

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 30-July 1, 2010

Reference No.: 2.2c.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jay Norvell
Division Chief
Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR CONSIDERATION OF FUNDING**
01-Men-101, PM R43.1/R52.3
RESOLUTION E-10-43

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-10-43.

ISSUE:

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

- Route 101 in Mendocino County. Construct freeway by-pass on Route 101 near the city of Willits. (PPNO 0125F)

This project in Mendocino County will construct a freeway bypass on Route 101 near the city of Willits. The project is programmed in the 2010 State Transportation Improvement Program and includes federal demonstration funds. Total estimated project cost is \$232,394,000 for capital and support.

A copy of the FEIR has been provided to Commission staff. Resources that may be impacted by the project include; community cohesion, water quality, air quality, noise, cultural resources, farmland, and biological resources. Potential impacts associated with the project can all be mitigated to below significance through proposed mitigation measures. As a result, a Final Environmental Impact Report was prepared for the project.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding

01-Men-101, PM R43.1/R52.3

Resolution E-10-43

- 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:

 - Route 101 in Mendocino County. Construct freeway by-pass on Route 101 near the city of Willits. (PPNO 0125F)
- 1.2** **WHEREAS**, the Department 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 California Transportation Commission, as a responsible agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.4** **WHEREAS**, written Findings indicate that specific economic, legal, social, technological, or other considerations make it infeasible to avoid or fully mitigate to a level less than significant the effects associated with noise and farmland impacts as a result of the project; and
- 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.

FINDINGS

CALIFORNIA DEPARTMENT OF TRANSPORTATION FINDINGS FOR THE WILLITS BYPASS PROJECT, MENDOCINO COUNTY, CALIFORNIA PM R43.1 / 52.3, EA 01-26200 MAY 2010

The following information is presented to comply with State CEQA Guidelines (Title 14 California Code of Regulations, Chapter 3, Section 15901) and the Department of Transportation and California Transportation Commission Environmental Regulations (Title 21, California Code of Regulations, Chapter 11, Section 1501). Reference is made to the Final Environmental Impact Report (FEIR) for the project, which is the basic source for the information.

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

Special Status Plants: North Coast Semaphore Grass

Potentially Significant Impact:

North Coast Semaphore Grass (NCSG) is a state-listed threatened plant species and a California Native Plant Society (CNPS) List 1B species. Of the 7.174 acres of occupied habitat in Little Lake Valley, approximately 0.401 acre, or 5.6% of the total occupied habitat in Little Lake Valley, supporting 2,826 plants will be affected by the project. When extrapolated beyond Little Lake Valley to the species' full range, slightly less than 5% (0.401 acre out of 8.086 acres) of the occupied habitat for NCSG will be affected by the project. In the absence of mitigation, the loss of up to 5% of the occupied habitat (2,826 plants on 0.401 acre) within NCSG's range potentially could have a substantial impact on the species.

Finding:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final SEIR.

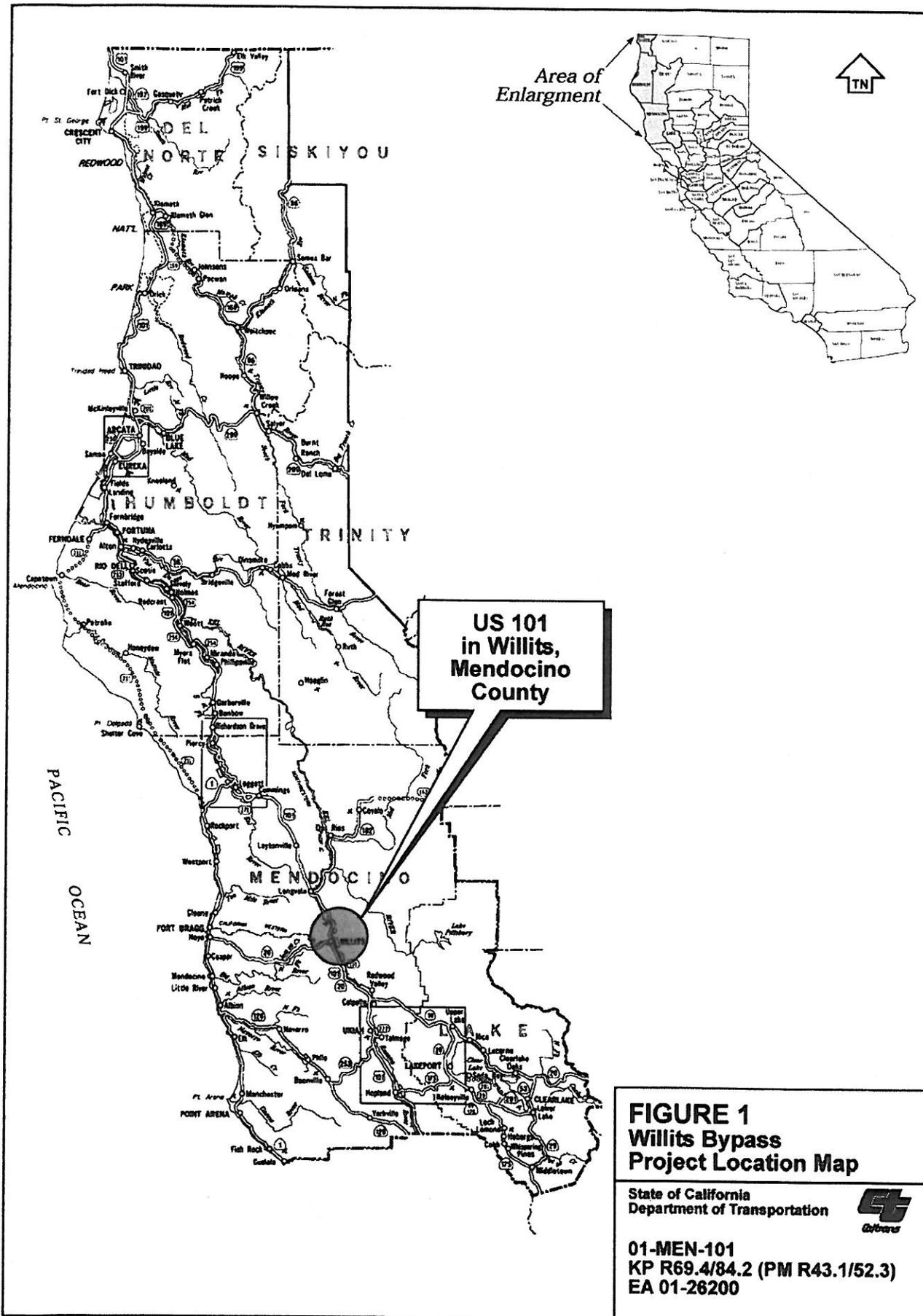
Statement of Facts:

Measures will be taken to avoid, minimize, and fully mitigate project impacts. These include:

- **Seed collection.** Boundaries of the impacted NCSG population will be identified in the field when the plants are in bloom and most evident and identifiable (April–May). If the area is still being actively grazed, livestock exclusion fencing may be necessary prior to the blooming period to identify and protect the population until the seeds are mature. When a botanist experienced with NCSG has determined that the seeds have matured, the seeds will be collected. The seeds and chaff will be stripped from the stems by hand and material placed in paper bags. Pin flags or equivalent field markers will be placed to identify locations of future transplant material (rhizomes). Seeds will be collected several times at regular intervals, as determined by the botanist, to allow for natural variation in seed set and development. The seed materials will be allowed to dry for at least a week and then will be stored in paper bags at cool temperatures. The bags will be labeled to identify the species, collection location, and collection date. The collected seed will be stored to be sowed at the transplantation locations; provided to a plant nursery experienced in native grass propagation (propagated plants will be used for additional future planting adjacent to the project alignment); and provided to a germplasm conservation bank. Caltrans will coordinate with the California Department of Fish and Game (CDFG) and the US

Fish and Wildlife Service to determine, based on the amount of seed material collected, how the seed material will be distributed between these three efforts.

- Transplantation. After seeds have been collected from the impacted population, viable rhizomes will be excavated and transplanted in fall 2010 to locations adjacent to the project alignment that will not be affected by project construction. The transplantation of the rhizomes will be overseen by a botanist experienced with NCSG and native grass restoration. The botanist will demarcate the transplantation locations based on soil and hydrology monitoring. The transplant locations will be recorded using GPS data recorders to facilitate future monitoring of the transplants and to identify the location where environmentally sensitive area (ESA) fencing will be installed prior to the start of project construction.
- ESA Fencing. NCSG habitat within the right-of-way (R/W) that can be avoided will be protected by ESA fencing during bypass project construction activities. Protective fencing will consist of orange plastic-mesh fencing that is secured to metal T-posts, and will be installed in accordance with the construction documents.
- Documentation of onsite transplantation locations. To protect NCSG against future unnecessary disturbance from highway maintenance activities, the plant will be added to Caltrans' District 1 ESA database. This database informs Caltrans staff, such as maintenance personnel, of sensitive resources present within Caltrans' R/W. Caltrans will also place ESA paddles within the R/W as a means of identification for Caltrans maintenance staff.
- Mitigation for project effects on NCSG will include preserving portions of four existing occurrences (i.e., Occurrences 30, 32, 33, and NEW) located on Caltrans-owned parcels in Little Lake Valley. A total of 5.094 acres of occupied NCSG habitat has been identified on these offsite mitigation parcels. Therefore, extant NCSG populations are adequately available within the Little Lake Valley to achieve a mitigation ratio of approximately 12.7:1 (5.094 acres preserved to 0.401 acre affected). Caltrans has acquired in fee the NCSG offsite mitigation parcels from willing sellers. These offsite mitigation parcels will be maintained and managed in perpetuity as habitat for NCSG, to be specified in conservation easements to be developed for the parcels. Caltrans will be preparing long-term management plans/grazing management plans to ensure NCSG habitat is protected and maintained, subject to approval by CDFG and other stakeholder resource agencies.
- In addition to preserving NCSG at the offsite mitigation parcels, Caltrans will also mitigate for bypass project effects on NCSG by actively managing the preserves to attempt to expand the populations. Advanced habitat characterization efforts are currently underway as part of a 2-year study to determine how the physical (i.e., soils and hydrology) and biological (e.g., associated plant species) environment influences the success of the species; these data will help inform expansion efforts at the offsite mitigation parcels.



**US 101
in Willits,
Mendocino
County**

**FIGURE 1
Willits Bypass
Project Location Map**

State of California
Department of Transportation



01-MEN-101
KP R69.4/84.2 (PM R43.1/52.3)
EA 01-26200