

State Route 190 and Road 284 Intersection Improvement Project

State Route 190 and Road 284 Intersection
East of the City of Porterville, Tulare County

06-TUL-190-PM 20.9/21.3

EA: 06-0J530

Project ID: 06-0000-0188

SCH#: 2012051061

Initial Study with Negative Declaration



Prepared by the
State of California Department of Transportation

October 2012



General Information About This Document

What's in this document?

This document contains a Negative Declaration that examines the environmental effects of a proposed project at the State Route 190 and Road 284 intersection east of the city of Porterville in Tulare County.

The Initial Study and proposed Negative Declaration were circulated to the public May 18, 2012 to June 18, 2012. Comment letters were received on the draft document. Responses to the circulated document are shown in the Comments and Responses section of this document. A line in the right margin indicates a change made since the draft document circulation.

What happens after this?

The proposed project has completed environmental compliance after the circulation of this document. When funding is approved, the California Department of Transportation can design and build all or part of the project.

This document can also be accessed electronically at the following website:

http://www.dot.ca.gov/dist6/environmental/envdocs/d6/sr190_fed_0j530.pdf

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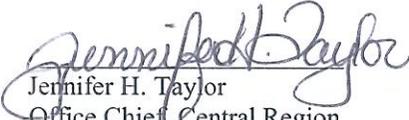
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Improve the intersection at State Route 190 and Road 284 (post mile 20.9/21.3)
east of the City of Porterville in Tulare County

**INITIAL STUDY with
Negative Declaration**

Submitted Pursuant to: (State) Division 13, California Public Resources Code
THE STATE OF CALIFORNIA
Department of Transportation

10/3/12
Date of Approval


Jennifer H. Taylor
Office Chief, Central Region
Environmental Southern San Joaquin Valley
California Department of Transportation
CEQA Lead Agency

Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

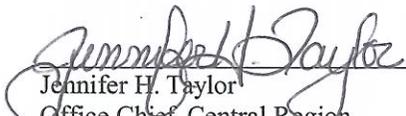
The California Department of Transportation (Caltrans) proposes to improve the State Route 190 and Road 284 intersection east of the city of Porterville, Tulare County, from post mile 20.9 to post mile 21.3.

Determination

Caltrans has prepared an initial study for this project and, following public review, determined from this study that the project would not have a significant effect on the environment for the following reasons:

The project would have no effect on land use; growth; community impacts; environmental justice; hydrology and floodplain; water quality; geology/soils/seismic/topography; noise; cultural resources; paleontology; natural communities; wetlands or other waters; animal species; plant species; or invasive species.

In addition, the project would have no significant effect on the following: threatened or endangered species; visual/aesthetic issues; farmland; air quality; hazards and hazardous materials; utilities/emergency services; relocation and property acquisition; or traffic/bicycle pedestrian facilities.



Jennifer H. Taylor
Office Chief, Central Region
Environmental Southern San Joaquin Valley
California Department of Transportation
CEQA Lead Agency

10/3/12
Date

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List of Abbreviated Terms

| | |
|----------|---|
| Caltrans | California Department of Transportation |
| CEQA | California Environmental Quality Act |
| FHWA | Federal Highway Administration |
| NEPA | National Environmental Policy Act |
| PM | Post Mile |
| CDFG | California Department of Fish and Game |
| USFWS | United States Fish and Wildlife Service |

Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) proposes to improve the State Route 190 and Road 284 intersection east of the city of Porterville, Tulare County, from post mile 20.9 to post mile 21.3. The project location and vicinity map are shown in Figures 1-1 and 1-2. The intersection is currently controlled with stop signs for Road 284 traffic. A park and ride, owned by the Tule River Tribe, is on the southwest corner of the intersection; a mini-market is on the northeast corner. Road 284, also known as Reservation Road, is the main road to Tule River Indian Reservation and Eagle Mountain Casino. The project would be funded from the State Highway Operation and Protection Program in fiscal year 2012/2013.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of this project is to improve safety at the State Route 190 and Road 284 intersection while maintaining traffic operations.

1.2.2 Need

The accident history within the project limits for the most recent three-year period (7/01/2007 to 6/30/2010) shows that the actual total accident rates are higher than the statewide average for similarly designed intersections. There were 11 collisions reported at this intersection during this time period. Accidents included six broadside-type collisions, two head-on, one hit object, one rear-end, and one over-turn. These collisions were due to drivers either failing to slow down or not stopping at the State Route 190 and Road 284 intersection.

Table 1.1 provides the accident rates for the intersection of State Route 190 and Road 284.

Table 1.1 Accident Rates State Route 190 and Road 284

| Intersection | Actual | | | Average | | |
|--------------------|--------|----------------|-------|---------|----------------|-------|
| | Fatal | Fatal + Injury | Total | Fatal | Fatal + Injury | Total |
| SR 190 at Road 284 | 0.000 | 0.23 | 1.01 | 0.006 | 0.13 | 0.30 |

Source: Department of Transportation Office of Traffic Engineering Accident Rate, 7/01/2007 to 6/30/2010); (per million vehicles)

1.3 Alternatives

Two build alternatives (Alternative 1 and Alternative 2) and a No-Build Alternative are under consideration.

1.3.1 Build Alternatives

Alternative 1 will construct a single-lane roundabout at the intersection of State Route 190 and Road 284. The roundabout design speed of about 15 miles per hour would handle truck movements. Construction would include the following:

- A 140-foot-diameter single-lane roundabout with a 102-foot-diameter central island with a mountable concrete curb at the outer edge.
- About nine feet of paved truck apron around the central island and a low concrete curb around the outer edge
- Curb ramps and sidewalks for pedestrians and a bicycle path to comply with the Americans with Disabilities Act
- Splitter islands (triangle-shaped islands that separate entering and exiting traffic at a roundabout) and landscaping
- Traffic warning signs along State Route 190 and Road 284 to gradually slow approaching traffic from about 50 miles per hour to the 15-mile- per-hour roundabout speed
- About 0.30 acre of new right-of-way
- Seven power poles would be relocated

Alternative 1 is estimated to cost \$1,695,000.



Figure 1-1 Project Vicinity Map

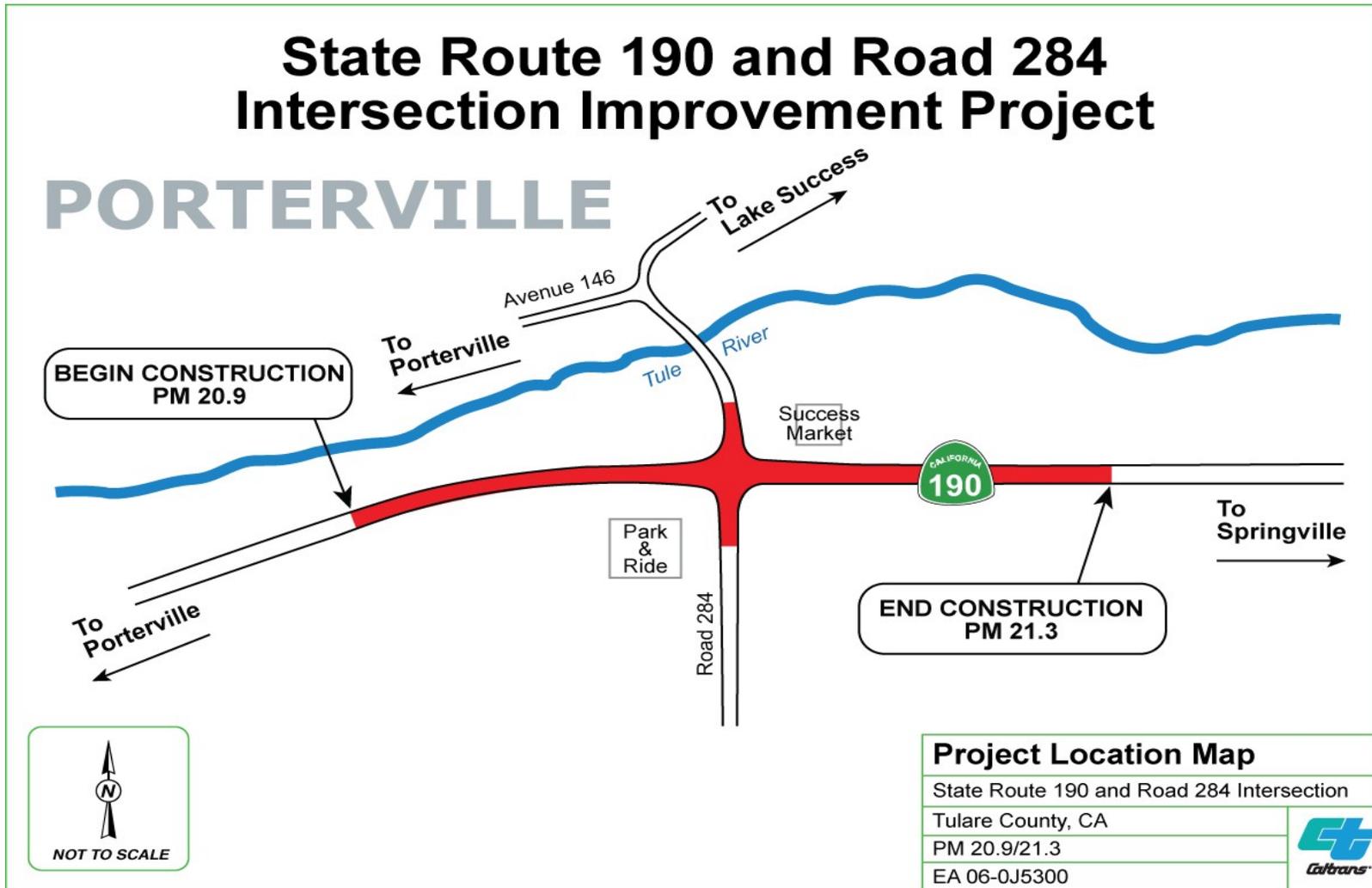


Figure 1-2 Project Location Map

Alternative 2 would convert the existing two-way stop intersection into a signalized intersection. Construction would include the following:

- Additional warning signs on State Route 190 to warn motorists of the traffic signals ahead
- Protected left-turn (pocket) lanes placed on State Route 190 and Road 284
- Curb ramps and sidewalks to accommodate pedestrians and a bicycle path
- Seven power poles would be relocated

Alternative 2 is estimated to cost \$2,130,000.

1.3.2 No-Build Alternative

The No-Build alternative would keep the intersection at State Route 190 and Road 284 in its current condition (two-way stop). The No-Build Alternative does not meet the purpose and need for the project since it does not address the high number of collisions at this intersection.

1.3.3 Comparison of Alternatives

After the public circulation period and all comments were considered, the Caltrans' project development team recommended Alternative 1 be selected as the preferred alternative to the District Director and made the final determination of the project's effect on the environment. In accordance with the California Environmental Quality Act, no unmitigable significant adverse effects were identified; Caltrans then prepared a Negative Declaration.

Criteria considered in evaluating the project alternatives include the project purpose and need objectives, potential environmental factors, and improved safety.

The Table 1.2 is a comparison of alternatives that describes the impacts between Alternative 1, Alternative 2 and the No-Build Alternative.

Table 1.2 Comparison of Alternatives

| Project Objectives | Alternative 1 | Alternative 2 | No Build |
|---------------------------------|--|--|-----------------|
| Meets Purpose and Need | Yes | Yes | No |
| Potential Environmental Impacts | Elderberry Bushes; Aerially Deposited Lead | Elderberry Bushes; Aerially Deposited Lead | Not Anticipated |
| Improved Safety | Yes | Yes | No Improvement |

1.3.4 Alternatives Considered but Withdrawn from Consideration

The Four-Way Stop Alternative was dropped early on due to the large differences in traffic volumes on State Route 190 and Road 284. A volume imbalance would likely result in high violation rates at the stop signs. An all-way stop would not eliminate the possibility of severe right-angle collisions. Also, additional queuing (traffic lines) and delays would mean a future project be built for acceptable operations.

1.3.5 Identification of a Preferred Alternative

Caltrans has identified the Alternative 1 roundabout as the preferred alternative because it meets the purpose and need of the project, and it has the greatest project benefits in regard to safety. Single-lane roundabouts are safer than signalized intersections because the slower speeds and reduced number of conflict points result in fewer and less severe collisions (National Cooperative Highway Research Program).

The roundabout will handle traffic volumes for the next 20 years without incurring any “throwaway costs” for short-term improvements, saving costs to the taxpayer. No traffic signal equipment to maintain means lower operational, maintenance, and electrical costs. Construction costs for the Alternative 1 roundabout are estimated to be \$1,695,000, less than the construction costs for Alternative 2 (installation of traffic signals) estimated at \$2,130,000.

1.4 Permits and Approvals Needed

No permits are required for this project.

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

This chapter explains the impacts that the project would have on the human, physical, and biological environments in the project area. It describes the existing environment that could be affected by the project, potential impacts from each of the alternatives, and avoidance, minimization, and/or mitigation measures. Any indirect impacts are included in the general impacts analysis and discussions that follow.

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

- Land Use—The project is consistent with existing and future land use and state, regional, and local plans (Tulare County General Plan 2008, SHOPP Safety Improvement Program in 2012/2013, Regional Transportation Plan 2012, Federal Transportation Improvement Program 2008).
- Growth—The project would not promote growth since it upgrades an existing intersection and not alter access to either State Route 190 or Road 284 (Field Review, August 2011).
- Community Impacts—The project would not relocate any businesses or residences or disrupt the community character or cohesion since it upgrades an existing intersection (Field Review, August 2011).
- Environmental Justice—The alternatives will not cause disproportionately high and adverse effects on any minority or low-income populations as stated in Executive Order 12898 regarding environmental justice (Field Review, August 2011).
- Cultural Resources—No archaeological or historical resources were identified within the project limits. However, due to the sensitivity of the area, monitoring would be required during construction.(Historic Resources Compliance Report, December 2011).

- Hydrology and Floodplain—The project does not encroach on the 100-year floodplain, but flooding has been identified at the intersection. Drainage recommendations have been provided (Hydraulic Recommendation, October 2008).
- Water Quality and Storm Water Runoff—With the incorporation of best management practices and proper and accepted engineering practices, the project would not have adverse effects on surface or groundwater runoff (Water Quality Compliance Memorandum, April 2008).
- Geology/Soils/Seismic/Topography—The project would not result in substantial soil erosion or landslides. The project is not on a geologic unit or soil that is unstable or that will become unstable as a result of the project (U.S. Geological Survey Earthquake Hazards Program, December 2011).
- Paleontology—Excavation associated with the project is unlikely to encounter scientifically important paleontological resources. No paleontological studies are required (Preliminary Environmental Analysis Report, September 2008).
- Noise and Vibration—The project would not result in noise or vibration issues. Also, the project is not a Type 1, not capacity increasing, and no traffic lanes are being added. This safety project is in a rural area that would upgrade an existing intersection (Noise Memo, September 2008).
- Natural Communities—No known natural communities were identified in the project area (Natural Environmental Study, August 2010).
- Wetlands and other Waters—No wetlands or other waters were identified in the project area (Natural Environmental Study, August 2010).
- Plant Species—No plant species of concern were found within the project area (Natural Environmental Study, August 2010).
- Invasive Species—The spread of invasive species during construction would be prevented with the use of best management practices (Natural Environmental Study, August 2010).
- Farmland/Timberlands—No mitigation for farmland is required other than payment for the acquired property estimated to be less than one acre (Natural Resources Conservation Service, October 2011).

2.1 Human Environment

2.1.1.1 Relocation and Property Acquisition

Regulatory Setting

The Caltrans relocation assistance program is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations Part 24. The purpose of relocation assistance is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole. All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 USC 2000d, et seq.). Please see Appendix B for a copy of Caltrans's Title VI Policy Statement.

Affected Environment

A gas station mini-mart is on the northeast corner that lies within the limits of a 1957 freeway agreement with Tulare County. Also, a commercial development is planned for the southwest corner in the near future (Tulare County General Plan 2008). A park and ride owned by the Tule River Tribe is currently occupies that corner.

Environmental Consequences

The project will require partial acquisition of four parcels, one on each corner of the intersection, to handle the roundabout. The acquisitions are defined as sliver takes (narrow strips of land) for a total of about 0.3 acre divided among the four corners. The sliver takes will come from the park and ride, mini-market, and two vacant fields. No businesses, buildings, or structures would require relocation.

Avoidance, Minimization, and/or Mitigation Measures

Caltrans Right-of-Way, using standard relocation provisions for compensation, will work with the property owners of the parcels to be partially acquired.

2.1.2 Utilities/Emergency Services

Affected Environment

This section discusses information obtained from the Right-of-Way Data Utility Sheet Memorandum completed on December 15, 2011 for the project. Table 2.2 lists the project area utilities, seven wooden electric power poles owned by Southern California Edison.

Table 2.2 Project Area Utilities

| Utility Ownership | Facilities |
|----------------------------|--------------------------|
| Southern California Edison | Electric (7 power poles) |
| Southern California Gas | Gas (underground) |
| AT&T | Telephone (underground) |

Emergency response is by the Tulare County Sherriff's Department who provides service to the unincorporated areas of the county. The closest sheriff's office is in the city of Porterville about 6 miles to west of the project. The California Highway Patrol and the Tulare County Fire Department also provide service to the project area.

Environmental Consequences

The project would require moving seven power poles owned by Southern California Edison on State Route 190 and Road 284.

The project would have a beneficial impact on fire protection, law enforcement, and emergency services by improving safety at the intersection. Although building the intersection would create temporary traffic delays, these impacts would not be substantial since the project would enforce a traffic management plan.

Avoidance, Minimization, and/or Mitigation Measures

Any utility relocation outside of the boundaries of the environmental studies completed for the project would require separate environmental studies. Impacts to services would be temporary. A detailed study would be done during the final design phase of this project and utility-conflict mapping would be prepared.

A traffic management plan would be developed to minimize delays and maximize safety for the motorists and emergency responders during construction. The traffic management plan would include but is not limited to the following:

- Release of information through brochures and mailers, press releases, and advertisements managed by 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 center.
- Use of one-way traffic control.

2.1.3 Traffic and Transportation/Pedestrian and Bicycle Facilities

Regulatory Setting

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

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

Affected Environment

The following information was based on the Draft Project Report (January 2012) and a safety analysis (January 2012).

State Route 190, which extends from State Route 99 near Tipton to Quaking Aspen Camp, a higher elevation resort area in Tulare County, is for the most part two-lane conventional highway except for the 3.6 mile, 4-lane expressway segment (post mile 14.9 to post mile 18.5) that passes through Porterville. This route provides for the movement of agricultural products and other goods and area travelers from State Route 65 to State Route 99. In addition to Porterville, State Route 190 serves other communities such as Poplar, Springville, and Pier Point Springs in the mountains.

The recreational areas to the east of the project such as Lake Success, Sequoia National Park, and Camp Nelson, Tule River Indian Tribe Reservation, and Eagle Mountain Casino on Road 284 reflect the importance of the State Route 190 corridor.

Trucks account for about 6 percent of annual average daily traffic on this segment of State Route 190. The posted speed limits for trucks and passenger vehicles are 55 miles per hour within the project limits. Additional traffic consists of busses traveling to the casino, house trailers for ranches east of Lake Success, and boat trailers going to Lake Success.

In addition to substantial truck traffic, the existing intersection has a gas station mini-mart on the northeast corner and a park and ride owned by the Tule River Tribe on the southwest corner. A commercial development is also planned for the southwest corner in the near future.

Currently, no bicycle or pedestrian facilities exist at the intersection.

The accident history within the project limits for the most recent three-year study period (July 1, 2007 to June 30, 2010) reported that actual total accident rates are higher than the statewide total accident rates for similar roadways with comparable traffic volumes. Eleven accidents were reported at this intersection, six of which were broadside collisions (see Table 2.4).

Table 2.3 Accident Rates State Route 190 and Road 284

| Intersection | Actual | | | Average | | |
|--------------------|--------|----------------|-------|---------|----------------|-------|
| | Fatal | Fatal + Injury | Total | Fatal | Fatal + Injury | Total |
| SR 190 at Road 284 | 0.000 | 0.23 | 1.01 | 0.006 | 0.13 | 0.30 |

Source: Traffic Analysis Surveillance Systems, 7/01/2007 to 6/30/2010); (per million vehicles)

Table 2.4 State Route 190/Road 284 Intersection Accident Summary

| Primary Collision Factor | Head-On | Rear-End | Broadside | Hit Object | Overturn |
|--------------------------|---------|----------|-----------|------------|----------|
| Influence of Alcohol | | | | 1 | |
| Failure to Yield | 1 | | 6 | | |
| Speeding | | 1 | | 1 | |
| Other Violation | | | | | 1 |
| Total | 1 | 1 | 6 | 2 | 1 |

Source: Traffic Analysis Surveillance Systems, (7/1/2007 - 6/30/2010)

Currently, because traffic flows freely, there are no delays on State Route 190. However, due to a lack of controlled traffic and traffic flow, Road 284 traffic can find crossing the intersection difficult.

Environmental Consequences

Alternative 1 (single-lane roundabout) would improve safety and traffic movement in the project area by building a roundabout that would make motorists in all directions gradually decrease their speed from 55 miles per hour to the 15 mile-per-hour roundabout speed, thereby limiting the number of broadside collisions. The roundabout design would include a sidewalk with curb ramps and crosswalks pedestrians and bicycles.

Alternative 2 (signalized intersection) would improve safety by controlling traffic from all four directions. Sidewalks with curb ramps and crosswalks would be installed for pedestrian and bicycle use.

A Traffic Analysis (December 2008) was performed for future levels of service for both morning and afternoon peak hours. The operation of the intersection is described in terms of “level of service.” Level of service is a letter designation that describes a range of operating conditions on a particular type of facility such as a highway, roadway, or intersection. The 1994 Highway Capacity Manual defines levels of service as “qualitative measures that characterize operational conditions within a traffic stream and their perception by motorists and passengers.”

Level of service for the intersection appears to be satisfactory for both alternatives in the projected design year 2030. Table 2.5 shows the roundabout alternative would yield a more improved level of service with fewer delays and shorter queue lengths (traffic lines). The roundabout is expected to have level of service A and B for morning and afternoon in 2020 and 2030 compared to the level of service F for the No-Build Alternative. Alternative 2 is expected to have level of service C and D in 2020 and 2030 in comparison to the level of service F for the No-Build Alternative.

Table 2.5 State Route 190 and Road 284 Intersection Level of Service

| Analysis Years | Time of Day | Alternative 1 (Roundabout) | | Alternative 2 (Signalization) | | No-Build Alternative | |
|----------------|-------------|----------------------------|-----------------|-------------------------------|-----------------|----------------------|-----------------|
| | | Level of Service | Delay (seconds) | Level of Service | Delay (seconds) | Level of Service | Delay (seconds) |
| 2020 | Morning | A | 5.3 | C | 31.9 | F | 69.6 |
| | Afternoon | A | 5.1 | C | 30.8 | F | 117.8 |
| 2030 | Morning | B | 11.7 | D | 46.2 | F | 538.7 |
| | Afternoon | A | 9.1 | D | 41.8 | F | 659.7 |

Source: Draft Project Report (January 2012)

Avoidance, Minimization, and/or Mitigation Measures

A traffic management plan would be developed to minimize delays and maximize safety for the motorists and emergency responders during construction. Refer to Section 2.1.2, Utilities/Emergency Services, for control measures.

2.1.4 Visual/Aesthetics

Regulatory Setting

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

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

Affected Environment

A Visual Impact Assessment (Minor) was completed for the project on November 29, 2011. The focus was on determining the impacts the project would have on the views at the intersection of State Route 190 and Road 284.

The surrounding land use is agricultural with scattered businesses and residences. The project limits are in a rural setting in Tulare County east of Porterville. The existing visual quality of the area is considered high, or Valley rural, with a single homogeneous landscape type. This segment of State Route 190 contains scenic resources due to the nearby foothills and oak woodlands. The project is on an Eligible State Scenic Highway. Since the traffic-signals alternative would have a minimal effects on aesthetics, a Visual Impact Assessment was done for Alternative 1 only.

Environmental Consequences

The project is near the Tule River, but no part of this project will be visible from the river. Alternative 1, the roundabout alternative, would require the modification and

disturbance of the side slopes, drainage ditches, and shoulders of the State Route 190 and Road 284 intersection.

No existing trees will be removed. Native shrub vegetation surrounding the project site may be affected while building the project.

The Eligible State Scenic Highway status of the route will not be affected as a result of building the project.

Compared to the existing un-signalized and unimproved intersection at State Route 190 and Road 284, the single-lane roundabout in this rural environment will cause minor visual changes and those changes are not expected to be negative.

Avoidance, Minimization, and/or Mitigation Measures

Aesthetic considerations for Alternative 1 would be considered during the final design phase for sidewalks, splitter islands, mountable curbs, lighting, landscaping in the middle of the roundabout, and stamped concrete at the perimeter of the roundabout in the truck apron area. No mitigation is required for visual impacts. However, the use of temporary environmentally sensitive area fencing for contractor staging areas would be required to protect existing vegetation as much as possible.

2.2 Physical Environment

2.2.1 Air Quality

Regulatory Setting

The Federal Clean Air Act, as amended in 1990, governs air quality. The California Clean Air Act of 1988 is its companion state law. These laws and related regulations by the United States Environmental Protection Agency and California Air Resources Board set standards for the quantity of pollutants in the air. At the federal level, these standards are called National Ambient Air Quality Standards. National Ambient Air Quality Standards and state ambient air quality standards have been established for six transportation-related criteria pollutants: carbon monoxide (CO), nitrogen dioxide (NO₂), ozone (O₃), particulate matter—broken down for regulatory purposes into particles of 10 micrometers or smaller (PM₁₀) and 2.5 micrometers and smaller (PM_{2.5})—lead (Pb), and sulfur dioxide (SO₂). In addition, state standards exist for visibility reducing particles, sulfates, hydrogen sulfide (H₂S), and vinyl chloride.

The National Ambient Air Quality Standards and state standards, set at a level that protects public health with a margin of safety, are subject to periodic review and revision. Both state and federal regulatory schemes also cover toxic air contaminants

(air toxics); some criteria pollutants are also air toxics or may include certain air toxics within their general definition.

Federal and state air quality standards and regulations provide the basic scheme for project-level air quality analysis under the National Environmental Policy Act and the California Environmental Quality Act. In addition, in the environmental analysis, a parallel “conformity” requirement applies under the Federal Clean Air Act.

Federal Clean Air Act Section 176 (c) prohibits the United States Department of Transportation and other federal agencies from funding, authorizing, or approving, plans, programs or projects that are not first found to conform to State Implementation Plan for achieving the goals of Clean Air Act requirements related to the National Ambient Air Quality Standards. “Transportation Conformity” takes place on two levels: the regional, or planning and programming, level and the project level. The project must conform at both levels to be approved. Conformity requirements apply only in nonattainment and “maintenance” (former nonattainment) areas for the National Ambient Air Quality Standards, and only for the specific National Ambient Air Quality Standards that are or were violated. United States Environmental Protection Agency regulations at 40 Code of Federal Regulations 93 govern the conformity process.

Regional conformity is concerned with how well the regional transportation system supports plans for attaining the standards set for carbon monoxide (CO), nitrogen dioxide (NO₂), ozone(O₃), particulate matter (PM₁₀ and PM_{2.5}), and in some areas sulfur dioxide (SO₂). California has attainment or maintenance areas for all of these transportation-related “criteria pollutants” except SO₂ and also has a nonattainment area for lead (Pb). However, lead is not currently required by the Federal Clean Air Act to be covered in transportation conformity analysis. Regional conformity is based on regional transportation plans and federal transportation improvement programs that include all of the transportation projects planned for a region over a period of at least 20 years for the regional transportation plans and four years for the Federal Transportation Plan.

Regional Transportation Plan and Federal Transportation Plan conformity is based on use of travel demand and air quality models to determine whether or not the implementation of those projects would conform to emission budgets or other tests showing that requirements of the Clean Air Act and the State Improvement Plans are met. If the conformity analysis is successful, the Metropolitan Planning Organization,

Federal Highway Administration, and Federal Transit Administration, make determinations that the Regional Transportation Plan and the Federal Transportation Plan are in conformity with the State Improvement Plan for achieving the goals of the Federal Clean Air Act. Otherwise, the projects in the Regional Transportation Plan and/or Federal Improvement Plan must be modified until conformity is attained. If the design concept, scope, and “open to traffic” schedule of a transportation project are the same as described in the Regional Transportation Plan and Federal Transportation Improvement Plan, then the project is deemed to meet regional conformity requirements for purposes of project-level analysis.

Conformity at the project-level also requires “hot spot” analysis if an area is “nonattainment” or “maintenance” for carbon monoxide and/or particulate matter (PM₁₀ or PM_{2.5}). A region is “nonattainment” if one or more of the monitoring stations in the region measures violation of the relevant standard and United States Environmental Protection Agency officially designates the area nonattainment. Areas that were previously designated as nonattainment areas but subsequently meet the standard may be officially re-designated to attainment by the United States Environmental Protection Agency and are then called “maintenance” areas.

“Hot spot” analysis is essentially the same, for technical purposes, as carbon monoxide or particulate matter analysis performed for National Environmental Policy Act purposes. Conformity does include some specific procedural and documentation standards for projects that require a hot spot analysis. In general, projects must not cause the hot spot-related standard to be violated and must not cause any increase in the number and severity of violations in nonattainment areas. If a known carbon monoxide or particulate matter violation is located in the project vicinity, the project must include measures to reduce or eliminate the existing violation(s) as well.

Affected Environment

An Air Quality Memorandum was prepared in September 2011. The project is east of the city of Porterville, Tulare County, which is in the San Joaquin Valley Air Basin. The San Joaquin Valley, nearly 300 miles long, bounded by the Tehachapi Mountains in the south and the San Joaquin-Sacramento River Delta in the north. The Sierra Nevada Mountain Range forms the eastern boundary and the lower coastal ranges are the western boundary. Total land area of the Valley is 23,720 square miles.

The San Joaquin Valley is characterized by hot, dry summers and cool winters. Precipitation is directly related to latitude and elevation, with the southern portion

accumulating an average of less than six inches of rain per year. The rainy season is typically between November and April, with Tulare County’s average annual rainfall ranging from 8 inches in the south to 18 inches in the north. Snow is rare on the valley floor, though the Sierra Nevada Mountain Range generally has heavy accumulations during the winter. Warm temperatures, prevailing winds, and the county located within an enclosed valley all play a role in the air quality of the area.

Tulare County is in a non-attainment area for particulate matter (PM_{2.5}) and ozone and an attainment-non attainment area for PM₁₀. Table 2.6 refers to the State and Federal Criteria Air Pollutant Standards, Effects, and Sources.

Table 2.6 State and Federal Criteria Air Pollutant Standards, Effects, and Sources

| Pollutant | Averaging Time | State ² Standard | Federal ² Standard | Principal Health and Atmospheric Effects | Typical Sources | Attainment Status |
|--|---|--|--|--|---|--|
| Ozone (O ₃) ² | 1 hour 8 hours 8 hours (conformity process ⁵) | 0.09 ppm 0.070 ppm --- | --- ⁴ 0.075 ppm ⁶ 0.08 ppm (4 th highest in 3 years) | High concentrations irritate lungs. Long-term exposure may cause lung tissue damage and cancer. Long-term exposure damages plant materials and reduces crop productivity. Precursor organic compounds include many known toxic air contaminants. Biogenic VOC may also contribute. | Low-altitude ozone is almost entirely formed from reactive organic gases/volatile organic compounds (ROG or VOC) and nitrogen oxides (NOx) in the presence of sunlight and heat. Major sources include motor vehicles and other mobile sources, solvent evaporation, and industrial and other combustion processes. | Federal: Nonattainment /Extreme State: Nonattainment |
| Carbon Monoxide (CO) | 1 hour 8 hours 8 hours (Lake Tahoe) | 20 ppm 9.0 ppm ¹ 6 ppm | 35 ppm 9 ppm --- | CO interferes with the transfer of oxygen to the blood and deprives sensitive tissues of oxygen. CO also is a minor precursor for photochemical ozone. | Combustion sources, especially gasoline-powered engines and motor vehicles. CO is the traditional signature pollutant for on-road mobile sources at the local and neighborhood scale. | Federal: Attainment/ Unclassified State: Attainment/ Unclassified |
| Respirable Particulate Matter (PM ₁₀) ² | 24 hours Annual | 50 µg/m ³ 20 µg/m ³ | 150 µg/m ³ --- ² | Irritates eyes and respiratory tract. Decreases lung capacity. Associated with increased cancer and mortality. Contributes to haze and reduced visibility. Includes some toxic air contaminants. Many aerosol and solid compounds are part of PM ₁₀ . | Dust- and fume-producing industrial and agricultural operations; combustion smoke; atmospheric chemical reactions; construction and other dust-producing activities; unpaved road dust and re-entrained paved road dust; natural sources (wind-blown dust, ocean spray). | Federal: Attainment State: Nonattainment |
| Fine Particulate Matter (PM _{2.5}) ² | 24 hours Annual 24 hours (conformity process ⁵) | --- 12 µg/m ³ --- | 35 µg/m ³ 15.0 µg/m ³ 65 µg/m ³ (4 th highest in 3 years) | Increases respiratory disease, lung damage, cancer, and premature death. Reduces visibility and produces surface soiling. Most diesel exhaust particulate matter | Combustion including motor vehicles, other mobile sources, and industrial activities; residential and agricultural burning; also formed through atmospheric | Federal: Nonattainment State: Nonattainment |

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

| Pollutant | Averaging Time | State ² Standard | Federal ² Standard | Principal Health and Atmospheric Effects | Typical Sources | Attainment Status |
|-------------------------------------|-------------------------|---|---|---|--|---|
| | | | | – a toxic air contaminant – is in the PM _{2.5} size range. Many aerosol and solid compounds are part of PM _{2.5} . | chemical (including photochemical) reactions involving other pollutants including NO _x , sulfur oxides (SO _x), ammonia, and ROG. | |
| Nitrogen Dioxide (NO ₂) | 1 hour | 0.18 ppm | 0.100 ppm ² (98 th percentile over 3 years) | Irritating to eyes and respiratory tract. Colors atmosphere reddish-brown. Contributes to acid rain. Part of the “NO _x ” group of ozone precursors. | Motor vehicles and other mobile sources; refineries; industrial operations. | Federal: Attainment/Unclassified State: Attainment |
| | Annual | 0.030 ppm | 0.053 ppm | | | |
| Sulfur Dioxide (SO ₂) | 1 hour | 0.25 ppm | 0.075 ppm ⁸ (98 th percentile over 3 years) | Irritates respiratory tract; injures lung tissue. Can yellow plant leaves. Destructive to marble, iron, steel. Contributes to acid rain. Limits visibility. | Fuel combustion (especially coal and high-sulfur oil), chemical plants, sulfur recovery plants, metal processing; some natural sources like active volcanoes. Limited contribution possible from heavy-duty diesel vehicles if ultra-low sulfur fuel not used. | Federal: Attainment/Unclassified Extreme State: Attainment |
| | 3 hours | --- | 0.5 ppm | | | |
| | 24 hours | 0.04 ppm | 0.14 ppm | | | |
| | Annual | --- | 0.030 ppm | | | |
| Lead (Pb) ³ | Monthly | 1.5 µg/m ³ | --- | Disturbs gastrointestinal system. Causes anemia, kidney disease, and neuromuscular and neurological dysfunction. Also a toxic air contaminant and water pollutant. | Lead-based industrial processes like battery production and smelters. Lead paint, leaded gasoline. Aerially deposited lead from gasoline may exist in soils along major roads. | Federal: No Designation/Classification State: Attainment |
| | Quarterly | --- | 1.5 µg/m ³ | | | |
| | Rolling 3-month average | --- | 0.15 µg/m ³ | | | |
| Sulfate | 24 hours | 25 µg/m ³ | --- | Premature mortality and respiratory effects. Contributes to acid rain. Some toxic air contaminants attach to sulfate aerosol particles. | Industrial processes, refineries and oil fields, mines, natural sources like volcanic areas, salt-covered dry lakes, and large sulfide rock areas. | State Only: Attainment (entire state) |
| Hydrogen Sulfide (H ₂ S) | 1 hour | 0.03 ppm | --- | Colorless, flammable, poisonous. Respiratory irritant. Neurological damage and premature death. Headache, nausea. | Industrial processes such as: refineries and oil fields, asphalt plants, livestock operations, sewage treatment plants, and mines. Some natural sources like volcanic areas and hot springs. | State Only: Unclassified |
| Visibility Reducing Particles (VRP) | 8 hours | Visibility of 10 miles or more (Tahoe: 30 miles) at relative humidity less than 70% | --- | Reduces visibility. Produces haze. NOTE: not related to the Regional Haze program under the Federal Clean Air Act, which is oriented primarily toward visibility issues in National Parks and other “Class I” areas. | See particulate matter above. | State Only: Unclassified |
| Vinyl Chloride ³ | 24 hours | 0.01 ppm | --- | Neurological effects, liver damage, cancer. Also considered a toxic air contaminant. | Industrial processes | State Only: Unclassified (entire state) |

Based on the California ARB Air Quality Standards chart (<http://www.arb.ca.gov/research/aaqs/aaqs2.pdf>).

Notes: ppm = parts per million; µg/m³ = micrograms per cubic meter; ppb=parts per billion (thousand million)

- 1 Rounding to an integer value is not allowed for the State 8-hour CO standard. Violation occurs at or above 9.05 ppm. Violation of the Federal standard occurs at 9.5 ppm due to integer rounding.
- 2 Annual PM₁₀ NAAQS revoked October 2006; was 50 $\mu\text{g}/\text{m}^3$. 24-hr. PM_{2.5} NAAQS tightened October 2006; was 65 $\mu\text{g}/\text{m}^3$. In 9/09 U.S. EPA began reconsidering the PM_{2.5} NAAQS; the 2006 action was partially vacated by a court decision.
- 3 The ARB has identified vinyl chloride and the particulate matter fraction of diesel exhaust as toxic air contaminants. Diesel exhaust particulate matter is part of PM₁₀ and, in larger proportion, PM_{2.5}. Both the ARB and U.S. EPA have identified lead and various organic compounds that are precursors to ozone and PM_{2.5} as toxic air contaminants. There are no exposure criteria for adverse health effect due to toxic air contaminants, and control requirements may apply at ambient concentrations below any criteria levels specified above for these pollutants or the general categories of pollutants to which they belong. Lead NAAQS are not required to be considered in Transportation Conformity analysis.
- 4 Prior to 6/2005, the 1-hour NAAQS was 0.12 ppm. The 1-hour NAAQS is still used only in 8-hour ozone early action compact areas, of which there are none in California. However, emission budgets for 1-hour ozone may still be in use in some areas where 8-hour ozone emission budgets have not been developed.
- 5 The 65 $\mu\text{g}/\text{m}^3$ PM_{2.5} (24-hr) NAAQS was not revoked when the 35 $\mu\text{g}/\text{m}^3$ NAAQS was promulgated in 2006. Conformity requirements apply for all NAAQS, including revoked NAAQS, until emission budgets for the newer NAAQS are found adequate or SIP amendments for the newer NAAQS are completed.
- 6 As of 9/16/09, U.S. EPA is reconsidering the 2008 8-hour ozone NAAQS (0.075 ppm); U.S. EPA is expected to tighten the primary NAAQS to somewhere in the range of 60-70 ppb and to add a secondary NAAQS. U.S. EPA plans to finalize reconsideration and promulgate a revised standard by August 2010.
- 7 Final 1-hour NO₂ NAAQS published in the Federal Register on 2/9/2010, effective 3/9/2010. Initial nonattainment area designations should occur in 2012 with conformity requirements effective in 2013. Project-level hot spot analysis requirements, while not yet required for conformity purposes, are expected.
- 8 U.S. EPA finalized a 1-hour SO₂ standard of 75 ppb in June 2010.
- 9 State standards are “not to exceed” unless stated otherwise. Federal standards are “not to exceed more than once a year” or as noted above.

Environmental Consequences

Regional Air Quality Conformity

Based on 40 Code of Federal Regulations 93.127, this project is exempt from regional conformity requirements. Local effects of this project with respect to carbon monoxide and particulate matter concentrations must be considered and hot-spot analysis is required prior to making a project-level conformity determination. Separate listing of the project in the Regional Transportation Plan and Transportation Improvement Program, and their regional conformity analyses, is not necessary. The project would not interfere with timely implementation of transportation control measures identified in the applicable state implementation plan and regional conformity analysis.

Project Level Conformity

A project that is located in a non-attainment or maintenance area for a given pollutant requires additional air quality analysis and reduction measures in regard to the pollutant. Table 2.6 above summarizes the federal and state attainment status of the project. Hot-spot analysis is most frequently done for carbon monoxide and

particulate matter. This project is not considered a project of air quality concern because it is an intersection channelization involving turn lanes or other operational improvements.

Currently, the project is in a non-attainment area for particulate matter (PM_{2.5}). The closest monitor station is in Visalia on North Church Ave. The station has registered violations of the federal standard in the last three years (2008–2010) but the overall trend points downward, slipping below the national annual average standard in 2010.

The project is in a federal attainment and state non-attainment area for PM₁₀. The monitoring station has not listed any violations in the last three years.

The traffic and truck volumes for the horizon year (2030) are well below the threshold (see Table 2.7).

Table 2.7 Traffic Data

| Year | Average Annual Daily Traffic | Trucks as Percent of Traffic |
|---|------------------------------|------------------------------|
| 2020 | 11,800 | 6 |
| 2030 | 15,200 | 6 |
| Project of Air Quality Concern Thresholds | 125,000 | 8 |

Source: Caltrans Traffic Department (September 2011)

There is no reason to believe that this project will create a new violation or worsen an existing violation of the PM_{2.5} and PM₁₀ National Ambient Air Quality Standards. It has been determined that this project is not a “Project of Air Quality Concern.” Therefore, no further analysis is required.

Mobile Source Air Toxics Conclusions

This is a project with low potential for mobile source air toxics effects. The project would replace an un-signalized intersection with a roundabout or a signalized intersection. The project would improve the operation of the highway and intersection without adding new capacity or creating a facility that is likely to meaningfully increase emissions. Design year 2030 traffic is not projected to meet the 140,000 to 150,000 annual average daily traffic criteria for a project with higher potential mobile source air traffic effects.

Construction activity may generate a temporary increase in mobile source air toxics emissions.

Construction equipment exhaust contains hydrocarbons, oxides of nitrogen, carbon monoxide, suspended particulate matter, and odors. However, the largest percentage of pollutants would be windblown dust generated during excavation, grading, hauling, and various other activities. Effects from these activities would vary each day as construction progresses. Dust and odors may cause occasional annoyance and complaints.

Avoidance, Minimization, and/or Mitigation Measures

The project would be subject to the San Joaquin Valley Air Pollution Control District (the Air District) Rule 9510 (Indirect Source Review Rule). This rule applies to construction equipment emissions for transportation projects that exceed two tons of either PM₁₀ or nitrogen oxide air pollutants. Mitigation options include using a construction fleet that is “cleaner than the California state average” and/or in the form of fees paid to the air district. The contractor will be responsible for the indirect source review air impact analysis and any applicable fees.

The project would be subject to a dust control permit from the Air District. Caltrans standard specifications pertaining to dust control and dust palliative requirement is a required part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 7-1.01F “Air Pollution Control” and Section 10 “Dust Control” require the contractor to comply with the Air District rules, ordinances and regulations.

The use of diesel retrofit technologies outlined in the Congestion Mitigation and Air Quality Improvement Program provisions (technologies designed to lessen a number of mobile source air toxics) would help lower short-term mobile source air toxics. Compliance with the Air District rules and regulations during construction would reduce construction related air quality impacts.

Construction mitigation includes strategies that reduce engine activity or reduce emissions per unit of operating time. Operational agreements that reduce or redirect work or shift times to avoid community exposures would have positive benefits when sites are near vulnerable populations. The use of technological adjustments to equipment, such as off-road dump trucks and bulldozers, would also be appropriate strategies. These technological fixes would include particulate matter traps, oxidation catalysts, and other devices that provide an after-treatment of exhaust emissions. The use of clean fuels, such as ultra-low sulfur diesel, also would be a very cost-beneficial

strategy. The Environmental Protection Agency has listed a number of approved diesel retrofit technologies; many of these can be deployed as emissions mitigation measures for equipment used in construction.

2.3 Biological Resources

2.3.1 Threatened and Endangered Species

Regulatory Setting

The primary federal law protecting threatened and endangered species is the Federal Endangered Species Act (16 United States Code Section 1531, et seq. See also 50 Code of Federal Regulations Part 402). This act and subsequent amendments provide for the conservation of endangered and threatened species and the ecosystems upon which they depend.

Under Section 7 of this act, Caltrans would consult with the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration’s National Marine Fisheries Service to ensure they are not undertaking, funding, permitting or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation under Section 7 is a Biological Opinion or an Incidental Take statement. Section 3 of Federal Endangered Species Act defines take as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct.”

California has enacted a similar law at the state level, the California Endangered Species Act, California Fish and Game Code, Section 2050, et seq. The California Endangered Species Act emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project caused losses of listed species populations and their essential habitats.

The California Department of Fish and Game is the agency responsible for implementing California Environmental 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.” California Environmental Species Act allows for take incidental to otherwise

lawful development projects; for these actions an incidental take permit is issued by California Department of Fish and Game.

For species listed under both Federal Endangered Species Act and California Endangered Species Act requiring a Biological Opinion under Section 7 of the Federal Endangered Species Act, California Department of Fish and Game may also authorize impacts to California Environmental 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

Habitat within the project site contains ruderal (weedy) vegetation within the Caltrans right-of-way. The majority of the vegetation consists of non-native grasses. The project area contains flat open fields with a retail store located in the northeast corner of the intersection. Also present in the general area are rural residences and farmland.

Raptors and Migratory Birds

The Migratory Treaty Act protects migratory birds. The responsibilities of federal agencies to protect migratory birds are set forth in Executive Order 13186. There are several mature trees adjacent to the project impact area that could provide suitable habitat for nesting birds.

Valley Elderberry Longhorn Beetle (Federal Status: Threatened/State Status: None)

A total of nine elderberry shrubs with exit holes were identified near the project area. Eight are on the northeast side of the intersection and one is on the southeast side of the intersection. Of these nine shrubs, four are near the Tule River directly adjacent to the Caltrans right-of-way. Another shrub is at the southern end of the project impact area within the Caltrans right-of-way. The remaining four elderberry shrubs are at the

eastern end of the project outside of the Caltrans right-of-way and about 100 feet from construction activities.

San Joaquin Kit Fox (Federally Endangered Species/ State Status: Threatened)

The California Natural Diversity Database shows occurrences of the San Joaquin kit fox (federally endangered, state threatened) within four miles of the project site. Potential habitat for this species is adjacent to the impact area. That area, however, to be directly affected by the project does not contain habitat suitable for foraging or contain any suitable den sites for the kit fox.

Environmental Consequences

The five elderberry shrubs adjacent to or within the Caltrans right-of-way will be identified as environmentally sensitive areas and protected with high visibility fencing. A minimum distance of 20 feet from the fence will be maintained during construction activities. The other four shrubs will not have environmentally sensitive area fencing installed. These shrubs are far enough from construction activities to avoid any indirect impacts. All nine elderberry shrubs would be completely avoided during construction.

Avoidance, Minimization, and/or Mitigation Measures

The project site contains suitable habitat for nesting birds, including raptors. A preconstruction survey by a qualified Caltrans biologist will be required if construction occurs during the nesting season (February 15 to September 1).

Environmental awareness training will be required to inform all construction personnel of the sensitive resources in the area, including San Joaquin kit fox and Valley elderberry longhorn beetle.

Five elderberry shrubs, as described above, will be identified as environmentally sensitive areas and protected with high visibility fencing. A minimum distance of 20 feet from the fence will be maintained during construction activities.

The US Fish and Wildlife Standard Recommendations for Protection of the San Joaquin Kit Fox, Construction and Operational Requirements

Habitat subject to permanent and temporary construction disturbances and other types of project related disturbance should be minimized. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting project goals to be achieved. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and,

to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

1. Project-related vehicles should observe a 20-mile-per-hour speed limit in all project areas except on county roads and state and federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered by plywood or similar materials at the close of each working day, or provided with one or more escape ramps made of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 13 of this section must be followed.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of four inches or greater that are stored at a construction site overnight should be thoroughly inspected for kit foxes before the pipe is buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the United States Fish and Wildlife Service has been consulted. If necessary, to allow the fox to escape, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity.
4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in closed containers and removed at least once a week from a construction or project site.
5. No firearms must be allowed on the project site.
6. To prevent harassment, mortality of kit foxes, or destruction of dens by dogs or cats, no pets should be permitted on project sites.
7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the

- United States Environmental Protection Agency, California Department of Food and Agriculture, and other state and federal legislation, as well as additional project-related restrictions deemed necessary by United States Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide should be used because of proven lower risk to kit fox.
8. A representative must be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped individual. The representative will be identified during the employee education program. The representative's name and telephone number must be provided to United States Fish and Wildlife Service.
 9. An employee education program should be conducted for any project that has expected impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and agency personnel involved in the project. The program should include the following: a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the United States Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the above-mentioned people and anyone else who may enter the project site.
 10. Upon completion of the project, all areas subject to temporary ground disturbances such as storage and staging areas, temporary roads, and pipeline corridors should be re-contoured, if necessary, and revegetated to promote restoration of the area to pre-project conditions. Temporary disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with United States Fish and Wildlife Service, California Department of Fish and Game, and revegetation experts.

11. In a case of entrapped animals, ramps or structures should be installed immediately to allow the animal(s) to escape, or United States Fish and Wildlife Service should be contacted for advice.
12. Any contractor, employee, military or agency personnel who inadvertently kills or injures a San Joaquin kit fox must immediately report the incident to their representative. This representative must contact the California Department of Fish and Game immediately in the case of a dead, injured or entrapped kit fox. The California Department of Fish and Game contact for immediate assistance is State Dispatch at 1-916-445-0045. They will contact the local warden or biologist.
13. The Sacramento Fish and Wildlife Office and the California Department of Fish and Game must be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of finding a dead or injured animal, and any other pertinent information.

2.4 Construction Impacts

Hazardous Waste

Affected Environment

This section is summarized from the February 2012 Hazardous Waste Compliance Memorandum to determine the potential presence of hazardous waste/materials within the project limits. Although a mini-market and a park and ride are present, the project area consists primarily of vacant and agricultural land.

Because of the historic use of leaded fuel, aerially-deposited lead can be found in the surface and near-surface soils along the shoulders of roadways. Surface soils along older and/or heavily traveled rural highways can have high lead levels. Previous studies have not been performed in the project area to determine existing lead levels in surface soils. State Route 190, however, likely has aerially-deposited lead present nearby soils.

In addition, both yellow and white traffic paint, striping, and markings on roadways could contain elevated lead concentrations.

Environmental Consequences

It is likely that surface soils in the project area contain lead. Soil that requires off-site disposal or is released to the contractor could potentially be hazardous waste.

However, construction activities for the project do not require removal of any excess soil, and soil will be reused within project boundaries. Ground-disturbing activities could result in the exposure of workers and the public to lead.

Disturbing either yellow or white paint, striping, or pavement markings in the project area by grinding or sandblasting could expose workers and the general public to lead.

Avoidance, Minimization, and/or Mitigation Measures

Special provisions would be included in the construction contract. Contractors would be required to prepare and work under a site-specific health and safety plan and/or Lead Compliance Plan that would address worker and public safety to minimize exposure to the potential lead hazard.

2.5 Climate Change under the California Environmental Quality Act

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 gases, particularly those generated from the production and use of fossil fuels.

While climate change has been a concern for several decades, the establishment of the Intergovernmental Panel on Climate Change by the United Nations and World Meteorological Organization's in 1988, has led to increased efforts devoted to greenhouse gas emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of greenhouse gases related to human activity that include carbon dioxide (CO₂), methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (s, s, s, 2 –tetrafluoroethane), and HFC-152a (difluoroethane).

There are typically two terms used when discussing the impacts of climate change. "Greenhouse Gas (GHG) 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 due to climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels).¹

¹ http://climatechange.transportation.org/ghg_mitigation/

Transportation sources (passenger cars, light duty trucks, other trucks, buses and motorcycles) in the state of California make up the largest source (second to electricity generation) of greenhouse gas emitting sources. Conversely, the main source of greenhouse gas emissions in the United States is electricity generation followed by transportation. The dominant greenhouse gas emitted is CO₂, mostly from fossil fuel combustion.

There are four primary strategies for reducing greenhouse gas emissions from transportation sources: 1) improve system and operation efficiencies; 2) reduce growth of vehicle miles traveled; 3) transition to lower greenhouse gas fuels; and 4) improve vehicle technologies. To be most effective all four should be pursued collectively. The following regulatory setting section outlines state and federal efforts to comprehensively 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 at the state level.

Assembly Bill 1493 (AB 1493), Pavley, Vehicular Emissions: Greenhouse Gases (AB 1493), 2002. The bill requires the California Air Resources Board to develop and implement regulations to reduce automobile and light truck greenhouse gas emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year. In June 2009, the U.S. Environmental Protection Agency Administrator granted a Clean Air Act waiver of preemption to California. This waiver allowed California to implement its own greenhouse gas emission standards for motor vehicles beginning with model year 2009. California agencies will be working with Federal agencies to conduct joint rulemaking to reduce greenhouse gas emissions for passenger cars model years 2017-2025.

Executive Order S-3-05 (signed June 1, 2005 by then-Governor Arnold Schwarzenegger). The goal of this executive order is to reduce California's greenhouse gas emissions 1) 2000 levels by 2010; 2) 1990 levels by the 2020; and 3) 80 percent below the 1990 levels by 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32.

Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. Assembly Bill 32 sets the same overall greenhouse gas emissions reduction goals as outlined in Executive Order S-3-05 while further mandating that the California Air Resources Board create a plan that includes market mechanisms and implements rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Executive Order S-20-06 further directs state agencies to begin implementing Assembly Bill 32, including the recommendations made by the State Climate Action Team.

Executive Order S-01-07. Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this executive order, the carbon intensity of California’s transportation fuels is to be reduced by at least ten percent by 2020.

Senate Bill 97 (Chapter 185, 2007). The bill requires the Governor's Office of Planning and Research to develop recommended amendments to the State California Environmental Quality Act Guidelines for addressing greenhouse gas emissions. The amendments became effective March 18, 2010.

Federal

Although climate change and greenhouse gas reduction is a concern at the federal level, currently no regulations or legislation have been enacted specifically addressing greenhouse gas emission reductions and climate change at the project level. Neither the United States Environmental Protection Agency nor Federal Highway Administration has announced explicit guidance or methodology to conduct project-level greenhouse gas analysis. As stated on the Federal Highway Administration 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.

Addressing climate change mitigation and adaptation up front in the planning process would help decision-making, improve efficiency at the program level, and inform the analysis and stewardship needs of project-level decision-making. Climate change considerations can easily be integrated into many planning factors such as supporting economic vitality and global efficiency, increasing safety and mobility, enhancing the environment, promoting energy conservation, and improving quality of life.

Four strategies set by Federal Highway Administration to lessen climate change impacts do correlate with efforts the state has and is undertaking to deal with climate change. Strategies include improved transportation system efficiency, cleaner fuels, cleaner vehicles, and reduced growth of vehicle hours travelled.

Climate change and its associated effects are also addressed through various efforts at the federal level to improve fuel economy and energy efficiency. One effort is the “National Clean Car Program” and Executive Order 13514—*Federal Leadership in Environmental, Energy and Economic Performance*.

Executive Order 13514 not only focuses on reducing greenhouse gases by federal agency missions and programs and operations but also directs federal agencies to participate in the interagency Climate Change Adaptation Task Force engaged in developing a U.S. strategy for adaptation to climate change.

On April 2, 2007, in *Massachusetts v. EPA*, 549 U.S. 497 (2007), the Supreme Court found that greenhouse gases are air pollutants covered by the Clean Air Act and that the U.S. Environmental Protection Agency has the authority to regulate greenhouse gas. The court held that the U.S. Environmental Protection Agency administrator must determine whether or not emissions of greenhouse gases from new motor vehicles cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision.

On December 7, 2009, the United States Environmental Protection Agency Administrator signed two distinct findings regarding greenhouse gases under section 202(a) of the Clean Air Act:

Endangerment Finding: The administrator found that the current and projected concentrations of the six key well-mixed greenhouse gases—carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)—in the atmosphere threaten the public health and welfare of current and future generations.

Cause or Contribute Finding: The administrator found that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

Although these findings did not themselves impose any requirements on industry or other entities, this action was a prerequisite to finalizing the United States Environmental Protection Agency’s *Greenhouse Gas Emission Standards for Light-*

Duty Vehicles (published September 15, 2009²). On May 7, 2010 the final *Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards* was published in the Federal Register.

United States Environmental Protection Agency and the National Highway Traffic Safety Administration are taking coordinated steps to enable the production of a new generation of clean vehicles with reduced greenhouse gas emissions and improved fuel efficiency from on-road vehicles and engines. These next steps include developing the first-ever greenhouse gas regulations for heavy-duty engines and vehicles, as well as additional light-duty vehicle greenhouse gas regulations. These steps were outlined by President Obama in a memorandum on May 21, 2010.³

The final combined United States Environmental Protection Agency and National Highway Traffic Safety Administration standards that make up the first phase of this national program apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. The standards require these vehicles to meet an estimated combined average emissions level of 250 grams of carbon dioxide per mile, equivalent to 35.5 miles per gallon if the automobile industry were to meet this carbon dioxide level solely through fuel economy improvements. Together, these standards will cut greenhouse gas emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012–2016).

On January 24, 2011, the United States Environmental Protection Agency along with the U.S. Department of Transportation and the State of California announced a single timeframe for proposing fuel economy and greenhouse gas standards for model years 2017–2025 cars and light-trucks. Proposing the new standards in the same time frame (September 1, 2011) signals continued collaboration that could lead to an extension of the current National Clean Car Program.

Project Analysis

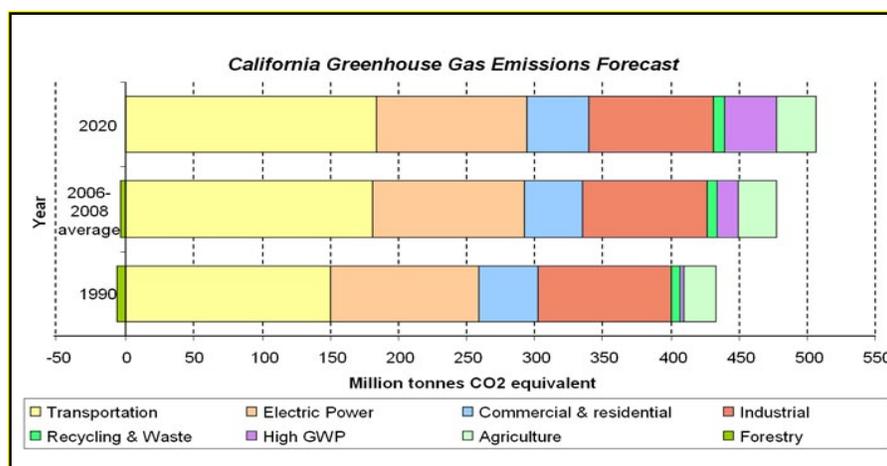
An individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other

² <http://www.epa.gov/climatechange/endangerment.html>

³ <http://epa.gov/otaq/climate/regulations.htm>

sources of greenhouse gas.⁴ In assessing cumulative impacts, it must be determined if a project’s incremental effect is “cumulatively considerable.” See California Environmental Quality Act Guidelines sections 15064(h)(1) and 15130. To make this determination the incremental impacts of the project must be compared 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 in order to make this determination is a difficult if not impossible task.

The Assembly Bill 32 Scoping Plan contains the main strategies California will use to reduce greenhouse gas. As part of its supporting documentation for the Draft Scoping Plan, the California Air Resources Board released the greenhouse gas inventory for California (forecast last updated October 28, 2010). The forecast is an estimate of emissions expected in 2020 if none of the foreseeable measures included in the Scoping Plan were used. The base year used for forecasting emissions is the average of statewide emissions in the greenhouse gas inventory for 2006, 2007, and 2008.



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

Figure 2-1 California Greenhouse Gas Forecast

Caltrans and its parent agency, the Business, Transportation, and Housing 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 burning fossil fuels and 40 percent of all human made greenhouse gas emissions are from transportation, Caltrans has created and is implementing the

⁴ 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 SCAQMD (Chapter 6: : The CEQA Guide, April 2011) and the US Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).

Climate Action Program at Caltrans published in December 2006 (see Climate Action Program at Caltrans (December 2006)).⁵

Caltrans proposes to improve the State Route 190 and Road 284 intersection near the city of Porterville in Tulare County. Two build alternatives and a No-Build Alternative are under consideration. Construction and implementation of this project would not increase capacity. The features of this project are designed to make traffic flow smoothly in the project area. Building either Alternative 1 or Alternative 2 is likely to reduce emissions when future build conditions are compared to future no-build conditions. For Alternative 1 (single-lane roundabout), 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 study by the Insurance Institute for Highway Safety found that roundabouts can reduce fuel consumption about 30 percent. Another study by the institute found that roundabouts can reduce carbon dioxide emissions by at least 37 percent. (<http://www.iihs.org/research/qanda/roundabouts.html#cite12>). Alternative 2 (signalization) would allow for better flow of traffic with reduced idle time.

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.

In addition, with innovations such as longer pavement life, 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.

⁵ 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

California Environmental Quality Act Conclusion

While construction would result in a slight increase in greenhouse gas emissions during construction, Caltrans expects a reduction in greenhouse gas emissions with the build alternatives when compared to the no-build condition.

However, it is Caltrans' determination that the absence of further regulatory or scientific information related to greenhouse gas emissions and California Environmental Quality Act significance, it is too speculative to make a determination on the project's direct impact and its contribution on the cumulative scale to climate change. Nonetheless, Caltrans is taking further measures to help reduce energy consumption and greenhouse gas emissions. These measures are outlined in the following section.

Greenhouse Gas Reduction Strategies

Assembly Bill 32 Compliance

Caltrans continues to be actively involved on the Governor's Climate Action Team as the California Air Resources Board works to implement Executive Order S-3-05 and Executive Order S-01-07 to help achieve the targets set forth in Assembly Bill 32. Many of the strategies Caltrans uses to help meet the targets in Assembly Bill 32 come from the California Strategic Growth Plan (updated yearly).

Former Governor Arnold Schwarzenegger's Strategic Growth Plan calls for a \$222 billion infrastructure improvement program to fortify the state's transportation system, education, housing, and waterways, including \$100.7 billion in transportation funding during the next decade. The Strategic Growth Plan targets a significant decrease in traffic congestion below today's level and a corresponding reduction in greenhouse gas emissions. The Strategic Growth Plan proposes to do this while accommodating growth in population and the economy. A suite of investment options has been created that combined together are expected to reduce congestion. The Strategic Growth Plan relies on a complete systems approach to attain CO₂ reduction goals: system monitoring and evaluation; maintenance and preservation; smart land use and demand management; and operational improvements (see Figure 2.2).



Figure 2-2 Mobility Pyramid

Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks; Caltrans is doing this by supporting on-going research efforts at universities, by supporting legislative efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by U.S. Environmental Protection Agency and California Air Resources Board. Lastly, the use of alternative fuels is also being considered; Caltrans is participating in funding for alternative fuel research at the University of California Davis.

Table 2.8 summarizes Caltrans and statewide efforts that Caltrans is implementing to reduce greenhouse gas emissions. More detailed information about each strategy is included in the Climate Action Program at Caltrans (December 2006).

Table 2.8 Climate Change/CO₂ Reduction Strategies

| Strategy | Program | Partnership | | Method/Process | Estimated CO ₂ Savings (MMT) | |
|---|--|--------------------------------------|--|--|---|------------------------|
| | | Lead | Agency | | 2010 | 2020 |
| Smart Land Use | Intergovernmental Review (IGR) | Caltrans | Local Governments | Review and seek to mitigate development proposals | Not Estimated | Not Estimated |
| | Planning Grants | Caltrans | Local and regional agencies & other stakeholders | Competitive selection process | Not Estimated | Not Estimated |
| | Regional Plans and Blueprint Planning | Regional Agencies | Caltrans | Regional plans and application process | .975 | 7.8 |
| Operational Improvements & Intelligent Trans. System (ITS) Deployment | Strategic Growth Plan | Caltrans | Regions | State ITS; Congestion Management Plan | .07 | 2.17 |
| Mainstream Energy & GHG into Plans and Projects | Office of Policy Analysis & Research; Division of Environmental Analysis | Interdepartmental effort | | Policy establishment, guidelines, technical assistance | Not Estimated | Not Estimated |
| Educational & Information Program | Office of Policy Analysis & Research | Interdepartmental, CalEPA, CARB, CEC | | Analytical report, data collection, publication, workshops, outreach | Not Estimated | Not Estimated |
| Fleet Greening & Fuel Diversification | Division of Equipment | Department of General Services | | Fleet Replacement B20 B100 | .0045 | .0065 .045 .0225 |
| Non-vehicular Conservation Measures | Energy Conservation Program | Green Action Team | | Energy Conservation Opportunities | .117 | .34 |
| Portland Cement | Office of Rigid Pavement | Cement and Construction Industries | | 2.5 % limestone cement mix 25% fly ash cement mix > 50% fly ash/slag mix | 1.2 .36 | 4.2 3.6 |
| Goods Movement | Office of Goods Movement | Cal EPA, CARB, BT&H, MPOs | | Goods Movement Action Plan | Not Estimated | Not Estimated |
| Total | | | | | 2.72 | 18.18 |

To the extent applicable or feasible for the project and through coordination with the project development team, the following measures will also be included in the project to reduce the greenhouse gas emissions and potential climate change impacts:

Landscaping reduces surface warming, and through photosynthesis, decreases carbon dioxide (CO₂). The project proposes planting in the intersection slopes, drainage channels, and seeding in areas adjacent to frontage roads and planting a variety of different-sized plant material and scattered skyline trees where appropriate but not to obstruct the view of the mountains. Caltrans has committed to planting a minimum of 40 trees. These trees will help offset any potential CO₂ emissions increase. Based on a formula from the Canadian Tree Foundation, it is anticipated that the planted trees will offset between 7–10 tons of CO₂ per year.⁶

1. The project could incorporate the use of energy efficient lighting, such as LED (light emitting diode) traffic signals. LED bulbs cost \$60 to \$70 apiece but last five to six years compared to the one-year average lifespan of the incandescent bulbs previously used. The LED bulbs themselves consume 10 percent of the electricity of traditional lights, helping reduce CO₂ emissions.⁷
2. According to the Caltrans Standard Specifications, the contractor must comply with all local Air Pollution Control District rules, ordinances and regulations regarding air quality restrictions.
3. Construction mitigation includes strategies that reduce engine activity or reduce emissions per unit of operating time. Operational agreements that reduce or redirect work or shift times to avoid community exposures would have positive benefits when sites are near vulnerable populations. The use of technological adjustments to equipment, such as off-road dump trucks and bulldozers, would also be appropriate strategies. These technological fixes would include particulate-matter traps, oxidation catalysts, and other devices that provide an after-treatment of exhaust emissions. The use of clean fuels, such as ultra-low sulfur diesel, also would be a very cost-beneficial strategy. The Environmental Protection Agency has listed a number of approved diesel retrofit technologies; many of these can be deployed as emissions mitigation measures for equipment used in construction.
4. The project would be subject to a dust control permit from the San Joaquin Unified Air Pollution Control District. Caltrans standard specifications

⁶ Canadian Tree Foundation at http://www.tcf-fca.ca/publications/pdf/english_reduceco2.pdf. For rural areas the formula is: # of trees/360 x survival rate = tones of carbon/year removed for each of 80 years.

⁷ Knoxville Business Journal, "LED Lights Pay for Themselves," May 19, 2008 at <http://www.knoxnews.com/news/2008/may/19/led-traffic-lights-pay-themselves/>.

pertaining to dust control and dust palliative requirement is a required part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 7-1.01F “Air Pollution Control” and Section 10 “Dust Control” require the contractor to comply with the San Joaquin Valley Air Pollution Control District rules, ordinances and regulations.

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, storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damaging roadbeds by 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. There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

At the federal level, the Climate Change Adaptation Task Force, co-chaired by the White House Council on Environmental Quality, the Office of Science and Technology Policy, and the National Oceanic and Atmospheric Administration, released its interagency report on October 14, 2010 outlining recommendations to President Obama for how federal agency policies and programs can better prepare the United States to respond to the impacts of climate change. The progress report of the Interagency Climate Change Adaptation Task Force recommends that the federal government implement actions to expand and strengthen the nation’s capacity to better understand, prepare for, and respond to climate change.

Climate change adaption must also involve the natural environment as well. Efforts are underway on a statewide level to develop strategies to cope with impacts to habitat and biodiversity through planning and conservation. The results of these efforts will help California agencies plan and implement mitigation strategies for programs and projects.

On November 14, 2008, then-Governor Schwarzenegger signed Executive Order S-13-08 that directed a number of state agencies to address California’s vulnerability to

sea level rise caused by climate change. This executive order set in motion several agencies and actions to address the concern of sea level rise.

The California Natural Resources Agency (Resources Agency) was directed to coordinate with local, regional, state and federal public and private entities to develop. *The California Climate Adaptation Strategy* (Dec 2009) summarizes the best known science on climate change impacts to California, assesses California's vulnerability to the identified impacts, and outlines solutions that can be implemented within and across state agencies to promote resiliency.⁸

The strategy outline is in direct response to Executive Order S-13-08 that specifically asked the Resources Agency to identify how state agencies can respond to rising temperatures, changing precipitation patterns, sea level rise, and extreme natural events. Numerous other state agencies were involved in the creation of the Adaptation Strategy document, including Environmental Protection; Business, Transportation and Housing; Health and Human Services; and Caltrans of Agriculture. The document is broken down into strategies for different sectors that include public health; biodiversity and habitat; ocean and coastal resources; water management; agriculture; forestry; and transportation and energy infrastructure. As data continues to be developed and collected, the state's adaptation strategy will be updated to reflect current findings.

The Resources Agency was also directed to request the National Academy of Science prepare a Sea Level Rise Assessment Report by December 2012 to advise how California should plan for future sea level rise.⁹ The report would include the following:

- Relative sea level rise projections for California, Oregon and Washington taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge and land subsidence rates
- The range of uncertainty in selected sea level rise projections
- A synthesis of existing information on projected sea level rise impacts to state infrastructure (such as roads, public facilities and beaches), natural areas, and coastal and marine ecosystems
- A discussion of future research needs regarding sea level rise

⁸ <http://www.energy.ca.gov/2009publications/CNRA-1000-2009-027/CNRA-1000-2009-027-F.PDF>

⁹ The Sea Level Rise Assessment report is currently due to be completed in 2012 and will include information for Oregon and Washington State as well as California.

Prior to the release of the final sea level rise assessment report, all state agencies that are planning to construct projects in areas vulnerable to future sea level rise were directed to consider a range of sea level rise scenarios for 2050 and 2100 to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise. Sea level rise estimates should also be used in conjunction with information regarding local uplift and subsidence, coastal erosion rates, predicted higher high water levels, storm surge and storm wave data

Until the final report from the National Academy of Sciences is released, interim guidance has been released by The Coastal Ocean Climate Action Team as well as Caltrans as a method to initiate action and discussion of potential risks to the states infrastructure due to projected sea level rise.

All projects that have filed a notice of preparation, and/or are programmed for construction funding from 2008 through 2013, or are routine maintenance projects as of the date of Executive Order S-13-08 may, but are not required to, consider these planning guidelines.

Furthermore Executive Order S-13-08 directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level 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.

Currently, Caltrans is working to assess which transportation facilities are at greatest risk from climate change effects. However, without statewide planning scenarios for relative sea level rise and other climate change impacts, Caltrans has not been able to determine what change, if any, may be made to its design standards for its transportation facilities. Once statewide planning scenarios become available, Caltrans will be able review its current design standards to determine what changes, if any, may be warranted to protect the transportation system from sea level rise.

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. Caltrans is an active participant in the efforts being conducted in response to Executive Order S-13-08 and is mobilizing to be able to respond to the National Academy of Science report on sea level rise assessment, which is due to be released in 2012.

The project area is relatively flat so increased erosion due to storms or flooding is not anticipated. The project is not in an area close to the ocean; therefore the area would not be affected by rising sea levels.

The project is within the San Joaquin Valley Air Basin and is in a non-attainment area for ozone and PM_{2.5}, and an attainment-maintenance area for PM₁₀. The area could be subject to long periods of intense heat from climate change. Higher temperatures may worsen poor air quality and increase the frequency, duration, and intensity of air quality conditions. More severe heat may increase the risk of death by dehydration, heat stroke/exhaustion, heart attack, stroke, and respiratory distress. However, more extreme heat would be seen in urban centers than in rural areas such as where the project would be located. The most vulnerable populations are children, the elderly, the poor, and the ill.

Chapter 3 Comments and Coordination

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

Caltrans project management has been in communication with Tulare County and the Tule River Tribe since 2008. There were several communications over the past two years between the Tule River Indian Tribe and the Caltrans project manager. The primary questions were related to the schedule of the project. There was also a conversation about the Bureau of Indian Affairs putting Reservation Road into the Tribal road system led to a discussion about a possible source of additional funding for the project. There were no concerns expressed and the tribe seemed neutral or slightly supportive of the project. Caltrans project management shared the conceptual report with Tulare County in February 2008. A cooperative agreement was fully executed by Tulare County in 2010.

Public Hearing

A media advisory was published on May 16, 2012, and a public notice announcing the public hearing and the availability of the draft environmental document was published in the *Tulare Registrar* and the *Visalia Times Delta* on May 18, 2012. The public notice featured the time and date of the public hearing, a project location map, and other project information. The notice of availability and a copy of the public notice were mailed to residents, state, federal, and local officials, and other agencies and interested groups.

On May 24, 2012, Caltrans held a public hearing from 5:00 p.m. to 7:00 p.m. at the Heritage Community Center in the city of Porterville. The purpose of the meeting was to provide the public and other interested parties with information about the project design as well as the two build alternatives.

The format of the public hearing was informal. Caltrans staff invited each attendee to view the displays throughout the room, ask questions, drop written comments into the comment box provided, mail comments to Caltrans, or give oral comments to the court reporter. Caltrans provided a Spanish interpreter to translate questions and answers. A video presentation was made available to explain the features and functionality of a roundabout.

Eight written comments were received at the meeting including those taken by the court reporter, five comments were sent by e-mail, and five comments were sent by U.S. mail (see Appendix E). Most of the comments questioned the roundabout design. The majority of comments were not in favor of the roundabout alternative due to unfamiliarity with the concept.

Chapter 4 List of Preparers

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

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Sherry Alexander, Landscape Associate. M.S., Landscape Architecture, California State Polytechnic University, Pomona. Contribution: Prepared Visual Impact Assessment.

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Dena Suzanne Gonzalez, Environmental Planner. Natural Sciences, B.A. California State University Fresno; 9 years of Biological Resources experience. Contribution: Prepared Natural Environmental Study Report.

John Liu, Deputy District Director. Maintenance and Operations, B.S. and M.S. Civil Engineering, U.C. Berkeley, 20 years of civil engineering experience. Contribution: Public outreach.

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Richard C. Stewart, Engineering Geologist. P.G. B.S., Geology, California State University, Fresno; 21 years of hazardous waste and water quality experience and 5 years of paleontology/geology experience. Contribution: Paleontology Report.

Vladimir C. Timofei, Transportation Engineer. MS, Civil Engineering Cal State Fullerton; 15 years of Environmental Engineering experience. Contribution: Air, Noise and Water Reports.

Philip Vallejo, Associate Environmental Planner. B.A History, California State University, Fresno; 8 years cultural resources compliance experience. Contribution: Prepared Architectural Resources Compliance Memo.

Appendix A California Environmental Quality Act Checklist

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

Supporting documentation of all California Environmental Quality Act checklist determinations is provided in Chapter 2 of this Initial Study/Environmental Assessment. 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.

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

I. AESTHETICS: Would the project:

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

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 Dept. 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 and the 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) 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))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

An assessment of the 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. These measures are outlined in the body of the environmental document.

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?

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

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?

| Potentially significant impact | Less than significant impact with mitigation | Less than significant impact | No impact |
|--------------------------------|--|------------------------------|-----------|
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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) Result in inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?

Appendix A • California Environmental Quality Act Checklist

| | Potentially significant impact | Less than significant impact with mitigation | Less than significant impact | No impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

| Potentially significant impact | Less than significant impact with mitigation | Less than significant impact | No impact |
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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: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Appendix A • California Environmental Quality Act Checklist

| | Potentially significant impact | Less than significant impact with mitigation | Less than significant impact | No impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| XVII. UTILITIES AND SERVICE SYSTEMS: Would the project: | | | | |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Appendix B Title VI Policy Statement

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNO J. D. SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
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*Flex your power!
Be energy efficient!*

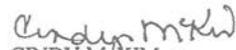
July 20, 2010

TITLE VI POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, 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, 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 Charles Wahnnon, Manager, Title VI and Americans with Disabilities Act Program, California Department of Transportation, 1823 14th Street, MS-79, Sacramento, CA 95811. Phone: (916) 324-1353 or toll free 1-866-810-6346 (voice), TTY 711, fax (916) 324-1869, or via email: charles_wahnnon@dot.ca.gov.


CINDY MCKIM
Director

"Caltrans improves mobility across California"

Appendix C Minimization and/or Mitigation Summary

Utilities and Emergency Services

Any utility relocation outside of the boundaries of the environmental studies completed for the project would require separate environmental studies. If relocation of utilities is required, the impacts to services would be temporary. A detailed study would be conducted during the final design phase of this project and utility conflict mapping would be prepared.

A traffic management plan would be developed to minimize delays and maximize safety for the motorists and emergency responders during construction. The traffic management plan would include, but is not limited to:

- Release of information through brochures and mailers, press releases, and advertisements managed by the Public Information Office.
- Use of fixed and portable changeable message signs.
- Incident management through COZEEP (Construction Zone Enhancement Enforcement Program) and the transportation management center.
- Use of one-way traffic control.

Traffic

A traffic management plan would be developed as describe above to minimize delays and maximize safety for motorists.

Visual/Aesthetics

Aesthetic considerations for Alternative 1 would be considered during the final design phase for sidewalks, splitter islands, mountable curbs, lighting, landscaping in the middle of the roundabout, and stamped concrete at the perimeter of the roundabout in the truck apron area. No additional mitigation is required for visual impacts.

Air Quality

The project would be subject to the San Joaquin Valley Air Pollution Control District Rule 9510 (Indirect Source Review Rule). This rule applies to construction equipment emissions for transportation projects that exceed 2.0 tons of either PM₁₀ and/or nitrogen oxide air pollutants. Mitigation options include using a construction fleet that

is “cleaner than the California state average” and/or in the form of fees paid to the District. The contractor will be responsible for the Indirect Source Review Air Impact Analysis and any applicable fees.

Construction mitigation includes strategies that reduce engine activity or reduce emissions per unit of operating time. Operational agreements that reduce or redirect work or shift times to avoid community exposures would have positive benefits when sites are near vulnerable populations. The use of technological adjustments to equipment, such as off-road dump trucks and bulldozers, would also be appropriate strategies. These technological fixes would include particulate matter traps, oxidation catalysts, and other devices that provide an after-treatment of exhaust emissions. The use of clean fuels, such as ultra-low sulfur diesel, also would be a very cost-beneficial strategy. The Environmental Protection Agency has listed a number of approved diesel retrofit technologies; many of these can be deployed as emissions mitigation measures for equipment used in construction.

Threatened and Endangered Species

The project site contains suitable habitat for nesting birds including raptors. A pre-construction survey by a qualified Caltrans biologist will be required if construction is to occur during the nesting season (February 15 to September 1).

Environmental awareness training will be required to inform all construction personnel of the sensitive resources in the area, including San Joaquin kit fox and Valley elderberry longhorn beetle.

Five elderberry shrubs will be identified as environmentally sensitive areas and protected with high visibility fencing. A minimum distance of 20 feet will be maintained during construction activities.

The US Fish and Wildlife Standard Recommendations for Protection of the San Joaquin Kit Fox, Construction and Operational Requirements

Habitat subject to permanent and temporary construction disturbances and other types of project related disturbance should be minimized. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting project goals to be achieved. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

1. Project-related vehicles should observe a 20-mile-per-hour speed limit in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. To the extent possible, night-time construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the procedures under number 13 of this section must be followed.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipe becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site overnight should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until United States Fish and Wildlife Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity, until the fox has escaped.
4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in closed containers and removed at least once a week from a construction or project site.
5. No firearms shall be allowed on the project site.
6. To prevent harassment, mortality of kit foxes or destruction of dens by dogs or cats, no pets should be permitted on project sites.
7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional

project-related restrictions deemed necessary by United States Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide should be used because of proven lower risk to kit fox.

8. A representative must be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped individual. The representative will be identified during the employee education program. The representative's name and telephone number must be provided to United States Fish and Wildlife Service.
9. An employee education program should be conducted for any project that has expected impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and agency personnel involved in the project. The program should include the following; a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying his information should be prepared for distribution to the above-mentioned people and anyone else who may enter the project site.
10. Upon completion of the project, all areas subject to temporary ground disturbances such as storage and staging areas, temporary roads, and pipeline corridors should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but that after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with United States Fish and Wildlife Service, California Department of Fish and Game, and revegetation experts.
11. In case of entrapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or United States Fish and Wildlife Service should be contacted for advice.

12. Any contractor, employee, or military or agency personnel who inadvertently kills or injures a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the California Department of Fish and Game immediately in the case of a dead, injured or entrapped kit fox. The California Department of Fish and Game contact for immediate assistance is State Dispatch at 1-916-445-0045. They will contact the local warden or biologist.
13. The Sacramento Fish and Wildlife Office and the California Department of Fish and Game will be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information.

Cultural Resources

Based on the high level of archaeological sensitivity within project area, archaeological monitoring will be necessary during the construction of this project. It is Caltrans' policy to avoid cultural resources whenever possible. If buried cultural materials are encountered during construction, it is the policy of Caltrans that work stop in that area until a qualified archaeologist can evaluate the nature and significance of the find. If human remains are exposed during project work, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Code 5097.98.

Hazards and Hazardous Materials

Aerially-Deposited Lead/Lead-Based Paint

Special provisions would be included in the construction contract. Contractors would be required to prepare and work under a site-specific health and safety plan and/or Lead Compliance Plan that would address worker and public safety in order to minimize exposure to the potential lead hazard.

Appendix D Natural Resources Conservation Service Farmland Conversion Impact Rating Form

U.S. Department of Agriculture
FARMLAND CONVERSION IMPACT RATING

| | | | |
|--|--|--|------------------------------|
| PART I (To be completed by Federal Agency) | | Date Of Land Evaluation Request 10/4/10 | |
| Name Of Project Route 190 & Road 284 Intersection Improvement | | Federal Agency Involved | |
| Proposed Land Use | | County And State Tulare California | |
| PART II (To be completed by NRCS) | | Date Request Received By NRCS 10/11/11 | |
| Does the site contain prime, unique, statewide or local important farmland? <i>(If no, the FPPA does not apply -- do not complete additional parts of this form).</i> | | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| Major Crop(s) Citrus, Cotton, Alfalfa | | Acres Irrigated 550,342 | Average Farm Size 223 |
| Name Of Land Evaluation System Used California State System | | Amount Of Farmland As Defined In FPPA Acres: 867,965 % 28.1 | |
| Farmable Land In Govt. Jurisdiction Acres: 638,789 % 20.71 | | Date Land Evaluation Returned By NRCS 10/12/11 | |
| Name Of Local Site Assessment System None | | | |
| PART III (To be completed by Federal Agency) | | Alternative Site Rating | |
| | | Site A | Site B |
| | | Site C | Site D |
| A. Total Acres To Be Converted Directly | | 0.3 | |
| B. Total Acres To Be Converted Indirectly | | | |
| C. Total Acres In Site | | 0.3 | 0.0 |
| | | 0.0 | 0.0 |
| PART IV (To be completed by NRCS) Land Evaluation Information | | | |
| A. Total Acres Prime And Unique Farmland 0.1 | | | |
| B. Total Acres Statewide And Local Important Farmland | | | |
| C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted | | | |
| D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value 0.022615 | | | |
| PART V (To be completed by NRCS) Land Evaluation Criterion | | | |
| Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points) | | | |
| | | 0 | 50 |
| | | 0 | 0 |
| | | 0 | 0 |
| PART VI (To be completed by Federal Agency) | | | |
| Site Assessment Criteria (These criteria are explained in 7 CFR 658.6(b)) | | | |
| 1. Area In Nonurban Use | | 15 | 14 |
| 2. Perimeter In Nonurban Use | | 10 | 7 |
| 3. Percent Of Site Being Farmed | | 18 | 20 |
| 4. Protection Provided By State And Local Government | | 18 | 20 |
| 5. Distance From Urban Builtup Area | | 15 | 15 |
| 6. Distance To Urban Support Services | | 15 | 10 |
| 7. Size Of Present Farm Unit Compared To Average | | 10 | 5 |
| 8. Creation Of Nonfarmable Farmland | | 5 | 4 |
| 9. Availability Of Farm Support Services | | 4 | 4 |
| 10. On-Farm Investments | | 18 | 20 |
| 11. Effects Of Conversion On Farm Support Services | | 0 | 0 |
| 12. Compatibility With Existing Agricultural Use | | 0 | 0 |
| TOTAL SITE ASSESSMENT POINTS | | 160 | 65 |
| PART VII (To be completed by Federal Agency) | | | |
| Relative Value Of Farmland (From Part V) | | | |
| | | 100 | 0 |
| Total Site Assessment (From Part VI above or a local site assessment) | | 160 | 0 |
| TOTAL POINTS (Total of above 2 lines) | | 260 | 115 |
| Site Selected: | | Date Of Selection | |
| | | Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | |
| Reason For Selection: | | | |

(See Instructions on reverse side)

This form was electronically produced by National Production Services Staff

Form AD-1006 (10-83)

Appendix E Response to Comments

This appendix contains the comments received during the public circulation and comment period from May 18, 2012 to June 18, 2012. A Caltrans response follows each comment presented.

Comments received from the State Clearinghouse and Planning Unit



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

June 21, 2012

G.W. "Trais" Norris III
California Department of Transportation, District 6
855 M Street, Suite 100
Fresno, CA 93721

Subject: State Route 190 and Road 284 Intersection Improvement Project
SCH#: 2012051061

Dear G.W. "Trais" Norris III:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 20, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

1

Document Details Report
State Clearinghouse Data Base

SCH# 2012051061
Project Title State Route 190 and Road 284 Intersection Improvement Project
Lead Agency Caltrans #6

Type Neg Negative Declaration
Description Caltrans proposes to improve the intersection at SR 190 and Road 284, located east of the City of Porterville, in Tulare County from post mile 20.9 to post mile 21.3. Two build alternatives and a no build alternative are under consideration. Alternative 1: Construction of a single-lane rural roundabout. Alternative 2: Signalization of the intersection with a protected left-turn. Alternative 3: No build.

Lead Agency Contact

Name G.W. "Trais" Norris III
Agency California Department of Transportation, District 6
Phone 559 445 6447 **Fax**
email
Address 855 M Street, Suite 100
City Fresno **State** CA **Zip** 93721

Project Location

County Tulare
City Porterville
Region
Lat / Long
Cross Streets SR 190 and Road 284
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Mixed use (commercial and vacant land)

Project Issues Biological Resources

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 4; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Fresno); Department of Toxic Substances Control; Native American Heritage Commission

Date Received 05/22/2012 **Start of Review** 05/22/2012 **End of Review** 06/20/2012

Note: Blanks in data fields result from insufficient information provided by lead agency.

Response to comment from the California State Clearinghouse

The State Clearinghouse letter acknowledges that Caltrans has completed the review requirements for the draft environmental document as stated in the California Environmental Quality Act.

Comments received from the Native American Heritage Commission

STATE OF CALIFORNIA

Edmund G. Brown, Jr., Governor

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
da_nahc@pacbell.net



June 4, 2012

Mr. G.W. "Trais" Norris, III, Environmental Planner
California Department of Transportation – District 6
855 "M" Street, Suite 100
Fresno, CA 93721

Re: SCH#2012051061; CEQA Notice of Completion; proposed Negative Declaration for the "State Route 190 and Road 284 Intersection Improvement Project"; located east of the City of Porterville; Tulare County, California.

Dear Mr. Norris:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

1

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE), and if so, to mitigate that effect. The NAHC did not conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE)' due to the absence of the USGS coordinates. However, this area is known to the NAHC to be very culturally sensitive.

The NAHC "Sacred Sites," as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you make contact with the list of Native American Contacts on the attached list of Native American

contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

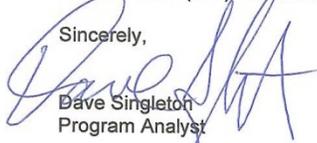
Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List

Appendix E • Response to Comments

Native American Contacts

Tulare County
June 4, 2012

Tule River Indian Tribe
Neil Peyron, Chairperson
P.O. Box 589
Porterville, CA 93258
chairman@tulerivertribe-nsn.
(559) 781-4271
(559) 781-4610 FAX
Yokuts

Wuksache Tribe
John Sartuche
1028 East "K" Avenue
Visalia, CA 93292
signsbysarch@aol.com
(559) 636-1136
Wuksache

Sierra Nevada Native American Coalition
Lawrence Bill, Interim Chairperson
P.O. 125
Dunlap, CA 93621
(559) 338-2354
Mono
Foothill Yokuts
Choinumni

Jennifer Malone
637 E Lakeview
Woodlake, CA 93286
indianpopup@sbcglobal.net
559-564-2146 - home
559-280-0712 - cell
Wukchumni
Tachi
Yowlumni

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct.
Salinas, CA 93906
kwood8934@aol.com
831-443-9702
Foothill Yokuts
Mono
Wuksache

Santa Rosa Tachi Rancheria
Lalo Franco, Cultural Coordinator
P.O. Box 8
Lemoore, CA 93245
(559) 924-1278 - Ext. 5
(559) 924-3583 - FAX
Tachi
Tache
Yokut

Tubatulabals of Kern Valley
Dr. Donna Begay, Tribal Chairwoman
P.O. Box 226
Lake Isabella, CA 93240
drbegay@aol.com
(760) 379-4590
(760) 379-4592 FAX
Tubatulabal

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

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

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2012051061; CEQA Notice of Completion; Initial Study and Proposed Negative Declaration for the State Route 190 and Road 284 Intersection Improvement Project; located east of the city of Porterville; Tulare County, California.

Response to comments from the Native American Heritage Commission

Thank you for your comments. Native American consultation for this project was done in coordination with the Native American Heritage Commission. Coordination is summarized in Chapter 3, Comments and Coordination, and is documented in the Historical Resources Compliance Report (December 2011).

This environmental document and supporting technical reports, including the Historical Resources Compliance Report, were prepared to meet California Environmental Quality Act requirements and other applicable state laws. This project has federal funding or other federal involvement.

No cultural resources, archaeological or historical, were identified within the project limits; therefore, Caltrans determined there would be no effects to cultural resources. However, due to the cultural sensitivity of the area as established in consultation with local Native American tribes, Caltrans is requiring Native American monitoring during construction.

In the event human remains are discovered, Caltrans and its contractors will comply with Public Resources Code Section 5097.98, California Government Code Section 27491, and Health and Safety Code Section 7050.5.

Comments received from Bradley D. Dunlap, Community Development Director, City of Porterville



Community Development
Department

June 21, 2012

G. William "Trais" Norris III, Branch Chief
Sierra Pacific Environmental Analysis Branch
California Department of Transportation
855 M Street, Suite 200
Fresno, CA 93721

RE: State Route 190/Road 284 Intersection Improvement Project

Mr. Norris,

Thank you for the opportunity to review the draft environmental document for the above referenced project. The subject intersection is within the City of Porterville's Planning Area, and as such, my office has reviewed the document with interest. It is noted that the projected traffic volumes could be accommodated with satisfactory levels of service with either of the two proposed alternatives. However, the 2020 and 2030 levels of service anticipated with Alternative 1 are significantly improved over the minimum level of service requirements.

1

The City of Porterville has used roundabouts in the past in a variety of applications with success, and would support the selection of Alternative 1 due to the superior level of service projections over signalization. Thanks again for the opportunity to review and provide comments on the environmental document.

2

Respectfully,

Bradley D. Dunlap, AICP
Community Development Director

Response to comments from Bradley D. Dunlap, Community Development Director, City of Porterville

1. Thank you for your participation. Caltrans agrees that the level of service for Alternative 1 is anticipated to improve from the minimum level of service requirements. On June 26, 2012, the project development team identified Alternative 1 (roundabout) as the preferred alternative. Caltrans believes Alternative 1 will meet the purpose and need of the project, and that construction and maintenance costs will be less than Alternative 2 (traffic signalization).
2. Caltrans acknowledges your support of the project.

Comments received from Richard Patterson

**State Route 190 and Road 284
Intersection Improvement Project**

TULARE



Comment Card
May 24, 2012

NAME: Richard Patterson

ADDRESS: P.O. Box 632 **CITY:** Artesia **ZIP:** 93258

REPRESENTING: SELF

Please add me to the project mailing list. YES NO

Please e-mail me updates on this project. YES NO

Email Address: _____

Please drop comments in the Comment Box or Mail to:

Caltrans District 6
Sierra Pacific Environmental Analysis Branch
Attention: G. William "Trais" Norris III
855 M Street, Suite 200, Fresno, CA 93721

I would like the following comments filed in the record (please print):

Time Line Problem: 60 page package arrived in the mail
the same day of the meeting! Question: Will any public
input be considered by the state or am I wasting ink?
Brookline states we have two options - No!! we will get
the RAN about! (I could tell when talking to staff) I vote
#3 option - NO BUILD -

Presentation was GRAND! many expensive graphs,
tripods plus staff, 2 Receptionists, 4 vans + CHP.
Maybe 20 people signed in - only 1 property owner
This nonsense affects private property owners and
business only not the state or employees of the state
sent to tell us what's best for us! I realigned
 Hwy 190 to the south where excess right-a-way is
available for free! what a concept! Please Advise

Place your comments into the Comment Box tonight or mail your comments by June 18, 2012. Thank you.



1

2

3

4

Response to comments from Richard Patterson

1. Thank you for your participation. The public has 30 days to provide comments after the draft environmental document is circulated. After the comment period, all comments received from the public and participating agencies are considered by the project development team in the identification process for the preferred alternative. The Caltrans district director then selects the preferred alternative. The goal of the project development team is to determine which alternative will best meet the purpose and need of the project.
2. Your preference for the No-Build Alternative has been taken into consideration. The No-Build Alternative, however, would not meet the purpose and need of the project, which is to improve safety.
3. The public hearing provides an opportunity for the public to present their ideas and concerns regarding the proposed project. Caltrans presents as much information as possible in different formats to explain all alternatives under consideration, and the steps taken during the project development process. Since the roundabout alternative is a new concept, greater effort was made to explain to the public how a roundabout works, how it is built, what type of studies have been done to test safety and functionality, and how a roundabout compares to other alternatives. The assumption is that as more information is presented to the public regarding the pros and cons of each alternative, the better an informed decision can be made.
4. The project alternatives have been thoroughly studied. The existing right-of-way fence location on Road 284 cannot handle Caltrans geometric standards for large truck movements without compromising safety. Also, the realignment of State Route 190 would not improve the right-of-way fence deficiency.

Comments received from Maria Forner

**State Route 190 and Road 284
Intersection Improvement Project**

TULARE



CALIFORNIA
190

Comment Card
May 24, 2012

NAME: MARIA FORNER

ADDRESS: 1901 E. Spragueville CITY: Portwells ZIP: 93257

REPRESENTING: Self

Please add me to the project mailing list. YES NO

Please e-mail me updates on this project. YES NO

Email Address: _____

Please drop comments in the Comment Box or Mail to:

Caltrans District 6
Sierra Pacific Environmental Analysis Branch
Attention: G. William "Trais" Norris III
855 M Street, Suite 200, Fresno, CA 93721

I would like the following comments filed in the record (please print):

I think the roundabout is a great idea -
They are all over Europe and work well -
Everybody slows down &
obviously this saves lives

Thanks
MA

Place your comments into the Comment Box tonight or mail your comments by June 18, 2012. Thank you.



Response to comments from Maria Forner

Thank you for your comment in support of the project and the roundabout alternative. On June 26, 2012, the project development team recommended to the District Director that Alternative 1 (roundabout) be selected as the preferred alternative. Caltrans believes that Alternative 1 (roundabout) will meet the purpose and need of the project, and that construction and maintenance costs will be less than Alternative 2 (traffic signalization).

Comments received from Henry R. Espinoza

**State Route 190 and Road 284
Intersection Improvement Project**

TULARE 

Comment Card
May 24, 2012

NAME:  Henry Espinoza
1909 N. Rose St.
Porterville, CA 93257

ADDRESS: _____ **CITY:** _____ **ZIP:** _____

REPRESENTING: MYSLF

Please add me to the project mailing list. YES NO
Please e-mail me updates on this project. YES NO

Email Address: _____

Please drop comments in the Comment Box or Mail to:
Caltrans District 6
Sierra Pacific Environmental Analysis Branch
Attention: G. William "Trais" Norris III
855 M Street, Suite 200, Fresno, CA 93721

I would like the following comments filed in the record (please print):
SEE ATTACHED COMMENT SHEETS.

Place your comments into the Comment Box tonight or mail your comments by June 18, 2012. Thank you.



6-9-12

Gentlemen, thank you for allowing comment on the proposed state route 190 and road 284 intersection improvement project.

In talking to the state people at the public meeting, I understand that the reason this project is being proposed is that the traffic count is higher at the current intersection than what is considered safe for an intersection of the this type. The following are my comments based on the information or lack there of that was presented at the meeting.

1. It was identified that SAFETY is the reason that this project is needed. If this is the case then why is there an alternative that does not address this issue, the do nothing alternative. 1

2. The rationale of safety needs to be further clarified as it greatly affects that type of alternatives that should be presented. What does safety mean, elimination of all accidents, elimination of those types of accidents that take lives or just a reduction in any of these categories. 2

- 3 .One of the most important factors identifying a need for a project is that the basic information provided needs to be verified. The 11 accidents need to be broken down into categories so that the design can address these issues. 3

4. It appears that the development of the alternatives was lacking in sufficient effort. The signal intersection alternative appears to be one of the most elaborate design of its kind. It appears this was put in so that the higher cost of it would make the round about alternative look reasonable due to lower cost. 4
It also appears that no consideration for cost saving was made on the signal alternative. There are a lot of examples of intersections that provide a high level of safety with lower cost. One being the 4 way stop sign intersection as has been constructed on Hwy 190 at the intersection of road 154. Why wasn't this type of alternative included for evaluation by the public.

5. One of the reasons that the current intersection is experiencing a high level of accidents is the high level of traffic that currently goes to the Table Mountain casino. Currently efforts are underway to obtain approval to move the casino closer to the City Airport Its my understanding that this will be greatly reduced when the casino relocates. This should warrant a closer look at developing alternatives that would focus on a reduced traffic count. 5

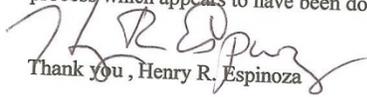
6. All in all I got the impression that the roundabout alternative was the one preferred by the state. If so, why seek public input if the State has already made its mind up as to which alternative should be built. 6

7. My feeling is that not enough effort was put into developing a range of alternatives that would address these issues. Also, the criteria that these alternatives will be judged against for selection need s to be clearly identified.

7

8. This project needs to be reevaluated so that all are clear on what is the purpose of this project is and what the best cost effective alternatives are. This project can benefit immensely from a more structured process in identifying alternatives and the selection of a purposed best alternative. Such a process is Value Analysis that uses Choosing by Advantages. This process is currently being used by Federal and State agencies elsewhere. This process takes individual preference out of the alternative selection process which appears to have been done here.

8


Thank you, Henry R. Espinoza

Response to comments from Henry R. Espinoza

Thank you for your comments.

1. The No-Build Alternative is presented to allow the public and decision-makers to compare effects from approving the project and not approving the project.
2. The intent of this project is to eliminate or reduce the number and severity of accidents. The majority of accidents are defined as broadside collisions. Single-lane roundabouts have been shown to be safer than signalized intersections because the slower speeds and reduced number of conflict points result in fewer and less severe collisions (National Corporative Highway Research Program).
3. Traffic studies are based on the data received from the California Highway Patrol who report the number and type of accidents. For this specific location, data shows a total of 11 accidents reported. These accidents are defined as follows: six broadsides, one head-on, two hit-object, one rear-end, and one overturn.
4. Alternative 2 (traffic signal) costs more than Alternative 1 (roundabout) because Alternative 2 requires a larger construction footprint to handle deceleration and acceleration lanes. The lanes would widen into the intersection to accommodate traffic storage. Due to the nearby Federal Emergency Management Agency flood zone, the State Route 190 profile would be raised. The four-way stop alternative was eliminated early due to the large differences in traffic volumes on State Route 190 and Road 284. The imbalance in traffic volume would likely result in a high violation rates at the stop signs. A four-way stop would not eliminate the possibility of severe right-angle collisions. Plus, additional queuing (traffic lines) and delay would require a future build project for acceptable operations.
5. At this time, Caltrans has not received confirmation of the proposed relocation of the casino; therefore, it was not part of the planning for this project.
6. Caltrans uses a team approach based on the results of technical studies and information gathered from the public to help determine the selection of a preferred alternative. The public has 30 days to provide comments after the draft environmental document is circulated. After the comment period, all

comments received from the public and participating agencies is taken into consideration from the project development team in the identification of the preferred alternative. The Caltrans district director then selects the preferred alternative. The goal of the project development team is to determine which alternative will best meet the purpose and need of the project. According to our studies, the level of service for the intersection appears to be satisfactory for both signalization and roundabout alternatives in 2030. The project development team identified Alternative 1 (roundabout) because it would yield a superior level of service and less delay (queue length) than Alternative 2 (traffic signals). Although both alternatives were studied equally, Caltrans staff presented the roundabout alternative with more explanation because it is considered a newer design concept that might not be familiar to the majority of the general public.

7. The following are just a few examples of the various factors that are considered in the selection of a preferred alternative: projected safety, cost, scope, maintenance, and potential environmental impacts from the project. The best cost effective alternative that has been identified is Alternative 1 (the roundabout) because it is less expensive to build and maintain throughout the years. Caltrans has identified Alternative 1 (roundabout) as the preferred alternative because it meets the purpose and need of the project and it has the greatest project benefits in regards to safety. Single-lane roundabouts have been shown to be safer than signalized intersections because the slower speeds and reduced number of conflict points result in fewer and less severe collisions. (National Corporate Highway Research Program).
8. The purpose of this project is to improve safety at the State Route 190 and Road 284 intersection while maintaining traffic operations. The most cost effective alternative is the roundabout because it is less expensive to build and maintain. According to the National Highways Systems Act of 1995, a value analysis is usually done for all federal aid projects projected to cost \$25 million or more. The public has 30 days to provide written comments after the draft environmental document is circulated. After the comment period, all comments received from the public and participating agencies is taken into consideration by the project development team in the identifying the preferred alternative. The Caltrans District Director then selects the preferred alternative.

Comments received from Patricia Drake

**State Route 190 and Road 284
Intersection Improvement Project**

TULARE



Comment Card
May 24, 2012

NAME: PATRICIA DRAKE

ADDRESS: 34784 BEEART **CITY:** SPRINGVILLE **ZIP:** 93265

REPRESENTING: SELF

Please add me to the project mailing list. YES NO

Please e-mail me updates on this project. YES NO

Email Address: _____

Please drop comments in the Comment Box or Mail to:

Caltrans District 6
Sierra Pacific Environmental Analysis Branch
Attention: G. William "Trais" Norris III
855 M Street, Suite 200, Fresno, CA 93721

I would like the following comments filed in the record (please print):

I attended the May 24th DED public hearing.
As far as I'm concerned, this was not
a hearing for all options related
to the intersection in question.
"IT WAS A SALE PITCH FOR A
ROUNDBOUT"

I am opposed to such a roundabout
at the intersection of 190 and Rd 284.
In spite of what the sales team said,
I feel it would be unsafe for traffic
both ways on 190 plus the many trucks
that enter the intersection from both
directions and people coming from the
direction of the main rd. I note "NO". I note
for stop lights

Place your comments into the Comment Box tonight or mail your comments by June 18, 2012. Thank you.



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Response to comments from Patricia Drake

1. Thank you for your comments. The purpose of the public hearing is to provide an opportunity for the public to present their ideas and concerns regarding the proposed project. Caltrans presents as much information as possible in different formats to help explain all alternatives under consideration and the steps taken during the project development process. Since the roundabout alternative is a new concept, greater effort was made to explain to the public how it works, how it is built, what type of studies have been done to test safety and functionality, and how it compares to other alternatives. The assumption is the more information presented to the public regarding the pros and cons of each alternative, the better an informed decision can be made.
2. Single-lane roundabouts have been shown to be safer than signalized intersections because the slower speeds and reduced number of conflict points result in fewer and less severe collisions.
3. Alternative 1 (roundabout) has been designed to handle commercial size trucks. The following website demonstrates truck and traffic movements in a roundabout:
http://www.dot.ca.gov/dist1/roundabouts/roundabout_small.mov.
4. Your preference for Alternative 2 (traffic signals) has been taken into consideration.

Comments received from Jim L.

jim <bgftjim@ocsnet.net>



jim <bgftjim@ocsnet.net>
05/26/2012 10:34 AM

To: sheriS <SSmith6262@aol.com>
cc: <trais_norris@dot.ca.gov>
Subject: Re: State Route 190 & Rd 284 Intersection Improvement Project

Hi Sheri,

Thank you for the report from your attending the public meeting, [as seen below]. From what you say, it seems may have been a public "hearing" rather than a meeting, to be more apropos? In that the public was to merely sit there like sheep and "hear" what Caltrans had to orate to them?

If so, was this yet another case of the public servants forgetting who signs their paychecks? Tiring, isn't it.

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My first question simply is... WHAT?!? \$2.1-mil for a traffic light?!?! Yeah, red flag that little eye-opener.

Having taken a quick look around the internet a bit, have yet to find a traffic signal install that costs over \$400,000 , with usually going between \$175,000 & \$250,000!!! A few examples...

- > <http://www.ci.pleasanton.ca.us/pdf/traffic/traffic-signals.pdf> <
- > http://www.cityofpalmdale.org/departments/traffic/pamp_6.html <
- > <http://www.anaheim.net/article.asp?id=554> <
- > http://www.sanjooseca.gov/transportation/traffic_signals.asp <

As may note, these above are all various *government* websites. So, seems perhaps Caltrans offers a better quality traffic signal, one can laughingly suppose, to justify cost of so much more? Hope so! But not likely. Or, are we tax payers are getting swindled somehow? Hope not! But we see such shenanigans daily.

Frankly, after that case of wallet-shock, even my hardened, blackened heart didn't have enough giddy-up to go look around into this "round-about" thing alternative. At least for the moment. But, live long enough and most of us get used to be given the run-around, so why not toss around a big-buck price tag on a little round-about idear also? Way I see it, this is how a smart sales-person operates-- present something known to be too costly, yet also toss in an item less so, and bingo... sold!

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Further more, and *most* importantly, from reading comments from one of our local CHP, one Officer Buck, stating in this article, > <http://www.recorderonline.com/articles/highway-52659-road-roundabout.html> <, that the intersection in question is *not* such a hot spot for accidents to begin with at all! Yet, Caltrans says different? What's up with that discrepancy?

Reminds of when President JFK sent both his Secretary of State and his Chief of Staff of the Armed Forces over to Viet Nam for an evaluation. After they came back and he read their reports, he then asked, "Did you two even go to the same *country* ?", as how different their reports were-- day and night different. Sounds like what we have going on here.

Hm, therefore when "officials" cannot agree, what are we supposed to think? (And "we" meaning the public, meaning their Bosses!). Very easy what to think in our case:

One official is giving her personal on-the-road, day-to-day experience of reality in the Porterville area. Simple.

And the other, located some 80/90-miles away, imagine in a cozy air conditioned office building with a desk full of at graphs, charts, and maps, is looking to spending tax monies. And lots of it.

Without doubt, I know whose word I believe as closest to fact!

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So, as one Boss for government employees everywhere, I say how about we just leave this thing alone entirely? And let Caltrans go find another *more* worthy spot which to spend our hard earned dollars. Such as flood inclined underpasses, or the untold number of potholes pockmarking our State highway system.

It is sad, yes, that accidents do happen. But what is beyond sad, edging toward despicable, is when tax dollar paid bureaucrats, (or sales-people?... take your pick), pop up like ambulance chasers with inflated multi-zillion dollar "projects" to hold a hearing at a time, as now, when a small community's emotions are still wrought with grieving from such a tragic accident as happened in April at this intersection. To this can only say, I wish they would just go away.

4

So, now time to wait and see if this little letter generates an official response, or not, from District 6 of our behemoth highway road department? Nothing personal here, mind, as calling it as sees it with the pocket-book doing my talking, mixed in with some common sense.

Also, may add, am writing from experience of 36+ years as a public servant myself, in seeing first hand how departmental regimes operate often as not to necessarily benefit those whom to be served. Common knowledge this is, else the word "whistleblower" would not be in the dictionary.

5

Oh, Sheri, by the way, (and in closing-- aren't cha' happy 😊), right up the road about 1/2 a mile from this no-brainer intersection in question, what do you think of the brand-spanking new paving job on the road off Hwy-190 leading down to Success Dam Park Headquarters? Yes, a dead-end road leading *only* to some dinky, out of the way "Park Headquarters" that nary a soul visits, while our county roads horribly suffer!

And yes again, the very same road that is located below this very same dam that has supposed to have been demolished or re-enforced, (the "pros" haven't decided as yet what to do), for the last

Appendix E • Response to Comments

ten years or so. This, thanks to the Army Corp of Engineers safety minded insight into this not so earthquake prone area.

But they just can't seem to pull it together, can they, to get the job done, what without another *very* expensive "study" and/or "survey" every couple/few of years. And in so doing so, have supposedly worn out that road going back and forth on it, so much so that it needed re-tarmacking. At least someone so thought? Hah, yet another high-\$\$\$ joke on us, their Bosses!

Do not the Corps of Engineers have enough to rectify with their own dam mistakes in New Orleans, or along the Mississippi River, or someplace else where some *major* dam dammings have failed? Wish they'd just go away, also.

And with that, I'll end with... though quite admittedly not the delivery of (so, sue me! ☹), yet my intention here is meant to ring home with impact an honorable message of how many of us are *fed up* with so much of self-justifying government's wasteful expenditures.

As this "improvement project" surely is, *both* the traffic signal and round-about "options". Bah!

Jim L. @ bgftjim@ocsnet.net

----- Original Message -----

From: SSmith6262@aol.com

To: sueneutz@aol.com ; pdrake@ocsnet.net ; bcgraves@ocsnet.net ; lilflower@ocsnet.net ; anbgrid@hotmail.com ; Lnnws@cs.com ; preall@att.net ; pwrede@ocsnet.net ; jhenkel12@sbcglobal.net ; mlucas@ocsnet.net ; petehauk@yahoo.com ; whiteshoulderskk@yahoo.com ; bbainp@aol.com ; jacollier@earthlink.net ; joecrosby@ocsnet.net ; jfrost1946@yahoo.com ; drnorma@hughes.net ; Jenkinsan2@aol.com ; marilyn@knesel.com ; loscotoff@hotmail.com ; bgftjim@ocsnet.net ; mcclary@ocsnet.net ; mmeredith@ocsnet.net ; rickmitchell@ocsnet.net ; Norton@springvillewireless.com ; pengilly@springvillewireless.com ; pjtitt@springvillewireless.com ; scward@springvillewireless.com ; sandy.whaling@yahoo.com

Sent: Thursday, May 24, 2012 8:42 PM

Subject: State Route 190 & Rd 284 Intersection Improvement Project

I went to a public hearing or information meeting in Porterville tonight regarding the project. It was not what I thought it would be. I thought it was going to be a public forum to hear a presentation of the 190 & 284 project and a place to ask questions. In fact it was held by Caltrans to sell the roundabout solution.

The estimated cost of the roundabout is \$1,695,000 while the cost of a signal light is \$2,130,000. The yearly maintenance for the roundabout is lower and statistics seem to show that there are fewer accidents with a roundabout. The roundabout will slow traffic to around 16 miles an hour allowing for the merging of new traffic into the intersection.

Time Line: Public Hearing - May 2012 Approve Final Environmental Document - Summer 2012
Design, Permitting and begin construction - Summer 2013

The public comment period ends on June 18th. If you do not want a roundabout at the intersection then you need to write or email your comments to Caltrans.

Caltrans District 6
Sierra Pacific Environmental Analysis Branch
Attn: G. William "Trais" Norris III
855 M Street, Suite 200
Fresno, CA 93721

or email to: trais_norris@dot.ca.gov

Response to comments from Jim L.

1. Thank you for your comments. Installing traffic signals at this specific intersection costs more than building the roundabout alternative because this specific location requires greater ground disturbance to handle utilities needed for signals (trenching for electrical utilities). Traffic signals require a larger construction footprint for deceleration and acceleration lanes that widen into the intersection to hold traffic waiting in line, would require greater right of way acquisition than Alternative 1 (roundabout). Due to a nearby Federal Emergency Management Agency flood zone, the State Route 190 profile would also be raised.
2. The decision to address this specific intersection was based on information received from the California Highway Patrol demonstrating that the average accident rate is higher than the state average. The information, based on the accident history within the project limits for the most recent three-year period (July 1, 2007 to June 30, 2010), reports that the actual total accident rates are higher than the statewide total accident rates for similar roadways with comparable traffic volumes.
3. Without this project, severe accidents will continue to happen at this location. Level of service F for the No-Build Alternative is expected by 2020.
4. The public has 30 days to provide comments after the draft environmental document is circulated. After the comment period, all comments received from the public and participating agencies is taken into consideration by the project development team in the identifying the preferred alternative. The Caltrans district director then selects the preferred alternative.
5. Comment noted.

Comments received from Donna Bell

Donna Ball <nonaball4ever@yahoo.com>



Donna Ball
<nonaball4ever@yahoo.com>

To "trais_norris@dot.ca.gov" <trais_norris@dot.ca.gov>
cc

05/29/2012 11:47 AM

Please respond to
Donna Ball
<nonaball4ever@yahoo.com>

Subject Porterville Roundabout

Please don't waste more of our state dollars on a roundabout here in Porterville!! It may only be \$435,000 difference in putting in a traffic light, but that's alot of money for our little tiny traffic jams of 7 -8 cars!!! That could feed alot of poor children in this town!! We just aren't that needy for such a waste of MY TAX \$\$\$\$\$.

Response to comments from Donna Bell

Thank you for your comment. Your support for the No-Build Alternative is noted.

Comments received from Montie Montana, Jr.

Montie <wildwest@ocsnet.net>



Montie
<wildwest@ocsnet.net>
05/25/2012 11:24 AM

To <trais_norris@dot.ca.gov>
cc <relkins@portervillerecorder.com>
Subject Roundabout?

Caltrans District 6

Sierra Pacific Environmental Analysis Branch

Attn: G. William "Trais" Norris III

- 1 Your plan to either put in a traffic signal light system or a roundabout at the intersection of Hiway 190 and Road 284, I believe, leaves out at least one other major possibility. That is, do nothing. That intersection works fine, and has for the last few decades, I assume you're considering this change at the request of Eagle Mountain Casino and/or the aggregate operation, as they the only entities that would directly benefit from such a change. If they want a better way to get to the Casino or the gravel, why not have them fund a Cloverleaf and underpass that would allow easy access to the road to the Casino and the gravel, and easy access to get back on Hiway 190, would not slow down Hiway 190, and have the lowest maintenance costs of all the possibilities other than doing nothing. Your approximate 2 million dollars could be used for road repair and other necessary uses, rather than "nice to have" frills to the road system. I look forward to hearing from you. Thanks.
- 2

Montie Montana Jr.
PO Box 1060
Springville, CA 93265
559-539-3500

Response to comments from Montie Montana Jr.

1. Thank you for your comments. Although the no-build alternative was also taken into consideration, it does not meet the purpose and need of the project.
2. The decision to address this specific intersection was based on the accident history within the project limits for the most recent three-year period (July 1, 2007 to June 30, 2010). The traffic analysis report states that the actual total accident rates are higher than the statewide total accident rates for similar roadways with comparable traffic volumes.

Comments received from Darlene Byars



"wdbyars@ocsnet.net"
<wdbyars@ocsnet.net>
05/28/2012 02:32 PM

To <victor_shaw@dot.ca.gov>
cc
Subject roundabout

Dear sir, I have lived in Springville and driven to work in Porterville from 1972 to 2000. I'm concerned about putting a roundabout on 190. I think they work great in towns where the speed limit is 35 mph but I think it would be dangerous on 190 where people are driving 65. My husband was related to one of the boys killed in May but I think there would be more accidents and more deaths with a roundabout. Getting used to a stop light would take time but with a warning light like the one located on 190 and Plano I think it would work. It would probably cost more but one life saved would be worth it. Thank you for your time. Darlene Byars

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Response to comments from Darlene Byers

1. Thank you for your comments. A roundabout is designed to allow safe vehicle deceleration before entering the roundabout. The intent of this project is to eliminate or reduce the number and severity of potential accidents. Roundabouts have been successfully used on high-speed highways in other states and in California.
2. Advance warning signs that give drivers notice of the roundabout ahead are a part of this project.

Comments received from Robert Paskwietz

Robert Paskwietz <chp13334@yahoo.com>



Robert Paskwietz
<chp13334@yahoo.com>
05/25/2012 05:07 PM

To "trais_norris@dot.ca.gov" <trais_norris@dot.ca.gov>
cc
Subject Round about ST-190 at Road 284

I support the round about for the proposed intersection. They work very well in Europe, I have driven and used them numerous times. Roundabouts do work and once the public gets use to them they will embrace them.

Sincerely,
Robert E Paskwietz

Sent from my iPhone

Response to comment from Robert Paskwietz

Thank you for your comments and support for the project and the roundabout alternative. On June 26, 2012, Caltrans selected Alternative 1 (roundabout) as the preferred alternative.

Comments received from Kenneth and Anne Boydstern

Cultreus Environmental Planning
 855 M ST., SUITE 200
 FRESNO CA 93271
 ATTN: G. WILLIAM "TRAIS" MORRIS III

CONCERNS re: hwy 190 roundabout @ rd. 284

TO WHOM IT MAY CONCERN:

HAVING traveled hwy 190 daily, both myself & my wife as a commute to Porterville to work, there have never been any concerns regarding that intersection other than the occasional right of way dispute. The Biggest issue at that intersection are the Trucks coming out of the cement plant pulling out onto the hwy with out waiting for traffic! That issue has been addressed to the chp many times, still a big issue to this day. I felt that the quakerette Company should address that Problem. All that a roundabout or lights would accomplish would be to cause a huge back up at peak commute times (am to work & pm home) for those that use 190 on a daily basis. Some lanes to enter & exit 190 would solve a lot of Problems. There are no sight Problems at that intersection and neither a roundabout nor stop light will prevent an impaired driver from entering that intersection such a happened recently. THAT IS NOT a common event at that spot

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Thanks for your concern's
 Kenneth & Anne Boydstern

Response to comments from Kenneth and Anne Boydestern

1. Thank you for your comments. The decision to address this specific intersection was based on the accident history within the project limits for the most recent three-year period (July 1, 2007 to June 30, 2010). The actual total accident rate is higher than the statewide total accident rate for similar roadways with comparable traffic volumes.
2. Truck traffic has been evaluated for this project, including Alternative 1 (roundabout).
3. Your concern regarding delay time during peak commute hours has been taken into consideration. Traffic studies show a roundabout would not cause excessive delays. The roundabout design is anticipated to improve the flow of traffic, whereas a signal would not be as efficient because of the potential for more conflict points and longer delays.
4. The purpose of this project is to improve safety at the State Route 190 and Road 284 intersection while maintaining traffic operations. A roundabout design allows vehicles to safely decelerate before entering the roundabout. It has been shown that single-lane roundabouts are safer than signalized intersections. Slower speeds and a reduced number of conflict points result in fewer and less severe collisions such as head on or broad-side accidents.

Comments received from Robert M. Scharf

CALTRANS

7/24/12

PO Box 12616

Fresno, CA 93778-2616

I am writing to comment on a proposal to build a 'roundabout' on Hwy 190 at Ave 284 between Porterville and Springville.

I have been driving this road since 1978 - on a daily basis until 1988; then 2-3 times a week after my retirement. I have seen the traffic load increase over the years and the maintenance efforts.

Since the Eagle Mtn. casino started up and the truck traffic from the gravel pit increased, a person has to be more alert. In all those years, I have been involved in only one near-miss - when a DUI slammed into a car ahead of me at that intersection at night.

Something needs to be done at that intersection to slow people down to give them more time to react to their fellow drivers vagaries. A 'roundabout, to me, is not a satisfactory solution. It would take up too much room and cause problems for the large trucks making the turn at Ave 284. The small market at the corner would be taken out entirely. The intersection has already been 'jammed' up by the casino parking lot. Large trucks coming, from the west, have to get between eastbound traffic (usually starting from a standstill). These large

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trucks, some loaded, and enroute to the east, have a tough time getting into the flow of traffic.

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Also, depending on the structure, actually built, creates a circular plot of ground that will cause a hassle every time maintenance is done on it. Signing and increased traffic flowing around the circle will cause reduced visibility for drivers.

3

Better to install a traffic light with adequate lanes to handle traffic. We are used to traffic lights and the hassle they create, but at least we will be going slower through the problem area.

Sincerely,



Robert M. Scharf

Springville

Response to Comments from Robert M. Scharf

1. Thank you for your comments. Alternative 1 has been designed to handle large trucks within the roundabout. The following is a website address that demonstrates truck and traffic movements in a roundabout:
http://www.dot.ca.gov/dist1/roundabouts/roundabout_small.mov.

Although a small amount of right-of-way would be required from the mini-market's parking lot, the market itself would not be removed.
2. Maintenance and landscaping on the roundabout interior circle is anticipated to be minimal, thus not causing reduced visibility for drivers. Traffic warning signs will be installed along State Route 190 and Road 284 to gradually slow traffic from about 50 miles per hour to 15 miles per hour in the roundabout.
3. Your preference for Alternative 2 (traffic signals) has been taken into consideration. The best cost effective alternative that has been identified is Alternative 1 (the roundabout) because it is less expensive to build and maintain throughout the years. Caltrans has identified Alternative 1 (roundabout) as the preferred alternative because it meets the purpose and need of the project and it has the greatest project benefits in regards to safety. Single-lane roundabouts have been shown to be safer than signalized intersections because the slower speeds and reduced number of conflict points result in fewer and less severe collisions. (National Corporate Highway Research Program).

Public Hearing Transcript

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PUBLIC HEARING REGARDING
STATE ROUTE 190 AND ROAD 284 INTERSECTION
IMPROVEMENT PLAN

-oOo-

CERTIFIED COPY

-oOo-

HERITAGE COMMUNITY CENTER
256 EAST ORANGE AVENUE
PORTERVILLE, CALIFORNIA 93257

5:30 P.M. - 7:30 P.M.

-oOo-

Atkinson-Baker
500 North Brand Boulevard, Third Floor
Glendale, California 91203
(800) 288-3376
www.depo.com
File No.: A605013

REPORTED BY: MELINDA MARTIN, C.S.R. #9240

1 PAT REED: I live in Springville and my
2 name is Pat Reed and I'm extremely concerned about
3 emergency vehicles getting through there if there
4 is an accident there. They can get there but we
5 live in Springville and oftentimes we have to call
6 ambulances and they have to come -- oh, there's a
7 new place there that's above the round-about where
8 it will be. I forgot about that.

1

9 But if they are coming from Porterville or
10 going back to Porterville they have to slow down
11 to 16 miles an hour and that may mean the
12 difference of time, or if there's a couple trucks,
13 there's a lot of trucks that come through there
14 and that is another concern.

2

15 I would rather sit and wait, although
16 inconvenient, I would rather sit and wait and know
17 what's happening than to go through and wonder
18 where all these cars are going and how am I going
19 to fit into that.

3

20 That's what I have to say. And I don't
21 want it crammed down my throat. I would like to
22 have a vote on it because I have a feeling it
23 might be, we don't have anything to say about it.
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1 SHERI SMITH: And I'm Sheri Smith from
2 Springville and I also am not in favor of the
3 round-about. I would rather have a stop light,
4 mainly for people who are not used to traveling on
5 190. They will be going along at 55, 60 miles an
6 hour and then all of a sudden they have this
7 round-about that they have to contend with that
8 they are not familiar with. I think that's
9 dangerous. People know about stop lights and how
10 to deal with that. People don't know how to deal
11 with round-about because we don't have very many
12 here in California.

13 Also I don't like the idea that this is
14 the public hearing kind of comment period yet in
15 looking at everything, all of the presentations,
16 obviously Cal-Trans is in favor of a round-about
17 and is pushing a round-about, so it doesn't seem
18 like it's really a comment period. It's more of a
19 selling period.

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1 CLAUDIA MADRIGAL: My name is Claudia
2 Madrigal, I live at 424 El Rancho Avenue and
3 that's Porterville, California 93257. My concern
4 is our pedestrians in our big intersections,
5 whether it be the intersection of 190 and 284 and
6 the intersection of J and 190 here in Porterville.

1

7 In my opinion when any expansions of our
8 roads are in effect we should consider the safety
9 of pedestrians that cross those roads on a daily
10 basis.

11 I've lost my son at the intersection of
12 188 and J Street because there was nowhere for him
13 to stand when the light turned green on him. I
14 don't want any other parents going through the
15 same pain that I've gone through now for four
16 years.

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17 And I feel that the roundabouts to me are
18 not helpful. To me I think that lights at the
19 intersection of 284 and 190 are best because like
20 that the driver is supposed to make a full stop
21 and not -- and hopefully have a more visual image
22 of any pedestrian that is crossing that
23 intersection. For this intersection that's it
24 because my main concern is J and 190.

3

25 That's it, thank you.

Response to comments from Pat Reed

1. Thank you for your comments. A roundabout would improve traffic flow, by reducing the number of potential conflict points, allowing emergency vehicles to pass through safely.
2. To allow for a safe passage, the design will force drivers to slow down before entering the roundabout. However, the construction of an intersection would cause a greater delay due to average queue times. The roundabout has been designed to accommodate truck traffic.
3. Anticipated delay times would be minimal. The project development team identified Alternative 1 as the preferred alternative because the roundabout would yield a superior level of service and less delay and queue length (traffic lines) than a signalized alternative. Traffic warning signs will be installed along State Route 190 and Road 284 to gradually slow traffic from about 50 miles per hour to 15 miles per hour as vehicles enter the roundabout. Signs will also be installed to direct traffic through the roundabout.
4. The public has 30 days to provide comments after the draft environmental document is released. After the comment period, all comments received from the public and participating agencies are considered by the project development team during the identification process for the preferred alternative. The Caltrans district director then selects the preferred alternative.

Response to comments from Sheri Smith

1. Thank you for your participation. Your comment in favor of a stop light has been taken into consideration.
2. Warning signs would be installed on State Route 190 to alert motorists of the roundabout ahead, allowing them time to slow down before entering the roundabout and pass safely through.
3. The Caltrans Public Information Office will announce the roundabout opening to the public. Traffic warning signs will be installed along State Route 190 and Road 284 to gradually slow traffic from about 50 miles per hour to 15 miles per hour before entering the roundabout. The following website demonstrates truck and traffic movements in a roundabout:
http://www.dot.ca.gov/dist1/roundabouts/roundabout_small.mov.
4. Although both alternatives were studied equally, Caltrans staff presented Alternative 1 with more explanation because a roundabout is considered a design concept that might not be familiar to the majority of the general public.

The public has 30 days to provide comments after the draft environmental document is released. After the comment period, all comments received from the public and participating agencies are considered by the project development team in the identification process for the preferred alternative. The Caltrans District Director then selects the preferred alternative.

Response to comments from Claudia Madrigal

1. Thank you for your comments. The slower speeds at a roundabout would enhance pedestrian safety as compared to a signalized intersection. At a roundabout, motorists need to slow down to enter the roundabout, unlike at a signalized intersection in which motorists may run red lights at high speed. This project would add curb ramps, sidewalks, and a bicycle path to comply with the Americans with Disabilities Act.
2. We are extremely sorry for the loss of your son. There is a separate project to enhance pedestrian safety at the State Route 190 and Jaye Street intersection. As mentioned above, this project would add sidewalks for pedestrians.
3. Your preference for Alternative 2 (traffic signals) has been taken into consideration. Please rest assured that decisions are based on professional engineering standards to serve public safety. The purpose of this project is to improve safety at the State Route 190 and Road 284 intersection while maintaining traffic operations. Also, because it is less expensive to build and maintain, the most cost effective alternative is the roundabout.

List of Technical Studies that are Bound Separately

- Air Quality Report
- Water Quality
- Noise Impact
- Visual Recommendation
- Cultural Resources Compliance
- Paleontological Identification Report
- Biological Compliance
- Hazardous Waste Compliance
- Hydraulics Recommendation
- Floodplain Evaluation