

Memorandum

To: Chair and Commissioners

Date: February 2, 2009

From: JOHN F. BARNA, JR.

File: Book Item 2.2c (1)
Action

Ref: Final Environmental Impact Report – State Route 99 Auxiliary Lane Project (Resolution E-09-05)

ISSUE: Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR) and Statement of Overriding Considerations and approve the attached Resolution E-09-05 to allow the State Route (SR) 99 Auxiliary Lane Project to be considered for future funding?

RECOMMENDATION: Staff recommends that the Commission accept the FEIR and Statement of Overriding Considerations for the SR 99 Auxiliary Lane Project and approve the attached resolution to allow for future consideration of funding.

BACKGROUND: The Butte County Association of Governments (BCAG) approved the FEIR for the project as the Lead Agency under CEQA on January 22, 2004. A Categorical Exclusion classification under NEPA was approved by FHWA on August 12, 2004.

The project is located in the City of Chico on SR 99 between the SR 32 and East 1st Avenue interchanges and on East 1st Avenue in the vicinity of the SR 99/East 1st Avenue interchange. The project would improve the operational characteristics of SR 99 by providing an auxiliary lane in each direction between SR 32 and East 1st Avenue.

Two build alternatives, the Inside Widening Alternative and the Outside Widening Alternative, were considered during the environmental process. The Inside Widening Alternative with signalized conventional ramp intersections on East 1st Avenue was selected as the preferred alternative. The preferred alternative results in certain environmental impacts related to land use, transportation, air quality, noise, hydrology and water quality, biological resources, cultural resources, earth resources, visual resources, public services and facilities that require mitigation to be reduced to a less than significant level.

Significant and unavoidable impacts were identified for the project. These short-term impacts consist of disturbance to approximately 3.2 acres of Riparian Forest, removal of native riparian trees, and removal of trees in the Caltrans right of way on the SR99 slopes. Specifically, implementation of the proposed project will adversely affect approximately 20 native trees measuring 12 inches or greater in diameter in the Great

Valley Oak Riparian Forest and Great Valley Mixed Riparian Forest through tree removal, tree trimming, and possible trenching within the drip line of trees. In addition, the proposed project will result in the removal of approximately 141 trees measuring 12 inches or greater in diameter. In order for the project to proceed, BCAG prepared a Statement of Overriding Considerations, pursuant to Section 15093 of the State CEQA Guidelines that explains the overriding benefits of the project despite the occurrence of this unavoidable environmental impact. Mitigation measures identified to mitigate long term impacts include, but are not limited to, biological resources education programs and enforcement, development and implementation of a Riparian Restoration and Monitoring Plan, and implementation of project landscaping to replace trees.

The project is planned to be constructed in three phases. Phase I consists of northbound ramp improvements at East 1st Avenue. The construction capital and support costs for this phase were programmed at \$8,286,000. Phase I construction is nearly complete. Phase II consists of the construction of a northbound auxiliary lane and widening of median and structures. This phase is estimated to cost \$39,520,000 and is programmed with SR 99 Bond (\$23,520,000) and STIP (\$16,000,000) funds. Construction is estimated to begin May 2010. Phase III will construct a southbound auxiliary lane. This phase is estimated to cost \$12,500,000 and is not programmed.

Staff has received written confirmation from BCAG that Phase II of the preferred alternative identified in the environmental document is consistent with the approved project scope programmed in the SR 99 program of projects and set forth in the approved project baseline agreement.

Attachments

- Resolution No. E-09-05
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 03-BUT-99, PM 32.4/33.3 Resolution E-09-05

- 1.1 **WHEREAS**, the Butte County Association of Governments (BCAG) 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 99 Auxiliary Lane Project
- 1.2 **WHEREAS**, the BCAG has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project would improve the operational characteristics of SR 99 between SR 32 and East 1st Avenue by providing an auxiliary lane in each direction; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, written findings indicate that specific unavoidable significant impacts related to the short-term loss of native trees make it infeasible to avoid or fully mitigate to a level less than significant the effects associated as a result of the project; and
- 1.6 **WHEREAS**, a statement of overriding considerations was adopted and findings were made pursuant to CEQA guidelines.
- 1.7 **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 accept the findings and statement of overriding considerations and approve the above referenced project to allow for future consideration of funding.

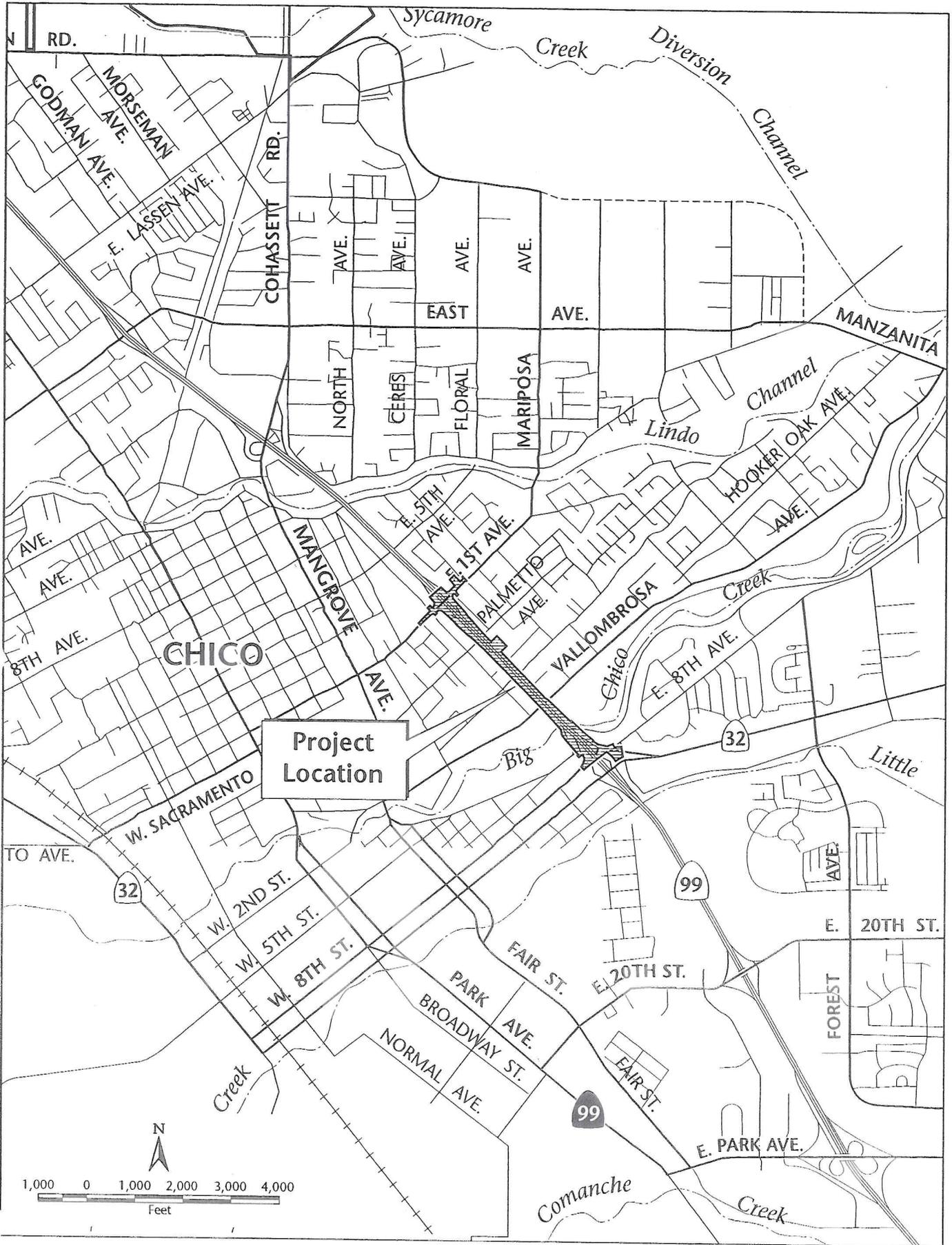


Figure 3-2
Project Location

02.013 (05/03)