



Legislation Details (With Text)

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Title: Department of Transportation recommending the Board Adopt the Addendum to the Final Supplemental Environmental Impact Report, certified by the Board on June 28, 2011, related to the Silva Valley Parkway Interchange Project (Project), Capital Improvement Project number 66104/36104002/36104003.

FUNDING: The Silva Valley Interchange Project is included in the Adopted 2022 Capital Improvement Program (CIP) and is funded by 2004 General Plan Silva Valley Interchange Set Aside Traffic Impact Fee (TIF) Program fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel Approval, 2. B - Proposed Addendum to SEIR, 3. C - Silva Valley Parkway Adopted EIR, 4. D - Silva Valley Parkway Adopted SEIR

Date	Ver.	Action By	Action	Result
3/21/2023	1	Board of Supervisors	Approved	Pass

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DISCUSSION / BACKGROUND

The first phase of the US Highway 50 / Silva Valley Interchange began construction in 2013 and was completed in 2016. The project was constructed under an Environmental Impact Report (EIR) which was initially approved in 1990, with a Supplemental EIR (SEIR) completed in 2011.

Within the EIR, Mitigation Measure BIO-12 was included requiring the mitigation of the impacts on Oak Tree canopy generated by the project. The mitigation measure offered two solutions: Option A for on-site mitigation, Option B to pay into the Conservation Fund In-Lieu Fee program, or a combination of both. At the time the 2011 Supplemental EIR was approved, the County had the Oak Woodland Management Plan (OWMP) as a qualifying in-lieu fee program; however, the OWMP was challenged and subsequently eliminated in 2012, leaving on-site mitigation as the only available option.

Subsequent to the elimination of the OWMP, in 2017 the County established an alternative in-lieu fee program in the form of the Oak Resource Management Plan (ORMP). As a result, Transportation staff engaged with Helix Environmental Planning (Helix) to evaluate the option of utilizing the ORMP

as a method for Oak Tree mitigation. Helix prepared an analysis and came to the following conclusion, as included in the proposed Addendum: “The 2017 ORMP offers additional compensatory mitigation and better mitigation viability than onsite replanting. Furthermore, the in-lieu fee option allows for an integrated program with flexibility and assurance that lost oak resources can be replaced or compensated which would be an additional benefit of the proposed revision. [...] The resulting mitigation is equivalent or superior to the adopted mitigation measure and would result in higher mitigation values (and potentially more conservative due to consideration of Heritage Trees and individual protected oaks) than those considered in the 2011 SEIR [...] The in-lieu fee option would allow flexibility and assurance that removed oak resources can be replaced or compensated with an integrated approach, a further benefit of the proposed revision.”

Based on the Helix analysis and staff concurrence, Transportation is recommending revising Mitigation Measure BIO-12 to utilize the ORMP in-lieu fee program as partial mitigation for oak resources in the upcoming landscape and mitigation phase of the project. The attached Addendum to the Supplemental EIR has analyzed the impacts of this recommended change and will meet the California Environmental Quality Act (CEQA) Requirements should the Board approve it.

The interchange will still receive landscaping and riparian habitat restoration to mitigate the visual and other habitat impacts of the project, but in a more focused and effective manner. Upon approval of this item by the Board, Transportation will finalize its Landscape and Mitigation plans for the project and plans to bid the work for construction and implementation this year.

ALTERNATIVES

The Board could choose not to adopt this Addendum to the Supplemental Environmental Impact Report. This would leave the SEIR as the governing document, and the only mitigation measure available to offset the project’s impacts would be on-site mitigation.

PRIOR BOARD ACTION

On February 20, 1990 (Item 37, File 6974), the Board of Supervisors approved the Silva Valley Parkway Interchange Project, adopted the “Ridge Route” as the preferred alternative for the alignment, and certified the associated EIR (SCH No. 88050215).

On June 28, 2011 (Item, Legistar 11-0709), the Board certified the Supplemental EIR (SCH 1988050215), adopted a Mitigation Monitoring and Reporting Plan for the project, and approved the project and authorized the initiation of the acquisition process.

On October 24, 2017 (Item 34, Legistar 12-1203 v27), the Board adopted a General Plan Amendment that revised the biological resources policies and related objectives and implementation measures in the Conservation and Open Space Element of the General Plan. The Oak Resources Management Plan (ORMP) was adopted under Resolution 129-2017 and the Oak Resources Conservation Ordinance, Ordinance 5061, which became effective on November 23, 2017. The In-Lieu Mitigation Fee was established via Resolution 130-2017, which became effective on December 23, 2017.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

Approve staff recommendation.

FINANCIAL IMPACT

There is no change to net County cost associated with this item. Funding for the Silva Valley Interchange Project is included in the Adopted 2022 Capital Improvement Program (CIP) and is funded by 2004 General Plan Silva Valley Interchange Set Aside Traffic Impact Fee (TIF) Program fees.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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