

US EPA ARCHIVE DOCUMENT



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105**

February 26, 2007

Mr. Gene K. Fong, Division Administrator  
Federal Highway Administration  
650 Capitol Mall, Suite 4-100  
Sacramento, CA 95814

Subject: Final Environmental Impact Statement for the Campus Parkway, Merced  
County, California (CEQ #20070012)

Dear Mr. Fong:

The Environmental Protection Agency (EPA) has reviewed the above-referenced document pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) regulations (40 CFR Parts 1500-1508), and Section 309 of the Clean Air Act. Our detailed comments are enclosed.

EPA reviewed the Draft Environmental Impact Statement (DEIS), and provided comments to the Federal Highway Administration (FHWA) on June 24, 2005. We rated the DEIS as Environmental Concerns-Insufficient Information (EC-2) due to concerns about the following: (1) Traffic Analysis; 2) Range of Alternatives; 3) Connected Actions; 4) Logical Termini; 5) Air Quality; 6) Cumulative Impacts; and 7) Induced Growth.

While some of our concerns have been resolved, we remain concerned about the traffic benefits of the project as stated in the Final EIS (FEIS). We also note that the most current land use and development information from the City of Merced was not included in the document, and that this may not have allowed for an accurate analysis of induced growth and cumulative impacts of the project in relation to other development. Finally, we continue to have questions about the methodology used to quantitatively evaluate wetland functions and values in Table 3.7-2.

EPA recommends that Caltrans and the Merced County Department of Public Works consult with the City of Merced to insure that accurate and up-to-date planning and development information is incorporated into the cumulative and indirect impacts analyses, and that proposed mitigation is updated to reflect this new information in the Record of Decision (ROD). We also encourage Campus Parkway project sponsors to consider coordinating with sponsors of other projects in the area as well as resource and regulatory agencies during the development of the final detailed mitigation plan. This coordination could explore mitigation opportunities presented by the various projects in the area to maximize environmental benefits. EPA's detailed comments on these

recommendations are enclosed.

We appreciate the opportunity to review this FEIS. When the ROD is signed, please send one copy to the address above (mail code: CED-2). If you have any questions, please contact me at 415-972-3846 or Carolyn Mulvihill of my staff at 415-972-3597 or mulvihill.carolyn@epa.gov.

Sincerely,

/S/ Summer Allen for

Nova Blazej, Manager  
Environmental Review Office

Enclosures:  
EPA's Detailed Comments

cc: Margaret L. Lawrence, Caltrans  
Steven E. Rough, Merced County Department of Public Works  
Nancy Haley, U.S. Army Corps of Engineers  
Mark Littlefield, U.S. Fish and Wildlife Service

EPA DETAILED COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE CAMPUS PARKWAY PROJECT, FEBRUARY 26, 2007

Traffic Benefits

The Final Environmental Impact Statement (FEIS) states that the proposed Campus Parkway project is needed to increase capacity and connectivity to State Route (SR) 99 in response to projected growth in the City and County of Merced and Phase 1 of the University of California, Merced Campus. It states that the project has “independent utility,” in that the need for the project exists even without further expansion of the U.C. Merced Campus and University Community development. However, the magnitude of project benefits under current development assumptions remains unclear.

The FEIS does not dispute EPA’s previous comments that many of Merced’s main roadways will continue to experience heavy congestion (Level of Service D to F) even with Campus Parkway. Feeder roadways such as Yosemite and Olive Avenues will experience increased congestion, with LOS D to F conditions on road segments near the Parkway. The FEIS also does not dispute that, even without the proposed project, the main roadways east of the proposed project location would operate at LOS C or better in 2025. Given these factors, EPA continues to question the traffic benefits of the project.

EPA’s comments on the Draft Environmental Impact Statement (DEIS) also questioned the elimination of the Western Beltway Alignment from consideration as an alternative to the proposed project. Given the heavy congestion projected in areas west of the Parkway, the concentration of planned development activity north of downtown Merced, and the relatively low projected traffic levels east of the Parkway, EPA continues to question the programming of the Western Beltway Alignment as a separate project (Highway 59 Expressway project). EPA continues to presume that a western beltway would serve the anticipated increased development north of Merced with less out of direction traffic than the proposed project. While the alternative was eliminated from consideration because it does not serve the southern portion of Merced between SR 99 and SR 140, it does not appear that this area requires any additional infrastructure to attain LOS C in 2025 projections.

Recommendation:

- The ROD should discuss potential transportation improvements, including transit and Transportation System Management measures that may alleviate continuing congestion in downtown Merced and mitigate the increased congestion that would result from the proposed project.

Induced Growth and Cumulative Impacts

The FEIS acknowledges that the proposed project could increase pressures to convert land from agricultural use to urban uses, and it discusses the potential environmental impacts as a result of the potential land use change induced by the

proposed project. However, the FEIS does not include the most recent land use information available. A Draft Specific Urban Development Plan Boundary (SUDP) was adopted by the Merced City Council on July 17, 2006 that includes the project area, as well as other areas outside the current city limits. This new boundary would add 23,051 acres to the City of Merced, over double the current 20,600-acre boundary. This SUDP is not indicated on Figure 3.22-1, Adopted and Proposed Developments Plans. In addition, the FEIS notes on page 3-149 that Section 3.22 describes approved and proposed development plans as of mid-2005. Footnote 28 on page 3-225 states that Table 3.22-1 City of Merced Approved, Planned, and Proposed Developments was updated in October 2004. A *Tentative Subdivision Activity List*, available on the City of Merced's public website, lists 63 proposed subdivisions, which may or may not be included in the 26 projects listed in Table 3.22-1.

EPA commends the addition of the Potential Impacts of Growth section on pages 3-154 and 3-155, however these impacts would likely change as a result of the updated development information stated above.

Recommendations:

- The cumulative and indirect impact analyses, as well as proposed mitigation for these impacts, should be updated to reflect the most up-to-date information on the City of Merced's General Plan update, SUDP, and proposed developments. This is consistent with Step 5 in the Caltrans Cumulative Impacts Analysis: ([http://www.dot.ca.gov/ser/cumulative\\_guidance/purpose.htm](http://www.dot.ca.gov/ser/cumulative_guidance/purpose.htm)). The results of these analyses should be included in the Record of Decision (ROD).
- The ROD should discuss potential mitigation opportunities for cumulative impacts, whether or not they are within the authority of the transportation agencies.

Waters of the U.S., including Wetlands

EPA has reviewed the modifications to Table 3.7-2 Summary of Wetland Functions and Values (pages 3-82 to 3-84). The table does not appropriately represent the function of wetlands within the project site. The methodology is unclear and there is no reference data to substantiate the criteria used in the table. The same criteria are used across different classes of wetlands and the table combines both function and value to determine the "functional capacity" of the wetlands, which EPA does not believe to be a valid analysis.

Recommendation:

- The data in Table 3.7-2 should not be included in the ROD or utilized to determine compensatory mitigation.