



**DEPARTMENT OF PUBLIC WORKS
Professional Services Division**

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STAFF REPORT AND RECOMMENDATION

Date: December 7, 2005

To: PLANNING COMMISSION

From: Steven E. Rough, Supervising Engineer
Department of Public Works

Project: Campus Parkway Final Environmental Impact Report (FEIR)

Applicant: Merced County

I. PROJECT DESCRIPTION

Campus Parkway is proposed to be a four-lane limited-access expressway located on the east side of the City of Merced. Campus Parkway is proposed to extend from the planned Mission Interchange to Yosemite Avenue, a length of approximately 4.5 miles. At-grade intersections are proposed at Yosemite Avenue, Olive Avenue, Childs Avenue, and Gerard Avenue. A connection with State Route 140 is proposed to be provided with a hook-shaped ramp connector roadway. Overpass bridge structures are proposed over State Route 140 and the adjacent BNSF Railroad as well as over Bear Creek and the adjacent Bear Creek Drives.

From the Mission Interchange to State Route 140, Campus Parkway passes through the City of Merced. Between State Route 140 and Olive Avenue, Campus Parkway passes through the Celeste SUDP and then through land designated Agricultural in the General Plan and zoned A-1 (General Agricultural). Between Olive Avenue and Yosemite Avenue, Campus Parkway passes through the Merced Rural Residential Center #1.

SUPERVISORIAL DISTRICTS NO. 1 AND 2

II. SUMMARY OF RECOMMENDATION

Staff recommends that the Planning Commission make the following recommendation to the Board of Supervisors:

1. Recommend that the Board of Supervisors certify that the Final Environmental Impact Report (FEIR) for the Campus Parkway project has been completed in compliance with California Environmental Quality Act (CEQA).

III. BACKGROUND

A new expressway to be located on the east side of the City of Merced was first proposed in a 1994 report prepared for the City of Merced, entitled, "City of Merced Eastern Beltway Alignment Alternatives Analysis and Circulation Plan." According to this

report, the primary goal of an eastern beltway is to “provide a vehicular connection (expressway) between the southeastern and northeastern areas of the City of Merced.”

The concept of a beltway was affirmed and expanded in a planning document adopted in 1997 by the Merced County Association of Governments (MCAG), entitled, “State Route 99 Merced/Atwater Major Investment Study.”

The eastern beltway discussed in the City of Merced report and the beltway mentioned in the MCAG study was used as the basis for the development of initial alignments for the Campus Parkway project.

Environmental review for the Campus Parkway project began on June 16, 1998 when the Board of Supervisors authorized the preparation of an Environmental Impact Statement /Environmental Impact Report (EIS/EIR). Because the Campus Parkway project is receiving funding from federal sources, the environmental document must conform to the National Environmental Policy Act (NEPA) as well as the California Environmental Quality Act (CEQA).

Two (2) public open house meetings were held in 1999 as part of the scoping process. A Notice of Intent (NOI) and a Notice of Preparation (NOP) were published in 2000. A revised NOI and NOP were published in 2001. The alternative alignments to be studied in the EIR were refined during this process.

Numerous technical studies were prepared to support the preparation of the Draft EIS/EIR, including:

- Air Quality (2002)
- Community Impact Assessment (2004)
- Conceptual Mitigation Plan (2002)
- Energy (2002)
- Floodplain Risk Assessment and Location Hydraulic Study (2001)
- Historical Property Survey Report (HPSR) (2001) and Addendum 1 (2002), which includes:
 - Archaeological Survey Report (ASR) (2001) and Addendum 1 (2001) and Addendum 2 (2002)
 - Historic Architectural Survey Report / Historic Resource Evaluation Report (HASR/HRER) (2001)
- Hydrology and Water Quality Study (2001)
- Geologic Hazards Study (2001)
- Initial Site Assessment (Hazardous Waste) (2002)
- Noise (2004)
- Natural Environmental Study / Biological Assessment (NES/BA), including: Addendum 1 (2004), and Addendum 2 (2004)
- Traffic Report summary and Commentary; Analysis of Travel Characteristics Traffic Report (2000)

- Traffic Operations Analysis (2001) and Addendum to Operational Traffic Analysis (2002)
- Traffic Analysis – Addendum (2004)
- Visual Resources (2002)
- Wetland Delineation Report (2001) and Addendum 1 (2002)

The Draft EIS/EIR was released for public review and an informational meeting was held on April 28, 2005. A public hearing was held by the Merced County Board of Supervisors on June 21, 2005, at which comments and testimony on the document were accepted. The public review period ended on July 5, 2005.

The Final EIS (NEPA) for the Campus Parkway project cannot be completed until the U.S. Fish & Wildlife Service (USFWS) issues a Biological Opinion on a preferred alignment. The USFWS will not issue a Biological Opinion on a project that has multiple alternatives. Before selection of a preferred alignment, the Department of Public Works recommends that the Final EIR (CEQA) be certified by the Board of Supervisors. As a result, a separate Final EIR and Final EIS for the Campus Parkway project must be prepared.

A Final EIR has been prepared in conformance with CEQA. Appendix G of the Final EIR includes copies of all of the comments on the Draft EIS/EIR that were received during the public review period. Comments were received in the following forms: 27 written comments were received from individuals, 17 comments were received during the June 21, 2005 public hearing, a petition was received with 135 names, written comments were received from 14 private organizations and businesses, and 12 written comments were received from public agencies. No new issues were identified during the public review period. The Final EIR includes the entire text of the Draft EIS/EIR as well as any edits that were made to appropriately respond to comments. Additions to the text are underlined and deletions are shown in strike-out format.

The Final EIR recommends mitigation measures to reduce significant impacts of the Campus Parkway project. These mitigation measures will need to be considered as potential requirements for future project approvals that occur for the Campus Parkway project. No project approval will be considered until the federal (NEPA) environmental process has been completed; additional mitigation measures may be identified in the Final EIS (NEPA) that need to be considered during project approval. As a result, the Planning Commission and the Board of Supervisors are not be asked to adopt any mitigation measures at this time.

IV. ANALYSIS

The Final EIR contains a detailed review/analysis of three alignment for Campus Parkway: the Green Alignment, the Alt-Green Alignment, and the Yellow Alignment. The Department of Public Works has determined that all of the alignments satisfy the Purpose and Need for the project. From an environmental standpoint, all of the alignments create minimal impacts; none of the alignments have been identified as clearly superior. Staff believes that the Final EIR for the Campus Parkway project has been completed in compliance with CEQA.

V. FUTURE PROJECT ACTION

If the Final EIR is certified by the Board of Supervisors, the following future project actions will occur:

1. Certification of the Final EIR will allow the Board of Supervisors to select one of the alignments (Green, Alt-Green, or Yellow) as the preferred alignment for Campus Parkway.
2. Selection of a preferred alignment will allow the Federal Highway Administration (FHWA) to enter into "Formal Consultation" with U.S. Fish & Wildlife Service (USFWS) on the Campus Parkway project. It is through this process that the USFWS will review the Biological Assessment and prepare a Biological Opinion for the project.
3. Publication of the Biological Opinion will provide the final information necessary to complete preparation of the Final EIS (NEPA). This process includes a review by Caltrans and FHWA. Once complete, FHWA will approve the Final EIS and issue a NEPA Record of Decision (ROD).
4. Subsequent to completion of the Final EIS, staff will return to the Planning Commission and the Board of Supervisors with a General Plan Amendment. This General Plan Amendment will include a revision to Table II-1 of the Circulation Chapter of the Merced County General Plan adding an Expressway Road Type. In addition, the final Campus Parkway alignment will be added to the Countywide Circulation Diagram. Approval of the General Plan Amendment represents approval of the Campus Parkway project. Project findings and a mitigation monitoring program will be submitted for consideration and approval with the General Plan Amendment.
5. Subsequent to approval of the General Plan Amendment, a Notice of Determination (NOD) will be filed in compliance with CEQA.
6. Completion of the Final EIS will allow right-of-way acquisition and construction to begin on the Campus Parkway project.

VI. STAFF RECOMMENDATION/FINDINGS

Staff recommends that the Planning Commission make the following recommendation to the Board of Supervisors:

1. Recommend that the Board of Supervisors certify that the Final Environmental Impact Report (FEIR) for the Campus Parkway project has been completed in compliance with California Environmental Quality Act (CEQA).

VII. ATTACHMENTS

1. Vicinity Map
2. Final Environmental Impact Report (FEIR)