



## Legislation Details (With Text)

**File #:** 09-0371      **Version:** 1

**Type:** Agenda Item      **Status:** Department Matters

**File created:** 3/13/2009      **In control:** Board Of Supervisors

**On agenda:** 4/21/2009      **Final action:** 4/21/2009

**Title:** Transportation Department recommending the Board certify the California Environmental Quality Act (CEQA) Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program related to the Latrobe Road Realignment Project.

Fiscal Impact: Approval of this Mitigated Negative Declaration will not result in any fiscal impact. The project is funded by the High Risk Rural Road (HRRR) federal grant program and the Regional Surface Transportation Program (RSTP).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A- Project Location.pdf, 2. B- Proposed Project.pdf, 3. C- Initial Study MND Latrobe Rd Realign Proj.pdf

Date	Ver.	Action By	Action	Result
4/21/2009	1	Board Of Supervisors	Continued	Pass

Transportation Department recommending the Board certify the California Environmental Quality Act (CEQA) Mitigated Negative Declaration and associated Mitigation Monitoring and Reporting Program related to the Latrobe Road Realignment Project.

Fiscal Impact: Approval of this Mitigated Negative Declaration will not result in any fiscal impact. The project is funded by the High Risk Rural Road (HRRR) federal grant program and the Regional Surface Transportation Program (RSTP).

**Reason for Recommendation:**

The Department of Transportation (DOT) is requesting this action based upon the following findings:

- A. The CEQA document on file with the Clerk of the Board and on DOT website <http://www.co.el-dorado.ca.us/DOT/ceqa.html> was prepared pursuant to Public Resources Code Sections 21000 et seq., and the CEQA Guidelines.
- B. There is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.
- C. The Mitigated Negative Declaration (MND) for the Latrobe Road Realignment Project reflects the lead agency's independent judgment and analysis.

**Project Background:** The Latrobe Road Realignment Project is also referred to as the Latrobe Road North of Ryan Ranch Road Project in the 2008 Capital Improvement Program (CIP). The project is located approximately 800 feet north of the Latrobe Road/Ryan Ranch Road intersection and 4.0 miles south of U.S. Highway 50.

The project objective is to improve traffic safety along Latrobe Road between Mile Post 7.0 and 7.35 due to poor sight distance around a horizontal curve adjacent to a steep hillside and narrow shoulders (0 to 2 feet) allowing only a minimal recovery zone. Thirteen accidents have been reported along this stretch of Latrobe including hit objects, a head-on collision, sideswipe collisions and an overturned vehicle.

DOT has been awarded a federal grant from the High Risk Rural Road grant program for this project. Caltrans is responsible for quality assurance and is providing oversight for the National Environmental Policy Act (NEPA) process with the Federal Highway Administration (FHWA) as the Federal Lead Agency for NEPA. Studies have been submitted to Caltrans to support a Categorical Exclusion (CE) under NEPA.

**Project Description:** The proposed project involves the realignment and widening of approximately 1,600 feet of Latrobe Road between Mile Post 7.0 and Mile Post 7.35 to improve sight distance and roadway safety features. The project would widen Latrobe Road from approximately 24 feet to 33 feet and would widen the shoulder width from less than one foot on each side to 5 feet on the west side and 4 feet on the east side between Mile Post 7.0 to 7.35 to increase the recovery zone.

**Project Construction:** DOT would retain a construction contractor who would be responsible for compliance with all applicable rules, regulations and ordinances associated with construction activities and for implementation of the adopted construction-related mitigation measures. Construction is proposed to commence spring 2010 and would require approximately three months to complete. A traffic management plan will be required that will include construction staging and traffic control measures to maintain and minimize impacts to traffic during construction. Minor stoppages or delays may be necessary but full road closure will not occur.

**Mitigation Measures:** Mitigation measures are added to the project to reduce potential impacts to a level of insignificance. The Mitigation Monitoring and Reporting Plan, which lists each mitigation measure as well as who is responsible for implementation, can be found in Attachment 1 of the Initial Study/Mitigated Negative Declaration document.

**Public Notification:** The Notice of Intent to Adopt a Mitigated Negative Declaration was advertised in the Mountain Democrat, the entire document was posted on the DOT website, and hard copies were available at the DOT offices. The review period began on February 2, 2009, and ended March 4, 2009. Individual notices were sent to those directly affected and to affected agencies.

**Comments Received:** Several comments were received with concerns and questions for clarification from two affected property owners adjacent on either side of Latrobe. These comments and DOT's responses are summarized as follows:

1. There is concern about where relocated utility poles would be placed.

Response: The 8 telephone poles that may be relocated will remain on the west side of the road.

2. Storm water from this roadway will discharge into an existing tributary on the eastern adjacent property, which will then discharge downstream to Deer Creek. Is DOT proposing a drainage easement along this tributary as part of the items outlined in Section 3.3.5?

Who will maintain this tributary, such as debris and trash from the roadway?

Response: Water from the road and adjacent property currently flows into this tributary. As stated in the Hydrology Section, significant increase of storm water is not expected to occur as the increased impervious surface is minimal. The County proposes altering the location where a portion of this water currently enters the tributary. The County does not propose a drainage easement along the existing tributary. The County does not propose changes to the maintenance responsibilities for the tributary.

3. Please clarify and quantify right of way and easement requirements of this project.

Response: The existing roadway is on a public road easement and the proposed roadway (paved lanes and shoulders) remain within this existing easement. The County has not proposed obtaining title in fee for the existing easement but can consider it. Slope and drainage easement ranging from about 5 to 35 feet in width will be necessary beyond the existing right of way. Temporary construction easements will also be necessary beyond the slope and drainage easements.

Right of way discussions with property owners will occur after certification of the environmental document by the Board of Supervisors and authorization to proceed from FHWA. The County anticipates this will occur in early summer 2009.

4. Clarify which, and how many trees will be removed, and impacts on local views.

Response: The number shown is the maximum anticipated. The County's desire is to maintain trees where possible but will remove those necessary to reduce the potential for accidents by increasing sight distance and further provide safety to the traveling public.

The County will provide a set of preliminary project plans identifying the sizes and locations of trees proposed for removal. The trees removed will result in a minor physical change that is limited to the immediate linear project area of the roadway but will not substantially alter the rural, open space character of the area.

5. Clarify how high and what the gabions will look like.

Response: Gabions are partitioned, wire fabric containers filled with stone at the site of use to form flexible, permeable, structures for earth retention. They will likely be about 6 feet high. The County will provide a set of preliminary project plans that will identify their location, height, and other details.

6. There is concern about increased noise as a result of the project.

Response: The noise study for this project concluded that increases in traffic noise levels are not expected to be perceptible. More specifically, the project would result in a 1.1 dB increase in the average noise level. This estimated increase is within the 5 dB threshold increase established by General Plan Policy 6.5.1.12.A (see p.62, Section 4.11.2 of the MND).

7. Would like to see a retaining wall alternative explored. This would result in fewer trees being removed, greater sound attenuation, less property being bought, much more

attractive, etc.

Response: A retaining wall was analyzed in preliminary design but it is not included in the MND because it was rejected as part of the project. A retaining wall would result in 2 fewer trees being removed and would reduce the total easement area required but at a substantially greater expense than the cost of easements. The attractiveness of a tall retaining wall versus a vegetated cut slope, especially in a rural area, is subjective.

The noise study does not assume a retaining wall and states that the increase in noise is not expected to be perceptible. Additionally, County policy discourages walls for sound abatement in favor of more natural remedies.

8. Figure 4 the Special Status Species Occurrences exhibit refers to a Swainson's hawk within 5 miles of the project. The California Department of Fish and Game data base provides information that indicates the last known sighting was back in 1979 and 1982. If no other sightings have been made, the Hawk may not be present. The MND should clarify this for the reader that it's been 27 years since the last sighting.

Response: Table 4-4 indicates that habitat for the Swainson's hawk is not present due to unsuitable nesting habitat within the project study area. However, the document also explains nesting could occur along Deer Creek which is 1,000 feet south of the project, close enough, according to the California Department of Fish and Game, to be considered potentially significant. This impact is considered less than significant with Mitigation Measure #2, which calls for preconstruction surveys (see Page 34 of the document).

9. Safety concerns of ingress and egress from the driveway on the west side of the road at the northern end of the project.

Response: The purpose of this project is to improve safety. The completed project will provide increased sight distance within project limits for vehicles exiting the driveway and northbound vehicles approaching driveway, thus improving the ingress and egress from existing conditions. During construction the project will follow standard traffic control measures for maintaining traffic and lane closures.

10. Concern that there is a general lack of mitigating alternatives discussed or analyzed, particularly relating to the design and construction of the cut slopes.

Response: During the preliminary design of this proposal project, DOT staff analyzed alternative alignments and selected the most appropriate alignment to both minimize impacts and provide the desired safety improvements with the available funding provided by the Federal safety grant. CEQA does not require the analysis of alternatives to be included in MND's.

Action to be taken following Board approval:

- (1) DOT will File a Notice of Determination with the office of the County Recorder/Clerk.
- (2) DOT staff will proceed with the project through preparation of the plans, specifications and estimates, and Right-of-Way acquisition process.

Contact:

James W. Ware, P.E.  
Director of Transportation