

State of California  
Business, Transportation & Housing Agency  
Department of Transportation

ENVIRONMENTAL MATTERS  
03-BUT-70/149/99/191, PM  
19.9/22.1;0.0/4.6;20.7/24.6;0.0/0.5  
ACTION ITEM

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*Original Signed By:*  
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Chief Financial Officer  
July 1, 2002

**SUMMARY - DRAFT ENVIRONMENTAL IMPACT REPORT**  
**STATE ROUTES 70/149/99/191**  
**IN BUTTE COUNTY**

**Proposed Action**

Construct an interchange and four-lane expressway on State Routes 70/149/99/191.

**Programming:**

The project was originally programmed in the 1998 State Transportation Improvement Program (STIP) as a basic interchange project on Route 99 in Butte County. The project was combined with a four-lane expressway project on Route 149 in subsequent STIP cycles. The project is currently programmed for construction capital with Regional shares and Interregional shares of \$486,000, and \$70,935,000, respectively. Additionally, Interregional Improvement Program (IIP) funds of \$19,000,000 are programmed for project support, right-of-way capital is programmed for \$6,614,000 with RIP shares and \$2,886,000 using IIP shares. The total estimated project cost is \$99,921,000 with construction to begin 2003/04.

**Alternatives Being Considered:**

- No Build
- Widen to the South
- Widen to the North
- Avoid Butte County Meadowform, a special status plant

**Proposed Measures to Minimize Harm:**

- Relocation Assistance through the Relocation Assistance Program
- Preservation/Acquisition/Creation of habitat

The entire Draft Environmental Impact Report has been transmitted to Commission staff.

Attachment

## Executive Summary

This Draft Environmental Impact Statement/Draft Environmental Impact Report (DEIS/DEIR) has been prepared to meet requirements of the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) for projects that could have adverse impacts on the environment. It is based on detailed technical studies for the purpose of informing the public and decision-makers about the potential environmental effects of the proposed project, and presenting reasonable alternatives that would avoid or minimize adverse impacts.

The following summary identifies major items of importance to decision-makers regarding the proposed project. Detailed project information is presented in the body of the document.

### S.1 Proposed Action

The California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) are proposing a highway improvement project on SR 149 in Butte County, California, between the cities of Chico and Oroville (Figure S-1). The proposed project would upgrade State Route (SR) 149 to a four-lane expressway and construct freeway-to-freeway interchanges at the SR 70/149 and SR 99/149 intersections. The project will improve traffic safety and reduce congestion. Improvements would include:

- Construction of two additional 3.6 meter(m) [12 foot(ft)] lanes, 18.6 m to 22 m (60 ft to 72 ft) median, 3 m (10 ft) outside shoulder and 1.5 m (5 ft) median shoulder for the full length of SR 149 (4.6 mi)
- Realignment of SR 70 between SRs 149 and 191,
- Rehabilitation of the existing SR 149 roadway
- Construction of freeway-to-freeway interchanges at the existing SR 70/149 and 99/149 intersections
- Reconstruction of the SR 70/191 intersection
- Construction of driveway access roads



03-BUT-70/149/99/191

LOCATION MAP



TEHAMA CO

PLUMAS CO

BUTTE CO

Forest Ranch

Paradise

Chico

STUDY LIMITS

Oroville

GLENN CO

YUBA CO

Biggs

COLUSA CO

Gridley

SUTTER CO

Project Vicinit  
Figure S-1

- Construction of county roads including a portion of Shippee Road, Table Mountain Blvd. and the Book Farm Road.

The proposed project would constitute a gap-closure between the four-lane SR 70 freeway to the southeast, and the four-lane SR 99 expressway to the northwest.

Other Caltrans/FHWA actions proposed in the vicinity include an interchange at the existing Ophir Rd./SR 70 intersection in Oroville with extension of the freeway for 3.2 km (2 mi) south, and widening SR 70 to a four-lane expressway/freeway from south of Marysville to Oroville (“Marysville Bypass”).

## S.2 Project Alternatives

As part of the integration process for projects requiring approval under NEPA and an Army Corps of Engineers (ACOE) Individual Section 404 (Clean Water Act) permit, an Alternatives Analysis was prepared by the Caltrans District 3 Environmental Branch (*Caltrans 2000*). Under this “NEPA/404 Process,” sixteen roadway alternatives, two interchange options and two options for each of four driveway access roads (private residences) were examined in the analysis. As a result of this analysis, three alternatives for widening SR 149, one interchange design and one option for each of the four driveway access roads are being carried forward for consideration in this document. The remaining alternatives/design options have been eliminated from further study, and are addressed in Chapter 2, Section 2.1.2, “Alternatives/Options Variations Considered and Eliminated.” For the proposed project, the following alternatives for widening SR 149 are being considered:

Alternative 1 – Widen to the South

Alternative 2 – Widen to the North

Alternative 3 – Avoid Butte County Meadowfoam (“BCM,” *Limnanthes floccosa californica*, a special status plant)

Other project features such as interchange design and driveway access roads would be the same for any of the alternatives.

A No Build alternative is also being considered, where SR 149 would remain a two-lane highway and the SR 99/149 and 70/149 intersections would remain unchanged. Chapter Two gives a detailed discussion of project alternatives. Figure 1-1 (in Chapter One) shows the project location.

### S.3 Potential Impacts and Mitigation

The following table shows the potential impacts of and mitigation for the proposed project. Details on each item in the table are presented in Chapters 3 -5.

**Table S-1. Summary of Potential Impacts/Mitigation by Alternative**

<i>Potential Impact</i>		<i>Alternative 1 South</i>	<i>Alternative 2 North</i>	<i>Alternative 3 Avoid BCM*</i>	<i>No Build Alternative</i>	<i>Minimization / Mitigation</i>
<b>Farmland converted Prime and Unique Hectares (acres)</b>		1.2 (3)	1.2 (3)	1.2 (3)	0	None Required
<b>Williamson Act land</b>		24 parcels impacted	24 parcels impacted	24 parcels impacted	No impact	None Required
<b>Business displacements</b>		3-4	3-4	3-4	0	Relocation Assistance
<b>Housing displacements</b>		4	4	4	0	Relocation Assistance
<b>Consistency with Butte County General Plan</b>		yes	yes	yes	No	None Required
<b>Noise</b>	<b># of receptors ≥ Leq 67 dBA</b>	3	3	3	3	Considered; Not practicable
<b>Water quality</b>		Construction impacts	Construction impacts	Construction impacts	No impact	Construction Measures
<b>Floodplain Encroachment</b>		Transverse, 2 locations	Transverse, 2 locations	Transverse, 2 locations	No impact	None Required
<b>Air Quality</b>		Construction impacts	Construction impacts	Construction impacts	No impact	Construction Measures
<b>Fairy &amp; Tadpole Shrimp Habitat</b>	<b>Direct impact ha (ac)</b>	13.59 (33.58)	12.14 (30)	11.87 (29.33)	0	Preservation/Creation of Habitat; construction measures
	<b>Indirect impact ha (ac)</b>	5.66 (13.99)	6.79 (16.78)	6.88 (17.0)	0	
<b>Vernal Pool &amp; Swale Habitat</b>	<b>direct /perm impact ha (ac)</b>	2.95 (7.29)	2.71 (6.69)	2.25 (5.56)	0	Creation / acquisition of habitat; construction measures
	<b>direct /temp impact ha (ac)</b>	0.38 (0.94)	0.59 (1.46)	0.38 (0.94)	0	
<b>Total wetlands &amp; waters area, ha (ac)</b>		9.47 (23.4)	10.21 (25.23)	8.95 (22.12)	0	Creation / acquisition of habitat
<b>BCM*</b>	<b>direct impact ha (ac)</b>	0.16 (0.40)	0.01 (0.03)	0	0	Preservation / acquisition of habitat; Construction measures
	<b>indirect impact ha (ac)</b>	0.02 (0.04)	0.22 (0.54)	0.21 (0.53)	0	

\* BCM = Butte County Meadowfoam

<i>Potential Impact</i>	<i>Alternative 1 South</i>	<i>Alternative 2 North</i>	<i>Alternative 3 Avoid BCM*</i>	<i>No Build Alternative</i>	<i>Minimization / Mitigation</i>
<b>Valley Elderberry Longhorn Beetle</b> (No. elderberry shrubs impacted, approx.)	22	17	14	0	<b>Minimize / Replacement plantings</b>
<b>Oak Woodlands</b> Ha (ac)	0.52 (1.28)	0.53 (1.31)	0.56 (1.37)	0	<b>Minimize / replacement plantings</b>
<b>Riparian / Salmonid habitat</b> Ha (ac)	1.06 (2.62)	0.86 (2.13)	0.89 (2.20)	0	<b>Construction measures, revegetation</b>
<b>Cultural resources</b>	No effect	Further evaluation if necessary after preferred alternative identified	No effect	No impact	<b>Avoidance, or To Be Determined</b>
<b>Potential hazardous waste sites</b>	1	1	1	0	<b>To Be Determined</b>
<b>Volume of fill imported as % of total cut &amp; fill volume</b>	20%-30%	20%-30%	20%-30%	0	<b>N/A</b>
<b>Maximum projected cut and fill heights</b>	Cut – 7m Fill – 16m (for interchange ramps)	Cut – 7m Fill – 16m	Cut – 7m Fill – 16m	0	<b>N/A</b>
<b>Visual Impacts</b>	Interchange ramps	Interchange ramps	Interchange ramps	No impact	<b>Revegetation, landscaping</b>
<b>Cumulative impacts</b>	Vernal pools, wetlands	Vernal pools, wetlands	Vernal pools, wetlands	No impact	<b>Cumulative Mitigation, HCP</b>
<b>Growth Inducement</b>	Not substantial	Not substantial	Not substantial	No impact	<b>None Required</b>

\* BCM = Butte County Meadowfoam

## S.4 Areas of Potential Controversy

### S.4.1 Biological Resources

Resources are distributed throughout the project corridor, and all build alternatives, to varying degrees, would directly impact wetlands, vernal pools, vernal pool fairy (federal threatened species) and tadpole (federal endangered) shrimp, Valley Elderberry Longhorn Beetle (VELB, federal threatened), oak woodlands, riparian habitat and Northwest Pond Turtle habitat. Impacts to Butte County Meadowfoam (State and federal endangered) could also occur. Impacts to Cliff Swallows, Depauperate Milk Vetch, Central Valley Steelhead, and Central Valley fall/late fall and Central Valley Spring Run Chinook Salmon and designated critical habitat would be avoided or minimized through construction and/or avoidance measures. A detailed analysis of impacts may be found Chapter 3.

Alternative 2 (Widen North) would have greater impacts to most resources, and directly impact two vernal pools containing Butte County Meadowfoam (BCM). Alternative 1 (Widen South) would have the largest direct impact to BCM. Alternative 3 (Avoid BCM) would impact less wetland acreage than the other two alternatives and would avoid direct impacts to vernal pools containing BCM. After consideration of comments received from public circulation of this DEIS/DEIR, a meeting will be held between Caltrans, FHWA and regulatory agencies to identify a preferred alternative.

### Mitigation

Mitigation for impacts to vernal pools and associated species will be determined as part of the Section 404 (Clean Water Act) and Section 7 (Endangered Species Act) requirements.

Mitigation sites will be identified in consultation with the U.S. Fish & Wildlife Service (USFWS), California Department of Fish & Game (CDFG), and the U.S. Army Corps of Engineers (ACOE).

Impacts to wetlands and other waters will be mitigated through replacement of habitat at a ratio to ensure no net loss.

Conservation measures for impacts to VELB will follow Conservation Guidelines for the VELB. Conservation requirements would be determined based on shrub location, stem size classes and presence of exit holes. Measures would be proposed on-site within riparian replacement areas or off-site on lands purchased for mitigation purposes.

A draft oak mitigation plan will be sent to CDFG for their review. Oak trees to be avoided during construction will be identified on project plans as Environmentally Sensitive Areas (ESAs) and marked in the field by staking or fencing the tree canopies.

No exotic or invasive landscape species will be used adjacent to sensitive habitat within the project area.

ESAs will be designated during construction where right-of-way is adjacent to sensitive habitat. No construction-related disturbance will be allowed in ESAs.

Water quality Best Management Practices (BMPs) will be implemented to avoid sedimentation impacts to wetlands, other waters and vernal pools.

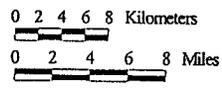
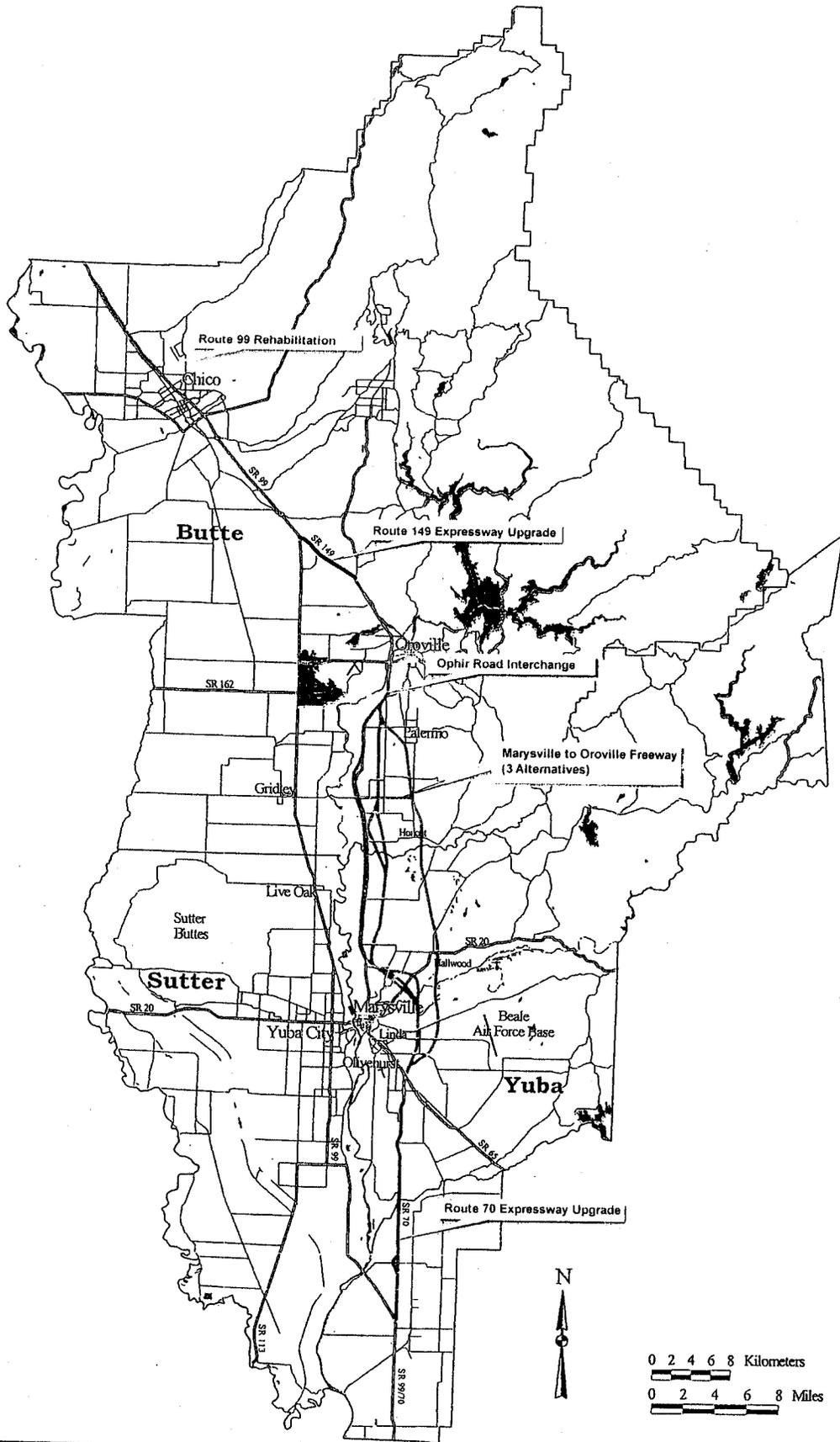
Loss of Swainson's hawk foraging habitat will be mitigated based on recommendations by the CDFG (CDFG 1994).

#### **S.4.2 Cumulative Impacts**

NEPA defines cumulative impacts as those that result from the incremental impact of a proposed action when added to other past, present and reasonably foreseeable future actions (40 CFR 1508.7). For the proposed project, the area for evaluation of cumulative effects (as requested by resource agencies during NEPA/404 coordination) is the SR 70/149/99 corridor between Sacramento and Chico. Figure S-2 identifies the major proposed Caltrans/FHWA projects in this area. These would largely be confined to the existing highway corridors, except possibly for some of the Marysville Bypass alternatives. All of these projects would require separate consultation with resource agencies for project impacts.

Vernal pools are the most sensitive resource in the cumulative effects area. The distribution of vernal pools is largely concentrated in the northern part of the cumulative effects area in Butte County, with more fragmented and isolated pools in the southern part of the area. It would be difficult to totally avoid these resources and their associated species, as well as other wetlands, with future planned transportation projects, and it is anticipated that additional losses would occur. This would contribute to the cumulative loss of these resources in the region. Impacts from the SR 70/149/99/191 are, however, relatively small when considering the amount of vernal pool resources within the cumulative effects area. Mitigation requirements currently include creation and acquisition of habitat to accomplish no net loss. These requirements minimize cumulative effects. As part of the NEPA/404 coordination effort, Caltrans and FHWA committed to investigate and pursue mitigation land for vernal pool habitat and associated species and other wetlands on a scale sufficient to offset impacts of the SR 149 and SR 70 projects.

Other non-federal projects that may occur in the SR 70/149/99 corridor include mostly residential and commercial development. These non-federal actions are largely based on partial build-out and growth patterns consistent with approved land use plans. Figure S-3 provides the location of these local areas of planned growth. Since the extent, timing and nature of future growth is governed by development firms, local planning departments, and elected officials that oversee and approve development plans, environmental impacts and mitigation measures should be addressed by these agencies as the growth is planned or discussed. Currently, local agencies within Butte, Sutter and Yuba counties are committed to pursuing Habitat Conservation



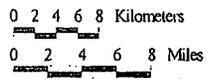
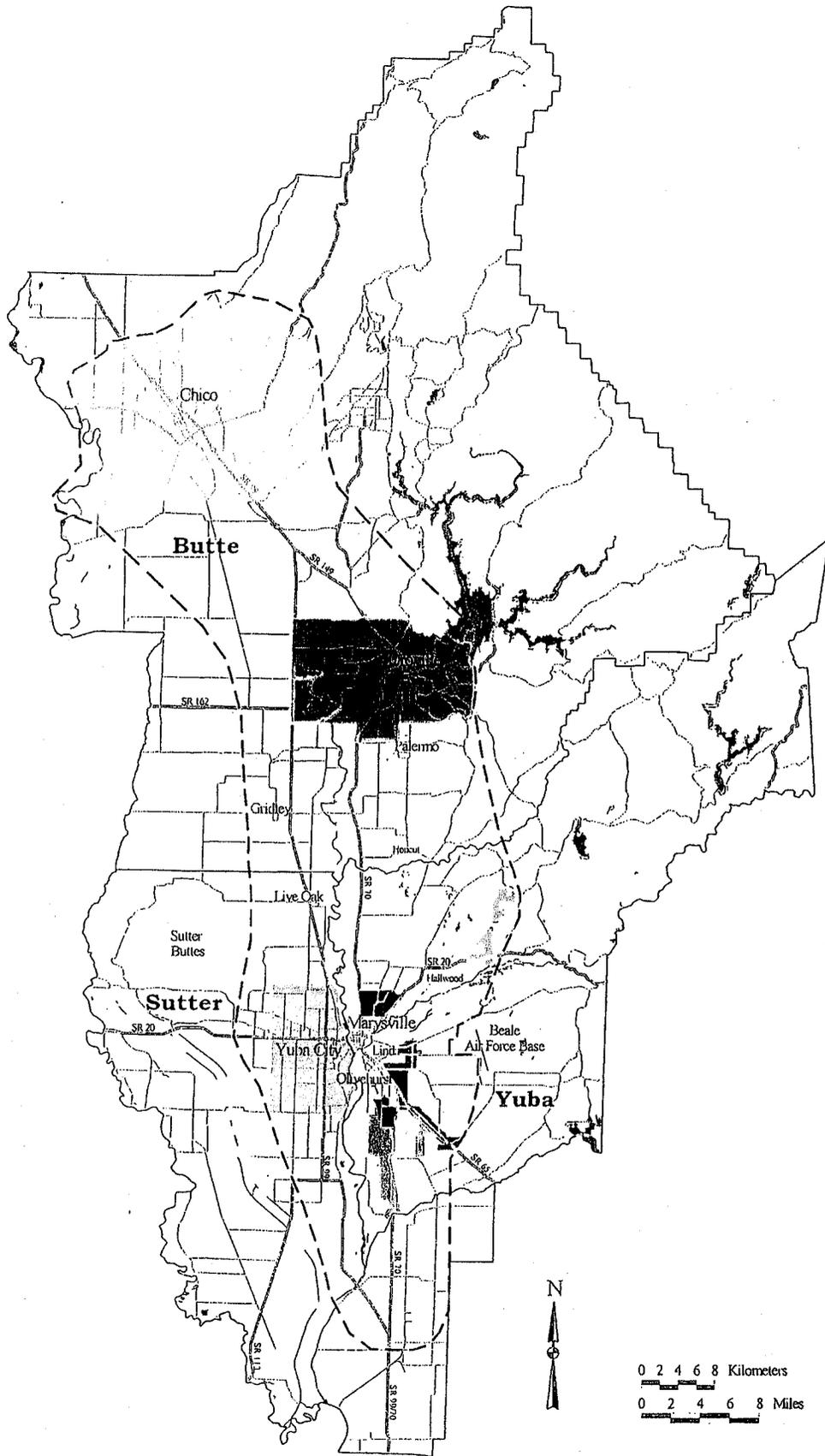
Proposed Routes 70/149 Highway Projects Figure S-2



- County Line
- But-149 Expressway Upgrade
- Route 70 Expressway Upgrade
- Marysville to Oroville Freeway Project
- Route 99 Rehabilitation

**Proposed Routes 70/149 Freeway Projects**

**Route 70/149 Transportation Corridor**



- Cumulative Effects Boundary
- County Line
- Lakes/Ponds/Water Courses
- Spring Valley Specific Plan
- Raceback/Amphitheatre
- North Marysville Specific Plan
- Plumas Lake Specific Plan
- Oroville General Plan
- Yuba City Urban Area General Plan
- Chico General Plan
- Yuba County General Plan
- North Arboga Study Area
- East Linda Specific Plan

**General and Specific Plan Locations (Anticipated Growth Areas)**

**Route 70/99/149 Transportation Corridor**

Areas of Planned Growth Figure S-3

Plans (HCPs) to address impacts from projects within their counties. Chapter 3 discusses growth impacts, and Chapter 4 provides a detailed discussion of the cumulative impacts related to the proposed project and other related projects.

### **S.4.3 Growth**

As a result of coordination with the U.S. Fish & Wildlife Service (USFWS), Caltrans and FHWA agreed to consider the growth inducing effects of the proposed and two other transportation projects along the SR 70 corridor from Sacramento to Chico (Figure S-2). The resulting Growth Inducement Report concludes that growth has been occurring within the corridor independent of highway improvement projects. Although there could be opportunities for growth at locations where none currently exists (mainly in Yuba County), it will only occur as County planning decisions and economic recovery allow. The proposed SR 70/149/99/191 project lies within a rural area between the communities of Oroville and Chico, and the majority of land adjacent to the project is zoned for agriculture. There are no public facilities or developments within the project limits. The proposed project would be a limited access expressway, and no new access points are proposed. The SR 70/149 and 99/149 interchanges would be access controlled – no public access would be allowed in these areas. The only access point would be the existing SR 149/ Shippee Rd. intersection. It is expected that future growth in the county will mainly occur within the existing urban areas; the Oroville and Chico general plans have established build-out plans to accommodate 100,000 more residents each, which exceeds the projected population increase of 100,138 for the County in the year 2020. The proposed project would accommodate planned development, but would not induce substantial population growth.

## **S.5 Issues to be Resolved**

Issues to be resolved before implementation of the proposed project are listed below. Impacts are discussed in detail in Chapter 3.

- Identification of the Least Environmentally Damaging Practicable Alternative (LEDPA) (Preferred Alternative)
- Biological resource mitigation (pending consultation with resource agencies)
- Final project design

- Right-of-way acquisition and utility relocation
- Permits and approvals

## **S.6 Permits and Approvals**

The following permits and/or approvals would be required before implementation of the proposed project:

- Endangered Species Act – Section 7 consultation for threatened and endangered species with USFWS and National Marine Fisheries Service (NMFS)
- Streambed alteration agreement (Section 1601) from the CDFG
- Clean Water Act – Section 404 individual permit from ACOE
- Section 401 certification/waiver from Regional Water Quality Control Board (RWQCB)

### NEPA/404 Concurrence Process

In 1997, Caltrans and the FHWA began coordinating with the federal resource agencies, including the USFWS, ACOE, and USEPA to implement the NEPA/404 Integration Process for the proposed project. Concurrence was received for purpose and need, criteria for selecting alternatives, and range of alternatives. Further minimization of impacts to natural resources would be ongoing during the identification of the preferred alternative, as well as during Section 7 consultation and final project design.

### Record of Decision

Following public review of this Draft EIS/EIR and consideration of comments, a preferred alternative would be identified. Upon certification of the Final EIR by Caltrans and approval of the Final EIS by FHWA, Caltrans would file a Notice of Determination (NOD). FHWA would prepare a Record of Decision (ROD) describing why the preferred alternative was chosen.