

6 DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

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*Making Conservation
a California Way of Life.*

December 5, 2019

06-TUL-137-17.94

MND / TIS

FARRAR SUBDIVISION (360 LOTS)

SENT VIA EMAIL

Mr. Mario Anaya, Principal Planner
City of Tulare
Community Development – Planning Division
411 E. Tulare Street
Tulare, CA 93274

Dear Mr. Anaya:

Thank you for the opportunity to review the Mitigated Negative Declaration (MND) and associated Traffic Impact Study (TIS) dated November 4, 2019 for the Farrar Subdivision which proposes to divide approximately 76.5 acres into 360 single family residential lots. The project site is located on the northwest corner of State Route (SR) 137 and Road 120 (aka: Morrison Road).

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the *following comments* consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Table IX on page 36 summarizes the Queuing Analysis. Some of the 95th percentile queue lengths under "Existing Plus Project" are *shorter* than the "Existing". Caltrans expects that the "Existing Plus Project" should generate longer queuing compared to the "Existing". Please advise.
2. Please provide an electronic copy of the Synchro files for Caltrans review.
3. Based on the Project's trip distribution, the analysis shows more than 50 peak hour trips assigned to SR 137 intersection at Hazeltine Street, due to the Project's internal street connections. Caltrans recommends that this intersection should be included in the TIS analysis.
4. The MND identifies the following Transportation Mitigation Measures:

TRA-1: Prior to issuance of building permits for Phase I of the proposed project, the project proponent must complete the following required improvements at the Morrison Street/Tulare Avenue (*aka SR 137*) Intersection:

- Add a southbound left-turn lane;
- Modify the southbound left-through-right lane to a through-right lane;
- Signalize the intersection with protective left-turn phasing in all directions; and
- Modify the intersection to accommodate the added lane.

TRA-2: Prior to issuance of building permits for Phase II of the proposed project, the project proponent must complete the following required improvements at the Morrison Street/Prosperity Avenue Intersection:

- Modify the northbound left-right lane to a left-turn lane; and
- Add a northbound right-turn lane.

TRA-3: Prior to issuance of building permits for Phase IV of the proposed project, the project proponent must complete the following required improvements at the Mooney Boulevard (*aka SR 63*)/Seminole Avenue Intersection:

- Modify the westbound left-right lane to a left-turn lane;
- Add a westbound right-turn lane; and
- Signalize the intersection with protective left-turn phasing in all directions.

TRA-4: Prior to issuance of building permits for Phase IV of the proposed project, the project proponent shall pay their equitable fair share, agreed upon by the responsible agencies (City of Tulare and Caltrans), towards the cost of the following improvements at the intersections of Mooney Boulevard (*aka: SR 63*) /Prosperity Avenue and Mooney Boulevard (*aka: SR 63*)/Tulare Avenue (*aka SR 137*):

- Mooney Boulevard (*aka: SR 63*) /Prosperity Avenue:
 - Modify the southbound through-right lane to a through lane;
 - Add a southbound right-turn lane; and
 - Modify the traffic signal to accommodate the added lane.
- Mooney Boulevard (*aka: SR 63*)/Tulare Avenue (*aka SR 137*)
 - Add a second eastbound left-turn lane; and
 - Modify the traffic signal to accommodate the added lane.
- Fair share contributions shall only be made for those facilities, or portion thereof, currently not funded by the responsible agencies' roadway impact fee program(s) or grant funding, as appropriate. Payment of the Project's equitable fair share, in addition to the local and regional impact fee programs, would satisfy the Project's traffic mitigation measures for its contribution for the "Near Term plus Project" Buildout Traffic Conditions. The traffic impact analysis conducted for the proposed project does not provide construction costs for the recommended mitigation measures; therefore, the project proponent must continue to work with the City of Tulare, and/or Caltrans, to develop the estimated construction costs.

5. Caltrans agrees with Mitigation Measure TRA-4 recommendation that the Project contribute its equitable fair share towards for future road improvements. The equitable fair share percentage for the Project's impact should be calculated pursuant to the Caltrans Guide for the Preparation of Traffic Impact Studies
6. The TIS analysis should expand on the discussion of Mitigation Measures, to include the Project's equitable fair share responsibility of traffic impacts at the following State Highway System intersections:

- a. SR 63 at Prosperity Avenue;
 - b. SR 63 at Cross Street;
 - c. SR 137 (Tulare Avenue) at SR 63 (Mooney Blvd);
 - d. SR 137 at Morrison Street;
 - e. SR 137 at Hazeltine.
7. For those jurisdictions that choose not to collect mitigation for the State highway system, Caltrans is willing to collect this mitigation for local developments, which impact State facilities. Upon this amount being made a condition of approval for this project, the applicant will need to enter into a Traffic Mitigation Agreement with Caltrans. Caltrans has established a Traffic Mitigation Agreement (TMA) for the collection and tracking of these funds. The TMA needs to be executed prior to issuance of building permits and payment of the fair share mitigation amount needs to occur prior to occupancy.
 8. It is Caltrans policy to analyze all potential intersection improvement solutions to the State Highway System (SHS). An Intersection Control Evaluation (ICE) report is required for any proposed intersection improvement, in accordance with Traffic Operations Policy Directive No. 13-02, dated: August 30, 2013 (<http://www.dot.ca.gov/hq/traffops/policy/13-02.pdf>).
 9. Any new project that may require employing full control at state highway intersections (i.e. to control all approaching traffic via use of signal, stop or yield control) must consider all three intersection control strategies (stop, roundabout and signal) and the supporting design configurations per the Intersection Control Evaluation (ICE) guidelines. ICE establishes a context and performance-based evaluation process to produce engineering recommendations on intersection traffic control strategies and geometric configurations for location specific needs and conditions. The first step of the ICE process will constitute conceptual approval by Caltrans Traffic Operations Office. The project opening day mitigation at an intersection must be evaluated per the ICE procedure. This new policy will affect the engineering process to determine the intersection improvements on State Route (SR) 137 and SR 63. The ICE requirements can be found on the Caltrans website: <http://www.dot.ca.gov/hq/traffops/liaisons/ice.html>.
 10. According to the Caltrans Transportation Concept Report (TCR), segment #9 of SR 137 in the vicinity of the proposed project, is currently existing as a 2-lane conventional highway and ultimately planned to be a 4-lane facility within a total of 146 feet of right-of-way (73 feet from the centerline). Caltrans right-of-way maps shows this segment of SR 137 existing with a varying total width from 80 to 100 feet. It appears there is 50 feet of ROW from the centerline on the north side of SR 137.
 11. A Dedication to Caltrans for 23 feet of right-of-way is needed to accommodate the ultimate configuration of SR 137. Dedications required by the Lead Agency need to be shown on a revised site plan and forwarded for our review. Right-of-way dedicated to the State due to the proposed project or work proposed in the State right-of-way, will need to be dedicated and conveyed to the State (in a form approved by the State) before an encroachment permit is issued for any work in the State right-of-way. A summary of the requirements for right-of-way dedications is enclosed.
 12. Caltrans recommends that the Project construct frontage improvements along SR 137 to include sidewalk, curb, gutter and widening of SR 137 for 2 westbound lanes.

13. A minimum of a 6-foot sidewalk (10- foot preferred), measured from the back of the curb is required.
14. The back of the sidewalk should be constructed at the ultimate right-of-way configuration for SR 137: 73 feet from the centerline.
15. Dust control measures shall be implemented on the site in a manner to prevent dust from entering the State right-of-way.
16. No water from the proposed project shall flow into the State right-of-way without approval from the District Hydraulic Engineer.
17. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. The Streets and Highways Code Section 670 provides Caltrans discretionary approval authority for projects that encroach on the State Highway System. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. **Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.** Please review the permit application checklist at:
<https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?frmId=TR0402&distpath=MAOTO&brapath=PERM>.
18. Upon project approval by the local public agency and prior to an encroachment permit application submittal, the project proponent is required to schedule a "Pre-Submittal" meeting with District 6 Encroachment Permit Office. Please contact District 6 Encroachment Permit Office at (559) 488-4058 to schedule this meeting. Please review the permit application checklist at:
<https://forms.dot.ca.gov/v2Forms/servlet/FormRenderer?frmId=TR0402&distpath=MAOTO&brapath=PERM>.
19. Alternative transportation policies should be applied to the development. An assessment of multi-modal facilities should be conducted to develop an integrated multi-modal transportation system to serve and help alleviate traffic congestion caused by the project and related development in this area of the City. The assessment should include the following:
 - a. Pedestrian walkways should link this proposal to an internal project area walkway, transit facilities, as well as other walkways in the surrounding area.
 - b. If transit is not available within ¼-mile of the site, transit services should be provided.

Mr. Mario Anaya – Farrar Estates – TIS & MND
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- c. The project should consider bicycles as an alternative mode of transportation and offer internal amenities to encourage bicycle use.

If you have any other questions, please call me at (559) 488-7396.

Sincerely,



DAVID DEEL
Associate Transportation Planner
Transportation Planning – North

Copy: Michael Miller, City Engineer – City of Tulare

From: [Leatha White](#)
To: [Mario Anaya](#)
Subject: Farrar Estates.
Date: Wednesday, December 11, 2019 2:34:22 PM

I strongly disagree with this planned subdivision Farrar Estates.
There are issues that I need to have addressed. I will be at the meeting to talk about them.

Our concerns remain the same from the previous city meeting a few years back.

Leatha White
210 N. Morrison Street Tulare



Jared Blumenfeld
Secretary for
Environmental Protection



Department of Toxic Substances Control

Meredith Williams, Ph.D.
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Gavin Newsom
Governor

December 13, 2019

Mr. Mario Anaya
City of Tulare
411 E. Kern Avenue
Tulare, California 93274

MITIGATED NEGATIVE DECLARATION FOR FARRAR SUBDIVISION – DATED
NOVEMBER 2019
(STATE CLEARINGHOUSE NUMBER: UNKNOWN)

Dear Mr. Anaya:

The Department of Toxic Substances Control (DTSC) received a Mitigated Negative Declaration (MND) for the Farrar Subdivision project.

The proposed project involves the development of 360 single-family residential units. The development of the subdivision would result in on-site infrastructure improvements, including new local residential streets, new and relocated utilities, and a ponding basin to treat storm water flows. The project would also require build out and frontage improvements on Morrison Street, Tulare Avenue, and Seminole Avenue.

DTSC recommends that the following issues be evaluated in the MND, Hazards and Hazardous Materials section:

1. The MND should acknowledge the potential for project site activities to result in the release of hazardous wastes/substances. In instances in which releases may occur, further studies should be carried out to delineate the nature and extent of the contamination, and the potential threat to public health and/or the environment should be evaluated. The MND should also identify the mechanism(s) to initiate any required investigation and/or remediation and the government agency who will be responsible for providing appropriate regulatory oversight.
2. If buildings or other structures are to be demolished on any project sites included in the proposed project, surveys should be conducted for the presence of lead-based paints or products, mercury, asbestos containing materials, and polychlorinated biphenyl caulk. Removal, demolition and disposal of any of the

above-mentioned chemicals should be conducted in compliance with California environmental regulations and policies. In addition, sampling near current and/or former buildings should be conducted in accordance with DTSC's 2006 *Interim Guidance Evaluation of School Sites with Potential Contamination from Lead Based Paint, Termiticides, and Electrical Transformers* (https://dtsc.ca.gov/wpcontent/uploads/sites/31/2018/09/Guidance_Lead_Contamination_050118.pdf).

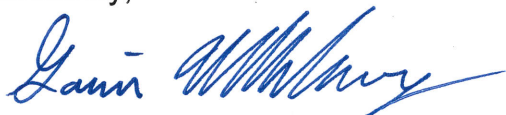
3. If any projects initiated as part of the proposed project require the importation of soil to backfill any excavated areas, proper sampling should be conducted to ensure that the imported soil is free of contamination. DTSC recommends the imported materials be characterized according to *DTSC's 2001 Information Advisory Clean Imported Fill Material* (https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/SMP_FS_Cleanfill-Schools.pdf).
4. If any sites included as part of the proposed project have been used for agricultural, weed abatement or related activities, proper investigation for organochlorinated pesticides should be discussed in the MND. DTSC recommends the current and former agricultural lands be evaluated in accordance with DTSC's 2008 *Interim Guidance for Sampling Agricultural Properties (Third Revision)* (<https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/Ag-Guidance-Rev-3-August-7-2008-2.pdf>).

DTSC appreciates the opportunity to review the MND for the Farrar Subdivision. Should you need any assistance with an environmental investigation, please submit a request for Lead Agency Oversight Application, which can be found at: https://dtsc.ca.gov/wp-content/uploads/sites/31/2018/09/VCP_App-1460.doc. Additional information regarding voluntary agreements with DTSC can be found at: <https://dtsc.ca.gov/brownfields/>.

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December 16, 2019
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If you have any questions, please contact me at (916) 255-3710 or via email at Gavin.McCreary@dtsc.ca.gov.

Sincerely,



Gavin McCreary
Project Manager
Site Evaluation and Remediation Unit
Site Mitigation and Restoration Program
Department of Toxic Substances Control

cc: (via email)

Governor's Office of Planning and Research
State Clearinghouse
State.clearinghouse@opr.ca.gov

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