

This Calendar Item No. C75 was approved as Minute Item No. 75 by the California State Lands Commission by a vote of 3 to 0 at its 6-27-00 meeting.

**CALENDAR ITEM
C75**

A 4
S 4

June 27, 2000
PRC 5566.9 PRC 5566.9
M. Wetzel

AMENDMENT OF LEASE

LESSEE:

Vallejo Sanitation and Flood Control District
Attn: Rudolf Ohlemutz
450 Ryder Street
Vallejo, California 94590

AREA, LAND TYPE, AND LOCATION:

The existing lease covers 0.88 acres, more or less, of State-owned tide and submerged land across White Slough, near the city of Vallejo, Solano County. The proposed amended area covers an additional 0.34 acres, more or less, of State-owned tide and submerged land across White Slough and State-owned lands, acquired as a Kapiloff Land Bank acquisition, in White Slough Marsh.

AUTHORIZED USE:

The existing lease authorizes a levee, sewer interceptor pipeline, and two right of way drainage easements located in White Slough on the west side of State Route 37. The amendment would authorize: 1) two existing, unauthorized sanitary sewer pipelines to be abandoned in place; and 2) new, rerouted pipelines, to replace those abandoned.

LEASE TERM:

49 years, beginning November 1, 1978 (term of the existing lease).

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

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CALENDAR ITEM NO. C75 (CONT'D)

PROPOSED AMENDMENT:

The first relocation and replacement is an existing 30-inch underground sanitary sewer pipeline that runs along the east side of State Route 37 where it crosses White Slough. This reinforced concrete pipe, to be abandoned in place, will be replaced with a 42-inch reinforced concrete, underground, sanitary sewer pipeline. It will be relocated just to the east of the existing pipeline within the State Route (SR) 37 right of way. The portion of the pipeline crossing State-owned lands is approximately 135 feet in length. The right of way lease dimensions are approximately 25 feet wide by 135 feet long totaling 0.08 acres, more or less. The proposed method of construction is micro-tunneling. This relocation is necessary due to the widening of SR 37.

Associated with this portion of the pipeline project is a temporary construction easement for two 30-meter cofferdams that will be placed 2 meters apart along the lowest portion of the White Slough channel. These cofferdams are necessary to accommodate the micro-tunneling of the pipeline. After the micro-tunneling activity is complete, the cofferdams will be removed. The old channel bed will be regraded to pre-construction slopes. The cofferdams fall within the 0.08 acre area for the right of way lease.

The second relocation and replacement is that of an existing 27-inch underground sanitary sewer pipeline which crosses White Slough Marsh from its point of intersection with SR 37 running northerly to the southern end of the California Meadows Subdivision. This reinforced concrete pipe is approximately 1500 feet long and will be abandoned in place. It will be replaced with a 21-inch (or smaller) PVC, underground, sanitary sewer pipeline that will run in an east-west direction along the southern end of the California Meadows Subdivision located in White Slough Marsh. The total length of the pipe crossing State-owned lands is approximately 570 feet. The right of way lease dimensions are 20 feet wide by 570 feet long totaling 0.26 acres, more or less. The proposed method of construction is open-cut trenching with the construction width of the trench to be approximately 3.5 feet. Construction activities in the marsh will occur on mats or with low ground pressure equipment to limit potential impacts to the wetlands. In addition to the pipeline, this lease area covers two 4-foot diameter manholes and their related access pads; one manhole will be located at the end of Jack London Drive and the other at the end of Tobin Drive.

CALENDAR ITEM NO. **C75** (CONT'D)

Associated with this portion of the pipeline project is a temporary construction easement area that will run parallel along the east side of the permanent lease. Its dimensions are 15 feet wide by 570 feet long totaling 0.20 acres, more or less. The area will be used for the construction equipment during the construction period of the pipeline and is authorized for this period of time only.

This relocation is proposed to protect the sensitive wildlife habitat areas from potential serious pollution in the event of a breakage of the line and potential damage to the wetlands resulting from normal sewer maintenance activities. The new location is designed to avoid as much of the marsh area as possible.

All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. As to that portion of the pipeline project in White Slough:
 - a. An EIR/S was prepared and certified for this project by Caltrans/FHWA. The California State Lands Commission staff has reviewed such document and Mitigation Monitoring Program adopted by the lead agency.
 - b. Findings made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, sections 15091 and 15096) are contained in Exhibit C, attached hereto.
 - c. A Statement of Overriding Considerations made in conformance with the State CEQA Guidelines (Title 14, California Code of Regulations, section 15093) is contained in Exhibit C, attached hereto.
3. As to that portion of the pipeline project in White Slough Marsh:
 - a. A Mitigated Negative Declaration was prepared and adopted for this project by Vallejo Sanitation and Flood Control District. The California State Lands Commission's staff has reviewed such document.

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CALENDAR ITEM NO. C75 (CONT'D)

- b. A Mitigation Monitoring Program was adopted by Vallejo Sanitation and Flood Control District and is contained in Exhibit D, attached hereto.

- 4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVALS OBTAINED:

City of Vallejo
U.S. Fish and Wildlife Service (Section 7 Biological Opinion obtained for that portion of project covering White Slough)
California Department of Transportation

FURTHER APPROVALS REQUIRED:

U.S. Army Corps of Engineers
San Francisco Bay Regional Water Quality Control Board
U.S. Fish and Wildlife Service (Section 7 Biological Opinion needed for that portion of the project covering the White Slough Marsh)
San Francisco Bay Conservation and Development Commission
California Department of Fish and Game

EXHIBITS:

- A. Location Map
- B-1. Site Plan Map for White Slough
- B-2. Site Plan Map for White Slough Marsh
- C. Notice of Determination; CEQA Findings; and Statement of Overriding Considerations for the EIR (SCH # 83072310) covering that portion of the project in White Slough
- D. Notice of Determination and Mitigation Monitoring Program for the Mitigated Negative Declaration (SCH # 1999122052) covering that portion of the project in White Slough Marsh

PERMIT STREAMLINING ACT DEADLINE:

October 30, 2000

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CALENDAR ITEM NO. C75 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

AS TO THAT PORTION OF THE PIPELINE PROJECT IN WHITE SLOUGH:

FIND THAT AN EIR/S WAS PREPARED AND CERTIFIED FOR THIS PROJECT BY CALTRANS/FHWA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE FINDINGS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTIONS 15091 AND 15096(h), AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

ADOPT THE MITIGATION MONITORING PROGRAM, A COPY OF WHICH IS AVAILABLE IN THE OFFICE OF THE STATE LANDS COMMISSION.

ADOPT THE STATEMENT OF OVERRIDING CONSIDERATIONS MADE IN CONFORMANCE WITH TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15093, AS CONTAINED IN EXHIBIT C, ATTACHED HERETO.

AS TO THAT PORTION OF THE PIPELINE PROJECT IN WHITE SLOUGH MARSH:

FIND THAT A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM WERE PREPARED AND ADOPTED FOR THIS PROJECT BY VALLEJO SANITATION AND FLOOD CONTROL DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

ADOPT THE MITIGATION MONITORING PROGRAM, AS CONTAINED IN EXHIBIT D, ATTACHED HERETO.

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CALENDAR ITEM NO. C75 (CONT'D)

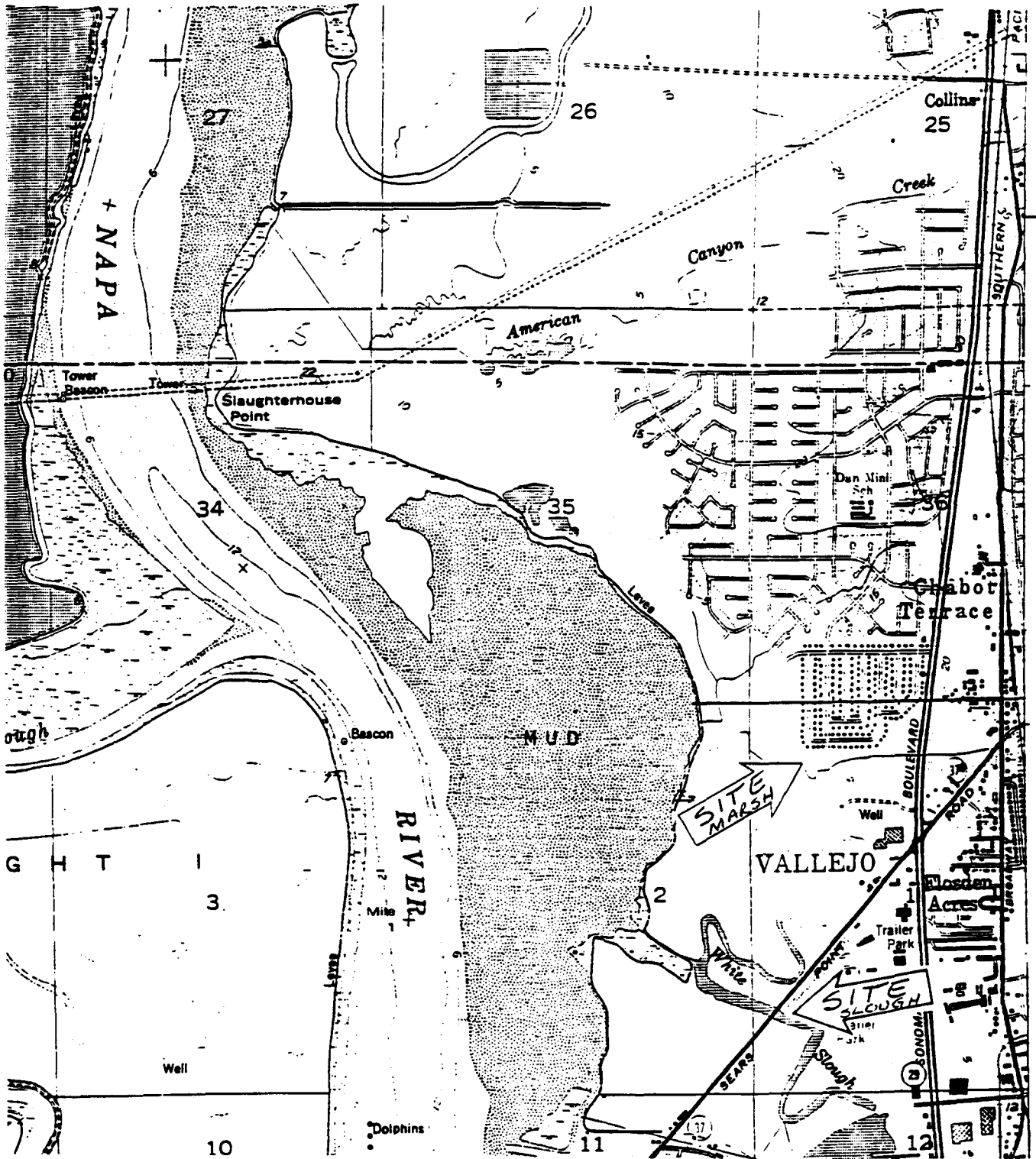
SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT OF LEASE NO. PRC 5566.9, A GENERAL LEASE – PUBLIC AGENCY USE, OF LANDS SHOWN ON EXHIBITS B-1 AND B-2 ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 27, 2000, FOR: 1) ABANDONMENT OF AN UNAUTHORIZED, EXISTING 30-INCH REINFORCED CONCRETE UNDERGROUND SANITARY SEWER PIPELINE CROSSING WHITE SLOUGH; 2) RELOCATION AND REPLACEMENT OF THIS PIPELINE IN THE SAME VICINITY WITH A 42-INCH REINFORCED CONCRETE, UNDERGROUND, SANITARY SEWER PIPELINE TO BE INSTALLED THROUGH MICRO-TUNNELING; 3) ABANDONMENT OF AN UNAUTHORIZED, EXISTING 27-INCH REINFORCED CONCRETE UNDERGROUND SANITARY SEWER PIPELINE CROSSING WHITE SLOUGH MARSH; 4) RELOCATION AND REPLACEMENT OF THIS PIPELINE WITHIN THE MARSH, WITH A 21-INCH PVC, UNDERGROUND, SANITARY SEWER PIPELINE TO BE INSTALLED THROUGH TRENCHING; 5) TEMPORARY CONSTRUCTION OF TWO 30-METER COFFERDAMS TO ACCOMMODATE CONSTRUCTION OF THE PIPELINE IN THE WHITE SLOUGH AREA; AND 6) TEMPORARY CONSTRUCTION EASEMENT TO ACCOMMODATE EQUIPMENT DURING THE CONSTRUCTION OF THE PIPELINE IN THE WHITE SLOUGH MARSH AREA; ALL OTHER TERMS AND CONDITIONS OF THE LEASE WILL REMAIN IN EFFECT WITHOUT AMENDMENT.

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MINUTE PAGE	8770



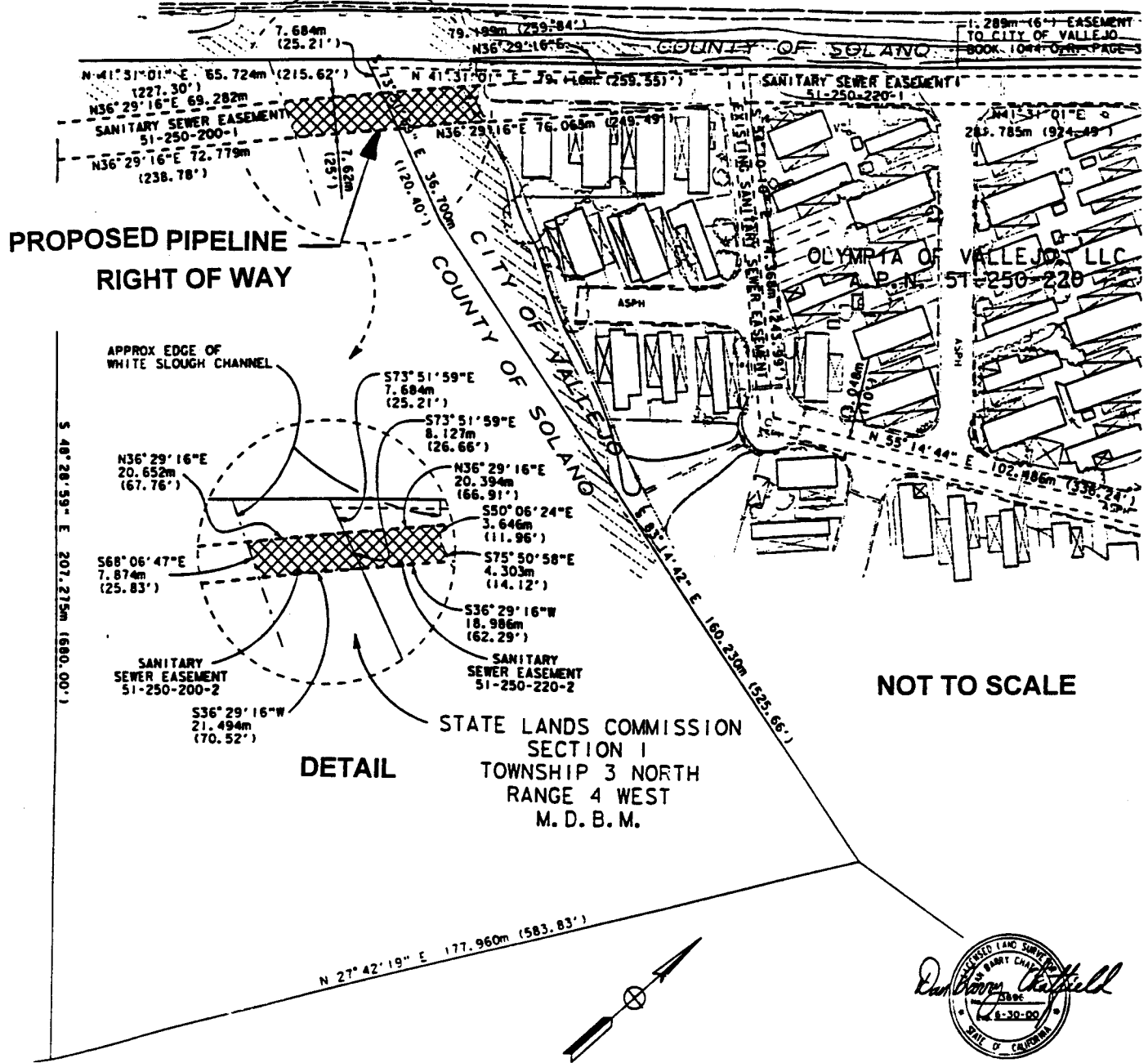
NO SCALE

SECTION 1, T. 3 N., R. 4 W., MDBM
 CALIFORNIA COUNTY 8771

This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

EXHIBIT A
 LOCATION MAP - WP 5566
 JUNE 27, 2000

SR 37 MARINE WORLD PARKWAY



**PROPOSED PIPELINE
RIGHT OF WAY**

APPROX EDGE OF
WHITE SLOUGH CHANNEL

DETAIL

STATE LANDS COMMISSION
SECTION 1
TOWNSHIP 3 NORTH
RANGE 4 WEST
M. D. B. M.

NOT TO SCALE

STATE LANDS COMMISSION
A.P.N.'s: 51-250-200-2 & 51-250-220-2
SECTION 1, T. 3 N., R. 4 W., MDM
SOLANO COUNTY



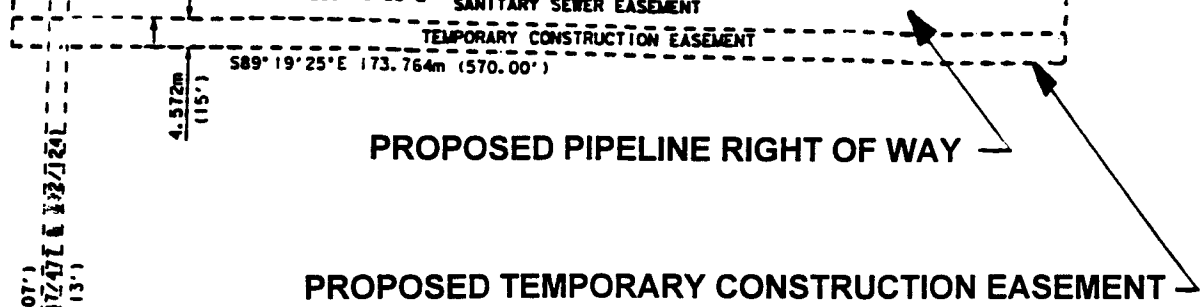
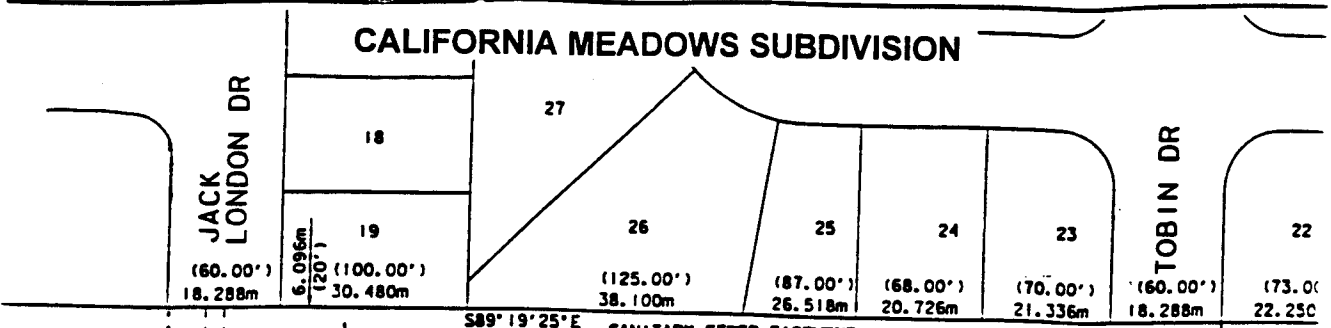
CH2MHILL

STATE OF CALIFORNIA BUSINESS TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF TRANSPORTATION DISTRICT 4		RIGHT OF WAY MAP APPRAISAL	
NO. 51	DATE 03/23/00	CO. 51	1916 37 P.M.
CALENDAR PAGE <u>0398</u>		MINUTE PAGE <u>8772</u>	

WHITE SLOUGH AREA OF PROJECT

This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

EXHIBIT B-1
SITE PLAN MAP - WP 5566
JUNE 27, 2000



3.30m (10.83ft) 206.370m (677.07')
 3.30m (10.83ft) 206.390m (677.13')



NOT TO SCALE

STATE LANDS COMMISSION
 A.P.N. 67-050-300
 SECTION 1, T. 3 N., R. 4 W., MDM
 SOLANO COUNTY

WHITE SLOUGH MARSH AREA OF PROJECT 0399
 MINUTE PAGE 8773

This exhibit is solely for purposes of generally defining the area to be leased, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

EXHIBIT B-2
 SITE PLAN MAP - WP 5566
 JUNE 27, 2000

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95815

From: California Department of Transportation and
California Transportation Commission
1120 N Street
Sacramento, CA 95814

County Clerk
County of _____

Subject:
Filing of Notice of Determination in Compliance with Section 21108 of the Public Resources Code.
State Route 37 between the Napa River Bridge and Diablo Street in Vallejo, Solano County

Project Title

83072310 Gene Berthelsen (916) 654-3777
State Clearinghouse Number Lead Agency Contact Person Area Code/Telephone/Extension

Solano County, State Route 37, (KP R12.89 [P.M. R8.01]) to (KP 16.89[P.M. 10.49])

Project Location (include County)

Project Description:



Caltrans proposes to construct a four lane freeway on State Route 37 from the Napa River to the existing freeway section of Route 37 that begins near Diablo Street, a distance of 4 km (2.48 miles). It will be constructed in three phases on the existing alignment and partially along new alignment. The median width will vary from 6.6 m (21.7 feet) to 16.5 m (54 feet). Lane widths will be 3.6 m (11.8 feet) and outside shoulder widths will be 3.0 m (9.84 feet). An interchange at State Route 29 (Sonoma Boulevard), and overhead crossings of Broadway, the Southern Pacific Railroad and Mini Drive are planned. Cul-de-sacs are proposed on Rogers and Selfridge Streets. Wilson Avenue, Sacramento Street and Gardner Lane will become the main avenues of ingress and egress to the Route 37 corridor. Access to Wilson Avenue will remain the same, while access to Sacramento will be modified.

This is to advise that the California Department of Transportation and the California Transportation Commission, as lead agency, have approved the above-described project on 12/10/97 (date) and have made the following determination:

1. The project [will / will not] have a significant effect on the environment.
2. An environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were / were not] made a condition of approval of the project.
4. A Statement of Overriding Consideration [was / was not] adopted for this project.
5. Findings [were / were not] made pursuant to the provisions of CEQA.

The document identified above, with comments and response and record of project approval is available to the general public at:

Caltrans District 10, 1976 Charter Way, Stockton CA 95201

	Chief, Office of Environmental Management
Signature	Title
	Executive Director, CTC
Signature (Public Agency)	Title
December 18, 1997	Date

Date received for filing at OPR:

CALENDAR PAGE	0400
MINUTE PAGE	8774

CALIFORNIA TRANSPORTATION COMMISSION
FINDINGS FOR STATE ROUTE 37 WHITE SLOUGH FREEWAY
NAPA RIVER BRIDGE TO DIABLO STREET
IN VALLEJO, SOLANO COUNTY

The following information is presented to comply with Section 15091 of the State CEQA Guidelines and Section 1509.6 of the California Transportation Commission Environmental Regulations. Reference is made to the Final Environmental Impact Report for the project, which is the basic source of information.

Mitigation monitoring will be in accordance with Caltrans' standard program contained in Article 1-2.8 of the Environmental Handbook, Volume 1.

The following effects have been identified in the EIR as resulting from the project. Effects found not to be significant have not been included.

AESTHETICS

Adverse Environmental Impact: There are impacts to the viewshed from cuts and fills.

Findings: The Build alternative will change overall visual quality due to construction of fill slopes, removal of vegetation, increased pavement, bridge and viaduct structures.

Statement of Facts:

- a) The study area is located within the northwestern portion of the City of Vallejo, between the Napa River to the west and the Interstate 80 freeway corridor to the east. The Napa River forms a distinctive waterway with tidally influenced wetland shores. The marsh area transitions to upland areas where urban residential, commercial, and industrial development borders the marshland. West-facing hillside development, consisting mainly of residential neighborhoods is located further inland.

The existing visual conditions received an average moderate rating for overall visual quality. In some areas visual quality is rated moderately high. Encroaching development (residential, commercial and industrial) is the dominant detracting element viewed within the project area. Billboards further detract from the landscape.

- b) Major visual impacts that cannot be avoided are outlined below:

- Removal of vegetation within the proposed right-of-way throughout the project limits.
- Proposed construction of the project on fill through the White Slough Marsh area and construction of major structures at the interchange of State Routes 29 and 37.

NATURAL ENVIRONMENT

Adverse Environmental Effect: The proposed project will would affect portions of the White Slough Marsh system, an area rich in biological diversity and wildlife abundance. These wetlands attract large numbers of migratory shorebirds and waterfowl. In recent surveys 112 species of birds were observed in the White Slough

Marsh area. In addition, surveys conducted during this study indicate the presence of special status plants and animals, including the state and federal endangered salt marsh harvest mouse and California clapper rail.

A Biological Opinion received from the U.S. Fish and Wildlife Service on July 9, 1997, states that this project will not likely jeopardize the continued existence of the California clapper rail, salt marsh harvest mouse, delta smelt or Sacramento splittail. The National Marine Fisheries Service concurred on September 25, 1997 that the project would have no effect on anadromous fish or their habitat. The California Department of Fish and Game concurred on June 26, 1997, that the project would not have a substantial adverse effect on California-listed species.

Direct impacts would result from construction activities and filling tidal and seasonal wetlands, as well as riparian and upland refugia habitat within the proposed highway footprint. They include elimination of 3.66 ha of clapper rail habitat and 1.19 ha of salt marsh harvest mouse habitat, and the temporary loss of 1.9 ha of clapper rail and salt marsh habitat. 1.2 ha of delta smelt habitat will also be eliminated. Highway improvements may increase traffic and associated noise impacts in sensitive areas. Other indirect effects include the human disturbance on Guadalcanal Village mitigation site. Cumulative impacts could arise from the regional loss of tidal wetlands and the loss of habitat for special status species. Although the rate of loss of these habitats has been considerably reduced in recent years, small incremental losses continue. Habitat fragmentation and minimum critical habitat size for special status species are regional problems. The proposed project does not contribute to habitat fragmentation but, if not mitigated, would result in overall smaller habitat for the special status species found in the project area. Cumulative effects also include the ongoing habitat conversion from salt to brackish water conditions by fresh water effluent from the San Jose/Santa Clara Water Pollution Control Plan.

The degradation of diked wetlands is one of the more serious cumulative effects on the salt marsh harvest mouse, particularly from disking, grubbing and plowing and/or the elimination of appropriate hydrological conditions by installing drains, ditches or pumps.

Findings: Changes or alterations have been required in, or incorporated into the project that mitigate or avoid the significant effects on the environment.

Statement of Facts:

- a) Avoidance, minimization and compensatory replacement have a high potential to mitigate permanent, temporary and cumulative impacts of the proposed project. Tidal marsh restoration at Guadalcanal Village and seasonal and riparian restoration at Chabot Creek will mitigate for loss of wetland and special status species habitats. Impacts from construction period activities will be avoided or minimized by the use of best management practices (e.g., use of silt fences, buffers in sensitive areas) and where practicable, by timing activities to avoid sensitive periods (e.g., clapper rail breeding season).

NOISE

Adverse Environmental Effect: without mitigation, hundreds of homes in the Lighthouse subdivision, naval housing near Sacramento Street, residents of the Olympia Mobilodge, subdivisions near Donner Pass Road, homes along Mini Drive, Loyola Way, Lakeside Drive and Pepper Drive would be subject to increases of noise greater than 123 dBA or 2020 dpc/year year noise levels at or exceeding 67 dBA.

CALENDAR PAGE	1402
MINUTE PAGE	8776

Findings: Changes or alterations have been required in, or incorporated into the project that mitigate or avoid the significant effects on the environment.

Statement of Facts:

- a) All noise impacts will be mitigated to below State and federal noise criteria.

RELOCATION IMPACTS

Adverse Environmental Effect: Eleven businesses will be acquired for the project

Findings: Changes or alterations have been required in, or incorporated into the project that mitigate or avoid the significant effects on the environment.

Statement of Facts:

- a) The small number of businesses affected, existing stock of homes and business available for relocation, and the lead time make it unlikely that there will be any problems encountered in finding suitable replacement facilities.
- b) Relocation assistance payments and counseling will be provided to all displaced property owners in accordance with the Federal Uniform Relocation Assistance and Real Properties Acquisition Act of 1970.

**CALIFORNIA TRANSPORTATION COMMISSION
STATEMENT OF OVERRIDING CONSIDERATIONS
ROUTE 37 WHITE SLOUGH FREEWAY PROJECT
NAPA RIVER BRIDGE TO JUST DIABLO STREET
IN VALLEJO, SOLANO COUNTY**

The following information is presented to comply with Section 15093 of the State CEQA Guidelines and Section 1509.6 of the California Transportation Commission Environmental Regulations. Reference is made to the Final Environmental Impact Report for the project, which is the basic source of information.

Overriding considerations that support approval of this recommended project are as follows:

PROJECT NEEDS AND BENEFITS

Population and business growth in the North Bay Area have generated traffic demand on Route 37 beyond its existing capacity throughout most of Solano County. Traffic projected for the year 2020 will likely exceed the existing capacity of the entire route from Route 101 to Interstate 80. The most critical section of Route 37 is between Wilson Avenue and Fairgrounds Drive in the City of Vallejo. The demand along this section of Rt. 37 is the highest of the entire route, and capacity is lowest, because of a combination of narrow roadways, irregularly-spaced signalized intersections, private and commercial driveway access, and a mixture of inter-regional, local, Mare Island, and Marine World traffic.

In 1994, the average annual daily traffic reached 30,600 vehicles per day between Mare Island and Sacramento Street, 26,800 vehicles per day between Sacramento Street and Route 29 (roughly 166% of capacity), and 37,200 vehicles per day between Route 29 and Mini Drive (roughly 116% of capacity). Trucks make up approximately nine percent of that traffic.

The average single-direction peak hour volume between Mare Island and Sacramento Street reached 2,250 vehicles in 1994, roughly 58% of capacity. Average growth rates indicate that with no improvement, this stretch would reach capacity for peak periods by the year 2010. Between Sacramento Street and Route 29, the total peak hour volume reached 3,400 vehicles and between Route 29 and Mini Drive, the total peak hour volume reached 3,800 vehicles. Trucks comprise roughly six percent¹ of that traffic. Traffic volumes on Route 37 routinely cause considerable delays for mainline traffic as well as for motorists accessing the highway from intersection roads. On weekday evenings, eastbound traffic routinely backs up from Route 29 to the crest of the Napa River Bridge, a distance of approximately 2.5 km (1.5 miles).

This section of Route 37 does not have adequate capacity to meet the present traffic demand. Traffic congestion during peak flow has caused diversion to alternative routes. Some traffic from Mare Island may divert to Skaggs Island Road for connection to Napa and vicinity in lieu of the more direct route via Route 37 east to Route 29. A considerable amount of traffic from Route 29 is

diverting to Florsden Road/American Canyon Road for connection to I-80 in lieu of using Route 29 to Route 37 and east to I-80. The City of Vallejo has closed roads and made some streets one-way to prevent State highway traffic from traveling city streets to avoid congested areas. Congestion also occurs at the signalized intersections. Another major reason for the congestion is the commercial businesses along the existing segment which are patronized heavily by the local community as well as by through traffic. This, in turn, inhibits the free movement of through traffic.

The proposed project is expected to reduce congestion of peak traffic flow periods, particularly as Mare Island is redeveloped by the City of Vallejo, by removing four signalized intersections and a railroad crossing from the inter-regional traffic corridor and eliminating an existing two-lane bottleneck between Sacramento Street (KP 13.58 [P.M. 8.44]) and Enterprise Street (KP 14.81 [P.M. 9.20]).

ALTERNATIVES

All build alternatives lie along the same general alignment, but with differing interchange configurations. Alternatives include:

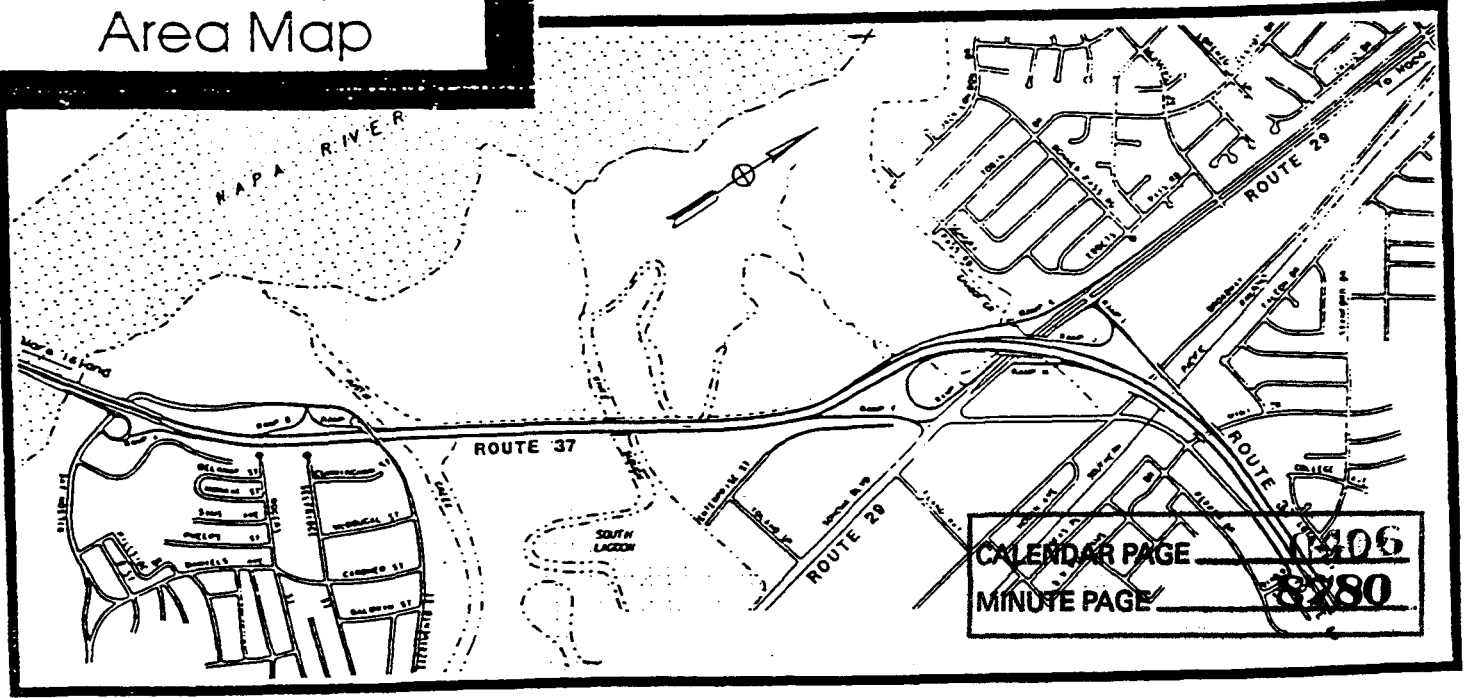
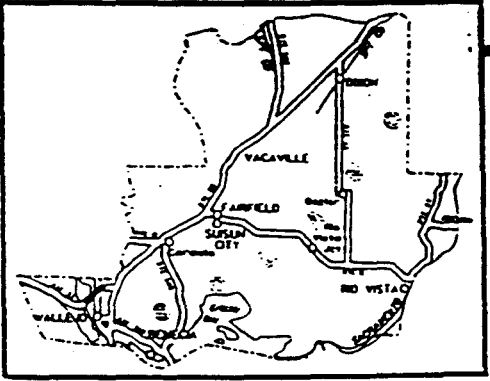
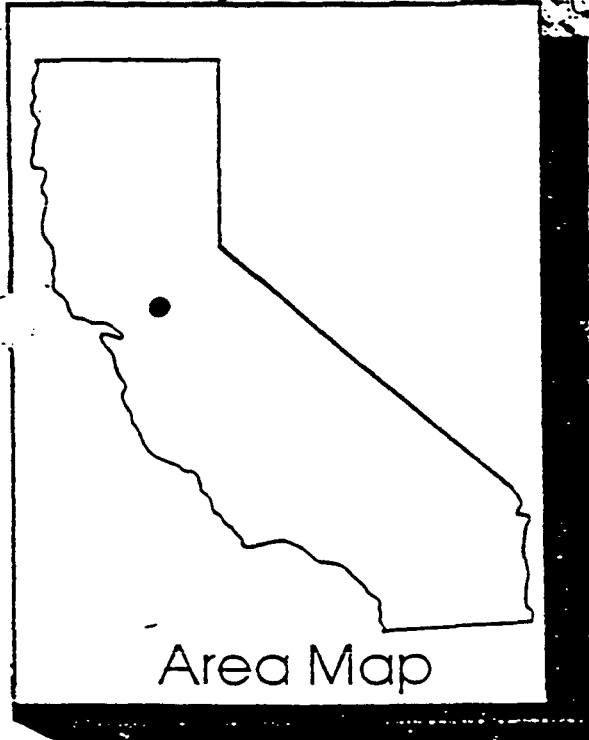
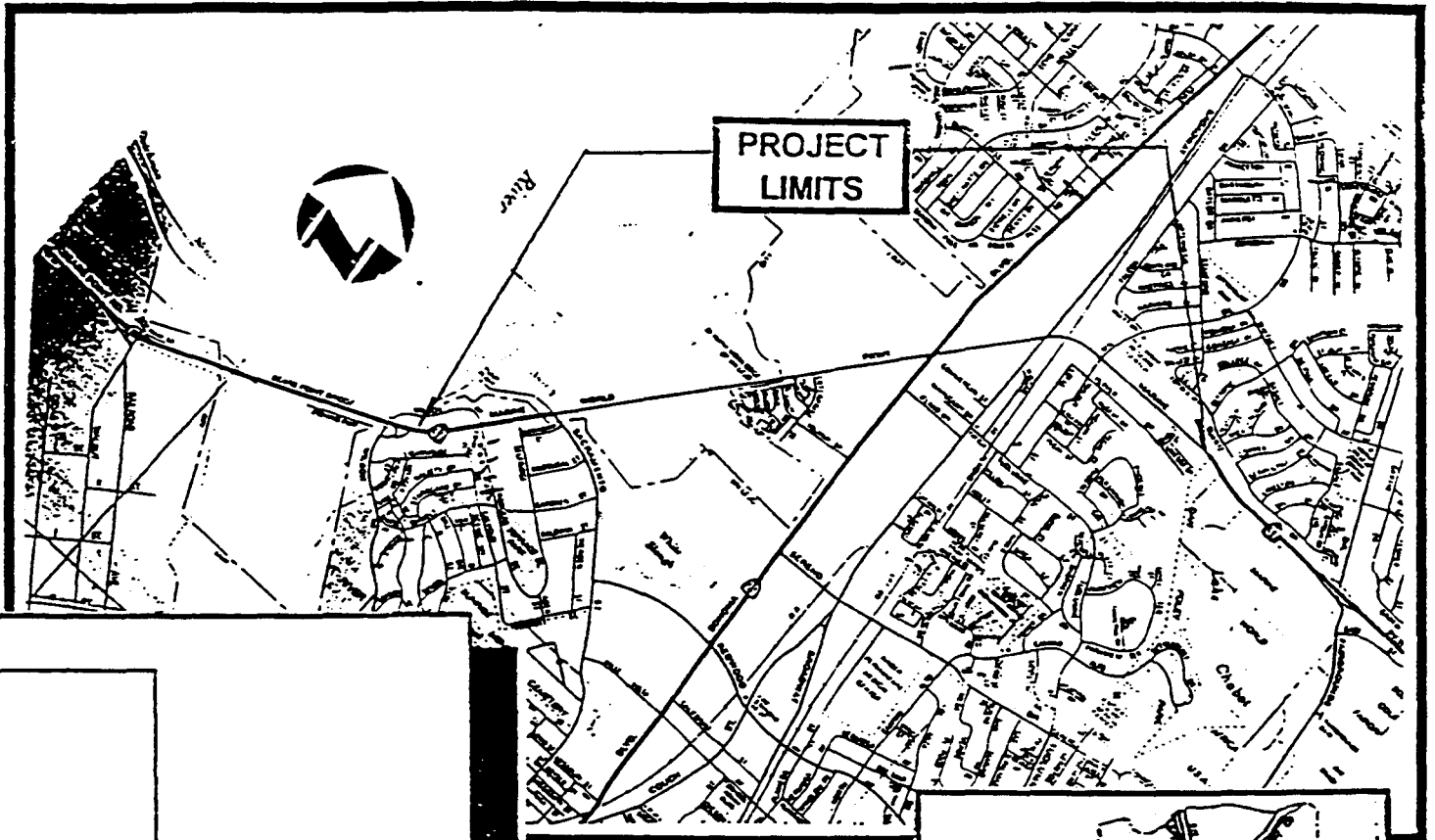
- No-Build
- Build Alternative: Ten design options for the entire Route 37 freeway project from the Napa River Bridge to Diablo Street have been considered. These included:
 - Sacramento Street: 2 options (1&2)
 - White Slough: 5 options (NF, CF, SF, NV & SV)
 - Route 37/29 Interchange: 3 options (A, B, & C)The preferred combination of options (also the preferred option in the White Slough Specific Area Plan) includes an overcrossing at Sacramento Street, central widening on fill across the White Slough area, and a retaining wall on the southbound Route 29-to-westbound-Route 37 ramp.
- Other alternatives considered but withdrawn include a bypass of the area, an at-grade expressway, High Occupancy Vehicle lanes, a full viaduct, tunnels, Transportation Systems Management options, and various other design alternatives on the chosen alignment.

CONCLUSIONS

The studies conducted for the proposed project indicate that its effect on the natural and socio-economic environment will be mitigated to the point of insignificance. The Build Alternative has been selected as the preferred alternative because it best meets the stated purpose and need for the project – to reduce congestion on existing Route 37

The preferred alternative meets the project purpose and need, minimizes environmental impacts and can be built within funding limits as a result of staging.

CALENDAR PAGE _____	0405
MINUTE PAGE _____	8779



CALENDAR PAGE 1306
 MINUTE PAGE 8280

VALLEJO SANITATION AND FLOOD CONTROL DISTRICT

NOTICE OF DETERMINATION

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: Vallejo Sanitation and Flood Control District
450 Ryder Street
Vallejo, CA 94590

County Clerk
County of Solano
580 Texas Street
Fairfield, CA 94533

Subject: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Project Title

California Meadows/SR 37/SR 29 Sanitary Sewer Rerouting Project

State Clearinghouse Number (If submitted to Clearinghouse)	Contact Person	Area Code/Telephone/Extension
1999122052	Mr. Rudolf Ohlemutz	(707) 644-8949 ext. 231

Project Location:

California Meadows subdivision and along State Routes (SR) 29 and 37 in the City of Vallejo and portions of unincorporated Solano County.

Project Description:

Relocation of a 27-inch sewer line that currently runs through the North White Slough tidal marsh, and relocation of internal sewer pipelines in the California Meadows subdivision. The relocated sewer pipeline would run through the California Meadows subdivision and along State Routes 29 and 37.

This is to advise that the Vallejo Sanitation and Flood Control District has approved the above described project on January 25, 2000 and has made the following determinations regarding the above described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. A copy of the Negative Declaration is attached.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [was was not] adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at: not applicable

Date received for filing and posting at OPR: _____

Charles M. Moley
Signature (Public Agency)

Engineer-Manager
Title

CALENDAR PAGE	<u>0407</u>
MINUTE PAGE	<u>8781</u>

VALLEJO SANITATION AND FLOOD CONTROL DISTRICT

MITIGATED NEGATIVE DECLARATION

California Meadows/SR 29/SR 37 Sanitary Sewer Rerouting Project

Project Description. The Vallejo Sanitation and Flood Control District is proposing to relocate a 27-inch sewer line that presently runs through a portion of the North White Slough tidal marsh. The 27-inch pipeline would be replaced by a new 21-inch (or smaller) pipeline from the end of Jack London Drive through the California Meadows subdivision to Enterprise Street along State Route 37, a total distance of about one mile. The project also includes relocation of an existing sewer main in the California Meadows subdivision.

Finding. This project will not have a significant negative impact on the environment.

Mandatory Findings. Based on the information in the Initial Study (attached), the Vallejo Sanitation and Flood Control District, in its independent judgment, finds:

- The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- The project does not have impacts, which are individually limited, but cumulatively considerable.
- The project does not have environmental effects that will cause substantial adverse effects on humans, either directly or indirectly.

Basis for Finding. Based on the attached Initial Study, no significant impact will occur as a result of this project, and an Environmental Impact Report is not required. The following mitigation measures are hereby adopted to ensure that the impacts of the project are less-than-significant.

- **Mitigation Measure 1:** In order to reduce potential disturbance of clapper rails and black rails during their breeding season, no construction activities shall occur within 700 feet of clapper rail nesting habitat from February 1 to August 31, except for work to occur within the developed areas of the California Meadows subdivision where the presence of houses would effectively shelter clapper rails from disturbance.
- **Mitigation Measure 2:** In order to reduce potential disturbance of special-status plant species, pre-construction surveys will be conducted during each species' appropriate flowering period to verify presence of special status plants species known to potentially occur in the White Slough area, including plants listed since November and December 1995, when the original surveys were conducted. If any special-status plant is found within the project footprint, staging or access areas will be relocated and the area surrounding the rare plant will be blocked off from construction and marked as ecologically sensitive. If avoidance is not feasible, plants will be relocated elsewhere in

the area in coordination with the U.S. Fish and Wildlife Service and California Department of Fish and Game.

- **Mitigation Measure 3:** The Vallejo Sanitation and Flood Control District shall restore disturbed areas, including the backfilled trench, to the pre-construction grade and allow for revegetation with appropriate native wetland plants. To compensate for the 0.02 acres of permanent fill, the District shall mitigate for wetlands impacts at a four-to-one ratio, pursuant to the requirements of AB 719. As proposed, this will require the restoration of a maximum of 0.08 acres of tidal marsh habitat. Specific mitigation plans have not been prepared at this time, but it is expected that the District can undertake its required wetland mitigation project on either the River Park site in Vallejo or at another site within the Vallejo area. Implementation and monitoring of the recreated wetland areas shall be per the requirements of the Army Corps of Engineers and the Bay Conservation and Development Commission, with consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game.
- **Mitigation Measure 4:** A double silt fence shall be installed where construction activities would occur adjacent to tidal and non-tidal wetland habitat. The fences shall be installed around the perimeter of the construction area prior to the start of construction activities.
- **Mitigation Measure 5:** During the excavation of the pipeline between Jack London Drive and Tobin Drive, the District shall require that a qualified cultural resources specialist be onsite to observe excavation activities. The cultural resources specialist shall have the authority to stop work in the event potentially significant archaeological or historical resources are uncovered, until the significance of the find can be evaluated.
- **Mitigation Measure 6:** If cultural resources are unearthed during construction, all work in the vicinity of the find must be halted until a qualified cultural resources specialist has the opportunity to evaluate the nature and significance of the find. If the resources cannot be avoided and protected, additional mitigation may be necessary. The type and extent of any additional mitigation would be determined in consultation with the State Historic Preservation Officer. If human remains are discovered, all work in the vicinity of the burials must cease, and the County Coroner and the Native American Heritage Commission shall be contacted.
- **Mitigation Measure 7:** Staging areas shall not be located within sensitive habitat areas, including the tidal marsh area between Jack London Drive and Tobin Drive.
- **Mitigation Measure 8:** Construction activities in the California Meadows subdivision shall be limited from 7:00 a.m. to 6:00 p.m.
- **Mitigation Measure 9:** The proposed traffic handling plan shall include a provision for notification of residents along the construction corridor in the California Meadows subdivision. The notification shall be mailed to residents along the construction corridor, and shall include the following items:
 - The expected start date and end date of construction activities and daily hours of operation.
 - Provisions for road closures along with access and parking information.
 - Provisions for pedestrian and vehicular safety in the construction area.

- The names and phone numbers of people to contact if questions arise.

Therefore, this Final Negative Declaration is filed pursuant to Section 15072 of the Guidelines for Implementation of the California Environmental Quality Act.

Director
Vallejo Sanitation and Flood Control District

Date

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