401 certification (permit) would be obtained prior to the start of construction.
U.S. Army Corps of Engineers	Clean Water Act Section 404 Nationwide Permit for filling or dredging waters of the U.S.	If required, a 404 permit would be obtained prior to the start of construction.
California Department of Fish and Wildlife	Fish and Game Code Section 1600 Streambed Alteration Agreement	If required, a Streambed Alteration Agreement would be obtained prior to the start of construction.

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

As part of the scoping and environmental analysis done for the project, the following environmental issues were considered, but no adverse impacts were identified. So, there is no further discussion of these issues in this document.

- Land Use and Growth—The proposed project would not change land use in the project area. It is consistent with local land use planning and would not induce unplanned growth (General Plan and Project Report, October 2015).
- Wild and Scenic Rivers—There are no wild and scenic rivers within the project area (Internet search, March 2015).
- Parks and Recreation—No parks or recreational facilities exist or are planned in the project area (General Plan and field visit, March 2015).
- Farmlands and Timberlands—Although one parcel has been farmed in the past and is mapped as Prime Farmland, it is designated for future commercial and residential development in the City of Chowchilla General Plan and is zoned accordingly. Because it is already designated for urban development, according to the Natural Resources Conservation Service the provisions of the Farmland Preservation Protection Act do not apply. There are no timberlands in the project area (General Plan and field visit, March 2015).
- Community Character and Cohesion—The proposed project would not change the community character or cohesion. The Chowchilla City General Plan envisions residential and commercial development near the interchange east of State Route 99, and the area has been pre-zoned for development. If the proposed project is not constructed, the existing street network would not substantially change and the planned development would occur (Field visit, March 2015, and General Plan, October 2015).
- Environmental Justice—No minority or low-income populations have been identified to be adversely affected by the proposed project within the project area. Therefore, this project is not subject to the provisions of Executive Order 12898.
- Visual and Aesthetics—There are no anticipated impacts to aesthetic resources (Caltrans Landscape Architecture, September 2015).
- Traffic and Transportation—The project would not adversely impact traffic. Following construction, bicyclists and pedestrians would continue to be able to use State Route 233 to cross State Route 99 (Project Report, October 2015).

- Geology, Soils, Seismicity and Topography—No adverse impacts are expected with the current Caltrans erosion and seismic design standards in place (Project Report, October 2015).
- Air Quality—This project currently is Categorically Exempt under the Clean Air Act and is not a project of air quality concern. If Phase 2 of the proposed project were ultimately funded, additional analysis would be required (Air Quality Compliance memorandum, November 2015).
- Noise—The roundabout phase (Phase 1) of the proposed project is not a Type 1 project, so no further noise analysis is necessary. If Phase 2 were ultimately funded, further noise analysis would be required (Noise memorandum, November 2015).
- Cultural Resources—No archaeological sites or historic properties were identified within the project area (Historic Property Survey Report, October 2015).
- Hydrology and Floodplain—The proposed project does not occur within the 100-year floodplain (FEMA Flood Insurance program mapping, March 2015).
- Plant Species—No sensitive or special-status plant species were observed within the project area or have the potential to occur (Natural Environment Study, October 2015).

2.1 Human Environment

2.1.1 Relocations and Real Property Acquisition

Regulatory Setting

The Caltrans Relocation Assistance Program (RAP) 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 RAP 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. Please see Appendix C for a summary of the RAP.

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 U.S. Code 2000d, et seq.). Please see Appendix B for a copy of the Department's Title VI Policy Statement.

Affected Environment

A Relocation Impact Memorandum for the project was completed in September 2014. The project area is surrounded by commercial and residential properties. One parcel has been cultivated in the past, but it is currently designated for commercial and residential development by the City of Chowchilla.

Environmental Consequences

Under the No-Build alternative, no acquisition of property would occur. The Build alternative would require a partial acquisition from six parcels and a total acquisition of two parcels. A residence occupies one parcel proposed for total acquisition, and a small commercial/industrial building occupies the second parcel proposed for total acquisition. Proposed acquisitions are shown in Table 2-1.

Table 2-1. Proposed Property Acquisitions

Assessor's Parcel Number	Property Type	Proposed Acreage Acquired	Proposed Total or Partial Acquisition
014-020-013	Private	4.87	Total
014-270-001	Private	8.15	Total
014-270-003	Private	0.46	Partial
014-270-002	Private	0.08	Partial
014-270-004	Private	0.27	Partial
001-190-009	Private	0.11	Partial
001-190-008	Private	0.25	Partial
001-190-002	Private	0.02	Partial

Avoidance, Minimization, and/or Mitigation Measures

- Any person (individual, family, corporation, partnership or association) who moves from real property or moves personal property from real property as a result of the acquisition of the real property, or is required to relocate as a result of a written notice from Caltrans from the real property required for a transportation project is eligible for Relocation Assistance.
- All activities would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources would be available to all displacees free of discrimination.

2.1.2 Utilities and Emergency Services

Affected Environment

Utilities

Three utility companies operate within the project limits: Pacific Gas and Electric Company, Southern California Gas, and AT&T. The affected utilities may involve, but are not limited to, electricity, gas, water, fiber optics and telephone.

Emergency Services

The Madera County Fire Protection District and Chowchilla's volunteer fire department provides fire protection, emergency medical and rescue service to the area. The Madera County Sheriff's Department and Chowchilla police provide law enforcement to the area.

Environmental Consequences

Utilities

Utilities within the project area would have to be relocated for construction of the proposed project. Electricity, gas, water, fiber optics and telephone utilities would be relocated within or adjacent to the proposed project limits. Caltrans would work with affected companies including Pacific Gas and Electric Company, Southern California Gas, and AT&T to determine where utilities would be relocated.

Emergency Services

Temporary delays could occur during construction of the proposed project.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measures would prevent temporary impacts to utilities and emergency services:

Utilities

- Utilities would be relocated to accommodate construction of the proposed project. Caltrans will coordinate with any effected companies. Utility users would be informed of the date and time in advance of any service disruptions.

Emergency Services

- A traffic management plan would be developed to minimize delays and maximize safety during construction. The traffic management plan could include, but is not limited to, the following:
    - Release of information through brochures and mailers, press releases, and notices from the Caltrans public information office.
    - Use of fixed and portable changeable message signs.
    - Incident management through the Construction Zone Enhancement Enforcement Program and the transportation management plan.

2.2 Physical Environment

2.2.1 Paleontology

Regulatory Setting

Paleontology is a natural science focused on the study of ancient animal and plant life as it is preserved in the geologic record as fossils.

A number of federal statutes specifically address paleontological resources, their treatment, and funding for mitigation as a part of federally authorized projects.

One is 23 U.S. Code 1.9(a), which requires that use of federal-aid funds must conform with federal and state law. Another is 23 U.S. Code 305, which authorizes the appropriation and use of federal highway funds for paleontological salvage as necessary by the highway department of any state, in compliance with 16 U.S. Code 431-433 above and state law.

Under California law, paleontological resources are protected by the California Environmental Quality Act (CEQA).

Affected Environment

A Preliminary Evaluation for the project was prepared in August 2012. The project was determined to be located on the Quaternary deposits of the Chowchilla River alluvial fan.

A Paleontological Identification Report was prepared in September 2014 and concluded that while the project area was in fact underlain by low-sensitivity Modesto Formation, Pleistocene-Arkosic Alluvium, it was classified as high sensitivity for paleontological resources because these formations have yielded numerous scientifically significant fossils throughout the San Joaquin Valley, including discoveries on previous Caltrans projects within Merced County.

The Turlock Lake Formation also underlies the proposed project area, though it does not appear to be visible at the surface. During excavation for the Fairmead interchange project 5 miles south of Chowchilla on State Route 99, the Turlock Lake Formation was encountered at a depth of about 6 feet below the surface.

The Riverbank Formation overlies and fills erosional channels within the Turlock Lake Formation. The Riverbank Formation is overlain by the Modesto Formation for much of the proposed project area.

Irvingtonian-age vertebrate fossils have been recovered within 5 miles of the project. Most of the fossils were found within the Turlock Lake Formation. However, some have been recovered from the overlying Riverbank Formation at about 5 feet or less in depth.

Environmental Consequences

A final Paleontological Evaluation Report was prepared in November 2015. The report concluded that the project area is underlain by Holocene alluvium (less than 11,000 years old), which overlies late Pleistocene Modesto Formation and the middle Pleistocene Riverbank Formation. No fossil localities have been previously collected from these units within a 1.5-mile radius of the project area, but sediments mapped as the Modesto Formation contain significant fossils in the region and have high potential to yield fossils in the project area. The Riverbank Formation and Holocene alluvium have a low potential to yield fossils when encountered.

Avoidance, Minimization, and/or Mitigation Measures

The proposed project area is considered high in paleontological sensitivity. The maximum depth of excavation for the proposed drainage basin is about 12 feet below ground surface. Full-time monitoring of all qualifying earthmoving is recommended.

A Preliminary Mitigation Plan has been developed. It includes the following measures:

- All qualifying earthmoving activities would be monitored full-time by qualified paleontological specialists. The monitors would attend the preconstruction meeting and would be provided the schedule of ground-disturbing activities to be conducted within the project limits in writing at least 15 days prior to the start of construction. The schedule would be updated as needed.

- Qualified monitors would act to protect potentially significant paleontological resources. Paleontological awareness training would be mandatory for all earthmoving personnel and their supervisors. As new construction personnel are added, the training would be repeated. Monitors would have the authority to either directly or indirectly temporarily divert equipment to inspect fossil finds.

- A monthly letter report would be prepared documenting monitoring activities. At the conclusion of earthmoving, a final Paleontological Mitigation Report would be prepared.

- If potentially significant fossils are discovered during construction, the discovery would be handled according to general paleontological practices.

- Significant fossils would be curated in perpetuity at an accredited repository along with all project data and the final report. The Natural History Museum of Los Angeles has agreed to serve as the repository if fossils are recovered during this proposed project.

2.2.2 Hazardous Waste and Materials

Regulatory Setting

Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage and disposal of hazardous materials, substances, and waste, and also the investigation and mitigation of waste releases, air and water quality, human health and land use.

The main federal laws regulating hazardous wastes/materials are the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and the Resource Conservation and Recovery Act of 1976 (RCRA). The purpose of

CERCLA, often referred to as "Superfund," is to identify and clean up abandoned contaminated sites so that public health and welfare are not compromised. The RCRA provides for "cradle to grave" regulation of hazardous waste generated by operating entities. Other federal laws include:

- Community Environmental Response Facilitation Act (CERFA) of 1992
- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Occupational Safety and Health Act (OSHA)
- Atomic Energy Act
- Toxic Substances Control Act (TSCA)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

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

California regulates hazardous materials, waste, and substances under the authority of the California Health and Safety Code and is also authorized by the federal government to implement RCRA in the state. California law also addresses specific handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning of hazardous waste. The Porter-Cologne Water Quality Control Act also restricts disposal of wastes and requires cleanup of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and cleanup contamination include Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, Title 23 Waters, and Title 27 Environmental Protection.

Worker and public health and safety are key issues when addressing hazardous materials that may affect human health and the environment. Proper management and disposal of hazardous material is vital if it is found, disturbed, or generated during project construction.

Affected Environment

A Hazardous Waste Compliance study and an Aerially Deposited Lead Site Investigation study were completed for the project in February 2015 and May 2015, respectively. Five sites were identified with reported leaking underground storage tanks within 1,000 feet of the proposed project. These sites are: Chowchilla Tire & Wheel (247 West Robertson Boulevard), Aquino's Texaco (125 South Chowchilla Boulevard), Exxon Mini Mart (130 East Robertson Boulevard), Hollister Trucking (128 Chowchilla Boulevard) and the Chowchilla Water District shop (321 South Chowchilla Boulevard).

The aerially deposited lead study identified concentrations of total lead ranging from 1.7 to 200 mg/kg in 72 samples. Eight of the samples had total lead concentrations greater than 50 mg/kg, and three had total concentrations greater than or equal to 100 mg/kg. All samples underwent further analysis. That analysis determined that the first 0.5 foot of soil would be classified as a California hazardous waste. All soil below 0.5 foot would be classified as non-hazardous.

Environmental Consequences

It is anticipated that none of the five sites would be affected by the project. If either of the two sites on Robertson Boulevard (the Chowchilla Tire & Wheel store or the Exxon Mini Mart) were affected, further studies would be required.

If soil from the top 2 feet is excavated at the same time, that soil would not be classified as a California hazardous waste and can be reused onsite or disposed of as non-hazardous soil with respect to lead content.

Avoidance, Minimization, and/or Mitigation Measures

The following measures would be implemented:

- The contractor would be required to prepare a project-specific lead compliance plan to minimize worker exposure to lead-impacted soil.
- Special provisions for the handling of bridge and traffic paint and asbestos-containing materials would be necessary.

2.3 Biological Environment

2.3.1 Natural Communities

This section of the document discusses natural communities of concern. The focus of this section is on biological communities, not individual plant or animal species. This section also includes information on wildlife corridors and habitat fragmentation. Wildlife corridors are areas of habitat used by wildlife for seasonal or daily migration. Habitat fragmentation involves the potential for dividing sensitive habitat and thereby lessening its biological value.

Affected Environment

A Natural Environment Study for the project was completed in October 2015. The Madera 99/233 Interchange Improvements project occurs along State Route 99 between post mile 26.3 and post mile 26.8 in and near the City of Chowchilla, in Madera County, California. The habitat within the biological study area consists mostly of disturbed ruderal (weedy) areas, riparian habitat, and agricultural lands.

The project impact area is defined as the area directly affected, plus adjacent areas that may be indirectly affected. The biological study area lengthwise is from about post mile 26.3 to post mile 26.8. The width of the biological study area extends

beyond the existing right-of-way and beyond areas that will require acquisition of adjacent property.

The biological study area contains habitat from the following natural communities:

Agricultural Lands. Agricultural lands within the biological study area consist mostly of orchards, vineyards, and fallow agricultural fields. These areas are highly disturbed and provide minimal habitat for terrestrial wildlife, except for common species such as mice (*various genera*), California ground squirrel (*Citellus beecheyi*), mourning dove (*Zenaida macroura*), common crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), and feral cats (*Felis catus*). These areas consist mostly of non-native annual grasses and forbs such as wild oats (*Avena fatua*), ripgut brome (*Bromus diandrus*), perennial rye grass (*Lolium multiflorum*), red-stemmed filaree (*Erodium cicutarium*), hare barley (*Hordeum murinum*), bermudagrass (*Cynodon dactylon)*, black mustard *(Brassica nigra*), and common Russian thistle (*Salsola tragus*).

Ruderal Habitat. Ruderal habitat is commonly associated with unpaved highway shoulders, highway medians, and weedy areas around and between agricultural fields and other structures. Ruderal vegetation and habitat in the biological study area occurs within the right-of-way along State Route 99/233. This area is highly disturbed due to adjacent agricultural activities and human disturbances such as high-volume traffic, litter, and mowing and periodic herbicide application of maintained landscaped drainage basins within the right-of-way. Species identified within this area includes ripgut brome, wild oat, perennial rye grass, hare barley, Canada horseweed, red-stemmed filaree, red brome (*B. madritnesis rubens*), rat tail fescue (*Vulpia myuros*), field mustard (*B. rapa*), wild raddish (*Raphanus sativus*), winter vetch (*Vicia villosa*), and gum tree (*Eucalyptus globulus*).

Riparian Habitat. Riparian habitat occurs along the edges of the Ash Slough. The habitat occurring within the biological study area has been altered from its native state due to human activities and the introduction of non-native invasive species that have taken over portions of the bank of the Ash Slough. Vegetative species include: ripgut brome, red brome, wild oats, Freemont cotton wood (*Populus fremonti*), and willow (*Salix sp.*).

No natural communities of special concern were identified within or near the biological study area for the proposed project. There is no designated critical habitat within the biological study area for the Madera 99/233 Interchange Improvements Project.

Environmental Consequences

Riparian Habitat. Minor widening of the southbound Ash Slough Bridge on State Route 99 would be required to bring the off-ramp to State Route 233 to current standards. The widening could affect the south bank of the slough. Vegetation removal may be required during construction of the proposed project. The permanent

and temporary acres of potential impacts to riparian habitat would be determined during the final design phase of the proposed project.

Proposed construction activities within the riparian habitat could fall within the jurisdiction of the California Department of Fish and Wildlife. Therefore, a Section 1600 Streambed Alteration Agreement may be required before the start of construction.

Avoidance, Minimization, and/or Mitigation Measures

- In areas where riparian habitat would be temporarily or permanently affected by construction, mitigation may be required by way of reseeding and/or revegetating the areas where the vegetation was removed or impacted. If mitigation is required, the temporary and permanent impact areas would be restored to original grade and planted with native riparian vegetation, where appropriate, after construction.

- A Section 1600 Streambed Alteration Agreement may be required prior to start of construction activities for potential riparian impacts, and will be determined during the final design phase of the proposed project. Caltrans will coordinate with the California Department of Fish and Wildlife regarding any avoidance, minimization, and mitigation measures required prior, during, and after construction activities.

2.3.2 Wetlands and Other Waters

Regulatory Setting

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Federal Water Pollution Control Act, more commonly referred to as the Clean Water Act (33 U.S. Code 1344), is the main law regulating wetlands and surface waters. One purpose of the Clean Water Act is to regulate the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. 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 formed during 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 discharge of dredged or fill material cannot 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 U.S. Environmental Protection Agency (U.S. EPA).

The U.S. Army Corps of Engineers issues two types of 404 permits: General and Standard permits. There are two types of General permits: Regional permits and Nationwide permits. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Nationwide Permit may be permitted under one of U.S. Army Corps of Engineers' Standard permits. There are two types of Standard permits: Individual permits and Letters of Permission. For Standard permits, the U.S. Army Corps of Engineers' decision to approve is based on compliance with U.S. EPA's Section 404(b)(1) Guidelines (U.S. EPA 40 Code of Federal Regulations Part 230), and whether permit approval is in the public interest. The Section 404 (b)(1) Guidelines were developed by the U.S. EPA in conjunction with the U.S. Army Corps of Engineers and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative that would have less adverse effects. The guidelines state that the U.S. Army Corps of Engineers may not issue a permit if there is a least environmentally damaging practicable alternative (LEDPA) to the proposed discharge that would have lesser effects on waters of the U.S., and not have any other significant adverse environmental consequences.

The Executive Order for the Protection of Wetlands (Executive Order 11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, this order states that a federal agency, such as the Federal Highway Administration and/or Caltrans, as assigned, 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 State Water Resources Control Board, the Regional Water Quality Control Boards and the California Department of Fish and Wildlife. In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission or Tahoe Regional Planning Agency) may also be involved. Sections 1600-1607 of the California 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 Wildlife before beginning construction. If the California Department of Fish and Wildlife determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. California Department of Fish and Wildlife 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 Wildlife.

The Regional Water Quality Control Boards were established under the Porter-Cologne Water Quality Control Act to oversee water quality. Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the Clean Water Act. In compliance with Section 401 of the Clean Water Act, the Regional Water Quality Control Boards also issue water quality certifications for activities that may result in a discharge to waters of the U.S. This is most frequently required in tandem with a Section 404 permit request.

Affected Environment

Ash Slough is the only hydraulic feature identified within the project footprint. No wetlands were identified within the project area.

Jurisdictional waters of the United States are defined as those waters used—currently, in the past, or in the future—for interstate commerce, including all waters subject to the ebb and flow of the tide and all interstate waters including interstate wetlands. This definition also includes interstate lakes, rivers, streams (including seasonal streams), mudflats, sand flats, wetlands, sloughs, prairie potholes, wet meadows, and playa lakes, or natural ponds where the use, degradation, or destruction of which could affect interstate or foreign commerce.

Wetlands can fall under the jurisdiction of the U.S. Army Corps of Engineers, California Regional Water Quality Control Board and California Department of Fish and Wildlife. Jurisdictional wetlands generally include swamps, marshes, bogs, natural drainage channels, and seasonal wetlands. The project area does not contain any features that would provide permanent aquatic or wetland habitat.

No coordination with regulatory agencies has taken place at this point in the project planning process. Coordination with these regulatory agencies would take place during the Plans, Specifications and Estimates phase of the project, as well as determination of agency jurisdiction of Ash Slough.

Environmental Consequences

Minor widening of the southbound Ash Slough bridge on State Route 99 would be required to bring the off-ramp to State Route 233 to current standards. The widening could affect the south bank of the slough.

During construction of the proposed project, Ash Slough would be disturbed by equipment used to widen the bridge. At this point in the project’s development, the exact acreage of impacts is not known and will be finalized during final design (or the Plans, Specifications and Estimates phase).

Temporary impacts would occur from the operation of construction equipment within the slough channel. These areas would be restored to original grade after construction.

Avoidance, Minimization, and/or Mitigation Measures

- Best management practices would be included so the smallest practical footprint would be in place to minimize temporary, indirect, and permanent impacts to waters of the United States. Work would take place only when Ash Slough is dry. Also, the proposed project would incorporate standard Caltrans best management practices to prevent impacts related to degradation of the Ash Slough.

- If Ash Slough is determined to be jurisdictional, Caltrans would obtain permits from the U.S. Army Corps of Engineers (404 Nation Wide Permit), California Regional Water Quality Control Board (401 Certification) and California Department of Fish and Wildlife (1600 Streambed Alteration Agreement). These permits will identify measures to mitigate impacts to the Ash Slough.

- To ensure no net loss of waters of the United States, one or more of the following options could compensate for the permanent loss of waters if Ash Slough is determined to be jurisdictional:

    - In-lieu fee payments may be required to compensate for impacts to jurisdictional waters.
    - Dedication of mitigation lands for impacts to jurisdictional waters.
    - Development of an alternative mitigation plan for impacts to jurisdictional waters.

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's National Marine Fisheries Service (NOAA Fisheries Service) and the California Department of Fish and Wildlife are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with animals not listed or proposed for listing under the federal or state Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in Section 2.3.4. All other special-status animal species are discussed here, including California Department of Fish and Wildlife fully protected species and species of special concern, and U.S. Fish and Wildlife Service or NOAA Fisheries Service candidate species.

Federal laws and regulations relevant to wildlife include the following:

- National Environmental Policy Act
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act

State laws and regulations relevant to wildlife include the following:

- California Environmental Quality Act
- Sections 1600–1603 of the California Fish and Game Code
- Sections 4150 and 4152 of the California Fish and Game Code

Affected Environment

American Cliff Swallows

The American cliff swallow (*Petrochelidon pyrrhonota*) is not a listed species, but it is protected by the Migratory Bird Treaty Act. American cliff swallow habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Due to the construction of human-made structures, suitable swallow habitat is often associated with bridges, cement cells and culverts where resources such as waterways are within close proximity. Angled or straight-walled hard surfaces are the essential component of swallow habitat: both natural and artificial surfaces provide protection, shelter, and nests for swallows.

Migratory Birds and Raptors

Bird species protected by the Migratory Bird Treaty Act of 1918 and California Department of Fish and Wildlife Code Section 3511 use the study area for roosting, nesting, and foraging year-round. Birds covered by the Migratory Bird Treaty Act are protected from hunting, taking, capturing, killing, possessing, sales, purchase, shipment, transportation, carriage, or export of any bird, or any part, nest or egg. State fully protected species (including their parts) may not be taken or possessed at any time. Birds within California have an approximate breeding and nesting season from February 15 to September 1.

Migratory birds that could be found within the proposed project area include local raptors such as the red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), northern mockingbird (*Mimus polygottos*), mourning dove (*Zenaida macroura*), house finch (*Haemorhous mexicanus*), and American cliff swallow (*Petrochelidon pyrrhonota).*

Hoary Bat and Other Bats

The hoary bat (*Lasiurus cinereus*) is listed as a Medium (M) priority by the Western Bat Working Group (WBWG) with no official state or federal status. The hoary bat prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. It roosts in dense foliage of medium to large trees and feeds mostly on moths. It also requires water. Bats in general are highly mobile and could travel through the project area for foraging; they will also use crevices of bridges for roosting. There was no evidence of roosting at the Ash Slough bridge, though it would be possible for a variety of bats to use the bridge for maternal or non-maternal roosting.

Environmental Consequences

American Cliff Swallows, Migratory Birds, and Raptors

Avian surveys were conducted throughout the 2015 nesting season. No active or remnant nest was identified below or near the Ash Slough bridge deck within the biological study area. The Ash Slough bridge, however, does provide suitable nesting habitat for swallows and other migratory birds. Therefore the potential exists for future nesting to occur if conditions are favorable, such as an increase in precipitation during the wet season or other climatic factors.

Hoary Bat and Other Bats

According to California Department of Fish and Wildlife's California Natural Diversity Database (CNDDB), the nearest hoary bat occurrence was about a quarter-mile west of the project site, back in 1921. Although no evidence of roosting bats was identified below the Ash Slough bridge deck or within the biological study area, suitable roosting habitat is present.

Avoidance, Minimization, and/or Mitigation Measures

With implementation of the following avoidance, minimization, and mitigation measures, no impacts to American cliff swallows, migratory birds and raptors, hoary bats and other bat species are expected to occur:

- Pre-construction surveys for migratory birds and raptors would be conducted by a qualified biologist during the nesting season (February 15 to September 1) prior to construction.
- If an active nest is found, a 100-foot buffer would be established around the nest.
- An environmental awareness program would be provided by a qualified biologist to all personnel working on the project site as well as onsite monitoring by a qualified biologist.
- If removal of trees is deemed necessary, the removal would occur outside of the nesting season (approximately September 2 to February 14).
- A pre-construction survey for migratory birds within the biological study area and adjacent habitat would be conducted 14 to 30 days prior to the start of construction.
- If an active nest is detected, the California Department of Fish and Wildlife would be consulted and an Environmentally Sensitive Area around the nest site may be established to prevent nesting disturbance. Work may be temporarily suspended if nesting activity cannot be prevented. Standard specifications would be included in the construction bid package to avoid impacts to migratory birds.

- Pre-construction surveys for roosting bats would be conducted by a qualified biologist at dawn and dusk to identify potential roosting bat activity. This survey would be conducted 14 to 30 days prior to the proposed bridge work.

- If roosting bat activity is identified during the surveys, Caltrans would coordinate with the California Department of Fish and Wildlife regarding the biological importance of the bat population and appropriate measures that could be used to exclude bats from roosting under the bridge. Measures could include exclusion devices installed by qualified personnel. If it was determined that a substantial impact to a bat population or a maternity roost was present, Caltrans would coordinate with the California Department of Fish and Wildlife to determine the need for any avoidance, minimization or mitigation measures.

- If night work is proposed and bats are found roosting in the Ash Slough bridge, all artificial lighting shall be directed toward the road and away from the Ash Slough and other natural features such as trees and shrubs.

- A special provision for migratory birds would be included to ensure that no potential nesting migratory birds are affected during construction.

2.3.4 Threatened and Endangered Species

Regulatory Setting

The main federal law protecting threatened and endangered species is the Federal Endangered Species Act (FESA): 16 U.S. Code Section 1531, et seq. See also 50 Code of Federal Regulations Part 402. This act and later 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 U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) 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 may include a Biological Opinion with an Incidental Take statement, a Letter of Concurrence and/or documentation of a No Effect finding. 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 (CESA), 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 Wildlife 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 Wildlife. For species listed under both the Federal Endangered Species Act and the California Endangered Species Act requiring a Biological Opinion under Section 7 of the Federal Endangered Species Act, the California Department of Fish and Wildlife may also authorize impacts to the California Endangered Species Act species by issuing a Consistency Determination under Section 2080.1 of the California Fish and Game Code.

Another federal law, the Magnuson-Stevens Fishery Conservation and Management Act of 1976, was established to conserve and manage fishery resources found off the coast, as well as anadromous species and Continental Shelf fishery resources of the United States, by exercising (A) sovereign rights for the purposes of exploring, exploiting, conserving, and managing all fish within the exclusive economic zone established by Presidential Proclamation 5030, dated March 10, 1983, and (B) exclusive fishery management authority beyond the exclusive economic zone over such anadromous species, Continental Shelf fishery resources, and fishery resources in special areas.

Affected Environment

Swainson's Hawk

The Swainson's hawk (*Buteo swainsoni*), listed by the State of California as threatened, is protected by the Migratory Bird Treaty Act. The Migratory Bird Treaty Act states that all migratory birds and their parts (including eggs, nests, and feathers) are fully protected. The Migratory Bird Treaty Act is the domestic law that affirms, or implements, the United States' commitment to four international conventions (with Canada, Japan, Mexico, and Russia) for the protection of a shared migratory bird resource. Each of the conventions protects selected species of birds that are common to the other countries (i.e., they occur in the countries at some point during their annual life cycle).

The Swainson's hawk is a summer migrant in the Central Valley, Klamath Basin, Northeastern Plateau, Lassen County, and Mojave Desert. It winters in South America. The hawk breeds in stands with few trees in juniper-sage flats, riparian areas, and oak savannah in the Central Valley. The hawk forages in adjacent grasslands, suitable grain or alfalfa fields and livestock pastures. It eats mice, gophers, ground squirrels, rabbits, large arthropods, amphibians, reptiles, birds, and, rarely, fish. It soars at various levels in search of prey, catching insects and bats in flight. It may also walk on the ground to catch invertebrates and other prey. The

Swainson's hawk roosts in large trees, but will roost on the ground if no trees are available.

Breeding occurs from late March to late August, with peak activity in late May through July. Nests are composed of a platform of sticks, bark, and fresh leaves built in a tree or bush, or on a utility pole from 4 to 100 feet above ground. Nests occur in open riparian habitat, in scattered trees, or in small groves in sparsely vegetated flatlands. Nests are usually found near water in the Central Valley, but they can also be found in arid regions. Clutch size is two to four eggs, with an incubation period of 25 to 28 days.

The Swainson's hawk was historically regarded as one of the most numerous raptors in California. The dramatic decline in its population has been attributed to the loss of native nesting and foraging habitat, and more recently to the loss of suitable nesting trees. This loss of nesting habitat within riparian areas has been accelerated by flood control practices, bank stabilization programs and agricultural conversion of land.

Environmental Consequences

During the 2015 Swainson's hawk protocol-level surveys, a pair were observed perched within the study area. No active nests were identified within the biological study area during the protocol-level surveys. California Natural Diversity Database records noted the closest Swainson's hawk occurrence within about 1.5 miles south of the proposed project, within the Berenda Slough riparian habitat.

Suitable nesting habitat is present within the project area, and there is potential for Swainson's hawk to be present and successfully nest in the future.

Avoidance, Minimization, and/or Mitigation Measures

The following measures would be implemented to avoid, minimization, and mitigate any potential impacts to the Swainson's hawk:

- Pre-construction surveys for the Swainson's hawk would be conducted according to the Recommended Timing and Methodology for Swainson's Hawk Surveys in California's Central Valley. The surveys would be conducted during the nesting season prior to the start of construction.

- An environmental awareness program would be provided by a qualified biologist to all personnel working on the project site as well as onsite monitoring by a qualified biologist.

- If an active nest is detected, the California Department of Fish and Wildlife would be consulted and an Environmentally Sensitive Area around the nest site may be established to prevent nesting disturbance.

- A qualified biologist would monitor an active nest during construction activities to ensure that no interference with the hawk's breeding activities would occur.

- Work may be temporarily suspended if nesting birds are found. If an active Swainson's hawk nest is found, a 600-foot Environmentally Sensitive Area buffer around the nest would be established.

- If removal of trees is deemed necessary, the removal would occur outside of the nesting season (approximately September 2 to February 14).

- A special provision for migratory birds would be included to ensure that no potential nesting migratory birds are affected during construction.

2.3.5 Invasive Species

Regulatory Setting

On February 3, 1999, President William J. Clinton signed Executive Order 13112 requiring federal agencies to combat the introduction or spread of invasive species in the United States. The order defines invasive species as "any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health." Federal Highway Administration guidance issued August 10, 1999 directs the use of the State's invasive species list maintained by the California Invasive Species Council to define the invasive species that must be considered as part of the National Environmental Policy Act analysis for a proposed project.

Affected Environment

An "invasive species" is defined as a species that is non-native (or alien) to the ecosystem under consideration and whose introduction causes or is likely to cause economic or environmental harm or harm to human health. To prevent the introduction and spread of invasive species, Caltrans has issued policy guidelines, which provide a framework for addressing roadside vegetation management issues for construction activities and maintenance programs. No invasive species were identified in the project area during surveys.

Environmental Consequences

This project would not include transportation of invasive plants or animals and would not change the surrounding habitat to encourage immigration of invasive species to the site. The proposed project has an unlikely chance to facilitate the spread of invasive species with implementation of preventative measures addressed below.

Avoidance, Minimization, and/or Mitigation Measures

The following measures would be implemented:

- All equipment and vehicles would be properly maintained and cleaned prior to bringing them onsite to avoid transporting dirt and seed material to the project site.

- Erosion control free of noxious weed materials would be used.
- Any fill material brought onsite must be free of noxious weed materials.
- If there were a need for offsite disposal of excess fill at the end of construction, special considerations would be made to prevent the spread of noxious weeds.
- All equipment and vehicles would be properly cleaned when leaving the project site to avoid spreading noxious weeds to other sites by transporting dirt and seed material.

2.4 Construction Impacts

Affected Environment

Water Quality

The project lies in the City of Chowchilla in an area near Ash Slough. Ash Slough is listed on the Environmental Protection Agency's 303(d) list as being impaired for chlorpyrifos. The project area consists of commercial and residential properties, along with one property that has been cultivated in the past but is designated for eventual development. A Water Compliance Study for the project was prepared in November 2014.

Noise

The project lies in an area with buildings and open land. Two sensitive receptors (single-family homes) sit in the project area. A Noise Scoping Memorandum for the project was prepared in November 2015.

Cultural Resources

The project lies in an area with buildings and open land. A Historic Property Survey Report for the project was prepared in October 2015.

Environmental Consequences

Water Quality

The project has the potential of affecting short-term water quality during construction; no long-term impacts are expected.

Noise

Noise from construction would be intermittent, and its intensity would vary. The degree of construction noise impacts may vary for different areas of the project site and depending on the construction activities. Highway construction is accomplished in several different phases. Typical construction noise levels range from 85 to 89 Leq(h) dBA 50 feet from the centerline of the roadway and from 82 to 86 Leq(h) dBA 100 feet from the centerline of the roadway.

No adverse noise impacts from construction are expected because construction would be conducted in accordance with Caltrans standard specifications and local noise standards.

Cultural Resources

No archaeological sites or historic properties were identified in the project area.

Avoidance, Minimization, and/or Mitigation Measures

Water Quality

All short-term impacts would be addressed through the selection and implementation of best management practices during and following construction. If the project disturbs 1 acre or more of soil, the following is required:

- A Notification of Intention would be submitted to the appropriate Regional Water Quality Control Board at least 30 days prior to the start of construction.
- A Stormwater Pollution Prevention Plan would be prepared and implemented during construction subject to the approval of the resident engineer.
- A Notice of Termination would be submitted to the Regional Board upon completion of construction and site stabilization. A project would be considered complete when the criteria for final stabilization in the Construction General Permit are met.

Noise

- Use newer equipment with improved noise muffling and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine enclosures, and engine vibration isolators intact and operational. Newer equipment would generally be quieter in operation than older equipment. All construction equipment should be inspected at periodic intervals to ensure proper maintenance and presence of noise control devices.
- Use construction methods or equipment that would provide the lowest level of noise and ground vibration impact, such as alternative low-noise pile installation methods.
- Turn off idling equipment.
- Use and relocate, as needed, temporary noise barriers to protect sensitive receptors against excessive noise from construction activities. Noise barriers can be made of heavy plywood or moveable insulated sound blankets.
- Implement a construction noise and/or vibration monitoring program to limit impacts.

- Limit construction activities to daylight hours, if possible. If nighttime construction is absolutely necessary, obtain any permits.
- Keep noise levels relatively uniform and avoid impulsive noises.
- Maintain good public relations with the community to minimize objections to unavoidable construction impacts. Provide frequent updates about all construction activities.

Cultural Resources

- It is Caltrans' policy to avoid cultural resources whenever possible. Further investigations may be needed if the sites(s) cannot be avoided by the project. If buried cultural materials are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. Additional surveys would be required if the project changes to include areas not previously surveyed.

2.5 Climate Change

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to greenhouse gas emissions, particularly those generated from the production and use of fossil fuels. Research from such establishments as the Intergovernmental Panel on Climate Change (IPCC) are mostly concerned with the emissions of greenhouse gases generated by human activity including carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF_6), HFC-23 (fluoroform), HFC-134a (s, s, s, 2-tetrafluoroethane), and HFC-152a (difluoroethane).

In the U.S., the main source of greenhouse gas emissions is electricity generation, followed by transportation. In California, however, transportation sources (including passenger cars, light-duty trucks, other trucks, buses, and motorcycles make up the largest source (second to electricity generation) of greenhouse gas-emitting sources. The dominant greenhouse gas emitted is CO_2, mostly from fossil fuel combustion.

There are four main strategies for reducing greenhouse gas emissions from transportation sources: 1) improving the transportation system and operational efficiencies, 2) reducing growth of vehicle miles traveled (VMT), 3) transitioning to lower greenhouse gas-emitting fuels, and 4) improving vehicle technologies. To be most effective, all four strategies should be pursued collectively. The following section outlines state and federal efforts to reduce greenhouse gas emissions from transportation sources.

Regulatory Setting

State

With the passage of several pieces of legislation, including State Senate and Assembly bills and Executive Orders, California launched an innovative and proactive approach to dealing with greenhouse gas emissions and climate change. Relevant legislation includes the following policies:

- Assembly Bill 1493 (AB 1493), Pavley.
- Executive Order S-3-05 (signed on June 1, 2005, by former Governor Arnold Schwarzenegger)
- AB 32, the Global Warming Solutions Act of 2006, Núñez and Pavley
- Executive Order S-20-06 (signed on October 18, 2006 by former Governor Arnold Schwarzenegger)
- Executive Order S-01-07 (signed on January 18, 2007 by former Governor Arnold Schwarzenegger)
- Senate Bill 97 (SB 97) Chapter 185, 2007
- Caltrans Director's Policy 30 (DP-30) Climate Change (approved June 22, 2012)—established a department policy to ensure coordinated efforts to incorporate climate change into departmental decisions and activities; this policy contributes to the department's stewardship goal to preserve and enhance California's resources and assets.

Federal

Though climate change and greenhouse gas reduction is a concern at the federal level, no regulations or legislation have been enacted specifically addressing greenhouse gas emissions reductions and climate change at the project level. Neither the U.S. Environmental Protection Agency (U.S. EPA) nor the Federal Highway Administration has created explicit guidance or methodology to conduct project-level greenhouse gas analysis. As stated on the Federal Highway Administration's climate change website (http://www.fhwa.dot.gov/hep/climate/index.htm), climate change considerations should be integrated throughout the transportation decision-making process–from planning through project development and delivery. Despite the lack of federal greenhouse gas regulations and legislation, the Federal Highway Administration as well as the National Highway Traffic Safety Administration (NHTSA) and U.S. EPA are taking steps to lessen climate change impacts by improving transportation system efficiency, creating cleaner fuels, reducing the growth of vehicle hours traveled, and enabling the production of a new generation of clean vehicles with reduced greenhouse gas emissions and improved fuel efficiency from on-road vehicles and engines.

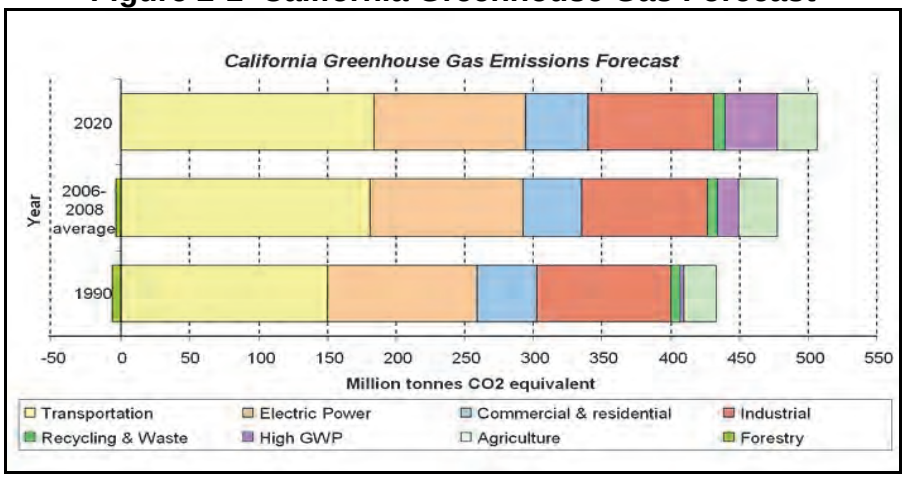
Project Analysis

An individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may contribute to a potential impact

through its *incremental* change in emissions when combined with the contributions of all other sources of greenhouse gas.[1] In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable" (CEQA Guidelines Sections 15064(h)(1) and 15130). To make this determination, we must compare the incremental impacts of the project with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects to make this determination is a difficult, if not impossible, task.

The AB 32 Scoping Plan mandated by AB 32 includes the main strategies California will use to reduce greenhouse gas emissions. As part of its supporting documentation for the Draft Scoping Plan, the Air Resources Board released the greenhouse gas inventory for California (forecast last updated: October 28, 2010). The forecast (see Figure 2-1) is an estimate of the emissions expected to occur in 2020 if none of the foreseeable measures included in the scoping plan were implemented. The base year used for forecasting emissions is the average of statewide emissions in the greenhouse gas inventory for 2006, 2007, and 2008.

Figure 2-1 California Greenhouse Gas Forecast



Source: http://www.arb.ca.gov/cc/inventory/data/forecast.htm

Caltrans and its parent agency, the State Transportation Agency, have taken an active role in addressing greenhouse gas emission reduction and climate change. Recognizing that 98 percent of California's greenhouse gas emissions are from the burning of fossil fuels and 40 percent of all human-made greenhouse gas emissions

[1] This approach is supported by the AEP: *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), as well as the South Coast Air Quality Management District (Chapter 6: The CEQA Guide, April 2011) and the U.S. Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).

are from transportation, Caltrans has created and is implementing the Climate Action Program at Caltrans that was published in December 2006.[2]

This roundabout project will result in better traffic flow, as opposed to stop-and-go traffic flow if signals were installed instead. Smoother traffic flow means there will be a low to no potential for an increase in greenhouse gas emissions long term. Also, implementation of the proposed roundabout is likely to reduce emissions when the future build conditions are compared to future no-build conditions. Vehicles are not required to idle as long because drivers are not required to stop while passing through a roundabout. This helps reduce fuel consumption and vehicle emissions. A literature review by the Insurance Institute for Highway Safety found that roundabouts can reduce fuel consumption by 23 to 34 percent and CO_2 emissions by approximately 23 to 37 percent[3]. Although there will likely be long-term greenhouse gas benefits associated with improved operation through smoother pavement surfaces and reduced queuing, construction emissions will be unavoidable.

Construction Emissions

Greenhouse gas emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction greenhouse gas emissions include emissions produced as a result of material processing, emissions produced by onsite construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

Also, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the greenhouse gas emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events.

CEQA Conclusion

While the project will result in a slight increase in greenhouse gas emissions during construction, it is expected that the project will not result in any increase in operational greenhouse gas emissions. While it is Caltrans determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct impact and its contribution on the cumulative scale to climate change, Caltrans is firmly committed to implementing measures to help reduce greenhouse gas emissions. These measures are outlined in the following section.

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[2] Caltrans Climate Action Program is located at the following web address: http://www.dot.ca.gov/hq/tpp/offices/ogm/key_reports_files/State_Wide_Strategy/Caltrans_Climate_Action_Program.pdf

[3] http://www.iihs.org/iihs/topics/t/roundabouts/qanda#cite-text-0-19

Greenhouse Gas Reduction Strategies

There are typically two terms used when discussing the impacts of climate change. “Greenhouse Gas Mitigation” is a term for reducing greenhouse gas emissions in order to reduce or "mitigate" the impacts of climate change. “Adaptation," refers to the effort of planning for and adapting to impacts resulting from climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels)[4].

Greenhouse Gas Mitigation

AB 32 Compliance

Caltrans continues to be actively involved on the Governor’s Climate Action Team as the Air Resources Board works to implement Executive Orders S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. Many of the strategies Caltrans is using to help meet the targets in AB 32 come from the California Strategic Growth Plan, which is updated each year.

The following measures will also be included in the project to reduce the greenhouse gas emissions and potential climate change impacts from the project:

1. Caltrans and the California Highway Patrol are working with regional agencies to implement Intelligent Transportation Systems (ITS) to help manage the efficiency of the existing highway system. ITS commonly consists of electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.
2. The Kings County Association of Governments provides ridesharing services and park-and-ride facilities to help manage the growth in demand for highway capacity.
3. According to the Department’s Standard Specifications, the contractor must comply with all local Air Pollution Control District’s (APCD) rules, ordinances, and regulations for air quality restrictions.

Adaptation Strategies

“Adaptation strategies” refer to how Caltrans and others can plan for the effects of climate change on the state’s transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damage to roadbeds from longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned.

[4] http://climatechange.transportation.org/ghg_mitigation/

There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

Interim guidance has been released by the Coastal Ocean Climate Action Team (CO-CAT) as well as Caltrans as a method to initiate action and discussion of potential risks to the state's infrastructure due to projected sea level rise.

All projects that have filed a Notice of Preparation as of the date of Executive Order S-13-08, and/or are programmed for construction funding from 2008 through 2013, or are routine maintenance projects may, but are not required to, consider these planning guidelines. The proposed project is outside the coastal zone, and direct impacts to transportation facilities due to projected sea level rise are not expected.

Executive Order S-13-08 also directed the Business, Transportation, and Housing Agency (now called the State Transportation Agency) to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance and operational improvements of the system, and economy of the state. Caltrans continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Chapter 3 Comments and Coordination

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required, and to identify potential impacts and avoidance, minimization and/or 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, interagency coordination meetings and public presentations. This chapter summarizes the results of Caltrans' efforts to identify, address, and resolve project-related issues through early and continuing coordination.

Chowchilla City Council. Caltrans staff provided information and answered questions about the project at two city council meetings on July 14 and August 11, 2015. Concerns about the project revolved around access, cost, limitations on growth, and impacts on traffic flow.

California Department of Fish and Wildlife. Though coordination has not occurred to date, coordination would take place during the Section 1600 permit process.

U.S. Army Corps of Engineers. Though coordination has not occurred to date, coordination would take place if needed during the Section 404 permit process.

California Regional Water Quality Control Board. Though coordination has not occurred to date, coordination would take place if needed during the Section 401 water quality certification process.

Native American Coordination. On January 28, 2015, Caltrans sent a letter to the Native American Heritage Commission requesting a search of their files to determine if any sacred sites, traditional cultural properties, or native plant-gathering locations were known to exist within or near the project study area. The letter also requested the names of Native American group representatives and individuals who may be interested in or be able to supply information about the proposed project area.

The commission responded on February 13, 2015. No Native American cultural resources were identified in the Sacred Lands Inventory as being located in the project area. A list of tribal representatives and interested individuals was also provided.

Caltrans sent letters on April 16, 2015 to tribal representatives and interested individuals providing information about the project and soliciting comments about the project and information about resources within the project area.

Chapter 4 List of Preparers

This document was prepared by the following Caltrans Central Region staff:

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Rajeev Dwivedi, Engineering Geologist. Ph.D., Environmental Engineering, Oklahoma State University, Stillwater; more than 20 years of environmental technical studies experience. Contribution: Wrote water compliance study.

David Lanner, Associate Environmental Planner (Archaeology). B.F.A., Art, Utah State University; 17 years of cultural resources experience. Contribution: Prepared the Historic Property Survey Report.

Elmer Llamas, Environmental Planner (Natural Sciences). B.S., Natural Resources Planning and Interpretation, Humboldt State University; 2 years of biological field experience. Contribution: Wrote the Natural Environment Study.

Mandy Marine, Associate Environmental Planner (Archaeology)/Native American Coordinator. B.A., Anthropology, California State University, Fresno; more than 20 years of California archaeology experience. Contribution: Performed Native American coordination.

Shawn Ogletree, Associate Environmental Planner. B.S., Environmental Conservation of Natural Resources, Texas Tech University; B.S., Wildlife/Fisheries Management, Texas Tech University; MPH, California State University, Fresno; 12 years of environmental health, environmental technical studies experience; 10 years of biology experience. Contribution: Prepared the Initial Site Assessment and the paleontological identification report.

Michelle Ray, Senior Environmental Planner. B.S., Environmental Toxicology and Biology, University of California, Riverside; 9 years with Caltrans as an environmental planner and biologist. Contribution: Performed the senior review of the environmental document.

Richard C. Stewart, Engineering Geologist, P.G. B.S., Geology, California State University, Fresno; more than 20 years of hazardous waste and water quality experience; 7 years of paleontology/geology experience. Contribution: Oversaw paleontological studies.

Vladimir Timofei, Transportation Engineer. M.S., Civil Engineering, California State University, Fullerton; 14 years of environmental technical studies experience. Contribution: Wrote noise compliance memorandum.

Dan Waterhouse, Associate Environmental Planner. B.S., Business Administration, California State University, Fresno; more than 25 years of environmental analysis experience. Contribution: Wrote the Initial Study.

Chapter 5 Distribution List

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Appendix A California Environmental Quality Act Checklist

Supporting documentation of all California Environmental Quality Act (CEQA) checklist determinations is provided in Chapter 2 of this Initial Study. Documentation of “No Impact” determinations is provided at the beginning of Chapter 2. Discussion of all impacts, avoidance, minimization, and/or mitigation measures is under the appropriate topic headings in Chapter 2.

06-Mad-99	**26.3/26.8**	**06-12000307**
Dist.-Co.-Rte.	P.M/P.M.	Project ID#

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicated no impacts. A NO IMPACT answer in the last column reflects this determination. Where a clarifying discussion is needed, the discussion either follows the applicable section in the checklist or is placed within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA—not NEPA—impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

II. AGRICULTURE AND FOREST 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project, Forest Legacy Assessment Project, and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

III. 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?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
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 which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

IV. 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 Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

VI. 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:

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?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

VII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

If applicable, an assessment of greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans' determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. Necessary information is located in Technical Studies Bound Separately.

VIII. 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 materials, 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?	☐	☐	☐	☒

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
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 which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
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 which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒

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?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
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?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	☐	☐	☐	☒
b)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?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

XI. 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

XII. 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?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒

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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

XIII. 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☒	☐

XIV. 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?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

XV. 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?	☐	☐	☐	☒

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

XVI. TRANSPORTATION/TRAFFIC: Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which 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?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒

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

XVIII. 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, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially 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?	☐	☐	☐	☒
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)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Appendix B Title VI Policy Statement

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
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Flex your power!
Be energy efficient!

March 2013

NON-DISCRIMINATION
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, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

For information or guidance on how to file a complaint based on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, please visit the following web page: http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm.

Additionally, if you need this information in an alternate format, such as in Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, 1823 14th Street, MS-79, Sacramento, CA 95811. Telephone: (916) 324-0449, TTY: 711, or via Fax: (916) 324-1949.

MALCOLM DOUGHERTY
Director

Appendix C Summary of Relocation Benefits

California Department of Transportation Relocation Assistance Program

DECLARATION OF POLICY

"The purpose of this title is to establish a ***uniform policy for fair and equitable treatment*** of persons displaced as a result of federal and federally assisted programs in order that such persons ***shall not suffer disproportionate injuries*** as a result of programs designed for the benefit of the public as a whole."

The Fifth Amendment to the U.S. Constitution states, "No Person shall…be deprived of life, liberty, or property, without due process of law, nor shall private property be taken for public use without just compensation." The Uniform Act sets forth in statute the due process that must be followed in Real Property acquisitions involving federal funds. Supplementing the Uniform Act is the government-wide single rule for all agencies to follow, set forth in 49 Code of Federal Regulations (CFR) Part 24. Displaced individuals, families, businesses, farms, and nonprofit organizations may be eligible for relocation advisory services and payments, as discussed below.

FAIR HOUSING

The Fair Housing Law (Title VIII of the Civil Rights Act of 1968) sets forth the policy of the United States to provide, within constitutional limitations, for fair housing. This act, and as amended, makes discriminatory practices in the purchase and rental of most residential units illegal. Whenever possible, minority persons shall be given reasonable opportunities to relocate to any available housing regardless of neighborhood, as long as the replacement dwellings are decent, safe, and sanitary and are within their financial means. This policy, however, does not require Caltrans to provide a person a larger payment than is necessary to enable a person to relocate to a comparable replacement dwelling.

Any persons to be displaced will be assigned to a relocation advisor, who will work closely with each displacee in order 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. At the time of the initiation of negotiations (usually the first written offer to purchase), owner-occupants are given a detailed explanation of the state's relocation services. Tenant occupants of properties to be acquired are contacted soon after the initiation of negotiations and also are given a detailed explanation of the Caltrans Relocation Assistance Program. To avoid loss of possible benefits, no individual, family, business, farm, or nonprofit organization should commit to purchase or rent a replacement property without first contacting a Caltrans relocation advisor.

RELOCATION ASSISTANCE ADVISORY SERVICES

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, Caltrans will provide relocation advisory assistance to any person, business, farm or nonprofit organization displaced as a result of the acquisition of real property for public use, so long as they are legally present in the United States. Caltrans will assist eligible displacees in obtaining comparable replacement housing by providing current and continuing information on the availability and prices of both houses for sale and rental units that are "decent, safe and sanitary." Nonresidential displacees will receive information on comparable properties for lease or purchase (for business, farm and nonprofit organization relocation services, see below).

Residential replacement dwellings will be in a location generally not less desirable than the displacement neighborhood at prices or rents within the financial ability of the individuals and families displaced, and reasonably accessible to their places of employment. Before any displacement occurs, comparable replacement dwellings will be offered to displacees that are open to all persons regardless of race, color, religion, sex, national origin, and consistent with the requirements of Title VIII of the Civil Rights Act of 1968. This assistance will also include the supplying of information concerning federal and state assisted housing programs and any other known services being offered by public and private agencies in the area.

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 first being given at least 90 days written notice. Residential occupants eligible for relocation payment(s) will not be required to move unless at least one comparable "decent, safe and sanitary" replacement dwelling, available on the market, is offered to them by Caltrans.

RESIDENTIAL RELOCATION PAYMENTS

The Relocation Assistance Program will help eligible residential occupants by paying certain costs and expenses. These costs are limited to those necessary for or incidental to the purchase or rental of a replacement dwelling and actual reasonable moving expenses to a new location within 50 miles of the displacement property. Any actual moving costs in excess of the 50 miles are the responsibility of the displacee. The Residential Relocation Assistance Program can be summarized as follows:

Moving Costs

Any displaced person, who lawfully occupied 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 50 miles, or a fixed payment based on a fixed moving cost schedule. Lawful occupants who move into the displacement property after the initiation of negotiations must wait until the

Department obtains control of the property in order to be eligible for relocation payments.

Purchase Differential

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

Homeowners who have owned and occupied their property for 180 days or more prior to the date of the initiation of negotiations (usually the first written offer to purchase the property), may qualify to receive a price differential payment 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 upon the replacement property interest rate. The maximum combination of these three supplemental payments that the owner-occupant can receive is $22,500. If the total entitlement (without the moving payments) is in excess of $22,500, the Last Resort Housing Program will be used (see the explanation of the Last Resort Housing Program below).

Rent Differential

Tenants and certain owner-occupants (based on length of ownership) who have occupied the property to be acquired by Caltrans prior to the date of the initiation of negotiations may qualify to receive a rent differential payment. This payment is made when Caltrans determines that the cost to rent a comparable "decent, safe and sanitary" replacement dwelling will be more than the present rent of the displacement dwelling. As an alternative, the tenant 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 under the *Down Payment* section below. The maximum amount payable to any eligible tenant and any owner-occupant of less than 180 days, in addition to moving expenses, is $5,250. If the total entitlement for rent supplement exceeds $5,250, the Last Resort Housing Program will be used.

To receive any relocation benefits, the displaced person must buy or rent and occupy a "decent, safe and sanitary" replacement dwelling within one year from the date the Department takes legal possession of the property, or from the date the displacee vacates the displacement property, whichever is later.

Down Payment

The down payment option has been designed to aid owner-occupants of less than 180 days and tenants in legal occupancy prior to Caltrans' initiation of negotiations. The down payment and incidental expenses cannot exceed the maximum payment of $5,250. 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 CFR 24) contain the policy and procedure for implementing the Last Resort Housing Program on federal-aid projects. Last Resort Housing benefits are, except for the amounts of payments and the methods in making them, the same as those benefits for standard residential relocation as explained above. Last Resort Housing has been designed primarily to cover situations where a displacee cannot be relocated because of lack of available comparable replacement housing, or when the anticipated replacement housing payments exceed the $22,500 and $5,250 limits of the standard relocation procedure, because either the displacee lacks the financial ability or other valid circumstances.

After the initiation of negotiations, Caltrans will within a reasonable length of time, personally contact the displacees to gather important information, including the following:

- Number of people to be displaced.
- Specific arrangements needed to accommodate any family member(s) with special needs.
- Financial ability to relocate into comparable replacement dwelling which will adequately house all members of the family.
- Preferences in area of relocation.
- Location of employment or school.

NONRESIDENTIAL RELOCATION ASSISTANCE

The Nonresidential Relocation Assistance Program provides assistance to businesses, farms and nonprofit organizations in locating suitable replacement property, and reimbursement for certain costs involved in relocation. The Relocation Advisory Assistance Program will provide current lists of properties offered for sale or rent, suitable for a particular business's specific relocation needs. The types of payments available to eligible businesses, farms and nonprofit organizations are: searching and moving expenses, and possibly reestablishment expenses; or a fixed in lieu payment instead of any moving, searching and reestablishment expenses. The payment types can be summarized as follows:

Moving Expenses
Moving expenses may include the following actual, reasonable costs:

- The moving of inventory, machinery, equipment and similar business-related property, including: dismantling, disconnecting, crating, packing, loading, insuring, transporting, unloading, unpacking, and reconnecting of personal property. Items acquired in the right-of-way contract may not be moved under the Relocation Assistance Program. If the displacee buys an Item Pertaining to the Realty back at salvage value, the cost to move that item is borne by the displacee.
- Loss of tangible personal property provides payment for actual, direct loss of personal property that the owner is permitted not to move.

- Expenses related to searching for a new business site, up to $2,500, for reasonable expenses actually incurred.

Reestablishment Expenses
Reestablishment expenses related to the operation of the business at the new location, up to $10,000 for reasonable expenses actually incurred.

Fixed In Lieu Payment
A fixed payment in lieu of moving, searching, and reestablishment payments may be available to businesses that meet certain eligibility requirements. This payment is an amount equal to half the average annual net earnings for the last two taxable years prior to the relocation and may not be less than $1,000 nor more than $20,000.

ADDITIONAL INFORMATION

Reimbursement for moving costs and replacement housing payments are not considered income for the purpose of the Internal Revenue Code of 1954, or for the purpose of determining the extent of eligibility of a displacee for assistance under the Social Security Act, or any other law, *except* for any federal law providing local "Section 8" Housing Programs.

Any person, business, farm or nonprofit organization that has been refused a relocation payment by the Caltrans relocation advisor or believes that the payment(s) offered by the agency are inadequate may appeal for a special hearing of the complaint. No legal assistance is required. Information about the appeal procedure is available from the relocation advisor.

California law allows for the payment for lost goodwill that arises from the displacement for a public project. A list of ineligible expenses can be obtained from Caltrans Right-of-Way. California's law and the federal regulations covering relocation assistance provide that no payment shall be duplicated by other payments being made by the displacing agency.

Appendix D Minimization and/or Mitigation Summary

Relocations and Real Property Acquisition

- Any person (individual, family, corporation, partnership or association) who moves from real property or moves personal property from real property as a result of the acquisition of the real property, or required to relocate as a result of a written notice from Caltrans from the real property required for a transportation project is eligible for Relocation Assistance.
- All activities would be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Relocation resources would be available to all displacees free of discrimination.

Utilities and Emergency Services

Utilities

- Utilities would be relocated to accommodate construction of the proposed project. Caltrans will coordinate with any effected companies. Utility users would be informed of the date and time in advance of any service disruptions.

Emergency Services

- A traffic management plan would be developed to minimize delays and maximize safety during construction. The traffic management plan could include, but is not limited to, the following:
    - Release of information through brochures and mailers, press releases, and notices from the Caltrans public information office.
    - Use of fixed and portable changeable message signs.
    - Incident management through the Construction Zone Enhancement Enforcement Program and the transportation management plan.

Paleontology

A preliminary mitigation plan has been developed. It includes the following measures:

- All qualified earthmoving activities would be monitored full-time by qualified paleontological specialists. The monitors would attend the pre-construction meeting and would be provided the schedule of ground-disturbing activities to

be conducted within the project limits in writing at least 15 days prior to the start of construction. The schedule would be updated as needed.

- Monitors would act to protect potentially significant paleontological resources. Paleontological awareness training would be mandatory for all earthmoving personnel and their supervisors. As new construction personnel are added, the training would be repeated. Monitors would have the authority to either directly or indirectly temporarily divert equipment to inspect fossil finds.

- A monthly letter report would be prepared documenting monitoring activities. At the conclusion of earthmoving, a final Paleontological Mitigation Report would be prepared.

- If potentially significant fossils are discovered during construction, the discovery would be handled according to general paleontological practices.

- Significant fossils would be curated in perpetuity at an accredited repository along with all project data and the final report. The Natural History Museum of Los Angeles has agreed to serve as the repository for fossils recovered during this project.

Hazardous Waste and Materials

The following measures would be implemented:

- The contractor would be required to prepare a project-specific lead compliance plan to minimize worker exposure to lead-impacted soil.
- Special provisions for the handling of bridge and traffic paint and asbestos-containing materials would be necessary.

Natural Communities

- In areas where riparian habitat would be temporarily or permanently affected by construction, mitigation may be required by way of reseeding and/or revegetating the areas where the vegetation was removed or impacted. If mitigation is required, the temporary and permanent impact areas would be restored to original grade and planted with native riparian vegetation, where appropriate, after construction.

- A Section 1600 Streambed Alteration Agreement may be required prior to start of construction activities for potential riparian impacts, and will be determined during the final design phase of the proposed project. Caltrans will coordinate with the California Department of Fish and Wildlife regarding any avoidance, minimization, and mitigation measures required before, during, and after construction activities.

Wetlands and Other Waters

- Best management practices would be included so the smallest practical footprint would be in place to minimize temporary, indirect, and permanent impacts to waters of the United States. Work would take place only when Ash Slough is dry. In addition, the proposed project would incorporate standard Caltrans best management practices to prevent impacts related to degradation of the Ash Slough.

- If Ash Slough is determined to be jurisdictional, Caltrans would obtain permits from the U.S. Army Corps of Engineers (404 Nation Wide Permit), California Regional Water Quality Control Board (401 Certification) and California Department of Fish and Wildlife (1600 Streambed Alteration Agreement). These permits will identify measures to mitigate impacts to the Ash Slough.

- To ensure no net loss of waters of the United States, one or more of the following options could compensate for the permanent loss of waters if Ash Slough is determined to be jurisdictional:

    - In-lieu fee payments may be required to compensate for impacts to jurisdictional waters.
    - Dedication of mitigation lands for impacts to jurisdictional waters.
    - Development of an alternative mitigation plan for impacts to jurisdictional waters.

Animal Species

The following measures would be implemented:

- Pre-construction surveys for migratory birds and raptors would be conducted by a qualified biologist during the nesting season (February 15 to September 1) prior to construction.
- If an active nest is found, a 100-foot buffer would be established around the nest.
- An environmental awareness program would be provided by a qualified biologist to all personnel working on the project site as well as onsite monitoring by a qualified biologist.
- If removal of trees is deemed necessary, the removal would occur outside of the nesting season (approximately September 2 to February 14).

- A pre-construction survey for migratory birds within the BSA and adjacent habitat would be conducted 14 to30 days prior to the start of construction.

- If an active nest is detected, California Department of Fish & Wildlife would be consulted and an Environmental Sensitive Area around the nest site may be established to prevent nesting disturbance. Work may be temporarily

suspended if nesting activity cannot be prevented. Standard specifications would be included in the construction bid package to avoid impacts to migratory birds.

- Pre-construction surveys for roosting bats would be conducted by a qualified biologist at dawn and dusk to identify potential roosting bat activity. This survey would be conducted 14 to30 days prior to the proposed bridge work.

- If roosting bat activity is identified during the surveys, Caltrans would coordinate with the California Department of Fish & Wildlife regarding the biological importance of the bat population and appropriate measures that could be used to exclude bats from roosting under the bridge. Measures could include exclusion devices installed by qualified personnel. If it was determined that a substantial impact to a bat population or a maternity roost was present, Caltrans would coordinate with California Department of Fish & Wildlife to determine the need for any avoidance, minimization or mitigation measures.

- If night work is proposed and bats are found roosting in the Ash Slough bridge, all artificial lighting shall be directed towards the road and away from the Ash Slough and other natural features such as trees and shrubs.

- A special provision for migratory birds would be included to ensure that no potential nesting migratory birds are affected during construction.

Threatened and Endangered Species

The following measures would be implemented:

- Pre-construction surveys for Swainson's hawk would be conducted according to the *Recommended Timing and Methodology for Swainson's Hawk Surveys in California's Central Valley*. The surveys would be conducted during the nesting season prior to the start of construction.

- An environmental awareness program would be provided by a qualified biologist to all personnel working on the project site as well as onsite monitoring by a qualified biologist

- If an active nest is detected, California Department of Fish & Wildlife would be consulted and an Environmental Sensitive Area around the nest site may be established to prevent nesting disturbance.

- A qualified biologist would monitor an active nest during construction activities to ensure that no interference with the hawk's breeding activities would occur.

- Work may be temporarily suspended if nesting birds are found. If an active Swainson's hawk nest is found, a 600-foot Environmental Sensitive Area buffer around the nest would be established.

- If removal of trees is deemed necessary, the removal would occur outside of the nesting season (approximately September 2 to February 14).

- A special provision for migratory birds would be included to ensure that no potential nesting migratory birds are affected during construction.

Invasive Species

The following measures would be implemented:

- All equipment and vehicles would be properly maintained and cleaned prior to bringing them onsite in order to avoid transporting dirt and seed material to the project site.
- Erosion control free of noxious weed materials would be used.
- Any fill material brought on site must be free of noxious weed materials.
- If there were a need for offsite disposal of excess fill at the end of construction, special considerations would be made to prevent the spread of noxious weeds.
- All equipment and vehicles would be properly cleaned when leaving the project site to avoid spreading noxious weeds to other sites by transporting dirt and seed material.

Construction Impacts

Water Quality

All short-term impacts would be addressed through the selection and implementation of Best Management Practices during and following construction. If the project disturbs one acre or more of soil, the following is required:

- A Notification of Intention would be submitted to the appropriate Regional Water Quality Control Board at least 30 days prior to the start of construction.
- A Stormwater Pollution Prevention Plan would be prepared and implemented during construction subject to the approval of the Resident Engineer.
- A Notice of Termination would be submitted to the Regional Board upon completion of construction and site stabilization. A project would be considered complete when the criteria for final stabilization in the Construction General Permit is met.

Noise

- Use newer equipment with improved noise muffling and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine enclosures, and engine vibration isolators intact and operational. Newer equipment would generally be quieter in operation than older equipment. All construction equipment should be inspected at periodic intervals to ensure proper maintenance and presence of noise control devices.
- Use construction methods or equipment that would provide the lowest level of noise and ground vibration impact such as alternative low-noise pile installation methods.
- Turn off idling equipment.
- Temporary noise barriers should be used and relocated, as needed, to protect sensitive receptors against excessive noise from construction activities. Noise barriers can be made of heavy plywood, or moveable insulated sound blankets.
- Implement a construction noise and/or vibration monitoring program in order to limit impacts.
- Limit construction activities to daylight hours, if possible. If nighttime construction is absolutely necessary, obtain any permits.
- Keep noise levels relatively uniform and avoid impulsive noises.
- Maintain good public relations with the community to minimize objections to unavoidable construction impacts. Provide frequent updates about all construction activities.

Cultural Resources

It is Caltrans' policy to avoid cultural resources whenever possible. Further investigations may be needed if the sites(s) cannot be avoided by the project. If buried cultural materials are encountered during construction, it is Caltrans' policy that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. Additional surveys would be required if the project changes to include areas not previously surveyed.

Appendix E U.S. Fish and Wildlife Service Species List

United States Department of Interior
Fish and Wildlife Service

Project name: 06-0P9100

Official Species List

Provided by:

Sacramento Fish and Wildlife Office
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Consultation Code: 08ESMF00-2016-SLI-0120
Event Code: 08ESMF00-2016-E-00236

Project Type: TRANSPORTATION

Project Name: 06-0P9100
Project Description: Caltrans proposes to widen the existing State Route 233 interchange bridge over State Route 99 from two lanes to four lanes with standard shoulders and sidewalk, reconstruct the interchange ramp intersections with State Route 233 to include roundabouts, and realign and lengthen the State Route 99 southbound off-ramp to meet desing standards. Minor widening of the southbound State Route 99 bridge over Ash Slough will be required to accommodate the modifications to the southbound off-ramp. A basin

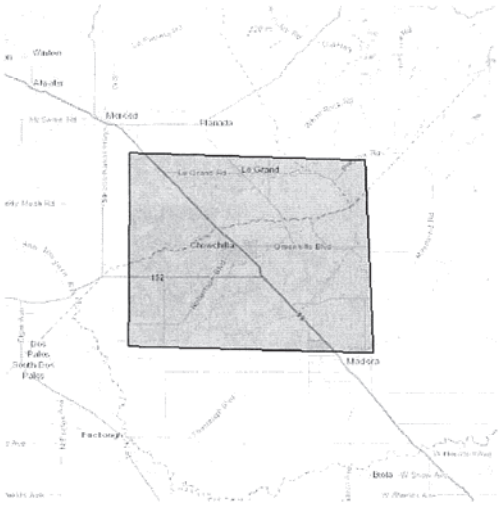
Please Note: The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.

http://ecos.fws.gov/ipac, 10/23/2015 02:55 PM
1

United States Department of Interior
Fish and Wildlife Service

Project name: 06-0P9100

Project Location Map:



Project Coordinates: MULTIPOLYGON (((-120.02838134765625 37.246728019617215, -120.44311523437499 37.25547303105431, -120.44723510742189 36.98719701173416, -120.0146484375 36.97842095659727, -120.02838134765625 37.246728019617215)))

Project Counties: Madera, CA | Mariposa, CA | Merced, CA

United States Department of Interior
Fish and Wildlife Service

Project name: 06-0P9100

Endangered Species Act Species List

There are a total of 18 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Amphibians	**Status**	**Has Critical Habitat**	**Condition(s)**
California red-legged frog *(Rana draytonii)* Population: Entire	Threatened	Final designated	
California tiger Salamander *(Ambystoma californiense)* Population: U.S.A. (Central CA DPS)	Threatened	Final designated	
Crustaceans			
Conservancy fairy shrimp *(Branchinecta conservatio)* Population: Entire	Endangered	Final designated	
Vernal Pool fairy shrimp *(Branchinecta lynchi)* Population: Entire	Threatened	Final designated	
Vernal Pool tadpole shrimp *(Lepidurus packardi)* Population: Entire	Endangered	Final designated	
Fishes			
Delta smelt *(Hypomesus*	Threatened	Final designated	

transpacificus) Population: Entire			
steelhead *(Oncorhynchus (=salmo) mykiss)* Population: Northern California DPS	Threatened	Final designated	
Flowering Plants			
Colusa grass *(Neostapfia colusana)*	Threatened	Final designated	
Fleshy owl's-clover *(Castilleja campestris ssp. succulenta)*	Threatened	Final designated	
Greene's tuctoria *(Tuctoria greenei)*	Endangered	Final designated	
Hairy Orcutt grass *(Orcuttia pilosa)*	Endangered	Final designated	
Palmate-Bracted bird's beak *(Cordylanthus palmatus)*	Endangered		
San Joaquin Orcutt grass *(Orcuttia inaequalis)*	Threatened	Final designated	
Insects			
Valley Elderberry Longhorn beetle *(Desmocerus californicus dimorphus)* Population: Entire	Threatened	Final designated	
Mammals			
Fresno kangaroo rat *(Dipodomys nitratoides exilis)* Population: Entire	Endangered	Final designated	
San Joaquin Kit fox *(Vulpes macrotis mutica)* Population: wherever found	Endangered		
Reptiles			

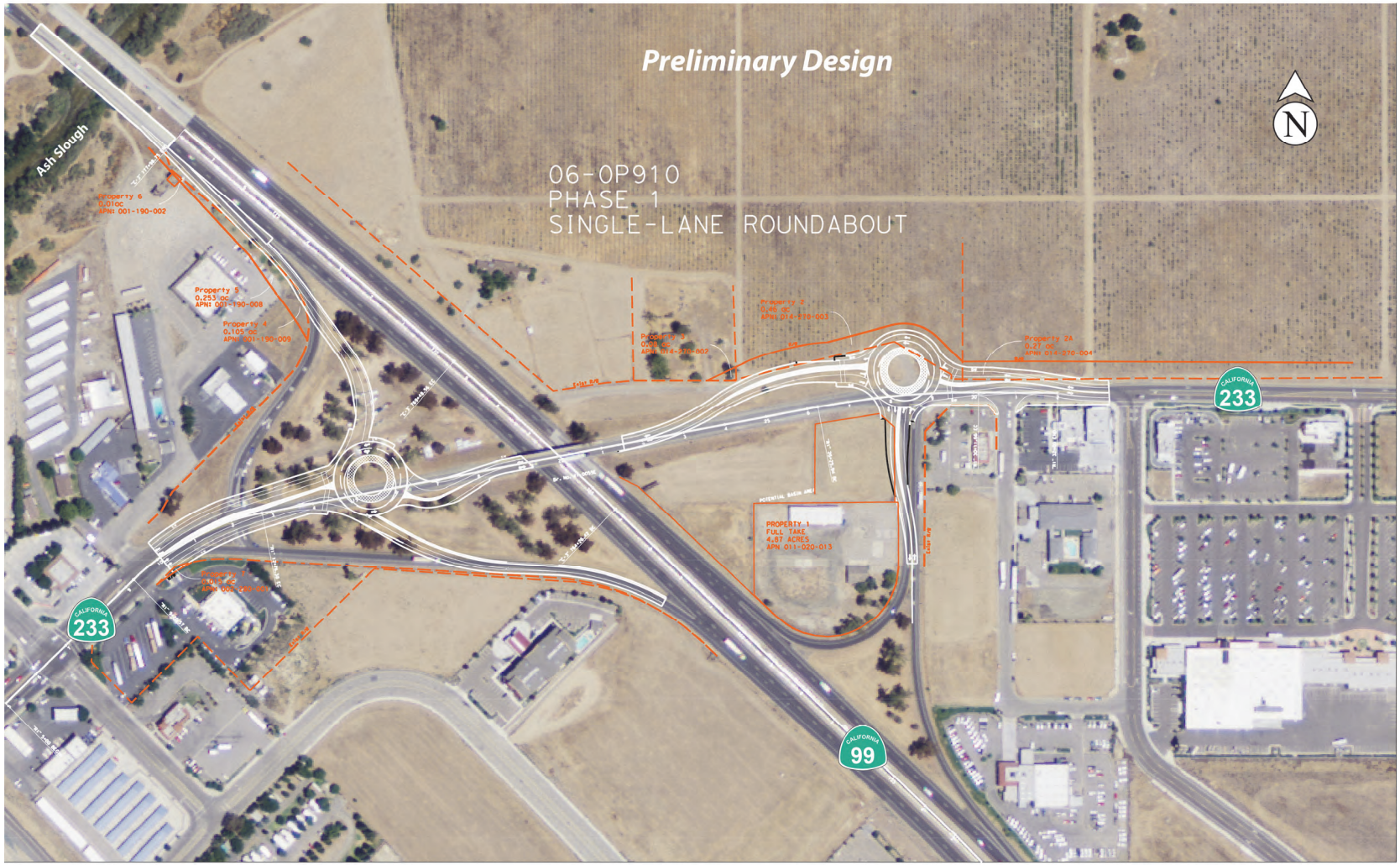
Blunt-Nosed Leopard lizard *(Gambelia silus)* Population: Entire	Endangered		
Giant Garter snake *(Thamnophis gigas)* Population: Entire	Threatened		

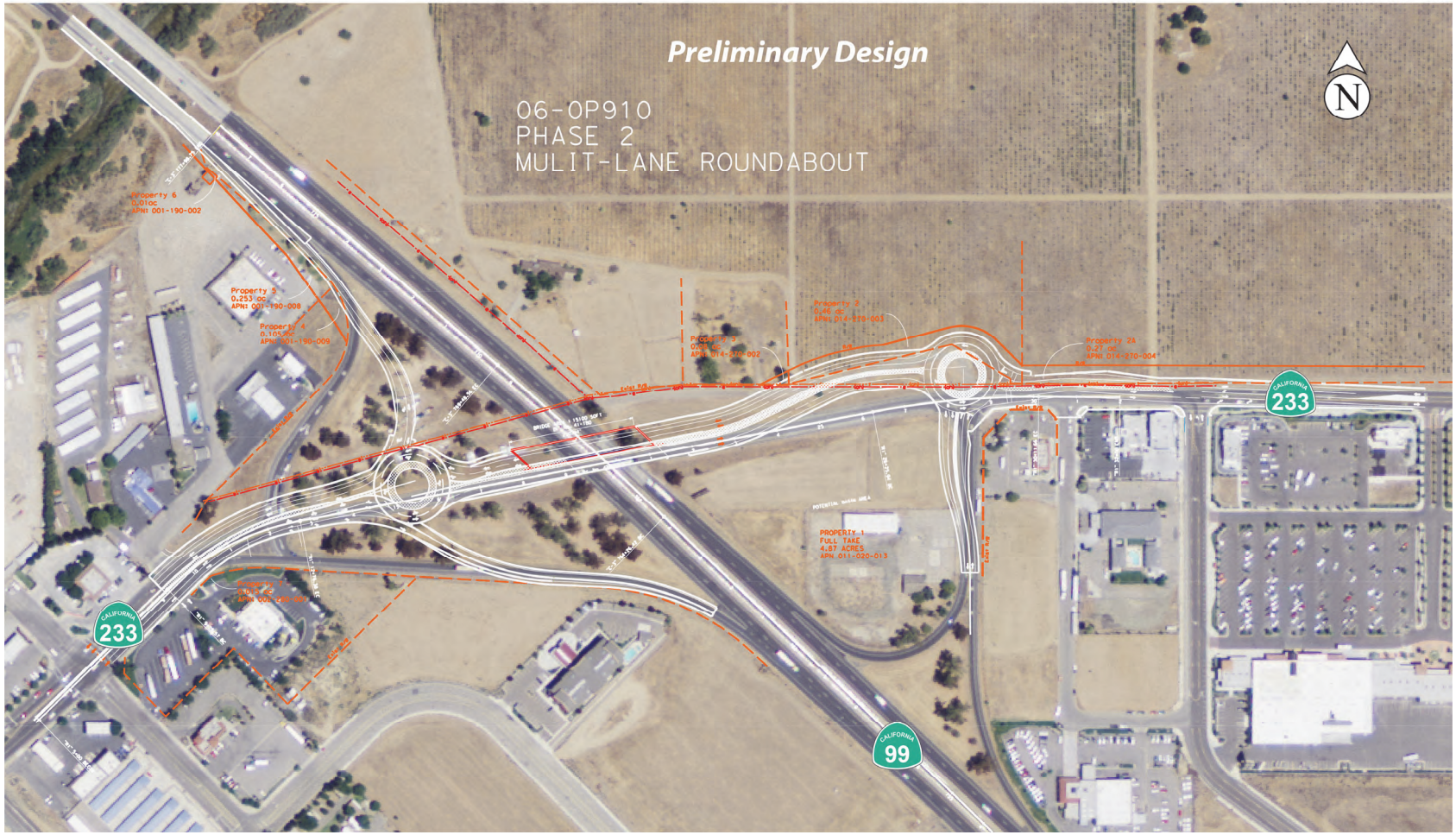
Appendix F Listed and Proposed Species and Critical Habitat Potentially Occurring or Known to Occur in the Project Area

Common Name	Scientifc Name	Status	Effect Determination
Amphibinians:			
California red-legged frog Population: Entire	*Rana draytonii*	FT	No effect on species or habitat.
California tiger salamander Population: U.S.A (CA-Sonoma County)	*Ambystoma californiense*	FE	No effect on species or habitat.
Crustaceans:			
Conservancy fairy shrimp Population: Entire	*Branchinecta conservatio*	FE	No effect on species or habitat.
Vernal Pool fairy shrimp Population: Entire	*Branchinecta lynchi*	FT	No effect on species or habitat.
Vernal Pool tadpole shrimp Population: Entire	*Lepidurus packardi*	FE	No effect on species or habitat.
Fishes:			
Delta smelt Population: Entire	*Hypomesus transpacificus*	FT	No effect on species or habitat.
Steelhead Population: Northern California DPS	*Oncorhynchus (=salmo) mykiss*	FT	No effect on species or habitat.
Flowering Plants:			
Fleshy owl's-clover	*Castilleja campestris ssp.succulenta*	FT	No effect on species or habitat.
Greene's tuctoria	*Tuctoria greenei*	FE	No effect on species or habitat.
Hairy Orcutt grass	*Orcuttia pilosa*	FE	No effect on species or habitat.

San Joaquin Orcutt grass	*Orcuttia inaequalis*	FT	No effect on species or habitat.
Insects:			
Valley Elderberry Longhorn beetle Population: Entire	*Desmocerus californicus dimorphus*	FT	No effect on species or habitat.
Mammals:			
Fresno kangaroo rat Population: Entire	*Dipodomys nitratoides exilis*	FT	No effect on species or habitat.
San Joaquin Kit fox Population: U.S.A. (CA)	*Vulpes macrotis mutica*	FE	No effect on species or habitat.
Reptiles:			
Blunt-Nosed Leopard lizard Population: Entire	*Gambelia sila*	FE	No effect on species or habitat.
Giant Garter snake Population: Entire	*Thamnophis gigas*	FT	No effect on species or habitat.
Critical Habitat:			
Conservancy fairy shrimp Critical Habitat		CH	No effect on species' critical habitat.
Vernal Pool fairy shrimp Critical Habitat		CH	No effect on species' critical habitat.
Vernal Pool tadpole shrimp Critical Habitat		CH	No effect on species' critical habitat.
Fleshy owl's-clover Critical Habitat		CH	No effect on species' critical habitat.
Green tuctoria Critical Habitat		CH	No effect on species' critical habitat.
San Joaquin Orcutt grass Critical Habitat		CH	No effect on species' critical habitat.

Appendix G Preliminary Design Mapping




Preliminary Design
06-0P910
PHASE 2
MULIT-LANE ROUNDABOUT
N
Property 6
0.010ac
APN: 001-190-002
Property 5
0.253ac
APN: 001-190-008
Property 4
0.105ac
APN: 001-190-009
Property 2
0.46 ac
APN: 014-270-003
Property 3
0.08 ac
APN: 014-270-002
Property 2A
0.27 ac
APN: 014-270-004
PROPERTY 1
FULL TAKE
4.67 ACRES
APN: 011-020-013
POTENTIAL MAIN AREA
CALIFORNIA
233
CALIFORNIA
99

List of Technical Studies

Draft Relocation Impact Statement

Air Quality Compliance Memorandum

Noise Compliance Memorandum

Water Quality Report

Natural Environment Study

Historical Property Survey Report

Hazardous Waste Initial Site Assessment

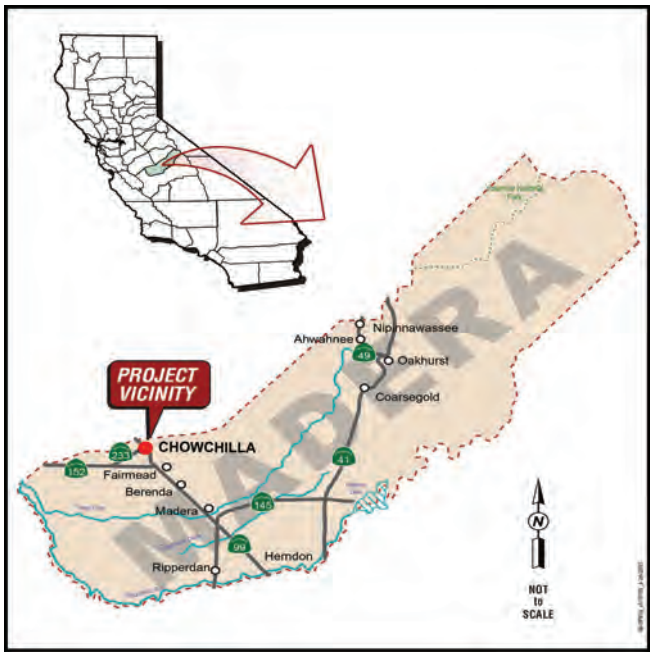
Preliminary Paleontology Study

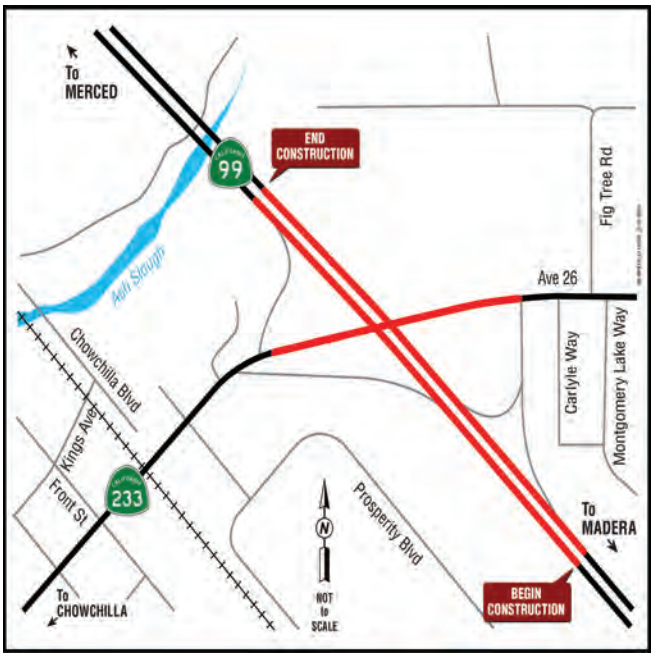
Paleontology Identification Report

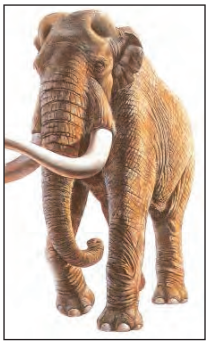
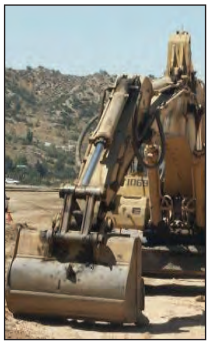
Paleontology Evaluation Report

Chowchilla Interchange Improvement Project

Initial Study with Proposed Mitigated Negative Declaration





For project updates and other project information, please go to
http://www.dot.ca.gov/

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