

DISCUSSION:

The Department of Public Works has been working with Caltrans and the Transportation Agency for Monterey County (TAMC) in developing the proposed State Route 68 at San Benancio Road Intersection Improvements, State Project No. EA 05-0H8220, Contract No. 10-111065. The project, consisting of adding a westbound left-turn lane on SR 68 and widening the northbound approach on San Benancio Road, will significantly enhance turning movements and improve the operation and safety of the intersection. The project is also designed to ease existing congestion at the intersection during peak commute hours.

Caltrans, as the CEQA Lead Agency for the project, prepared the Initial Study with Mitigated Negative Declaration (IS/MND). Caltrans certified and approved the IS/MND in June, 2009. This Board, as a Responsible Agency under CEQA, first considered the IS/MND on May 18, 2010 when it ratified the acquisition of easements necessary for the project. The easements were necessary to meet a Caltrans requirement of "site control" prior to final determination of funding for the project. The California Transportation Commission allocated construction funding on July 1, 2010 contingent upon passage of the FY 2010-11 State Budget.

Adoption of a Mitigation Monitoring and Reporting Program (MMRP) at this time is required to fulfill the County's obligations as a Responsible Agency under CEQA. One minor modification is proposed to be made to the mitigation measures noted in the IS/MND. It is proposed that Measure V-2 be changed to reflect on alternative split rail design to assure the safety of pedestrians, cyclists and motorists. The ST-20S design (referencing bridge standard XS-16-205) is stronger to withstand crash impacts and higher than the Caltrans Standard Plan B11-66 (Type ST-40) referenced in the IS/MND. The recommended standard will provide adequate protection for pedestrians and cyclists while still utilizing the split rail design to preserve rural character. This substitute mitigation measure is considered to be an "equivalent or more effective" mitigation measure, in that it continues to mitigate visual impacts by keeping to a "split rail" design, but provides more protection than the standard described in the IS/MND Mitigation Measure V-2. The rails will also be painted brown, to blend more with the rural setting.

In addition, three new mitigation measures are proposed for the protection of California Tiger Salamander, should it be found at the site. The California Tiger Salamander (CTS) was not listed as a threatened species by the California Department of Fish and Game (CDFG) until May 20, 2010, after adoption and certification of the IS/MND by the Lead Agency. Staff consulted with CDFG and was informed that no revision to the IS/MND was required, but mitigation measures designed to search for, identify, and if located, protectively relocate the CTS are recommended for inclusion in the County's MMRP. These new Mitigation Measures were developed in consultation with CDFG and are identified as BR-41, BR-42 and BR-43 in the MMRP which is included in this package.

None of these changes to the MMRP create environmental impacts in and of themselves. The different design of the guard rail for the bridge is still a "split rail" design, and is similar, yet stronger than the design standard identified in the IS/MND. The three mitigation measures relative to the CTS do not create any impacts, but include a survey, training, monitoring, and, if necessary, the relocation of CTS under the guidance of the CDFG.

A public hearing is required on a proposal to modify or substitute mitigation measures identified in a Mitigated Negative Declaration. Notice of today's hearing was published in *The Californian* on July 16, 2010.

The prior action presented to the Board (the acquisition of easements) did not impact the environment. Additionally, it was unknown if Caltrans would approve necessary funding. The present action is the approval of plans and specifications leading to construction, which will cause environmental impacts. Additionally, with the approval of funding, it is much more likely that the project will go forward. While the mitigation measures described in the MMRP have been incorporated into the plans and specifications (with the substituted mitigation measures described above), adoption of the MMRP will help to ensure compliance with those measures.

Part of the original MMRP referenced the possible use of an off-site location (a portion of Toro Park) for the replacement of oak trees removed as part of the project. The plans and specifications presented for approval do not require use of this off-site location, as the final design was able to reduce the footprint of construction and reduce the number of trees to be removed from 19 to 14. As such, all vegetation mitigation measures, including tree replacement, can occur on-site, consistent with the MMRP. Because the original MMRP contemplated on-site replacement "to the extent feasible," there is no need to modify the MMRP for this issue.

Approval of the Plans and Special Provisions will authorize the Department of Public Works to proceed with advertising for the State Route 68 at San Benancio Road Intersection Improvements, State Project No. EA 05-0H8220, Contract No. 10-111065. The bid opening is set for February 17, 2011, at 3:00 p.m., in the Board of Supervisors' Conference Room 1032, Monterey County Government Center, 168 West Alisal Street, 1st Floor, Salinas, CA 93901. Project construction is scheduled to begin in April 2011.