

STANISLAUS COUNCIL OF GOVERNMENTS
RESOLUTION 10 – 04

RESOLUTION CERTIFYING FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING MITIGATION MEASURES AND A MITIGATION MONITORING AND REPORTING PROGRAM, AND ADOPTING CEQA FINDINGS FOR THE StanCOG 2011 REGIONAL TRANSPORTATION PLAN; and

ADOPTING THE FINAL 2011 REGIONAL TRANSPORTATION PLAN (RTP), FINAL 2011 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) AND CORRESPONDING FINAL AIR QUALITY CONFORMITY (AQC) ANALYSIS

WHEREAS, as the Metropolitan Planning Organization (MPO) and Regional Transportation Plan Agency (RTPA) for Stanislaus County, StanCOG is required under the federal transportation reauthorization legislation, Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy of Users (SAFETEA-LU) to update the Regional Transportation Plan (RTP) every four years, the FEIR and the AQC concurrently, the FTIP every two years; and,

WHEREAS, the RTP is the region's blueprint for future transportation improvements and investments based on specific transportation goals, objectives, policies and strategies defined by the community and its elected officials. The RTP identifies all major transportation projects to be undertaken within the region during the life of the plan, typically 25 years. The RTP provides the vision for how the County's regional transportation system will look and operate in the future; and,

WHEREAS, StanCOG is the Lead Agency in preparing the StanCOG 2011 Regional Transportation Plan and is required to comply with the California Environmental Quality Act ("CEQA") [Cal. Pub. Res. Code § 21000 et seq.]; and,

WHEREAS, StanCOG has determined that a Program EIR is appropriate to assess the environmental impact of the StanCOG 2011 Regional Transportation Plan; and,

WHEREAS, the EIR analyzes environmental impacts of the StanCOG 2011 Regional Transportation Plan on a broad planning level, while presenting as much detailed information about the individual RTP projects that is available at this time; and,

WHEREAS, pursuant to CEQA Guidelines Section 15086, StanCOG consulted with and requested comments on the Draft EIR from responsible agencies, trustee agencies with resources affected by the project; and other state, federal, and local agencies which exercise authority over resources which may be affected by the StanCOG 2011 Regional Transportation Plan; and,

WHEREAS, StanCOG circulated a Notice of Preparation (NOP) of an EIR for the proposed project and an Initial Study on January 7, 2010 to trustee and responsible agencies, the State Clearinghouse (SCH# 20100121008), and the public; and,

WHEREAS, concerns raised in response to the NOP were considered during preparation of the Draft EIR; and,

WHEREAS, StanCOG published a public Notice of Availability (NOA) for the Draft EIR on April 20, 2010, inviting comments from the general public, agencies, organizations, and other interested parties; and,

WHEREAS, a public meeting was held on May 19, 2010 to solicit concerns and issues relative to the StanCOG 2011 Regional Transportation Plan and Draft EIR; and,

WHEREAS, the Draft EIR was available for public review from April 20, 2010 through June 14, 2010; and,

WHEREAS, pursuant to CEQA Guidelines Section 15088(a), StanCOG, as the Lead Agency, must evaluate comments on significant environmental issues received from persons who review the Draft EIR and must prepare a written response thereto; and,

WHEREAS, in accordance with CEQA Guidelines Section 15088, the Final EIR responds to the written comments received; and,

WHEREAS, the Final EIR document and the Draft EIR, as amended by the Final EIR, constitute the Final EIR; and,

WHEREAS, when making the findings pursuant to CEQA Guidelines Section 15091(a)(1), the agency must also adopt a program for reporting on or monitoring the changes which have been either required in the project or made a condition of approval to avoid or substantially lessen significant effects, and which are fully enforceable through permit conditions, agreements, or other measures, as required by CEQA Guidelines Section 15091(d); and,

WHEREAS, consistent with the requirements of the CEQA Guidelines, a Mitigation Monitoring and Reporting Program (MMRP) has been prepared to outline the procedures for implementing all mitigation measures identified in the EIR; and,

WHEREAS, according to CEQA Guidelines Section 15093(b), where the decision of the public agency allows the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency must issue a Statement of Overriding Considerations setting forth the specific reasons to support its actions based on the Final EIR or other information in the record; and,

WHEREAS, StanCOG has prepared the required CEQA Findings (attached); and,

WHEREAS, CEQA Guidelines Section 15093(c) provides that if an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination; and,

WHEREAS, the Program FEIR has been completed in compliance with CEQA. The Program FEIR was presented to the Stanislaus Council of Governments Policy Board, and the Board has independently reviewed and considered the information contained in the Program FEIR. The Program FEIR reflects the Board's independent judgment and analysis. StanCOG hereby adopts the required CEQA findings contained herein, and attached hereto, and are hereby incorporated herein. Exhibit "A" contains the CEQA Findings with respect to Project impacts, and Exhibit "B" contains the Findings of Fact and Statement of Overriding Consideration and is attached and incorporated herein; and,

WHEREAS, the FTIP is a near term listing of capital improvement and operational expenditures utilizing federal and state monies for transportation projects in Stanislaus County during the first four years of the RTP, and the AQC contains documentation to support a finding that the 2011 RTP and 2011 FTIP meet the air quality conformity requirements for carbon monoxide, ozone and particulate matter emissions; and,

NOW, THEREFORE BE IT RESOLVED that:

1. The Stanislaus Council of Governments finds as follows:

(a) that the Final Environmental Impact Report (EIR) prepared for the 2011 Regional Transportation Plan, was completed in compliance with the California Environmental Quality Act; and

(b) that the Final EIR was presented to StanCOG's decision making body, the StanCOG Board; and

(c) the StanCOG Board has independently reviewed and considered information contained in the Final EIR; and

(d) that the Final EIR reflects StanCOG's independent judgment and analysis; and

(e) that the Final EIR consists of the Draft EIR and the Final EIR, which includes a Mitigation Monitoring and Reporting Program; and

BE IT FURTHER RESOLVED, that the Stanislaus Council of Governments hereby adopts the CEQA Findings as attached and incorporated herein; and,

BE IT FURTHER RESOLVED, The Stanislaus Council of Governments, based on and incorporating all of the foregoing recitals and findings supported by substantial evidence in the record and set forth in the "Findings and Statement of Overriding Considerations," attached hereto and incorporated by reference, StanCOG hereby certifies the Final EIR for the StanCOG 2011 Regional Transportation Plan and adopts the Mitigation Monitoring and Reporting Program and directs StanCOG to file the Notice of Determination; and,

BE IT FURTHER RESOLVED, that Stanislaus Council of Governments has certified the FEIR and the Stanislaus Council of Governments Policy Board hereby adopts the 2011 Regional Transportation Plan, Federal Transportation Improvement Program and corresponding Air Quality Conformity Analysis.

The foregoing Resolution was introduced at a regular meeting of the Stanislaus Council of Governments, on the 21st day of July, 2010. A motion was made and seconded to adopt the foregoing Resolution. Motion carried and the Resolution was adopted.

MEETING DATE: July 21, 2010



JIM RIDENOUR, CHAIR

ATTEST:



VINCENT J. HARRIS, EXECUTIVE DIRECTOR

EXHIBIT "A"

STANCOG 2011 RTP EIR IMPACT FINDINGS TABLE 1

**TABLE 1
STANCOG 2011 RTP EIR FINDINGS**

Environmental Impact	Mitigation Measures	Finding
<p>Energy and Climate Change Impact 4.1.5: The RTP will generate GHG emissions that would have a significant cumulative impact on the environment. (Potentially Significant)</p>	<p>Measure 4.1.5: StanCOG shall develop actions and policies to reduce regional GHG emissions from the transportation sector. These actions and policies will support the development of a Sustainable Communities Strategy (SCS) and are intended to meet the regional GHG reductions targets established consistent with SB 375. Specific actions and policies include the following:</p> <ul style="list-style-type: none"> • Capitalize on the Regional Blueprint planning process to develop land use policies that encourage mixing of uses, higher densities, and more accessibility to transit. • Upgrade the available transportation modeling tools to ensure that they adequately capture the effects of smart growth policies and new land use patterns on travel behavior. • Consider providing regional planning grants to assist local agencies in developing and implementing smart growth land use and transportation plans. • Prepare a set of principles for site design and street design that would support sustainable development patterns and that could be transferable between local jurisdictions. • Engage local, regional and State stakeholders and decision-makers in the SCS development process. 	<p>Mitigation measures have been adopted to reduce this impact. The lead agency cannot ensure that these measures will reduce the impact to a less than significant level, due to economic, legal, social, and technological constraints. No feasible mitigation measures or alternatives have been identified that would substantially reduce this impact.</p>
<p>Land Use Impact 4.2.1: Implementation of projects identified under the RTP could result in the physical division of an established community. (Potentially Significant)</p>	<p>Measure 4.2.1: Implement Project Design and Avoidance Measures to Minimize Community Impacts. Project proponents shall conduct site-specific review of project design improvements to determine effects on established communities and design project improvements to avoid or minimize physical division of an existing community. For projects that could result in the potential division of a community, the project proponent shall avoid the physical division of communities by a project where feasible. Measures to avoid the division would include realignment of the roadway or interchange improvements to avoid the affected area of residential communities or cohesive neighborhoods. Where complete avoidance of an area is determined infeasible, measures to reduce the impact would include alignment shifts to minimize the area affected; reduction of the proposed right-of-way take to minimize the overall area of impact; provisions for bicycle, pedestrian, and vehicle access across improved roadways; and/or reduction of the visual impact of the improved roadway using landscaping, paving materials, or road design. Measure 4.2.2: Ensure Consistency with Local Planning Documents. Project proponents shall implement recommendations of city and County planning staff per Mitigation Measure 4.2.1. Such consultation shall include determination of consistency with the General Plan, per Government Code Section 65401. For projects found to be inconsistent with locally adopted land use plans, the project proponent shall incorporate necessary design features to ensure compatibility with local land use plans. These measures may include but are not limited to:</p>	<p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>

<p>• Highway alignments;</p> <p>• Location and size of interchanges;</p> <p>• Incorporation of buffer features such as setbacks, landscaping, and soundwalls; and</p> <p>• Provision for local circulation, including bicycles and pedestrians.</p>	<p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>
<p>Impact 4.2.2: Implementation of the RTP could result in the potential for conflicts between relevant land use plans and new and expanded facilities, including: new roadways, roadway widenings, and new interchanges. (Potentially Significant)</p>	<p>Measure 4.2.1: Implement Project Design and Avoidance Measures to Minimize Community Impacts - Please refer to Impact 4.2.2 for a complete description of this measure.</p> <p>Measure 4.2.2: Ensure Consistency with Local Planning Documents - Please refer to Impact 4.2.2 for a complete description of this measure.</p>
<p>Impact 4.2.5: Implementation of the RTP could result in the potential for conflicts between relevant land use plans and aviation related projects. (Potentially Significant)</p>	<p>Measure 4.2.5: Ensure Future Project Consistency with Applicable Airport Master Plan and Airport Land Use Compatibility Plan.</p> <p>For improvements and changes to the Modesto City-County Airport and the Turlock Municipal Airport, the project proponents will examine the relevant Airport Master Plan and Airport Land Use Compatibility Plan to determine if the proposed improvements are consistent. If the improvements are not consistent, the project proponents will analyze and amend the relevant plans as necessary, including safety zones and noise contours, to ensure future compatibility.</p>
<p>Impact 4.2.6: The RTP could result in displacement of substantial numbers of existing housing and people. (Potentially Significant)</p>	<p>Measure 4.2.1: Implement Project Design and Avoidance Measures to Minimize Community Impacts - please refer to Impact 4.2.1 for a complete description of this measure.</p> <p>Measure 4.2.6: Relocation Assistance Plan.</p> <p>Where Measure 4.2.1 would not result in the avoidance of residential dwellings, the project proponent shall prepare and implement a relocation assistance plan. The plan would provide benefits to relocated residences, reducing the level of impact to below a substantial level. A range of benefits is available; some include finding comparable replacement housing and paying for costs associated with moving. Details are identified at the time property is acquired. Projects which receive federal funding shall be consistent with the Federal Uniform Relocations Assistance and Real Property Acquisition Policies Act of 1970 (as amended), Title 49—Code of Federal Regulations—Part 24, and Title VI of the Civil Rights Act.</p>
<p>Agricultural Resources</p> <p>Impact 4.3.1: Implementation of projects under the RTP could result in the conversion of Important Farmland to non-agricultural uses. (Potentially Significant)</p>	<p>Measure 4.3.1: Project Redesign to Avoid or Minimize Important Farmland Impacts.</p> <p>Minimize impacts to Prime Farmland and other Important Farmland through the selection of alternative alignments and project design. Project proponents shall implement the following measures to the extent feasible to reduce the impacts to Important Farlands.</p> <ul style="list-style-type: none"> • Quantify potential for direct conversion of Important Farmland using the LESA model or a similar quantitative tool. • Design the proposed roadway projects to minimize the conversion of Important Farmland to nonagricultural uses. • Compensate for conversion impacts to Prime Farmland by purchasing agricultural

<p>Impact 4.3.2: Implementation of projects under the RTP could conflict with existing Williamson Act contracts. (Potentially Significant)</p>	<p>conservation easements (ACE) or funding the acquisition of agricultural mitigation lands through an appropriate land trust (including, but not limited to the Central Valley Farmland Trust).</p> <p>Measure 4.3.2: Project Redesign to Avoid or Minimize Impacts to Williamson Act Contract Lands.</p> <p>Project proponents shall conduct an analysis of potential conflicts with Williamson Act contracts at the project level, consistent with the State CEQA Guidelines and Chapter 21.20 of the Stanislaus County Code. If the impacts of the proposed roadway projects on Williamson Act contract lands are determined to be significant, implement the following measures to reduce the impacts to a less-than-significant level:</p> <ul style="list-style-type: none"> Design the proposed roadway projects to avoid or minimize the displacement of current and reasonably foreseeable agricultural operations from affected Williamson Act contract lands. Where it has been determined that cancellation of a Williamson Act contract for a parcel, or a portion of a parcel, may result in impacts to Prime or Important Farmland, Mitigation Measure 4.3.1 shall be implemented. <p>Measure 4.3.3: Restore Farmlands Temporarily Affected by Construction-Related Impacts.</p> <p>Project proponents shall restore farmlands temporarily impacted by project construction. Restoration includes clean-up and removal of debris and construction materials, reconstruction of any property fencing, restoration of irrigation and drainage facilities serving agricultural operations, and regrading (if necessary).</p> <p>Measure 4.6.1a: Implement Dust Control Measures – please refer to Section 4.6. “Air Quality” for a complete description of this measure.</p> <p>Measure 4.7.1a: Integrated Water Pollution Control Program – please refer to Section 4.7, “Hydrology and Water Quality” for a complete description of this measure.</p> <p>Measure 4.7.1b: Stormwater Pollution Prevention Plan (SWPPP) – please refer to Section 4.7, “Hydrology and Water Quality” for a complete description of this measure.</p>	<p>identified that would substantially reduce this impact.</p> <p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>
<p>Impact 4.3.3: Implementation of projects under the RTP could create nuisance effects resulting in the impairment of farming operations. (Potentially Significant)</p>	<p>Measure 4.3.3: Restore Farmlands Temporarily Affected by Construction-Related Impacts.</p> <p>Project proponents shall restore farmlands temporarily impacted by project construction. Restoration includes clean-up and removal of debris and construction materials, reconstruction of any property fencing, restoration of irrigation and drainage facilities serving agricultural operations, and regrading (if necessary).</p> <p>Measure 4.6.1a: Implement Dust Control Measures – please refer to Section 4.6. “Air Quality” for a complete description of this measure.</p> <p>Measure 4.7.1a: Integrated Water Pollution Control Program – please refer to Section 4.7, “Hydrology and Water Quality” for a complete description of this measure.</p> <p>Measure 4.7.1b: Stormwater Pollution Prevention Plan (SWPPP) – please refer to Section 4.7, “Hydrology and Water Quality” for a complete description of this measure.</p>	<p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>
<p>Transportation and Circulation</p> <p>Impact 4.4.1: Implementation of the projects under the RTP could result in transportation facilities that exceed the level of service standards established by the agencies within the County. (Potentially Significant)</p>	<p>None feasible</p>	<p>Mitigation measures have been adopted to reduce this impact. The lead agency cannot ensure that these measures will reduce the impact to a less than significant level, due to economic, legal, social, and technological constraints. No feasible mitigation measures or alternatives have been identified that would substantially reduce this impact.</p>
<p>Impact 4.4.2: Implementation of projects under the RTP could result in the alteration of present patterns of</p>	<p>Measure 4.4.2: Prepare and Implement Traffic Control Plans.</p> <p>Project proponents shall develop, in coordination with Stanislaus County and local</p>	<p>Changes or alterations have been required in, or</p>

vehicular, bicycle, and pedestrian circulation, increased traffic delay, and increased traffic hazards during construction of future projects. (Potentially Significant)

Impact 4.4-5: Implementation of projects under the RTP could result in the alteration of emergency access during the construction of future projects. (Potentially Significant)

Noise

Impact 4.5-1: Implementation of projects identified under the RTP would temporarily and intermittently increase construction-related noise levels at nearby sensitive receptor locations. (Potentially Significant)

public works departments, a traffic control plan for construction projects to reduce the effects of construction on the roadway system in the project areas throughout the construction period. As part of the plan, project proponents shall coordinate with emergency service providers to ensure that emergency routes are identified and remain available during construction activities. Project proponents shall submit the plan for approval at least 30 working days before commencement of work and shall implement the plan.

Measure 4.4-2: Prepare and Implement Traffic Control Plans — Please refer to Impact 4.4-2 for a complete description of this measure.

Measure 4.5-1: Develop and Implement a Construction Noise Abatement Plan.

Project proponents shall develop and implement a construction noise abatement/mitigation plan to reduce adverse noise effects from construction activity. Key elements of the plan shall include, but not be limited to, the following requirements:

- Construction contractors shall comply with all relevant provisions of applicable local noise ordinances.
- Construction equipment noise shall be minimized during project construction by muffling and shielding intakes and exhaust on construction equipment (per the manufacturer's specifications) and by shrouding or shielding impact tools. No equipment shall have an unmuffled exhaust.
- Where necessary, and as determined by the lead agency, the contractor shall implement appropriate additional noise mitigation measures including, but not limited to:
 - Construction contractors shall locate fixed construction equipment (such as compressors and generators) and construction staging areas as far as possible from nearby residences;
 - Idling equipment shall be shut off;
 - Notifying adjacent residents in advance of construction work; and
 - Acoustic barriers shall be installed around stationary construction noise sources or construction sites.
 - Vibration levels shall be minimized during project construction according to local ordinances or plans.

Impact 4.5-2: Implementation of the projects under the RTP would increase operation-related noise levels at nearby sensitive receptor locations. (Potentially Significant)

Measure 4.5-2: Develop and Implement a Traffic Noise Abatement Plan.

Project proponents shall develop a traffic noise abatement/mitigation plan to reduce adverse noise effects resulting from capacity-increasing roadway improvement projects. Key elements of the plan shall include, but not be limited to; the following requirements:

- Proponents of roadway improvements shall conduct a detailed traffic noise impact and abatement/mitigation analysis of proposed roadway improvement projects in

incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

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Mitigation measures have been adopted to reduce this impact. The lead agency cannot ensure that these measures will reduce the impact to a less than significant level, due to

<p>compliance with applicable local, state, and federal requirements.</p> <ul style="list-style-type: none"> • Sponsors of roadway improvement projects shall incorporate all reasonable and feasible noise abatement/mitigation measures into the design of the projects. Such measures include, but are not limited to, project location, barriers (soundwalls), setbacks, berms and landscaping, and quiet pavement technologies. 	<p>economic, legal, social, and technological constraints. No feasible mitigation measures or alternatives have been identified that would substantially reduce this impact.</p> <p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>
<p>Impact 4.5.3: Implementation of bicycle and pedestrian projects identified under the RTP would temporarily and intermittently increase construction-related noise levels at nearby sensitive receptor locations. (Potentially Significant)</p>	<p>Measure 4.5.1: Develop and Implement a Construction Noise Abatement Plan - Please refer to Impact 4.5.1 for a complete description of this measure.</p>
<p>Impact 4.5.4: Implementation of transit projects identified under the RTP could increase construction noise levels at nearby sensitive receptor locations. (Potentially Significant)</p>	<p>Measure 4.5.1: Develop and Implement a Construction Noise Abatement Plan - Please refer to Impact 4.5.1 for a complete description of this measure.</p>
<p>Impact 4.5.5: Implementation of transit projects identified under the RTP could increase operational noise levels at nearby sensitive receptor locations. (Potentially Significant)</p>	<p>Measure 4.5.5: Develop and Implement a Transit Operational Noise Abatement Plan. Project proponents shall develop and implement an Operational Noise Abatement/Mitigation Plan for fixed location transit facilities, including maintenance yards. The plan shall include but not be limited to the following requirements:</p> <ul style="list-style-type: none"> • A general assessment of noise source levels in accordance with the procedures defined by the FTA, and applicable local and state requirements. • All reasonable and feasible noise abatement/mitigation measures shall be incorporated into the design of the projects including operation restrictions and other applicable measures.
<p>Impact 4.5.7: Implementation of projects at aviation facilities identified under the RTP could increase noise levels at nearby sensitive receptor locations. (Potentially Significant)</p>	<p>Measure 4.2.5: Ensure Future Project Consistency with Applicable Airport Master Plan and Airport Land Use Compatibility Plan - Please refer to Section 4.2 "Land Use" for a complete description of this measure.</p>

Air Quality

Impact 4.6.1: Projects to be developed under the RTP would generate short-term increases in emissions resulting from construction activities. (Potentially Significant)

Measure 4.6.1a: Implement Dust Control Measures.

Project proponents shall implement the following SJVAPCD District Regulation VIII Control Measures at all construction sites:

- The applicant shall submit a Dust Control Plan subject to review and approval of the SJVAPCD at least 30 days prior to the start of any construction activity on a site that includes 40 acres or more of disturbed surface area.

Specific control measures for construction, excavation, extraction, and other earthmoving activities required by the SJVAPCD include:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover in order to comply with Regulation VIII's 20 percent opacity limitation.
- All onsite unpaved roads and offsite unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- When materials are transported offsite, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. However, the use of blower devices is expressly forbidden, and the use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.
- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
- Any site with 150 or more vehicle trips per day shall prevent carryout and trackout. Enhanced and additional control measures for construction emissions of PM10 shall be implemented where feasible. These measures include:
 - Limit traffic speeds on unpaved roads to 15 mph.
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways from sites with a slope greater than one percent.
 - Install wheel washers for all exiting trucks, or wash off all trucks and equipment leaving the site.
 - Install wind breaks at windward side(s) of construction areas.
 - Suspend excavation and grading activity when winds exceed 20 mph.
 - Limit area subject to excavation, grading, and other construction activity at any one

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

time.

Measure 4.6.1b: Implement Best Management Air Quality Measures.

Project proponents shall incorporate the following activities to the fullest extent possible to minimize construction-related impacts to air quality:

- Limit the hours of operation of heavy-duty equipment and/or the amount of equipment in use.
- Replace fossil-fueled equipment with electrically-driven equivalents (provided they are not run by a portable generator set).
- Require that all diesel engines be shut off when not in use to reduce emissions from idling.
- Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing of construction activity during the peak-hour of vehicular traffic on adjacent roadways, and "Spare the Air Days" declared by the District.
- Implement activity management (e.g., rescheduling activities to reduce short-term impacts).
- During the smog season (May through October), lengthen the construction period to minimize the number of vehicles and equipment operations at the same time.
- Off-road trucks should be equipped with on-road engines when possible.
- Minimize obstruction of traffic on adjacent roadways.

Hydrology and Water Quality

Impact 4.7.1: Implementation of projects identified under the RTP could potentially violate water quality standards, waste discharge requirements, or otherwise substantially degrade water quality. (Potentially Significant)

Measure 4.7.1a: Integrated Water Pollution Control Program.

During the construction phase of individual projects, project proponents shall prepare an Integrated Water Pollution Control Program (IWPCP). In addition to plans to manage any stormwater, each IWPCP shall be developed to describe monitoring during construction activities, dewatering operations, in-water construction activities, and how impacts to stream water quality will be avoided and minimized. The IWPCP shall identify best management practices (e.g., water diversion and sediment containment devices, protection of construction spoils), a practical sequence of site restoration, post-construction monitoring of the effectiveness of best management practices, contingency measures, responsible parties, and agency contacts. The final plan shall be reviewed and approved by individual project proponents prior to commencement of work and shall be made conditions of the contract with the contractor(s) selected for development of RTP projects. Each IWPCP shall incorporate control measures in the following categories:

- Soil stabilization practices
- Sediment and runoff control practices
- Sediment tracking control practices
- Non stormwater management, waste management, and disposal control practices
- Construction Dewatering

These elements shall be required by contract and subject to review and approval individual project proponents. Measures may include those contained in the Construction Contractor's Guide and Specification of the Caltrans Storm Water Quality

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Handbook (Caltrans, 2003) and the SWRCE Water Quality Order 99-08-DWQ, NPDES, General Permit for Stormwater Discharge Associated with Construction Activity. Once approved by individual project proponents, the contractor(s) shall be responsible for installing, constructing, inspecting and maintaining the control measures included in the IWPCP.

Measure 4.7.1b: Stormwater Pollution Prevention Plan (SWPPP).

For projects that would disturb more than 1 acre during construction, project proponents shall obtain coverage under the NPDES general permit by preparing and implementing a SWPPP, and complying with other requirements of the NPDES general permit. The SWPPP shall identify pollutant sources that could affect the quality of stormwater discharges from the construction sites. Each project SWPPP shall include pollution prevention measures, demonstration of compliance with all applicable local and regional erosion and sediment control standards, identification of responsible parties, a detailed construction timeline, and a BMP monitoring and maintenance schedule. Pollution prevention measures shall include those that effectively target pollutants in stormwater discharges. To protect receiving water quality, each project SWPPP shall include as relevant, but is not limited to, the following elements:

- Temporary erosion control measures (such as fiber rolls, staked straw bales, detention basins, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) shall be employed for disturbed areas.
- No disturbed surfaces will be left without erosion control measures in place during the winter and spring months.
- Sediment shall be retained onsite by a system of sediment basins, traps, or other appropriate measures.
- The construction contractor(s) shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate or reduce discharge of materials to storm drains.
- A vegetation buffer shall be maintained, to the extent feasible, between the construction zone and any waterways or drainages.
- Native grasses or other appropriate vegetative cover shall be established on the construction site as soon as possible after disturbance. At minimum, vegetative application shall be done by September 15th to allow for plant establishment. No disturbed surfaces will be left without erosion control measures in place during the period of October 15th to April 15th.

Measure 4.7.1c: Stormwater Quality Control Criteria Plan.

In an effort to maintain water quality after construction, project proponents shall implement control measures for post-construction runoff from new developments and redeveloped areas, as appropriate, consistent with the Stanislaus County Draft Stormwater Quality Control Criteria Plan (SQCCP). The County's SQCCP standards are currently in the preliminary planning stages and a draft copy will be completed in the 2010 calendar year. The SQCCP standards will include general site control measures, site-specific source control measures and treatment control measures for streets and roads with one acre or more of impervious area. Selection and implementation of appropriate control measures would be based on a project-by-project basis depending on the project size and stormwater treatment needs.

Impact 4.7.2: Implementation of the projects under the RTP could substantially alter the existing drainage pattern of the individual project areas. (Potentially Significant)

Measure 4.7.2a: Implement Stormwater Management Program Guidelines.

Project proponents shall comply with all measures of individual jurisdiction's Stormwater Management Programs to effectively manage and minimize increases in storm water runoff resulting from the construction of the proposed transportation improvement projects. Measures to be implemented may include vegetated swales, buffer strips, and/or infiltration basins.

Measure 4.7.2b: Design and Implement Project Level Stormwater Management Measures.

Project proponents shall be required to design and implement project level stormwater management measures that result in the runoff peak flows and volumes being similar to those under existing conditions. Drainage plans shall be prepared and implemented for each specific RTP project and should include design measures to infiltrate, retain, or otherwise channel runoff away from areas of open soil and other features subject to erosion or flooding. Any proposed stormwater management system shall be designed to manage runoff volumes and peak flows from storm events up to and including the 25-year, 24-hour design storm.

Impact 4.7.3: Implementation of projects under the RTP could increase surface runoff peak flows and volumes and could create or contribute runoff that would exceed the capacity of an existing or proposed stormwater management system or result in flooding on- or off-site. (Potentially Significant)

Measure 4.7.2a: Implement Stormwater Management Program Guidelines – Please refer to Impact 4.7-2 for a complete description of this measure.

Measure 4.7.2b: Design and Implement Project Level Stormwater Management Measures – Please refer to Impact 4.7-2 for a complete description of this measure.

Geology, Soils, and Seismicity

Impact 4.8.4: Construction of the projects in the RTP could result in surface soil erosion during grading and excavation activities. (Potentially significant)

Measure 4.7.1a: Integrated Water Pollution Control Program – please refer to Section 4.7, "Hydrology and Water Quality" for a complete description of this measure.

Measure 4.7.1b: Stormwater Pollution Prevention Plan (SWPPP) – please refer to Section 4.7, "Hydrology and Water Quality" for a complete description of this measure.

Biological Resources

Impact 4.9.1: Implementation of projects identified under the RTP could result in potential disturbance or loss of special-status wildlife species and their habitat. (Potentially Significant)

Measure 4.9.1a: Assess and Document Habitat for Special-Status Wildlife Species. As part of project-level environmental review, project proponents shall retain a qualified wildlife biologist to document the presence or absence of suitable habitat for special-status wildlife in the project area. The following steps shall be implemented to document special-status wildlife and their habitats prior to individual project implementation:

- a. **Review Existing Information.** The wildlife biologist shall review existing information to develop a list of special-status wildlife species that could occur in the project area. The following information shall be reviewed as part of this process: the USFWS special-status species list for the project region, CDFG's CNDDB, previously prepared environmental documents, city and county general plans, HCPs and NCCPs (as applicable), and Corps-verified wetland delineations and USFWS issued

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- biological opinions for previous projects.
- b. Coordinate with State and Federal Agencies. The wildlife biologist shall coordinate with the appropriate agencies (CDFG, USFWS, Corps and Caltrans) to discuss wildlife resource issues in the project region and determine the appropriate level of surveys necessary to document special-status wildlife and their habitats.
 - c. Conduct Field Studies. The wildlife biologist shall evaluate existing habitat conditions and determine what level of biological surveys may be required. The type of survey required shall depend on species richness, habitat type and quality, and the probability of special-status species occurring in a particular habitat type. Depending on the existing conditions in the project area and the proposed construction activity, one or a combination of the following levels of survey may be required:
 - i. Habitat Assessment. A habitat assessment determines whether suitable habitat is present. This type of assessment can be conducted at any time of year and is used to assess and characterize habitat conditions and to determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys shall be required.
 - ii. Species-Focused Surveys. Species-focused surveys (or target species surveys) shall be conducted if suitable habitat is present for special-status wildlife and if it is necessary to determine the presence or absence of the species in the project area. The surveys shall focus on special-status wildlife species that have the potential to occur in the region. The surveys shall be conducted during a period when the target species are present and/or active.
 - iii. Protocol-Level Wildlife Surveys. The project proponent shall comply with protocols and guidelines issued by responsible agencies for certain special-status species. USFWS and CDFG have issued survey protocols and guidelines for several special-status wildlife species that could occur in the project region, including the valley elderberry longhorn beetle, vernal pool branchiopods, California red-legged frog, California tiger salamander, western burrowing owl, and San Joaquin kit fox, as examples. The protocols and guidelines may require that surveys be conducted during a particular time of year and/or time of day when the species is present and active. Many survey protocols require that only a USFWS- or CDFG-approved biologist perform the surveys. The project proponent shall coordinate with the appropriate state or federal agency biologist before the initiation of protocol-level surveys to ensure that the survey methodology is approved. Because some species can be difficult to detect or observe, multiple field techniques may be used during a survey period and additional surveys may be required in subsequent seasons or years as outlined in the protocol or guidelines for each species. Special-status wildlife or suitable habitat identified during the field surveys shall be mapped and documented as part of CEQA, NEPA, and Caltrans NES reports (as required).

Measure 4.9.1b: Project Redesign to Avoid or Minimize Special-Status Wildlife Species Impacts.

Project proponents shall avoid and/or minimize impacts on special-status wildlife species by redesigning the project, protecting special-status wildlife habitat, and developing a mitigation monitoring plan (as necessary). Project proponents shall implement the following measures to avoid and minimize impacts special-status wildlife and their habitats:

- a. Redesign or modify the project to avoid direct and indirect impacts on special-status wildlife or their habitats, if feasible.

- b. Protect special-status wildlife and their habitat near the project site by installing environmentally sensitive area fencing and/or establishing no-work buffers around habitat features, such as seasonal wetlands, active burrows, and nest trees. The environmentally sensitive area fencing, staking or establishment of no-work buffers shall be installed and/or maintained at a minimum distance from the edge of the resource as determined through coordination with state and federal agency biologists (USFWS and CDFG). The location of the fencing and/or delineated buffer shall be marked in the field with stakes, flagging or as deemed appropriate by the responsible agencies and shown on the construction plans, drawings, and specs. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within these environmentally sensitive areas.
- c. Restrict construction-related activities to the non-breeding season for special-status wildlife species that could occur in the project area. Timing restrictions may vary depending on the species and could occur during any time of the year.
- d. Coordinate with the appropriate resource agencies to determine whether a monitoring plan for special-status wildlife is necessary as part of all local and regional projects. If a monitoring plan is required, it shall be developed and implemented in coordination with appropriate agencies and shall include:
 - i. A description of each of the wildlife species and of suitable habitat for species that could occur at the project site;
 - ii. The locations of known occurrences of special-status wildlife species within 1.0 mile of the project site;
 - iii. The location and size of no-disturbance zones in and adjacent to environmentally sensitive areas for wildlife;
 - iv. Directions on the handling and relocating of special-status wildlife species found on the project site that are in immediate danger of being destroyed; and
 - v. Notification and reporting requirements for special-status species that are identified on the project site.

Measure 4.9.1c: Develop and Implement Special-Status Species Compensation Plan.
 In the event that Mitigation Measure 4.9-1b is not feasible and construction activities would result in significant impacts on state- or federally listed wildlife species, project proponents shall develop and implement a compensation plan in coordination with the appropriate resource agency, or agency-approved compensation guidelines. Compensation guidelines have been identified for several special-status wildlife species, including valley elderberry longhorn beetle, vernal pool branchpods, giant garter snake, Swainson's hawk, and burrowing owl. The amount of compensation shall vary depending on the amount of habitat loss or degree of habitat disturbance anticipated. The compensation plan shall be developed and implemented in coordination with the appropriate state or federal agency and would involve identifying an agency-approved mitigation bank or mitigation site (onsite or off-site); transplanting (elderberry shrubs), re-creating (burrows and vernal pools), and/or preserving additional habitat for special-status wildlife species; monitoring the mitigation site; and funding the management of the mitigation site.

Impact 4.9.3: Implementation of the projects under the RTP could result in potential direct and indirect impacts on special-status fish species. (Potentially Significant)

Changes or alterations have been required in, or incorporated into, the proposed project which would

Mitigation Measure 4.9-3b concurrently to avoid, minimize, and compensate for potential impacts on special-status fish.

Measure 4.9.3b: Implement Best Management Practices to Avoid and Minimize Impacts on Special-Status Fish and Their Habitat.

The project proponent shall implement the following measures to avoid and minimize impacts on special-status fish and their habitats:

a. Implement Stormwater Pollution Prevention Plan. As appropriate, for each project, develop and implement a stormwater pollution prevention plan (SWPPP) that describes Best Management Practices (BMPs) to minimize the potential for impacts on fish and their habitat. The SWPPP shall include measures to control the transport of sediment to streams, promote the restoration of construction areas to preconstruction conditions, and avoid the potential for spills of hazardous substances. The SWPPP shall include pollution prevention measures (erosion and sediment control measures and measures to control non-stormwater discharges and hazardous spills), demonstration of compliance with all applicable local and regional erosion and sediment control standards, identification of responsible parties, a detailed construction timeline, and a BMP monitoring and maintenance schedule. A staging and storage area shall be provided away from the waterway for equipment, construction materials, fuels, lubricants, solvents, and other possible contaminants. The contractor shall conduct periodic maintenance of erosion and sediment control measures. Soil exposure shall be minimized through the use of BMPs, ground cover, and stabilization practices. Exposed dust-producing surfaces shall be sprinkled daily until wet while avoiding the production of runoff. Paved streets shall be swept daily after construction activities.

b. Implement Construction Work Windows. Construct the project during time periods that avoid the sensitive life stages of special-status fish species. Construction activities shall be scheduled so they do not interfere with the reproductive cycles of fish species. Work in most of the systems shall take place between June 1 and October 15, however appropriate work windows would be approved by NMFS/National Oceanic Atmospheric Administration (NOAA), CDFG and USFWS. Construction in the approved time frame would avoid causing impacts on the majority of the adult and juvenile migration stages of anadromous species.

Measure 4.9.3c: Consultation with Appropriate Resource Agencies.

Any project affecting the San Joaquin, Stanislaus, or Tuolumne Rivers in Stanislaus County could affect delta smelt, Central Valley steelhead, green sturgeon, or their essential fish habitats. These fish, and their essential fish habitats, are protected under ESA. Therefore, project proponents shall initiate consultation with NMFS and/or USFWS to get a determination from the agency and approval to proceed with the project and associated mitigation measures.

avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Impact 4.9.4: Implementation of the projects under the RTP could result in potential disturbance or loss of special-status plant populations. (Potentially Significant)

Measure 4.9.4a: Assess and Document Habitat for Special-Status Plant Populations. As part of the environmental review process for individual projects, project proponents shall retain a qualified botanist to document the presence or absence of special-status plants prior to individual project implementation. The following steps shall be implemented to document special-status plants for each project:

- a. **Review Existing Information.** The botanist shall review existing information to develop a list of special-status plants that could grow in the project area. Sources of information consulted shall include CDFG's CNDDDB, previously prepared environmental documents, city and county general plans, HCPs and NCCPs (if there are any), and the CNPS electronic inventory.
- b. **Coordinate with Agencies.** The botanist shall coordinate with the appropriate agencies (CDFG, USFWS, Caltrans) to discuss botanical resource issues and determine the appropriate level of surveys necessary to document special-status plants.
- c. **Conduct Field Studies.** The botanist shall evaluate existing habitat conditions for each project and determine what level of botanical surveys may be required. The type of botanical survey shall depend on species richness, habitat type and quality, and the probability of special-status species occurring in a particular habitat type.

Depending on these factors and the proposed construction activity, one or a combination of the following levels of survey may be required:

- i. **Habitat Assessment.** A habitat assessment determines whether suitable habitat is present. This type of assessment can be conducted at any time of year and is used to assess and characterize habitat conditions and determine whether return surveys are necessary. If no suitable habitat is present, no additional surveys shall be required.
- ii. **Species-Focused Surveys.** Species-focused surveys (or target species surveys) shall be conducted if suitable habitat is present for special-status plants. The surveys shall focus on special-status plants that could grow in the region, and would be conducted during a period when the target species are evident and identifiable.
- iii. **Floristic Protocol-Level Surveys.** Floristic surveys that follow the CNPS Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFG, 2009) shall be conducted in areas that are relatively undisturbed and/or have a moderate to high potential to support special-status plants. The CNPS survey protocols require that all species be identified to the level necessary to determine whether they qualify as special-status plants, or are plant species with unusual or significant range extensions. The guidelines also require that field surveys be conducted when special-status plants that could occur in the area are evident and identifiable. To account for different special-status plant identification periods, one or more series of field surveys may be required in spring and summer months.
- iv. **Map Populations.** Special-status plant populations identified during the field surveys shall be mapped and documented as part of CEQA, NEPA, and Caltrans NES reports (if required). The project proponent shall implement Mitigation Measure 4.9-4b in conjunction with this mitigation measure to avoid or minimize significant impacts on special-status plants.

Measure 4.9.4b: Project Redesign to Avoid or Minimize Special-Status Plant Population

Mitigation measures have been adopted to reduce this impact. The lead agency cannot ensure that these measures will reduce the impact to a less than significant level, due to economic, legal, social, and technological constraints. No feasible mitigation measures or alternatives have been identified that would substantially reduce this impact.

Impacts.

Project proponents shall avoid and/or minimize impacts on special-status plant populations by developing a transplantation plan for individual projects. The project proponent shall implement the following measures to avoid and minimize impacts on special-status plants:

- a. Redesign or modify the project to avoid direct and indirect impacts on special-status plants, if feasible.
- b. Protect special-status plants near the project site by installing environmentally sensitive area fencing (orange construction barrier fencing) around special-status plant populations. The environmentally sensitive area fencing shall be installed at least 20 feet from the edge of the population. The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.
- c. Coordinate with the appropriate resource agencies and local experts to determine whether transplantation is feasible. If the agencies concur that transplantation is a feasible mitigation measure, the botanist shall develop and implement a transplantation plan through coordination with the appropriate agencies. The special-status plant transplantation plan shall involve identifying a suitable transplant site; moving the plant material and seed bank to the transplant site; collecting seed material and propagating it in a nursery; and monitoring the transplant sites to document recruitment and survival rates.

Impact 4.9.5: Implementation of the projects under the RTP could potentially result in disturbance or loss of Waters of the United States (including wetlands) through direct and indirect impacts. (Potentially Significant)

Measure 4.9.5a: Assess and Document Waters of the United States.

As part of project-level environmental review, project proponents shall retain a qualified biologist or wetland ecologist to identify areas that could qualify as waters of the United States, including wetlands. Wetlands shall be identified using both the Corps' and USFWS/CDFG definitions of wetlands. Corps jurisdictional wetlands shall be delineated using the methods outlined in the Corps' 1987 manual (USACE, 1987) and the applicable regional Supplement. The jurisdictional boundary for other waters of the United States shall be identified based on the "shore established by the fluctuations of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area (33 CFR 328.3(e))." This information shall be mapped and documented as part of CEQA/NEPA documentation and wetland delineation reports. Mitigation Measure 4.9-5b shall be implemented concurrently to avoid, minimize, and compensate for impacts on waters of the United States, including wetland habitats.

Measure 4.9.5b: Project Redesign to Avoid or Minimize Impacts to Waters of the United States.

Project proponents shall avoid and/or minimize impacts on wetlands and other waters of the United States (creeks, streams, and rivers) by implementing the following measures for individual transportation projects:

- a. Redesign or modify the project to avoid direct and indirect impacts on wetland habitats, if feasible.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

- b. Protect wetland habitats that occur near the project site by installing environmentally sensitive area fencing at least 20 feet from the edge of the wetland. Depending on site-specific conditions and permit requirements, this buffer may be wider than 20 feet (e.g., 250 feet for seasonal wetlands that are considered special-status shrimp habitat). The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.
- c. Avoid installation activities in saturated or ponded wetlands during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as use of padding or vehicles with balloon tires, shall be used.
- d. Where determined necessary by resource specialists, use geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, or geotextile fabric) in saturated conditions to minimize damage to the substrate and vegetation.
- e. Stabilize exposed slopes and streambanks immediately on completion of installation activities. Other waters of the United States shall be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system.
- f. In highly stream systems where erosion potential is high, stabilize banks using a nonvegetative material that will bind the soil initially and break down within a few years. If the project engineers determine that more aggressive erosion control treatments are needed, use geotextile mats, excelsior blankets, or other soil stabilization products.
- g. During construction, remove trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high-water mark of drainages in a manner that minimizes disturbance of the drainage bed and bank.

These measures shall be incorporated into contract specifications and implemented by the construction contractor. In addition, project proponents shall ensure that the contractor incorporates all permit conditions into construction specifications.

Measure 4.9.5c: Consult and Implement Appropriate Permitting Requirements From State and Federal Resource Agencies.

Prior to construction, project proponents shall obtain and comply with federal and state permit requirements pertaining to impacts to wetlands and/or waters of the U.S. as well as waters of the State. Following the verification, the project applicant shall prepare and submit permit applications for a Section 404 permit, a Section 401 Water Quality Certification, a Section 1602 Streambed Alteration Agreement, and any other applicable permits.

As part of the permitting process, if wetlands are filled or disturbed as a result of the implementation of the project, the project proponent shall compensate for the loss of wetland habitat to ensure no net loss of habitat functions and values. Compensation ratios shall be based on site-specific information and determined through coordination with state and federal agencies (including CDFG, USFWS, and the Corps). The compensation shall be at a minimum 1:1 ratio (1 acre restored or created for every 1 acre filled) and may be a combination of onsite restoration/creation, off-site restoration,

or mitigation credits.

A draft restoration, mitigation and monitoring plan shall be developed in accordance with the Corps' federal guidelines (33 CFR 332.4(C)/40 CFR 230.92.4(c). The plan shall describe how wetlands shall be created and monitored over a minimum period of time.

Impact 4.9.6: Implementation of the projects under the RTP could result in the loss or disturbance of riparian habitats. (Potentially Significant)

Measure 4.9.6a: Assess and Document Riparian Habitat.

Project proponents shall retain a qualified botanist to document the location, type, extent, and habitat functions and values for riparian habitat that occurs in the project area for individual transportation projects. This information shall be mapped and documented as part of CEQA/NEPA documentation for individual projects. Mitigation Measure 4.9-6b shall be implemented concurrently to avoid, minimize, and compensate for impacts on riparian habitats.

Measure 4.9.6b: Project Redesign to Avoid or Minimize Impacts to Riparian Habitats. To the extent possible, project proponents shall avoid impacts on riparian habitats by implementing the following measures:

- a. Redesign or modify the project to avoid direct and indirect impacts on riparian habitats, if feasible.
- b. Protect riparian habitats that occur near the project site by installing environmentally sensitive area fencing at least 20 feet from the edge of the riparian vegetation. Depending on site-specific conditions, this buffer may be narrower or wider than 20 feet. The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area.
- c. Minimize the potential for long-term loss of riparian vegetation by trimming vegetation rather than removing the entire shrub. Shrub vegetation shall be cut at least 1 foot above ground level to leave the root systems intact and allow for more rapid regeneration of the species. Cutting shall be limited to a minimum area necessary within the construction zone. This type of removal shall be allowed only for shrub species (all trees shall be avoided) in areas that do not provide habitat for sensitive species (e.g., willow flycatcher). To protect migratory birds, no woody riparian vegetation shall be removed beginning March 15 and ending September 15, as required under the Migratory Bird Treaty Act.

Measure 4.9.6c: Consult and Implement Appropriate Permitting Requirements From State and Federal Resource Agencies.

Prior to construction, projects proponents shall obtain and comply with CDFG requirements pertaining to impacts to riparian habitat. The project applicant shall submit an application for a Section 1602 Streambed Alteration Agreement from the CDFG. If riparian habitat is removed as part of the local or regional project, the project proponent shall compensate for the loss of riparian vegetation to ensure no net loss of habitat functions and values. Compensation ratios shall be based on site-specific information and determined through coordination with state and federal agencies as appropriate. Compensation shall be provided at a minimum 1:1 ratio (1 acre restored or created for every 1 acre removed) and may be a combination of onsite restoration/creation, off-site restoration, or mitigation credits. Project proponents shall develop a restoration and monitoring plan that describes how

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riparian habitat shall be enhanced or recreated and monitored over a minimum period of time. The plan may be combined with or incorporated into the draft restoration, mitigation and monitoring plan developed under Measure 4.9.5c and as approved by CDFG. The project proponent shall implement the restoration and monitoring plan.

Impact 4.9.7: Implementation of the projects under the RTP could potentially result in the introduction or spread of noxious weeds. (Potentially Significant)

Measure 4.9.7a: Assess and Document Noxious Weed Species

As part of project-level environmental review, project proponents shall retain a qualified botanist to address noxious weed impacts. The botanist shall determine whether noxious weeds are an issue for the project and whether they could displace native plants and natural habitats, affect the quality of forage on rangelands, or affect cropland productivity. If the botanist determines that noxious weeds are an issue, the project proponent shall review the County Agricultural Commission's noxious weed list, California Department of Food and Agriculture's A, B, and C lists of noxious weeds, and California Exotic Pest Plant Council's list of pest plants of ecological concern. These lists shall be used to identify weeds that shall be targeted during field surveys by the botanist. Surveys shall focus on target weed species that are considered locally important for documentation and control purposes.

If noxious weed infestations are located during the field surveys, they shall be mapped and documented as part of CEQA/NEPA documentation for individual projects. Project proponents shall implement Mitigation Measure 4.9.7b to prevent the dispersal of noxious weeds outside of infested areas.

Measure 4.9.7b: Implement Best Management Practices to Reduce the Potential for Noxious Weed Infestation

To prevent the introduction or spread of noxious weeds outside of infested areas, project proponents shall incorporate the following measures into highway project plans and specifications:

- a. Use certified, weed-free, imported erosion-control materials (or rice straw in upland areas).
- b. Coordinate with the County Agricultural Commissioner and land management agencies to ensure that the appropriate best management practices (BMPs) are implemented.
- c. Educate construction supervisors and managers on weed identification and the importance of controlling and preventing the spread of noxious weeds.
- d. Clean equipment at designated wash stations after leaving noxious weed infestation areas.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Cultural Resources

Impact 4.10.1: Implementation of the projects under the RTP may cause substantial adverse effects to previously unknown significant archaeological resources. (Potentially Significant)

Measure 4.10.1a: Cultural Resources Inventory Report.

In order to adequately address the level of potential impacts for a specific project and thereby design appropriate mitigation measures, project proponents shall require that the significance and nature of the cultural resources are determined. The following are steps typically taken to assess and mitigate potential impacts to cultural resources for the purposes of CEQA:

- Identify both previously recorded cultural resources and those not previously recorded.
- Evaluate the significance of cultural resources using CEQA guidelines.

Mitigation measures have been adopted to reduce this impact. The lead agency cannot ensure that these measures will reduce the impact to a less than significant level, due to economic, legal, social, and technological constraints. No feasible mitigation measures

- Identify the significance of impacts under CEQA of the proposed project within the Project Area.
- Develop and implement mitigation measures designed to avoid, minimize, rectify, or reduce or eliminate the effects of the project on significant cultural resources.

Minimally, a cultural resources inventory shall consist of a cultural resources records search to be conducted at the Central California Information Center of the California Historical Resources Information System located at California State University, Stanislaus; consultation with the Native American Heritage Commission (NAHC) and with interested Native Americans identified by the NAHC; a field survey (if one has not previously been conducted or is older than 2-5 years); recordation of all identified archaeological sites and historic buildings and structures on California Department of Parks and Recreation 523 Site Record forms; and preparation of a cultural resources inventory report describing the project setting, methods used in the investigation, results of the investigation, and recommendations for management of identified resources. Certain agencies, such as the Federal Highway Administration and California Department of Transportation (Caltrans), have specific requirements for inventory areas and documentation format.

Identified cultural resources that may be impacted by a project shall be evaluated for eligibility for listing on the California Register of Historical Resources (CRHR). Cultural resources that are eligible for the CRHR are considered to be significant cultural resources. Cultural resources that are identified within project areas subject to federal approval, permits, or funding shall also be evaluated for eligibility for listing on the National Register of Historic Places (NRHP). Cultural resources determined to be eligible for listing on the NRHP are automatically eligible for listing on the CRHR and are considered to be significant cultural resources.

Measure 4.10.1b: Archaeological Testing and Data Recovery.

If it is infeasible to avoid impacts on archaeological sites that have been determined to be eligible for listing on the CRHR or the NRHP (significant resources), additional research including, but not necessarily limited to, archaeological excavation shall be conducted (CCR Section 15126.4(b)(3)(C)). This work shall be conducted by a qualified archaeologist and shall include preparation of a research design, additional archival and historical research, archaeological excavation, analysis of artifacts, features, and other attributes of the resource, and preparation of a technical report documenting the methods and results of the investigation in accordance with the California Office of Historic Preservation Guidelines for Archaeological Research Design (1991). The purpose of this work is to recover a sufficient quantity of data to compensate for damage to or destruction of the resource. The procedures to be employed in this data recovery program will be determined in consultation with responsible agencies and interested parties, as appropriate, potentially including the development and implementation of an Archaeological Research Design and Testing Plan (ARDTP) or Historic Properties Treatment Plan (HPTP). Where necessary, future project proponents would seek Native American input and consultation.

Measure 4.10.1c: Conduct Archaeological Monitoring.

Ground-disturbing activities that have the potential to impact archaeological remains will occur in an area that has been determined by a qualified archaeologist to be an area that is sensitive for the presence of buried archaeological remains, a qualified archaeologist shall be retained to monitor those activities. Archaeological monitoring shall be conducted in areas where there is a likelihood that archaeological remains

or alternatives have been identified that would substantially reduce this impact.

may be discovered but where those remains are not visible on the surface. Monitoring shall not be considered a substitute for efforts to identify and evaluate cultural resources prior to the project initiation. Where necessary, project proponents would seek Native American input and consultation.

Measure 4.10.1d: Stop Work in The Event of an Archaeological Discovery.

If potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with the CEQA or NEPA lead agency other appropriate agencies and interested parties. For example, a qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and location information to the California Historical Resources Information Center office (Northwestern Information Center). The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852).

If the archaeologist determines that the find does not meet the CEQA standards of significance, construction shall proceed. On the other hand, if the archaeologist determines that further information is needed to evaluate significance, the lead agency shall be notified and a data recovery plan shall be prepared.

Measure 4.10.1e: Comply with State Laws Pertaining to The Discovery of Human Remains.

If human remains of Native American origin are discovered during project construction, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (Pub. Res. Code Sec. 5087). If any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- a. The Stanislaus County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- b. If the remains are of Native American origin,
 1. The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, or
 2. The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental

Impact 4.10.2: Implementation of the projects under the RTP could result in substantial effects to prehistoric and historic archaeological deposits from ground-disturbing construction operations. (Potentially Significant)

Measure 4.10.1b: Archaeological Testing and Data Recovery – please refer to Impact 4.10.1 for a complete description of this measure.

Measure 4.10.1c: Conduct Archaeological Monitoring – please refer to Impact 4.10.1 for a complete description of this measure.

Measure 4.10.1d: Stop Work in The Event of an Archaeological Discovery – please

refer to Impact 4.10.1 for a complete description of this measure.
Measure 4.10.1e: Comply with State Laws Pertaining to The Discovery of Human Remains – please refer to Impact 4.10.1 for a complete description of this measure.

effects as identified in the Final EIR.

Impact 4.10.3: Ground-disturbing activities associated with construction of projects under the RTP may adversely affect unidentified paleontologic resources. (Potentially Significant)

Measure 4.10.3: Stop Work in The Event of a Paleontologic Discovery. Project proponents and/or contractors shall notify a qualified paleontologist of unanticipated discoveries, in order to document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in Section 15064.5 of the CEQA Guidelines. In the event of an unanticipated discovery of a fossil during construction, excavations within 50 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (per Society of Vertebrate Paleontology standards [SVP, 1995, 1996]). The paleontologist shall notify the lead agency to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the lead agency determines that avoidance is not feasible, the paleontologist shall prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important, and such plan shall be implemented. The plan shall be submitted to the lead agency for review and approval.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Impact 4.10.4: Construction of future projects under the RTP could adversely affect historic architectural resources through demolition or significant changes to the historical setting. (Potentially Significant)

Measure 4.10.4a: Survey for Historic Resources. All areas slated for development or other ground-disturbing activities in the project area for the RTP which contain structures 50 years old or older be surveyed and evaluated for their potential historic significance prior to the County's approval of project plans. The survey shall be carried out by a qualified historian or architectural historian meeting the Secretary of the Interior's Standards for Architectural History. If potentially significant resources are encountered during the survey, demolition or substantial alteration of such resources identified shall be avoided, if avoidance of identified historic resources is deemed infeasible, the County shall prepare a treatment plan to include, but not limited to, photo-documentation and public interpretation of the resource. Any alterations, including relocation, to historic buildings or structures shall conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995).

Measure 4.10.4b: Record Historic Buildings or Structures. Record buildings or structures to Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) standards. If avoidance or relocation of an historic resource is not feasible, a qualified architectural historian shall be retained to document the impacted historical architectural resource to Historic American Buildings Survey (HABS) and Historic American Engineering Record (HAER) standards. HABS and HAER documentation packages shall be entered into the Library of Congress as well as the Central California Information Center of the California Historical Resources Information System.

Mitigation measures have been adopted to reduce this impact. The lead agency cannot ensure that these measures will reduce the impact to a less than significant level, due to economic, legal, social, and technological constraints. No feasible mitigation measures or alternatives have been identified that would substantially reduce this impact.

Hazards and Hazardous Materials

Impact 4.11.1: Implementation of projects under the RTP could create a significant hazard to the public or the environment from the transportation, use, or disposal of

Measure 4.11.1: Hazardous Materials Use and Disposal Project proponents shall ensure, through the enforcement of contractual agreements, that all contractors and employees transport, store, and handle hazardous materials in

Changes or alterations have been required in, or incorporated into, the

hazardous materials. (Potentially Significant)

a manner consistent with relevant regulations and guidelines, including those recommended and enforced by the California Department of Transportation, Regional Water Quality Control Board (RWQCB), and Stanislaus County Department of Environmental Resources. The project proponent shall ensure that all contractors and employees immediately control the source of any leak and contain any spill using appropriate spill containment and countermeasures. If required by any regulatory agency, contaminated media shall be collected and disposed of at an offsite facility approved to accept such media. In addition, all precautions required by the RWQCB-issued National Pollutant Discharge Elimination System construction activity storm water permits would be taken to ensure that no hazardous materials enter any nearby waterways.

proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Impact 4.11.2: Excavation and construction activities associated with the projects under the RTP could expose construction workers, the general public or the environment to known or previously undiscovered hazardous materials that are excavated, disturbed, or exposed during construction activities. (Potentially Significant)

Measure 4.11.2a: Conduct Environmental Site Assessments. Project proponents shall complete a Phase I Environmental Site Assessment (ESA) in conformance with ASTM Standard 1527-05 to evaluate subsurface conditions that could be expected during construction, and a subsequent Phase II if necessary, for each project in the RTP that would involve acquisition of new right-of-way or extensive ground-disturbing activities. If a Phase I ESA, or other study that may be required through the Caltrans environmental review process, indicates a potential for soil and/or groundwater contamination at or adjacent to the project site, additional investigation by a qualified environmental professional shall be conducted to collect and analyze soil and/or groundwater samples for hazardous materials and determine appropriate remediation measures.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Measure 4.11.2b: Implement Hazardous Materials Remediation Actions.

If contaminated soils or groundwater are discovered at a project site, then Stanislaus County Department of Environmental Resources (SCDER) and the local jurisdiction shall be notified and the site shall be remediated in accordance with recommendations made by a qualified environmental professional, SCDER, Central Valley RWQCB, DTSC, or other appropriate federal, state, or local regulatory agencies. The agencies involved and remediation action undertaken would be dependent on the type and extent of contamination. Site preparation and construction activities shall not proceed until remediation is completed to the satisfaction of SCDER. Remedial actions could include the reduction of contamination through natural attenuation or a more invasive strategy of excavation and disposal. Any remediation action undertaken will ensure contamination does not cause harm to the public or the environment or interfere with the proposed use of the proposed project. Project applicants shall provide notification in writing to StanCOG or appropriate lead agency when remediation is complete. Additionally, a contingency plan will be developed by a qualified environmental professional for the management of potentially contaminated soils and groundwater and coordination with the appropriate regulatory agencies in the event that previously unidentified contaminated soils and groundwater are encountered during construction. Evidence of potential hazardous contamination includes soil discoloration, suspicious odors, presence of underground storage tanks, or buried building material.

Measure 4.11.2a: Conduct Environmental Site Assessments – please refer to Impact 4.11.2 for a complete description of this measure.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental

Measure 4.11.2b: Implement Hazardous Materials Remediation Actions – please refer to Impact 4.11.2 for a complete description of this measure.

Measure 4.11.3: Utility Coordination.

Impact 4.11.3: Implementation of projects under the RTP along SR 33 could expose construction workers, the general public or the environment to known or previously undiscovered hazardous materials that are excavated, disturbed, or exposed during construction activities.

<p>(Potentially Significant)</p> <p>Impact 4.11.4: Implementation of projects under the RTP could emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of school sites. (Potentially Significant)</p> <p>Impact 4.11.6: Construction-related activities associated with the RTP could impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (Potentially Significant)</p>	<p>Project proponents for projects located along, or adjacent to, SR 33 shall work with Chevron Environmental Management Company or Underground Service Alert (USA) to identify the locations of former crude oil pipelines along SR 33 prior to excavation within the right-of-way for a project.</p> <p>Measure 4.11.1: Hazardous Materials Use and Disposal – please refer to Impact 4.11.1 for a complete description of this measure.</p> <p>Measure 4.11.2a: Conduct Environmental Site Assessments – please refer to Impact 4.11.2 for a complete description of this measure.</p> <p>Measure 4.11.2b: Implement Hazardous Materials Remediation Actions – please refer to Impact 4.11.2 for a complete description of this measure.</p> <p>Mitigation Measure 4.4.2: Prepare and Implement Traffic Control Plans - please refer to Section 4.4, "Transportation and Circulation" for a complete description of this measure.</p>	<p>effects as identified in the Final EIR.</p> <p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p> <p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>
<p>Visual Resources</p> <p>Impact 4.12.1: Implementation of projects included in the RTP could result in impacts to scenic resources and/or scenic vistas. (Potentially Significant)</p>	<p>Measure 4.12.1: Ensure Consistency with Local Planning and Design Guidelines. Project proponents shall consult with relevant city and County planning staff as well as existing design review committees to develop and implement design guidelines. The design guidelines shall contain measures to reduce the visual impacts of the proposed improvements. These measures may include, but are not limited to reduction of road/track widths; addition of buffers; use of colors, construction materials, and architectural styles compatible with surrounding development and landscaping, and avoidance of specific sensitive locations. Measures shall not conflict with related city or County guidelines or policies.</p>	<p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>
<p>Impact 4.12.2: Implementation of projects included in the RTP could result in substantial creation of or change in light or glare. (Potentially Significant)</p>	<p>Measure 4.12.2: Lighting Design to Reduce Spillover Light. Where lighting is proposed, project proponents shall incorporate lighting design specifications to meet minimum safety and security standards. The following measures shall be incorporated into lighting plans to reduce the impact of nighttime light:</p> <ol style="list-style-type: none"> Luminaries shall be cutoff-type fixtures that cast low-angle illumination to minimize incidental spillover of light onto adjacent private properties and undeveloped open space. Fixtures that project light upward or horizontally shall not be used. Luminaries shall be directed away from habitat and open spaces areas adjacent to the project site. Luminaries shall provide good color rendering and natural light qualities. Low-pressure sodium and high-pressure sodium fixtures that are not color-corrected shall not be used. Intensity shall be approximately 10 lux for roadway intersections. Luminary mountings shall be downcast and the height of the poles minimized to reduce potential for back scatter into the nighttime sky and incidental spillover of light onto adjacent private properties and undeveloped open space. Light poles shall 	<p>Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.</p>

normally not exceed 20 feet in height. Luminary mountings shall have non-glare finishes.

Impact 4.12.4: Implementation of projects under the RTP has the potential to conflict with adopted plans and policies relating to visual resources. (Potentially Significant)

Measure 4.12.1: Ensure Consistency with Local Planning and Design Guidelines -- Please refer to Impact 4.12.1 for a complete description of this measure.

Measure 4.12.2: Lighting Design to Reduce Spillover Light -- Please refer to Impact 4.12.2 for a complete description of this measure.

Changes or alterations have been required in, or incorporated into, the proposed project which would avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

EXHIBIT "B"

FINDINGS OF FACT AND STATEMENT OF OVERRIDING
CONSIDERATIONS FOR STANCOG 2011 RTP

Findings of Fact and Statement of Overriding Considerations *StanCOG 2011 Regional Transportation Plan*

As required by the California Environmental Quality Act (CEQA), the Stanislaus Council of Governments (StanCOG) has made specific findings regarding the environmental effects of the project. Those findings are presented below, along with facts and evidence to support each finding.

StanCOG has prepared a Final Environmental Impact Report (EIR) for the proposed project. The Final EIR is comprised of two documents. These documents are identified below:

- 1) Draft EIR, StanCOG 2011 Regional Transportation Plan, April 2010 (State Clearinghouse Number 2010012008); and
- 2) Final EIR, StanCOG 2011 Regional Transportation Plan, July 2010.

The documents and other materials that constitute the record of proceedings on which these findings are based are located at the StanCOG office at 1111 I Street, Suite 308, Modesto, CA 95354. This information is provided in compliance with Public Resources Code §21081.6(a) (2).

Potentially Significant Impacts

StanCOG finds that the project will have potentially significant impacts, identified in the Final EIR, and listed in Table 1 (attached). For each potentially significant impact, StanCOG has made the appropriate findings, as required by CEQA Guidelines § 15091.

Significant and Unavoidable Impacts

StanCOG finds that the project will have significant and unavoidable impacts, identified in the Final EIR and listed in Table 1 (attached), that cannot be eliminated or reduced to a less than significant level. These impact are:

Impact 4.1.5: The RTP will generate GHG emissions that would have a significant cumulative impact on the environment.

Impact 4.3.1: Implementation of projects under the RTP could result in the conversion of Important Farmland to non-agricultural uses.

Impact 4.4.1: Implementation of the projects under the RTP could result in transportation facilities that exceed the level of service standards established by the agencies within the County.

Impact 4.5.2: Implementation of the projects under the RTP would increase operation-related noise levels at nearby sensitive receptor locations.

Impact 4.5.5: Implementation of transit projects identified under the RTP could increase operational noise levels at nearby sensitive receptor locations.

Impact 4.9.4: Implementation of the projects under the RTP could result in potential disturbance or loss of special-status plant populations.

Impact 4.10.1: Implementation of the projects under the RTP may cause substantial adverse effects to previously unknown significant archaeological resources.

Impact 4.10.4: Construction of future projects under the RTP could adversely affect historic architectural resources through demolition or significant changes to the historical setting.

StanCOG has prepared a statement of overriding consideration for these impacts, below.

Mitigation Monitoring and Reporting Program

For the mitigation measures described in the Final EIR and Table 1, a mitigation monitoring and reporting program (MMRP) has been prepared and is included as Table A-1 in Appendix A of the Final EIR. The MMRP is hereby adopted.

Alternatives to the Project

An EIR is required to describe a range of reasonable alternatives to the project that could feasibly attain the objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and to evaluate the comparative merits of the alternatives (CEQA Guidelines Section 15126.6(a)).

Additionally, CEQA Guidelines Section 15126.6(b) requires consideration of alternatives to the project or its location that could avoid or substantially lessen any significant environmental effects of the proposed project, including alternatives that may be more costly or could otherwise impede the project's objectives. The range of alternatives required in an EIR is governed by a rule of reason that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice (CEQA Guidelines Section 15126.6(f)).

The following alternatives are discussed in the EIR:

- Alternative 1 – No Project
- Alternative 2 – Transit Focus
- Alternative 3 – Maintenance and Safety
- Alternative 4 – Local Roadways

Descriptions of these alternatives, the basis for selection, and the environmental characteristics of the alternatives are discussed in Chapter 5 of the Draft EIR.

These Alternatives are compared to the following project goals and objectives, as outlined in the 2011 RTP, and incorporated into the 2011 RTP EIR (Chapter 3 of the Draft EIR):

Goal	Definition	Objectives
A. Mobility	Improve the opportunity and ability of people to travel between jobs, schools, homes and efficiently move goods.	<ul style="list-style-type: none"> • Expand transportation mode choices for all residents and visitors. • Strengthen the relationship between transportation and land use decisions; use regionwide system planning techniques to improve connectivity and integration between land uses and travel modes. • Apply new technologies to make travel more reliable, convenient and accessible.
B. Safety and System Preservation	Operate and maintain the transportation system to ensure public safety and to protect the region's transportation investment.	<ul style="list-style-type: none"> • Maximize safety and comfort for all transportation modes. • Protect the region's investment by preserving the condition of the transportation system.
C. Environmental Quality	Consider the environmental impacts of all transportation projects in making transportation investments thus minimizing direct and indirect impacts on the environment for cleaner air and natural resources.	<ul style="list-style-type: none"> • Reduce the number of overall vehicle miles traveled, reduce greenhouse gas emissions and improve overall air quality • Preserve farmland, open space and natural resources by integrating transportation and land use planning.
D. Economic/Community Vitality	Foster job creation and business attraction, retention and expansion by improving the movement of goods, services, and our local work force while revitalizing our communities.	<ul style="list-style-type: none"> • Promote alternative modes of transportation; promote communities that are transit-oriented, bicycle-friendly and walkable making them more livable, attractive and economically vibrant. • Focus not only on vehicular mobility but improve goods movement too; support the enhancement of goods movement by land and air.
E. Social Equity	Promote and provide equitable opportunities to access transportation services for the full spectrum of the population. Ensure that economically, physically, and socially disadvantaged groups have access to transportation services and share in the benefits of transportation improvements.	<ul style="list-style-type: none"> • Increase participation of the economically, physically and socially disadvantaged groups in the transportation planning and decision-making processes. • Provide an equitable level of transportation options for all users. • Ensure transportation improvements do not negatively affect disadvantaged groups.

SOURCE: StanCOG, 2010b.

Evaluation and Findings:

No Project Alternative (Alternative 1)

The project being evaluated in this EIR is the 2011 RTP, which describes projects for which local, state and federal funding sources have been identified. The no-project alternative would not adopt the 2011 RTP in any form. The no-project alternative would require all projects to be funded outside of the RTP funding process, and would therefore allow local funding sources, but not state or federal funding. However, local transportation funding is constrained, and most of the local projects identified in Appendix B would not be implemented in the foreseeable future.

This alternative would eliminate most impacts related to construction of new facilities. However, vehicle trips and ADT would be expected to grow (with trips either being rerouted to other facilities and/or creating additional congestion on regional and local roadways). Therefore, air quality and GHG impacts, would not be avoided, and traffic congestion would increase. Due to these impacts, combined with the inability to meet any of the project objectives, the lead agency does not find Alternative 1 to be a feasible alternative to the proposed project.

Transit Focus (Alternative 2)

Under this alternative, transit improvements, such as expansion of bus and rail service, dedicated transit lanes, and new transit stops would be the focus of the RTP. Non-transit related projects and improvements in the RTP would be limited to maintenance and safety projects at existing facilities. While this alternative would reduce many of the effects related to highway and interchange construction, it would not serve the full range of transportation needs identified in the RTP, including freight movement and regional connectivity.

This alternative would increase the frequency and routes of available transit. Some new facilities would conceivably be constructed under this alternative (commuter "diamond" lanes, rail extensions, intermodal facilities, etc.). New facilities would likely be concentrated in urban areas. This would reduce construction impacts related to agricultural and biological resources, but would not reduce nuisance-type impacts (air quality, noise, traffic disruption), related to sensitive receptors. Operational impacts would be less than the proposed project.

This alternative would theoretically slow the growth of vehicle VMT. Given the existing development and transportation patterns in the region, transit investment by itself cannot be expected to meet the region's transportation needs. Additionally, some funding sources identified in the RTP may not be available to transit projects. Even with capital investment, continued transit operations in some areas of the county may not be financially viable. It is therefore unclear if this alternative is economically feasible at this time. For these reasons, the lead agency does not find Alternative 2 to be a feasible alternative to the proposed project.

Maintenance and Safety (Alternative 3)

Under this alternative, the maintenance and safety improvements for existing transportation networks would be the only projects included in the RTP. This alternative would meet a need for roadway maintenance and improvement, and would lessen several of the impacts described in this EIR related to new and expanded roadways. This alternative would not address the regional transportation needs for people and freight, as described in the 2011 RTP.

Many of the construction effects related to the regional corridors would be avoided, but safety improvement construction would still occur (and increase due to additional funding). These improvement projects may be of smaller scale, but also would be more concentrated in existing urban areas (so the impact to new sensitive receptors may be reduced, but the overall effect to existing sensitive receptors may be greater). VMT, and associated air, noise, and GHG impacts, would still increase. As improvement and maintenance projects may not address regional connectivity, the regional traffic and air quality effects related to congestion would not be lessened. For these reasons, the lead agency does not find Alternative 2 to be a feasible alternative to the proposed project.

Local Roadways (Alternative 4)

Under this alternative, the creation, expansion and maintenance of local transportation networks would be the only projects included in the RTP. This alternative would meet a need for local roadway expansion, maintenance and improvement, and would lessen several of the impacts described in this EIR related to construction of expressways. This impact is different from Alternative 3 in that it would allow construction of new facilities that address local needs. This alternative would not address the regional transportation needs for people and freight, as described in the 2011 RTP.

The construction effects related to the regional corridors would be avoided, but local construction would still occur (and increase due to additional funding). These local projects may be of smaller scale, but also would be more concentrated in existing urban areas (so the impact to new sensitive receptors may be reduced, but the overall effect to existing sensitive receptors may be greater). VMT, and associated air, noise, and GHG impacts, would still increase. As local projects may not address regional connectivity, the regional traffic and air quality effects related to congestion would not be lessened. For these reasons, the lead agency does not find Alternative 2 to be a feasible alternative to the proposed project.

Statement of Overriding Considerations

The Final EIR identifies several significant and unavoidable impacts, described above.

StanCOG finds, per Public Resources Code §21081(b), that specific overriding economic, legal, social, technological, or other benefits outweigh the unavoidable adverse environmental effects of the proposed project (the 2011 RTP).

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1. The 2011 RTP would improve regional transportation in the County, therefore improving the economic vitality of the County.
 2. The 2011 RTP, by identifying a variety of local roadway and transit projects for future funding, will improve equity in the transportation system.
 3. The 2011 RTP will increase safety in the regional and local transportation systems.
 4. The 2011 RTP will improve the opportunity and ability of people to travel between jobs, schools, and homes; therefore providing a societal benefit.
 5. The 2011 RTP will protect and maintain the public investment in the existing transportation system.