

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: November 7-8, 2007

Reference No.: 2.2c.(1)
Action Item

From: CINDY McKIM
Chief Financial Officer

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Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING,
10-Mer-152, PM 16.0/24.8
RESOLUTION E-07-21**

RECOMMENDATION:

The Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-07-21.

ISSUE:

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

- State Route 152 in Merced County – Construct new bypass near Los Banos.

This project in Merced County would construct a new bypass along a portion of State Route 152 near Los Banos. The environmental document is necessary at this time to preserve a route corridor for the project. The project is not fully funded. The project is fully programmed for project development in the 2006 State Transportation Improvement Program for \$14,400,000. The total estimated project cost, capital and support, is \$500,800,000. This project should be ready for construction in Fiscal Year 2011-12, depending on the availability of funds.

A copy of the Final Environmental Impact Report has been provided to California Transportation Commission staff. Potential issues with the loss of prime farmland, residential relocations, and the loss of foraging habitat for several special-status species including the Swainson's hawk and the giant garter snake resulted in an Environmental Impact Report being completed for this project. A route adoption is also needed for this project and is under agenda item 2.3a.

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

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding

10-Mer-152, PM 16.0/24.8

Resolution E-07-21

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- State Route 152 in Merced County – Construct new bypass near Los Banos.
- 1.2** **WHEREAS**, the Department has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.4** **WHEREAS**, the Written Findings indicate that specific economic, legal, social, technological, or other considerations make it infeasible to avoid or fully mitigate to a level less than significant the effects associated with noise and farmland impacts as a result of the project; and
- 1.5** **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby approve the above referenced project to allow for future consideration of funding.

CALIFORNIA TRANSPORTATION COMMISSION

FINDINGS FOR STATE ROUTE 152 LOS BANOS BYPASS PROJECT

ON STATE ROUTE 152 BEGINNING NEAR VOLTA ROAD WEST OF LOS BANOS AND ENDING NEAR THE SANTA FE GRADE ROAD (KP 25.8/39.9 [PM 16.0/24.8])

The following information is presented to comply with Section 15091 of the State CEQA Guidelines, and Section 1509.6 of the Department of Transportation and the California Transportation Commission Regulations. Reference is made to the Final Environmental Impact Report (FEIR) for the project, which is the basic source of information.

Mitigation monitoring will be in accordance with Caltrans' standard program contained in the Environmental Handbook.

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

Adverse Environmental Effect: Farmland

This project would acquire 279.6 hectares (690.9 acres of farmland of which 187.0 hectares (464.0 acres) are prime farmland.

Findings: Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or project alternatives identified in the final EIR.

Statement of Facts: In accordance with the United States Department of Fish and Wildlife's Biological Opinion, Caltrans shall acquire conservation easements on 353.7 hectares (874.0 acres) of farmland. All of these easements would be on land that is currently farmland, as indicated in the Biological Opinion. These areas are located primarily north and east of the City. In addition, any time Caltrans resells or reconfigures land in targeted areas, deed restrictions limiting future use to agriculture would be included to keep land in agricultural use in perpetuity. All build alternatives would impact prime farmland. The No-Build Alternative would avoid farmland acquisition, but the alternative was found to be infeasible because it did not meet the purpose and need of the project.

Adverse Environmental Effect: Noise

Four properties within the project area would experience a 12-decibel or greater increase in noise between the build and the no-build alternatives.

Findings: Noise receptors in the project area are few and scattered and make infeasible the mitigation measures identified in the final EIR.

Statement of Facts: Noise abatement measures are not considered for this location because they do not meet Federal Highways Administration's reasonable and feasible requirements. The No-Build Alternative would not increase noise levels, but was found to be infeasible because it did not meet the purpose and need of the project.

STATEMENT OF OVERRIDING CONSIDERATIONS

CALIFORNIA DEPARTMENT OF TRANSPORTATION STATEMENT OF OVERRIDING CONSIDERATIONS FOR STATE ROUTE 152 BYPASS AROUND THE CITY OF LOS BANOS

The following information is presented to comply with Section 15093 of the State CEQA Guidelines, and Section 1509.6 of the Department of Transportation and California Transportation Commission Environmental Regulations. Reference is made to the Final Environmental Impact Report (FEIR) for the project, which is the basic source for the information.

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

- 279.6 hectares (690.9) acres of farmland would be directly converted to roadway use. Additional land that may be acquired due to segmentation of parcels and/or loss of access is estimated to be 58 hectares (142 acres).
- Four receptors would experience a 12-decibel or greater increase in noise. No abatement measures were found to be either feasible or reasonable for receptors adjacent to the Preferred Alternative.

Project Needs and Benefits

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

The proposed project would relieve congestion in the Los Banos community, improve the route continuity of State Route 152 within Merced County, and improve safe operation of State Route 152. Construction of a four-lane freeway bypass on new alignment around the City of Los Banos would reduce the amount of interregional, recreational, and commuter traffic that travels through the center of Los Banos. The State Route 152 is a "High Emphasis" route that serves the interregional movement of people and goods. Currently, the roadway portion passing through Los Banos is the only remaining undivided segment of the route between the Merced/Santa Clara county lines on the west and State Route 99 on the east. Reduced traffic speed limits and numerous traffic signals slow the flow of traffic as vehicles pass through the center of the City. While the overall accident rate is similar to the state average, 18 intersections within Los Banos have accident rates higher than the state average.

The route connects major population centers in the San Joaquin Valley to the rest of the state and is an integral part of the road network, carrying interregional, regional, and local traffic. State Route 152 serves as an important east-west link between the major north-south roadways of U.S. highway 101, Interstate 5, and State Route 99. Route continuity would be consistent with local, regional, and state plans, and would maintain local and regional land uses.

Project Alternatives

Three build alternatives and the No-Build Alternative were considered for the bypass project. Alternatives 1M and 2M would be located south of Los Banos. Alternative 3M would be located north of Los Banos.

All build alternatives would construct a four-lane freeway bypass within an ultimate six-lane right-of-way around the City of Los Banos. The project would include three interchanges - one west of the city, one on the east end of the city, and one at the intersection of State Routes 152 and 165. All build alternatives would require local road changes, including construction of appropriate frontage roads on the east and west, overcrossings, and undercrossings.

A no-build alternative would keep the road as it is and would not relieve existing and future congestion in the project area, improve route continuity, nor improve safety. All project alternatives are explained in detail in Chapter 2 of the Final Environmental Impact Report.

Conclusions

The project would relieve congestion in the Los Banos community by routing interregional traffic outside of the city. Route continuity would be improved with the bypass because interregional traffic would no longer have to reduce speed as it passes through the city, nor stop at numerous signal lights. Safety would also be improved.

Alternative 3M, the northern alignment has been selected as the Recommended Alternative. This alternative meets the purpose and need of the project. Alternative 3M would avoid impacts to wetlands and a Section 4(f) property, the Gadwall Wildlife Area. Alternatives 1M and 2M would have impacted both wetlands and the Gadwall Wildlife Area.

Alternative 3M would require more right-of-way than either of the southern alternatives. The land required for right-of-way is primarily farmland. Because farmland may also be

considered foraging habitat for special-status species, there would be a loss of habitat for San Joaquin kit fox, Swainson's hawk, greater sandhill crane, and burrowing owl. Loss of foraging habitat would be mitigated and would include efforts to create an agricultural buffer between the city and sensitive habitat north of the city. Alternative 3M would have fewer housing relocations, fewer noise impacts, and less impacts to giant garter snake habitat than either of the southern alternatives.

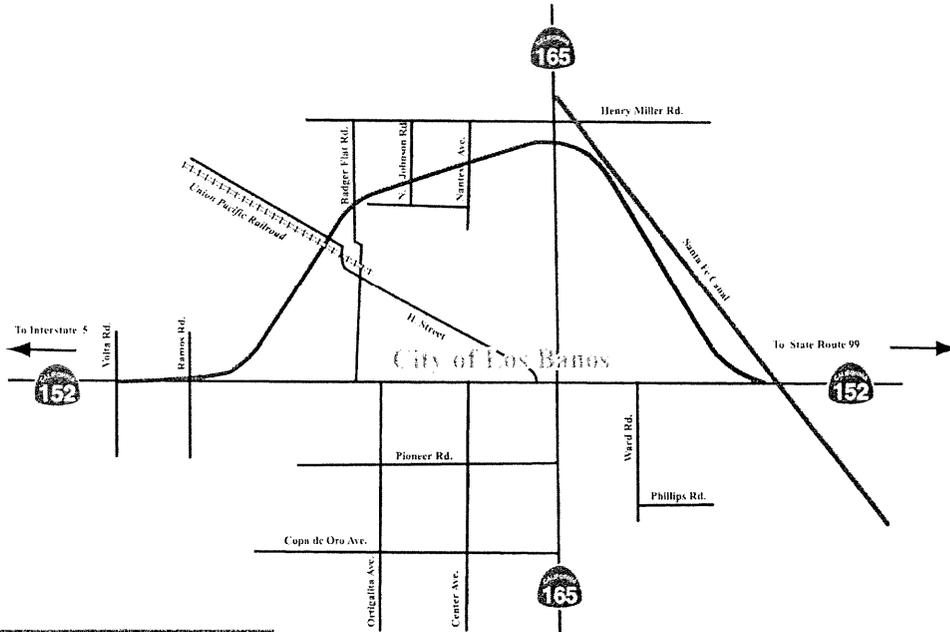
The no-build alternative would not address the long-term traffic growth on the existing alignment and would fail to meet the purpose and need of the project. Regional traffic would continue to be subject to stop-and-go traffic conditions and local traffic would continue to increase with development of Los Banos and the surrounding area.

The reduction of traffic congestion and improved route continuity of State Route 152, and overall improvement to traffic safety provided by the bypass project, outweighs the unavoidable impacts identified in the findings.

Project Location Map

Los Banos Bypass

State Route 152



Alternative 3M 

10-MER-152
EA 10-419100
KP 25.8/39.9
(PM 16.0/24.8)

Not To Scale

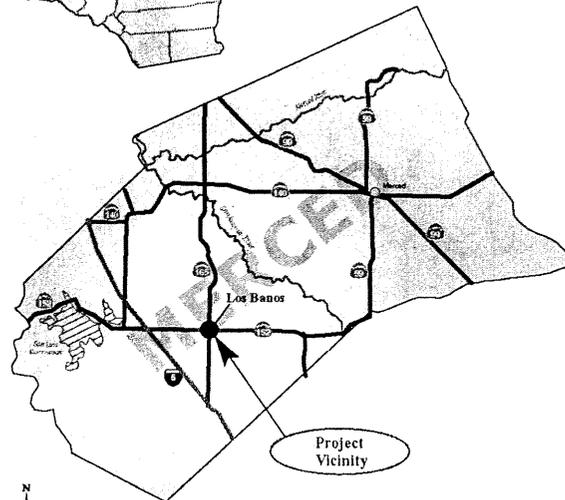


Project Vicinity Map

Los Banos Bypass

State Route 152

10-MER-152
EA 10-419100
KP 25.8/39.9
PM 16.0/24.8



NOT TO SCALE

