

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: October 16-17, 2025

From: TANISHA TAYLOR, Executive Director

Reference Number: 2.2c.(7), Action

Prepared By: Cherry Zamora
Associate Deputy Director

Published Date: October 3, 2025

Subject: Approval of Project for Future Funding Consideration – 7th Street Bridge Project, Resolution E-25-63

Recommendation:

Staff recommends the California Transportation Commission (Commission), as a Responsible Agency under the California Environmental Quality Act (CEQA), approve the attached Resolution E-25-63 (Attachment A), which accepts the Final Environmental Impact Report and Addendum for the 7th Street Bridge Project (Project); approves the Project for future consideration of funding; makes CEQA Findings (Attachment C); and adopts a Statement of Overriding Considerations (Attachment D).

Issue:

Stanislaus County is the CEQA Lead Agency for the Project. The Project is located on 7th Street over the Tuolumne River in the City of Modesto and Stanislaus County (see map in Attachment F). The Project would replace the existing two-lane bridge with a four-lane bridge that corrects structural and hydraulic deficiencies and improves safety for vehicles, bicyclists, and pedestrians.

For all projects that are anticipated to be funded through a program under the purview of the Commission, full compliance with CEQA is required. The Commission will not allocate funds to projects for design, right-of-way, or construction until the environmental document is complete, and the Commission has approved the environmentally cleared project for future funding consideration.

Background:

On May 23, 2017, Stanislaus County certified the Final Environmental Impact Report for the Project. Stanislaus County found that the Project's impacts on transportation, noise, and cultural resources would be significant and unavoidable. Although mitigation measures, such as recordation, archival work, and development of interpretive materials would be implemented

for impacts on the existing bridge as a cultural resource, impacts would remain significant and unavoidable.

Impacts that require mitigation measures in order to be reduced to less than significant levels relate to transportation, biological resources, cultural resources, and hazards and hazardous materials. Mitigation measures include signalizations of local intersections; implementation of a Traffic Management Plan; seasonal work restrictions regarding biological resources; preconstruction surveys; construction worker awareness training; implementation of Best Management Practices; compensatory mitigation; work stoppage if previously unidentified cultural materials are unearthed during construction; work stoppage and notification of the County Coroner and Native American Heritage Commission, as appropriate, if human remains are found during construction and implementation of a treatment plan for the discovery; Paleontological Resource Awareness Training; implementation of a Paleontological Resources Monitoring and Mitigation Program, including monitoring protocols, discovery procedures, and museum storage; conducting an evaluation of asbestos-containing materials; conducting an aerially deposited lead assessment; soils testing for metals; assessment of soils and groundwater impacts from petroleum hydrocarbon compounds; assessment of groundwater impacts from pesticides and fertilizers; and following federal, state, and local regulations and ordinances for hazardous material handling and disposal.

Stanislaus County found there were several benefits that outweigh the unavoidable adverse impacts of the Project. These overriding benefits include economic, legal, social, technological, and other benefits that outweigh the identified significant effect on the environment. Stanislaus County determined the Project would accomplish the following benefits as documented in the Findings and Statement of Overriding Considerations included in Attachment B:

- The 7th Street corridor is one of several north-south roadways connecting downtown Modesto with areas south of the Tuolumne River.
- The 7th Street Bridge is listed on the Caltrans local bridge list with a sufficiency rating of 2. Sufficiency rating values range from 0 (low) to 100 (high). The low sufficiency rating is due to structural deficiencies (because of excessive deflections on the structure), functional deficiencies (because of its inadequate width), and load restrictions of 4 tons. The structure is also vulnerable to collapse during an earthquake or flood event. The 7th Street Bridge's sufficiency rating is one of the worst in California, and the structural and functional deficiencies must be corrected and load carrying capacity restored so it may continue to be used.
- 7th Street is an important two-lane arterial roadway that carries traffic to and from downtown Modesto, linking the surrounding neighborhoods and communities. Currently, traffic estimates for the 7th Street Bridge are 15,900 average trips per day. Projected future traffic on the 7th Street Bridge is estimated at 20,100 average trips per day. With no improvements, the 7th Street Bridge is anticipated to operate at unacceptable Level of Service (LOS) "F" in the future. For this reason, the Stanislaus Council of Governments 2014 Regional Transportation Plan identified the need to increase the 7th

Street Bridge vehicular capacity from two lanes to four lanes. In the project area, 7th Street is designated as a four-lane road by the City of Modesto and Stanislaus County.

- Currently, the 7th Street Bridge has a narrow, substandard pedestrian walkway along each side that places pedestrians very close to vehicular traffic. The bridge does not provide dedicated bicycle infrastructure. Vehicles and bicycles must share a single, narrow travel lane with no shoulder which increases vehicle/bicycle conflicts. The substandard pedestrian walkways and lack of bicycle infrastructure is inconsistent with the Modesto Non-Motorized Transportation Master Plan, which calls for a complete network of bikeways, walkways, trails, and paths that serve all non-motorized groups. The Modesto Non-Motorized Transportation Master Plan designates a Class II Bike Lane along the 7th Street Bridge corridor. The master plan defines a Class II Bike Lane as “striped and stenciled lane for one-way travel on a street or highway.”
- The 7th Street Bridge project would correct each of these existing deficiencies. These considerations identify why, in the County’s judgement, the Project and its benefits to the County outweigh its unavoidable significant environmental impacts.

On April 15, 2025, Stanislaus County finalized the *Addendum to the Environmental Impact Report (EIR) for the 7th Street Bridge Project* (Addendum) to address changes to the project limits to accommodate the addition of utility and roadway improvements, relocation of a maintenance access road, and a reduction in the permanent acquisitions to existing residences. Additionally, the Addendum discussed that pedestrian access during construction would be through temporary transit service rather than construction of a temporary crossing. The Addendum concluded that changes to the original project would not result in any new significant impacts, nor would they increase the severity of previously identified impacts. Consequently, an Addendum was determined appropriate.

On September 16, 2025, Stanislaus County staff confirmed that the Final Environmental Impact Report remained valid; there are no new identified impacts or substantial increase in the severity of an environmental impact requiring mitigation; and the project set forth in the Final Environmental Impact Report is consistent with the scope of work programmed by the Commission.

Commission staff have reviewed the Final Environmental Impact Report, Findings, and Statement of Overriding Considerations prepared by Stanislaus County. Based on this information, staff prepared the Commission’s Findings and Statement of Overriding Considerations, included in Attachment C and D. These documents have been prepared pursuant to CEQA, in the Commission’s independent judgment as a CEQA responsible agency.

The Project is estimated to cost \$134,543,000 and is funded through construction with Highway Bridge Program (\$90,780,000), Congestion Mitigation and Air Quality (\$1,600,000), and Local Partnership Program – Competitive (\$15,000,000), local county (\$11,412,000), and local city (\$15,750,000) funds.

Construction for the Project is estimated to begin in Fiscal Year 2025-26.

Attachments:

- Attachment A: Resolution E-25-63
- Attachment B: Stanislaus County – Findings and Statements Required Under the California Environmental Quality Act for the 7th Street Bridge Project, Modesto, California
- Attachment C: California Transportation Commission – Findings of Fact
- Attachment D: California Transportation Commission – Statement of Overriding Considerations
- Attachment E: Notice of Determination
- Attachment F: Project Location Map

**CALIFORNIA TRANSPORTATION COMMISSION
Resolution for Future Funding Consideration**

**10 – Stanislaus County
Resolution E-25-63**

- 1.1 WHEREAS, Stanislaus County has completed and certified a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the 7th Street Bridge Project in the City of Modesto and Stanislaus County; and
- 1.2 WHEREAS, Stanislaus County completed an Addendum to the Environmental Impact Report to address changes to the project limits and the Addendum concluded that changes to the original project would not result in any new significant impacts, nor would they increase the severity of previously identified impacts; and
- 1.3 WHEREAS, the 7th Street Bridge Project is located on 7th Street over the Tuolumne River in the City of Modesto and Stanislaus County; and
- 1.4 WHEREAS, the 7th Street Bridge Project would replace the existing two-lane bridge with a four-lane bridge that corrects structural and hydraulic deficiencies and improves safety for vehicles, bicyclists, and pedestrians; and
- 1.5 WHEREAS, on May 23, 2017, Stanislaus County certified the Final Environmental Impact Report for the 7th Street Bridge Project and found that the project's impacts on transportation, noise, and cultural resources would be significant and unavoidable adverse environmental impacts; and
- 1.6 WHEREAS, impacts that require mitigation measures in order to be reduced to less than significant levels relate to transportation, biological resources, cultural resources, and hazards and hazardous materials and certain measures were adopted to address these impacts; and
- 1.7 WHEREAS, the Stanislaus County found there were several benefits that outweigh the unavoidable adverse impacts of the 7th Street Bridge Project. Stanislaus County determined the 7th Street Bridge Project, would accomplish the following benefits from the Findings of Fact and Statement of Overriding Considerations included in Attachment B:
 - The 7th Street corridor is one of several north-south roadways connecting downtown Modesto with areas south of the Tuolumne River.

- The 7th Street Bridge is listed on the Caltrans local bridge list with a sufficiency rating of 2. Sufficiency rating values range from 0 (low) to 100 (high). The low sufficiency rating is due to structural deficiencies (because of excessive deflections on the structure), functional deficiencies (because of its inadequate width), and load restrictions of 4 tons. The structure is also vulnerable to collapse during an earthquake or flood event. The 7th Street Bridge's sufficiency rating is one of the worst in California, and the structural and functional deficiencies must be corrected and load carrying capacity restored so it may continue to be used.
- 7th Street is an important two-lane arterial roadway that carries traffic to and from downtown Modesto, linking the surrounding neighborhoods and communities. Currently, traffic estimates for the 7th Street Bridge are 15,900 average trips per day. Projected future traffic on the 7th Street Bridge is estimated at 20,100 average trips per day. With no improvements, the 7th Street Bridge is anticipated to operate at unacceptable Level of Service (LOS) "F" in the future. For this reason, the Stanislaus Council of Governments 2014 Regional Transportation Plan identified the need to increase the 7th Street Bridge vehicular capacity from two lanes to four lanes. In the project area, 7th Street is designated as a four-lane road by the City of Modesto and Stanislaus County.
- Currently, the 7th Street Bridge has a narrow, substandard pedestrian walkway along each side that places pedestrians very close to vehicular traffic. The bridge does not provide dedicated bicycle infrastructure. Vehicles and bicycles must share a single, narrow travel lane with no shoulder which increases vehicle/bicycle conflicts. The substandard pedestrian walkways and lack of bicycle infrastructure is inconsistent with the Modesto Non-Motorized Transportation Master Plan, which calls for a complete network of bikeways, walkways, trails, and paths that serve all non-motorized groups. The Modesto Non-Motorized Transportation Master Plan designates a Class II Bike Lane along the 7th Street Bridge corridor. The master plan defines a Class II Bike Lane as "striped and stenciled lane for one-way travel on a street or highway."
- The 7th Street Bridge project would correct each of these existing deficiencies. These considerations identify why, in the County's judgement, the Project and its benefits to the County outweigh its unavoidable significant environmental impacts; and

1.8 WHEREAS, on September 10, 2025, Stanislaus County confirmed that the Final Environmental Impact Report and Addendum remain valid; there are no new identified impacts or substantial increase in the severity of an environmental impact requiring mitigation; and the project set forth in the Final Environmental

Impact Report and Addendum is consistent with the scope of work programmed by the Commission; and

- 1.9 WHEREAS, the California Transportation Commission (Commission), as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report and CEQA Addendum; and
- 1.10 WHEREAS, the Commission has made findings as required by California Code of Regulations, section 15096, subdivision (h); and
- 1.11 WHEREAS, the Commission has adopted a Statement of Overriding Considerations pursuant to California Code of Regulations, title 14, section 15093;
- 2.1 NOW, THEREFORE, BE IT RESOLVED that the Commission does hereby accept the Final Environmental Impact Report and CEQA Addendum and approves the above-referenced 7th Street Bridge Project for future consideration of funding.

Findings and Statements Required Under
the California Environmental Quality Act
for the
7th Street Bridge Project, Modesto, California

Prepared Pursuant to
Sections 15091 and 15093 of the State CEQA Guidelines
and Section 21081 of the Public Resources Code

by
Stanislaus County

March 2017

1. Introduction

1.1 Overview and Organization

The 7th Street Bridge Project (project) is proposed by Stanislaus County and the City of Modesto to improve movement and safety along the 7th Street corridor in Modesto, California. The project's objectives are to correct the structural and hydraulic deficiencies of the existing bridge spanning the Tuolumne River, expand its vehicular capacity, and improve safety for motorists, bicyclists, and pedestrians.

Stanislaus County prepared an Environmental Impact Report (EIR) that analyzes the anticipated environmental impacts of four alternatives that meet the project objectives: Alternatives 2A, 2B, 3, and 4. To support its certification of the Final EIR and adoption of Preferred Alternative 2B, the County makes the following findings of fact and statements of overriding considerations (collectively, Findings). These Findings contain the County's written analysis and conclusions regarding the project's environmental effects, mitigation measures, alternatives to the project, and the overriding considerations which, in the County's view, justify the approval of the project despite its potential environmental effects. These Findings are based upon the entire record of proceedings for the EIR, as described below.

Alternatives that meet the project's objectives are briefly summarized below and described in more detail in Chapter 2 of the Draft EIR (CH2M, 2016).

- Alternative 2A: Existing Bridge Alignment (Arch Bridge). Alternative 2A would use the existing 7th Street Bridge alignment as part of the new bridge alignment. 7th Street over the river would be closed during construction. Because this alternative does not require staged construction of the bridge, it accommodates a tied-arch structure over the Tuolumne River that avoids piers in the river's low-flow channel. In the floodplain, a precast concrete girder structure would be used. Because of the loss of bicycle and pedestrian access across the bridge during construction, this alternative includes either a temporary bicycle/pedestrian bridge downstream of the construction zone or temporary transit service to accommodate access across the river. The intersection of 7th Street with B Street/Tuolumne River Boulevard would be reconfigured to accommodate four lanes of traffic. The intersection of 7th Street with Crows Landing Road would be similar to the existing "Y" configuration, but the intersection would be signalized and would prioritize traffic flow onto and from Crows Landing Road. The modified intersections north and south of the bridge would require one full property acquisition and 10 partial property acquisitions.
- Alternative 2B: Existing Bridge Alignment (Standard Bridge). This alternative would be the same as Alternative 2A, but with a more standard structure type used for the low-flow crossing of the Tuolumne River for cost efficiency (as compared to Alternative 2A). Precast concrete girders would be used for the entire bridge superstructure, making this the lowest cost alternative. This alternative would require seven piers, including one in the low-flow channel of the river.
- Alternative 3: Existing Alignment with Staged Construction. Similar to Alternatives 2A and 2B, this alternative would use the existing 7th Street Bridge alignment as part of the new bridge alignment. However, Alternative 3 would construct the bridge in two stages so that the existing bridge could remain open while one-half of the new bridge is constructed immediately downstream of (and adjacent to) the existing bridge. Traffic would then be diverted to the new structure while the

existing bridge is demolished and the second half of the new bridge is constructed. The new bridge would be a concrete box girder structure type with seven piers, including one in the low-flow channel. The intersection of 7th Street with B Street/Tuolumne River Boulevard would be approximately the same as Alternatives 2A and 2B. The intersection of 7th Street with Crows Landing Road would be completely reconfigured. The existing configuration emphasizes northbound (NB) traffic continuity along 7th Street, with a “Y” intersection at Crows Landing Road. The new configuration would emphasize both NB and southbound (SB) traffic continuity to the Crows Landing Road corridor, with a signalized intersection at 7th Street. This configuration would require acquisition of more right-of-way than Alternatives 2A and 2B, including four full property acquisitions and seven partial property acquisitions.

- Alternative 4: Retrofit and New Two-Lane Bridge. Alternative 4 is focused on a comprehensive retrofit of the existing 7th Street Bridge, with full truck carrying capacity provided and with the addition of a new, two-lane bridge (precast concrete girder) constructed downstream of the existing bridge. The new bridge would be constructed first, and would be used by all traffic until the retrofit is complete. When the retrofit of the 7th Street Bridge is complete, it would be opened to one-directional traffic in the NB direction and the adjacent new bridge would be converted to only SB traffic. Intersection improvements at B Street/Tuolumne River Boulevard would be the same as Alternatives 2A, 2B, and 3. Intersection improvements at Crows Landing Road would be the same as Alternative 3. This alternative would require seven piers, including one in the low-flow channel of the river.

The content and format of the Findings are designed to meet the requirements of the California Environmental Quality Act (CEQA).^{1,2} The EIR identifies significant environmental effects that would result from the project. For each significant effect identified, the County is adopting one or more of the findings specified in Section 15091 of the CEQA Guidelines. For most significant effects, the mitigation measures identified in the EIR and adopted by the County Board of Supervisors would avoid or substantially lessen the significant effects to a level of less than significance. As provided for in Section 15093 of the CEQA Guidelines, the County is balancing the economic, legal, social, technological, or other benefits of the project against the unavoidable environmental effects. With regard to those unavoidable effects, the County is adopting a Statement of Overriding Considerations. The County also is adopting a Mitigation Monitoring and Reporting Program (MMRP). The County finds that the MMRP, which is incorporated by reference and made a part of these Findings, meets the requirements of Public Resources Code (PRC) Section 21081.6 by providing for the implementation and monitoring of measures intended to mitigate potentially significant effects.

1.2 Statutory Requirements

CEQA and particularly the CEQA Guidelines (Section 15091) require that:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

¹ California Environmental Quality Act (CEQA), Public Resources Code §§ 21000 et seq.

² CEQA Guidelines, California Code of Regulations Title 14, Division 6, Chapter 3, § 15000 et seq.

1. *Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR. [Referred to herein as “Finding 1”]*
2. *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. [Referred to herein as “Finding 2”]*
3. *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. [Referred to herein as “Finding 3”]*

For those significant effects that the agency determines are not feasible to mitigate to a less-than-significant level, the public agency is required to find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment (see PRC Section 21081(b)). The Guidelines state in Section 15093 that:

If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.

1.3 Record of Proceedings and Custodian of Record

For purposes of CEQA and these Findings, the record of proceedings for the County’s decisions on the project consist of: (a) matters of common knowledge to the County, including, but not limited to, federal, state and local laws and regulations and policies, and (b) the following documents, which are in custody of Stanislaus County, Department of Public Works, 1716 Morgan Road, Modesto, CA 95358:

- Notice of Preparation and other public notices issued by the County in conjunction with the project
- Draft Environmental Impact Report, dated August 2016
- All testimony, documentary evidence, and all correspondence submitted in response to the Draft EIR by agencies or members of the public during the public comment period on the Draft EIR, and the County’s responses to those comments
- Final Environmental Impact Report, dated March 2017, including all documents incorporated therein by reference
- Mitigation Monitoring and Reporting Program, dated March 2017
- All findings, statements of overriding consideration, and resolutions adopted by the County in connection with the project, and all documents cited or referred to therein
- All final technical reports and addenda, studies, memoranda, maps, correspondence and all planning documents prepared by the County or the County’s consultants relating to the project
- All documents submitted to the County by agencies or members of the public in connection with development of the project
- All references listed in the References section of the Draft EIR
- Meeting agenda, minutes and staff reports of the County relating to the project

- Other documents regarding coordination and consultation with the public and public agencies and other documents designated by the County

1.4 Preparation and Consideration of the Final EIR and Independent Judgment Findings

Pursuant to PRC Section 21082.1(c)(3), the County finds, with respect to the County's preparation, review and consideration of the Final EIR, that:

- The County retained the independent firm of CH2M to prepare the EIR, and CH2M prepared the EIR under the supervision and at the direction of Stanislaus County Public Works Department.
- The County circulated the Draft EIR for review by responsible agencies and the public from August 23, 2016, to October 6, 2016, for a period of 45 days and submitted it to the State Clearinghouse for review and comment by State agencies.
- A public meeting was held (August 29, 2016) to receive oral comments on the Draft EIR. Copies of the document were distributed to state, regional, and local agencies, as well as organizations and individuals for review and comment.
- The EIR has been completed in compliance with CEQA.
- The project will have significant, unavoidable impacts as described and discussed in the EIR.
- The EIR is adequate under CEQA to address the potential environmental impacts of the project.
- The EIR has been presented to the County and the Board of Supervisors has independently reviewed and considered information contained in the EIR.

By these Findings, the County ratifies, adopts and incorporates the analyses, explanations, findings, responses to comments, and conclusions of the EIR, except as specifically described in these Findings.

2. Findings Regarding Less-Than-Significant Impacts; Mitigation Incorporated

The County finds that, as discussed below, the following potentially significant impacts would be reduced to less than significant with implementation of the corresponding mitigation measures of the project.

2.1 Transportation

2.1.1 Impacts

- **Impact TRANS-2:** Construction of the 7th Street Bridge could conflict with an applicable congestion management project including but not limited to Level of Service (LOS) standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
 - **Design Year Conditions:** Under the Opening Day/No Project condition, the intersections of State Route (SR) 99 SB Ramps/Tuolumne Boulevard, 7th Street/Tuolumne Boulevard/B Street, and 7th Street/Crows Landing Road would deteriorate to LOS F levels in the PM peak hour.
 - **Construction Phase:** Temporary bridge closures under Alternatives 2A and 2B and subsequent increase of parallel routes would cause short-term significant impacts.

2.1.2 Findings

The County adopts Finding 1. The County adopts the following mitigation measures to reduce potentially significant impacts related to aesthetics to less-than-significant levels:

- **Mitigation Measure TRANS-1:** Significant impacts are identified for both study intersections at SR 99 in the Design Year condition – primarily the SR 99/Crows Landing Road intersections and to a lesser extent the SB SR 99/Tuolumne Boulevard intersection. To mitigate this impact, Stanislaus County and the City of Modesto have committed to improving these intersections in the future as part of a locally sponsored project that could include signalization of the ramp intersections. Implementation of this Mitigation Measure (MM) would reduce traffic impacts to less-than-significant level.
- **Mitigation Measure TRANS-2:** A temporary short-term significant impact is identified on the SR 99 SB mainline segment between Tuolumne Boulevard and Crows Landing Road during the PM peak hour as a result of the potential full closure of the existing 7th Street Bridge. To mitigate this impact, a Traffic Management Plan (TMP) will be implemented before construction begins. As part of the TMP, public information will be distributed by using local news television and radio broadcasts, informational flyers and mailers, Web sites, and other outreach options. Signs will be installed and public notices will be distributed regarding construction work before disruptions occur; the notifications will identify detours to maintain access. The TMP will also include procedures to do the following:
 - Notify and coordinate with emergency responders of potential road closure before construction.
 - Ensure access for emergency vehicles to and around the project site.
 - Notify and coordinate with transit operators of potential road closures before construction.

Due to the temporary nature of this traffic impact, implementation of this MM would reduce the impacts to a less-than-significant level.

2.1.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.7 (Transportation) and in Final EIR Section 4 (Comments and Responses).

2.2 Biological Resources

2.2.1 Impacts

- **Impact BIO-1:** Construction of the 7th Street Bridge could cause a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species.
- **Impact BIO-2:** Implementation of the 7th Street Bridge could cause substantial effects on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations.
- **Impact BIO-4:** Construction of the 7th Street Bridge may interfere with the movement of fish or wildlife species.
- **Impact BIO-7:** Construction of the 7th Street Bridge could cause or promote the introduction or spread of invasive species.

2.2.2 Findings

The County adopts Finding 1. The County adopts the following mitigation measure to reduce potentially significant impacts related to biological resources to less-than-significant levels:

- **Mitigation Measure BIO-1:** For the habitats and species of special concern that occur or have the potential to occur in the project area, implement the avoidance and minimization measures (AMMs) listed in the Natural Environment Study (Draft EIR Appendix F). AMMs would avoid or reduce the potential biological effects of the project on each species or resource group to a less-than-significant level, as discussed in Draft EIR Appendix F, Section 4.1 for riverine and riparian habitat, 4.2 for special-status plant species, 4.3 for special-status animal species, and 4.4 for other sensitive resources. AMMs include seasonal restrictions, preconstruction surveys, construction worker awareness training, best management practices, and similar actions which would limit the potential for impacts prior to and during construction, and these measures have been proven effective by the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW). Where necessary, implement the additional compensatory mitigation for anadromous fish conservation listed in the Natural Environment Study or as required by the NMFS or CDFW (see Draft EIR Appendix F, Chapters 4.3.2 to 4.3.6). The full list of the 82 AMMs from the NES is presented in Final EIR Table 3.6-1.

2.2.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.6 (Biological Resources) and Final EIR Section 4 (Comments and Responses).

2.3 Cultural Resources

2.3.1 Impacts

- **Impact CUL-1:** Construction of the 7th Street Bridge could cause a substantial adverse change in the significance of archeological resources (pursuant to CEQA § 45064.5).
- **Impact CUL-2:** Construction of the 7th Street Bridge could disturb human remains, including those interred outside of formal cemeteries.
- **Impact CUL-4:** Construction of the 7th Street Bridge could cause a substantial adverse change in the significance of paleontological resources.

2.3.2 Findings

The County adopts Finding 1. The County adopts the following mitigation measures to reduce potentially significant impacts related to cultural resources to less-than-significant levels:

- **Mitigation Measure CUL-1:** To minimize potential impacts on unknown prehistoric and historic era archaeological sites and resources, the following measure will be implemented:
 - If previously unidentified cultural materials are unearthed during construction of the project, work will be halted in that area until a qualified archaeologist can assess the significance of the find. Then a mitigation plan will be created before ground-disturbing activities may resume. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.
- **Mitigation Measure CUL-2:** To minimize potential impacts on and disturbances to human remains and associated or unassociated funerary objects exposed during construction, the following measures will be implemented:
 - Pursuant to State Health and Safety Code Section 7050.5(e) and PRC Section 5097.98, if human bone or bone of unknown origin is found at any time during on- or offsite construction, all work will stop near the find, and the Stanislaus County Coroner's Facility will be notified immediately. If the remains are determined to be Native American, the County Coroner will notify the California State Native American Heritage Commission, which will identify the person believed to be the most likely descendant. The archaeologist, project proponent, and most likely descendant will make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Section 15064.5[d]). The agreed-upon treatment plan will address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California PRC allows 48 hours to reach agreement on a treatment plan. If the most likely descendant and the other parties do not agree on the reburial method, the project would follow PRC Section 5097.98(b), which states that "the landowner or his or her authorized representative will re-inter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."
 - The treatment plan will be implemented and findings will be recorded in a professional report by the archaeologist and submitted to the Stanislaus County Coroner's Facility, Stanislaus

County, the City of Modesto, and the California Historical Resources Information System (CHRIS)/Northwest Information Center.

- **Mitigation Measure CUL-4:** The following MMs would reduce potential adverse impacts on paleontological resources to a less-than-significant level:
 - Prior to working on the site, all personnel involved in earth-moving activities will receive Paleontological Resources Awareness Training. Workers will be informed that fossils may be encountered during deeper excavations, are of scientific importance, and need to be reported immediately if they are encountered. The training will provide information on the appearance of fossils, their scientific importance, the role of paleontological monitors, and proper notification procedures.
 - A Paleontological Resources Monitoring and Mitigation Program (PRMMP) will be developed before construction to assess the need for construction monitoring. Project design plans will be reviewed to determine whether sensitive geologic units will be disturbed. If monitoring is determined to be necessary, the program will include monitoring and coordination protocols; emergency discovery procedures; and provisions for museum storage of any specimens recovered. Provisions will be made to suspend monitoring should construction activities be restricted to previously disturbed fill and to adjust monitoring protocols based on updated evaluations of sensitivity subsequent to initial excavations.

2.3.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.7 (Cultural Resources) and Final EIR Section 4 (Comments and Responses).

2.4 Hazards and Hazardous Materials

2.4.1 Impacts

- **Impact HAZ-2:** Construction of the 7th Street Bridge could expose the public or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

2.4.2 Findings

The County adopts Finding 1. The County adopts the following mitigation measure to reduce potentially significant impacts related to hazards and hazardous materials to less-than-significant levels:

- **Mitigation Measure HAZ-1:** To minimize potential hazards and hazardous materials impacts, the following measures will be implemented.
 - A Certified Asbestos Inspector will be retained to conduct an evaluation regarding asbestos-containing materials in the building materials of the bridge.
 - The white and yellow road striping paint will be characterized for lead in the white road striping paint and for lead and chromium in the yellow road striping paint. If found, hazardous materials will be disposed of according to California Department of Transportation (Caltrans) guidance.

- An aerially deposited lead (ADL) assessment will be conducted to characterize soils that would be disturbed by the project according to Caltrans’-DTSC ADL variance.
- The former orchard soils will be assessed for metals such as lead and arsenic, organochlorine pesticides, and organophosphates.
- In the Crows Landing Road and 7th Street vicinity locations where right-of-way will be acquired, the properties will be assessed for soil and groundwater impacts from petroleum hydrocarbon compounds such as gasoline and gasoline additives, diesel, motor oil, automatic transmission fluid, and hydraulic fluid.
- Where right-of-way is being acquired adjacent to the agricultural products business, a limited assessment of groundwater impacts from pesticides and fertilizers will be conducted to determine possible effects on the study area.
- If hazardous materials are found, federal, state, and local regulations and ordinances will be followed for hazardous material handling and disposal.

2.4.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.8 (Hazards and Hazardous Materials) and Final EIR Section 4 (Comments and Responses).

3. Significant and Unavoidable Environmental Effects

The Final EIR identifies the following significant or potentially significant impacts as remaining significant and unavoidable because the impacts cannot be mitigated to a less-than-significant level. As stated in CEQA Guidelines Section 15091, the County finds that “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives” identified in the Final EIR. The County further finds that the project has been designed in a manner that reduces impacts to the extent feasible, while achieving the specific economic, legal, social and technological benefits of the project. With regard to each significant effect that is not avoided or that is not substantially lessened, the County is adopting a Statement of Overriding Considerations (see Section 5.0 below) in accordance with CEQA Guidelines Section 15093.

3.1 Transportation

3.1.1 Impacts

- **Impact TRANS-2:** Construction of the 7th Street Bridge could conflict with an applicable congestion management project including but not limited to LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
 - **Interim Improvements:** Operations with interim improvements in place are expected to maintain LOS E operations until 2026, but degrade to LOS F by 2027. The intersection LOS would

temporarily fall below the City's LOS threshold until the ultimate improvements are constructed. This would result in a potentially significant, yet temporary, impact at the intersection of 7th Street/B Street/Tuolumne Boulevard under the interim conditions.

3.1.2 Findings

The County adopts Finding 3; however, no feasible mitigation measures have been identified to reduce this potentially significant impact to a less-than-significant level. Therefore, it would remain significant and unavoidable. Because use of the construction methods identified above and in the Final EIR is necessary to implement the project, and the project will achieve the objectives outlined below and in the Final EIR, the County concludes that the project's benefits outweigh the significant unavoidable impacts of the project.

It should also be noted that local funding may be sufficient to construct the project in one phase, such that interim improvements are not necessary. In that case, there would be no impact.

3.1.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Chapter 2 (Project Description) and Section 3.1 (Transportation), Final EIR Section 4 (Comments and Responses), and these Findings, which includes the Statement of Overriding Considerations.

3.2 Noise

3.2.1 Impacts

- **Impact NOI-1:** Construction of the 7th Street Bridge could result in generation of noise levels in excess of standards.
- **Impact NOI-2:** Operation of the 7th Street Bridge could result in a substantial temporary or permanent increase in ambient noise levels in the vicinity above levels existing without the project.

Noise levels in the vicinity of the bridge are expected to increase from existing conditions even in the absence of the 7th Street Bridge Project. Adding the project (all alternatives) would not further increase future noise levels in most areas, and would slightly improve future noise levels for some receptors in Sunrise Village Mobile Home Park. Nevertheless, noise levels would exceed Federal Highway Administration Noise Abatement Criteria (NAC) at Sunrise Village Mobile Home Park. Future noise levels under the proposed project also would exceed NAC at several locations within the Gateway Parcel, and adding the project (all alternatives) would further worsen noise impacts in the downstream area due to the larger bridge crossing. Although most noise impacts would occur without the project, noise levels would exceed NAC in the future at several receptors.

3.2.2 Findings

The County adopts Finding 3. For Impacts NOI-1 and NOI-2, noise level increases would be significant. The Noise Study Report (Draft EIR Appendix C) includes a noise abatement analysis, focusing on the potential for noise barriers (soundwalls) to be used. As described in Draft EIR Appendix C, noise abatement barriers along the 7th Street Bridge were determined to be infeasible. The ineffectiveness of noise barriers is primarily the result of the fact that the main source of traffic noise is from the vehicles

on SR 99; a barrier along 7th Street would not be effective at abating that traffic noise source. Other types of noise abatement measures, such as changing the project alignment or acquiring additional property as a noise buffer, also were considered but were determined to be infeasible. Because feasible mitigation is not available for traffic noise, impacts would be significant and unavoidable.

3.2.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Chapter 2 (Project Description) and Section 3.2 (Noise), Final EIR Section 4 (Comments and Responses), and these Findings, which includes the Statement of Overriding Considerations.

3.3 Cultural Resources

3.3.1 Impacts

- **Impact CUL-3:** Construction of the 7th Street Bridge could result in substantial adverse changes in the significance of a known historical resource.

The 7th Street Bridge is considered historic and eligible for listing under the National Register of Historic Places and California Register of Historic Resources. All four alternatives under consideration would have an adverse effect on the 7th Street Bridge. Alternatives 2A, 2B, and 3 would demolish the bridge, which would be a direct adverse effect to a historic property. Alternative 4 would build a new bridge adjacent to and downstream of the 7th Street Bridge and retrofit the existing bridge. This alternative would result in a direct adverse effect because removing the sidewalks, installing safety barriers, and replacing the floor beams would alter the historic property in ways not consistent with the Secretary of the Interior's (SOI's) standards. Alternative 4 would also result in an indirect adverse effect because adding a parallel new bridge would introduce visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features. Other retrofit activities, including installing a longitudinal beam, connecting mid-span joints with hanger plates, and replacing the diaphragm walls on the piers, could constitute alterations of the historic property that are not consistent with SOI standards and would result in a direct adverse effect.

3.3.2 Findings

The County adopts Finding 1 and Finding 3. The County adopts the following mitigation measures to reduce potentially significant impacts related to cultural resources:

- **Mitigation Measure CUL-3a:** Prior to the start of any work that could adversely affect characteristics that qualify the 7th Street Bridge as a historic property, Stanislaus County shall ensure that the bridge shall be the subject of recordation by photography and drawing following the standards of the Historic American Engineering Record (HAER) prior to the start of the undertaking.
 - The appropriate level of documentation shall specifically follow HAER criteria at the level specified by the National Park Service (NPS) Regional HAER coordinator. Documentation shall be completed by a qualified professional who meets the standards for History, Architectural History, or Architecture (as appropriate) set forth by the SOI's Professional Qualification Standards (36 CFR Part 61).

- The draft documentation will be submitted for review and approval by the NPS. The final documentation will be distributed to the Library of Congress, the California State Historic Preservation Officer (SHPO), Caltrans District 10, and the Caltrans Transportation History Library in Sacramento. Stanislaus County shall also offer copies of the documentation and provide copies upon request to, at a minimum, the City of Modesto Landmark Preservation Committee; Stanislaus County Public Library, Modesto Branch; McHenry Museum & Historical Society; and the California State University, Stanislaus, Special Collections.
- **Mitigation Measure CUL-3b:** Stanislaus County shall implement measures to interpret the 7th Street Bridge's historic significance for the public. A Caltrans Professionally Qualified Staff (PQS) Architectural Historian or Principal Architectural Historian shall review and approve the format, text, photographs, and visual simulations/animations. All interpretive materials shall also be made available for review and approval by the SHPO prior to fabrication, installation, or publication.
 - Stanislaus County shall install an interpretive display within the pedestrian plaza. The display shall include historical data taken from the HAER documentation and/or other cited archival sources and shall also include photographs. Displayed photographs shall include information about the subject, the date of the photograph, and photo credit/photo collection credit. The interpretive display installed in the pedestrian plaza shall be sufficiently durable to withstand typical Modesto weather conditions for at least 10 years, like fiberglass embedment panels, that meet NPS, or similar, signage standards. The interpretive display shall be installed in the pedestrian plaza within 12 months of the completion of the new 7th Street Bridge.
 - Stanislaus County shall investigate the feasibility of removing historic elements from the 7th Street Bridge prior to its demolition. If feasible, Stanislaus County shall remove the selected features and install them within the pedestrian plaza. These features may include one or more of the concrete lions, railing/bench segments, an obelisk, and one or more of the bridge's bronze plaques. The concrete lion(s) installed in the pedestrian plaza may be replicated from an original if it is determined that the historic lions are too deteriorated. The plaza also will include a salvaged cutaway portion of the existing bridge that shows the underlying steel structure supporting the "canticrete" bridge design. This salvaged cutaway will be selected to show how the original bridge design featured an internal steel structure encased in concrete. Interpretation of the cutaway should include images of the original bridge design drawings, if those images are available, and otherwise will follow the requirements for interpretive exhibits described above. Stanislaus County shall ensure that the selected features are adequately stored and protected during the interim between their removal and installation in the pedestrian plaza. The selected features shall be installed in the pedestrian plaza within 12 months of the completion of the new 7th Street Bridge.
 - Stanislaus County shall place historical information from the HAER report on a County or City of Modesto website, with a link provided on a public library website. The historical information shall be made available to the public within 6 months following the demolition of the 7th Street Bridge and shall be available to the public for a minimum period of 3 years. The text shall be written for popular consumption, but also be properly cited following historical documentation standards. The information link shall also be made available to the Caltrans Transportation Library and History Center at Caltrans Headquarters in Sacramento for inclusion on their website.
 - Stanislaus County shall provide visual simulations and/or animations of the 7th Street Bridge on the website. The simulations and/or animations will be based from the LIDAR (light detection

and ranging) data collected of the structure and may include still images, flythrough images, and point cloud(s). These images are intended to supplement the photographs included in the HAER report. The visual simulations and/or animations shall be made available to the public within 6 months following the demolition of the 7th Street Bridge and shall be available to the public for a minimum period of 3 years.

While the above mitigation measures will be implemented to reduce impacts to cultural resources, no feasible MMs have been identified to reduce these impacts to a less-than-significant level. Therefore, these impacts would remain significant and unavoidable. Because use of the construction methods identified above and in the Draft EIR are necessary to implement the project, and the project would achieve the objectives outlined below and in the Draft EIR, the County concludes that the project's benefits outweigh the significant unavoidable impacts of the project.

3.3.3 Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Chapter 2 (Project Description) and Section 3.7 (Cultural Resources), Final EIR Section 4 (Comments and Responses), and these Findings, which includes the Statement of Overriding Considerations.

4. Findings Regarding Project Alternatives

4.1 Introduction

The EIR analyzes the four project alternatives (described above in Section 1.1) that meet all project objectives: (1) correct structural and hydraulic deficiencies, including removal of load restrictions on the bridge; (2) expand vehicular capacity of the 7th Street corridor; and (3) improve safety for motorists, bicyclists, and pedestrians. Other alternatives considered in the EIR include the No Project and two alternatives that were initially considered but subsequently rejected and therefore not evaluated in detail: Alternative 1 (New Downstream Bridge) and New Downstream Bridge with Bridge Retrofit for Bicycle/Pedestrian Use. The two alternatives considered but not evaluated in detail are discussed below.

The number of alternatives evaluated in detail was determined to be an adequate range of reasonable alternatives as required under CEQA Guidelines Section 15126.6. The environmental impacts of each alternative are identified in the EIR. The environmentally superior alternative, Alternative 2A, is identified in Section ES.4 of the Draft EIR.

4.2 Alternatives Analysis

The County finds that the range of alternatives studied in the EIR along with recognition of the project objectives reflects a reasonable attempt to identify and evaluate various alternatives that would be capable of reducing project environmental impacts while accomplishing most project objectives. The County is required to determine whether any alternative identified in the EIR is environmentally superior. The following summarizes the No Project Alternative and alternatives considered but not evaluated in detail.

4.2.1 No Project

Under the No Project Alternative, Stanislaus County and the City of Modesto would not replace or retrofit the 7th Street Bridge. Basic maintenance activities would continue to occur such that the bridge remains usable for passenger car and light truck traffic for as long as possible.

4.2.2 Alternative 1: New Downstream Bridge

This alternative would provide a new, four-lane bridge downstream of the existing bridge. The new bridge would be either a concrete box girder or precast concrete girder structure type, with approximately seven piers in the Tuolumne River floodplain including one pier in the low-flow channel of the river itself. When the new bridge is operational, the existing bridge would be removed. The intersection of 7th Street with B Street/Tuolumne River Boulevard would be reconfigured to accommodate four lanes of traffic, and the intersection of 7th Street with Crows Landing Road would be reconfigured to emphasize traffic continuity to the more heavily used Crows Landing Road corridor. Both intersections would be shifted to the west because of the downstream location of the new bridge.

Alternative 1 allows for a very simple construction process, in that the existing bridge would be used until the new, four-lane bridge was fully operational. There would be no phased construction, and no need to consider major traffic detours. However, the downstream location of the new bridge would require greater encroachment into private property (especially Sunrise Village Mobile Home Park and Wille Electric). At the time the alternative was developed, it was thought that its superior constructibility might outweigh the greater right-of-way acquisition costs such that Alternative 1 would be the least-cost alternative. A more detailed examination showed that other alternatives have a similarly high degree of constructibility, and also that Alternative 2B would be the least-cost alternative. With the high level of property acquisition (and associated social and economic effects) and with no compelling fiduciary motive, it was determined that Alternative 1 should be eliminated from further consideration.

4.2.3 New Downstream Bridge with Bridge Retrofit for Bicycle/Pedestrian Use

During the scoping phase of the project, several commenters suggested maintaining the existing 7th Street Bridge for bicycle and pedestrian use. For this purpose, this alternative would require construction of a new downstream bridge similar to Alternative 1, but for vehicle traffic only. All bicycles and pedestrians would use the existing 7th Street Bridge. To ensure structural safety, retrofit of the existing bridge similar to Alternative 4 would be required.

This alternative was eliminated from detailed consideration for several reasons. The new downstream bridge would be slightly narrower than under Alternative 1, but would still cause the high level of property acquisition that would occur under Alternative 1. Also, retrofitting the existing bridge would not provide increased flood flow capacity as the existing bridge would remain within the Tuolumne River floodway. An important additional consideration is financial. The 7th Street Bridge project is supported by federal transportation funding administered by Caltrans, but use of the funds is limited: Caltrans would not fund retrofitting the existing bridge for only non-vehicular use. Local funding is not sufficient to pay for the retrofit without Caltrans support.

This alternative also would have financial constraints associated with maintenance. As a non-vehicular bridge in the Tuolumne River Parkway, maintenance would be the responsibility of a local parks agency (for example, the Stanislaus County Parks and Recreation Department). The maintenance needs of such a large structure would likely exceed the financial capacity of local parks agencies. For these reasons, this alternative was eliminated from further consideration.

4.3 Environmentally Superior Alternative

CEQA requires that an environmentally superior project alternative be specified, if one is identified. In general, the environmentally superior alternative is supposed to minimize adverse impacts to the environment while achieving most of the basic objectives of the project.

The No Project Alternative would avoid or substantially lessen the significant and unavoidable transportation and cultural resources impacts of the project. Therefore, the No Project Alternative would be considered the environmentally superior alternative; however, it would not meet any of the project objectives.

CEQA Guidelines Section 15126.6, subdivision (e)(2) states: “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” As discussed in Section ES.4 of the Draft EIR, Alternatives 2A, 2B, 3, and 4 all would meet project objectives. The impacts of these alternatives would be similar, as all would cause a similar disruption during construction and similar long-term beneficial and adverse impacts. The following five key differences help to distinguish the alternatives:

- The existing 7th Street Bridge would remain under Alternative 4, whereas it would be demolished under the other alternatives. Although the historic bridge would not be demolished, it has been determined that Alternative 4 would still have significant and unavoidable impacts to the historic bridge. This is because the extensive retrofit work would change its historic character, and because the new downstream bridge would change its historic context.
- Traffic detours would be required during bridge construction activities under Alternatives 2A and 2B, with detours required for over 1 year.
- Because of differences in the new 7th Street/Crows Landing Road intersection, disruptions to communities on the southern side of the Tuolumne River would be greater under Alternatives 3 and 4 than under Alternatives 2A and 2B.
- Alternative 2A would not require piers in the Tuolumne River low-flow channel, thereby avoiding direct impacts to the biological resources within the river. Piers would be adjacent to the channel. The other alternatives would all require a pier in the channel.
- Although all alternatives would have less-than-significant aesthetic impacts, the distinctive arch bridge construction under Alternative 2A provides an enhanced visual appearance as compared to the other alternatives.

Based on the analysis in the EIR, including the five key differences listed above, Alternative 2A is the environmentally superior alternative. However, although several key benefits derive from the tied-arch construction, the high cost of this alternative may preclude its adoption.

4.4 Preferred Alternative

Based on several factors including the public and agency comments received on the Draft EIR, Stanislaus County is recommending the selection of Alternative 2B, Existing Bridge Alignment (Standard Bridge), to be carried forward as the Preferred Alternative. If Alternative 2B is adopted by the Stanislaus County Board of Supervisors as part of the Final EIR certification process, it would be advanced to the final stages of project development leading to construction.

The primary determining factor in selecting Alternative 2B is cost. Alternative 2B is the lowest cost alternative, and is supported by Caltrans for that reason. As described throughout the public review, Caltrans is a critical funding partner, and their participation is needed in order to construct the new bridge. Caltrans has indicated that they would not contribute funding toward the Alternative 2A arch bridge structure. Given competing local priorities, Stanislaus County and the City of Modesto cannot support fully funding the Alternative 2A arch bridge.

In addition, Alternative 2B requires the least amount of property acquisition and displacement, and therefore is expected to cause the least disruption to nearby property owners, businesses, and residents. As described during public meetings, the tradeoff for Alternative 2B's reduced footprint has been the willingness of the local community to accept closing the bridge during construction. Based on feedback received during public review, it appears that temporary bridge closure (mitigated by a temporary pedestrian and bicycle crossing and by increased transit service) is acceptable to the community.

Although Alternative 4, Retrofit and New Two-Lane Bridge, would preserve the existing 7th Street Bridge, it is not being selected as the Preferred Alternative. Primarily, this is because of cost; Alternative 4 is more expensive than Alternative 2B and also has much greater potential for higher-than-expected costs due to the unknown condition of the underlying steel structure of the existing bridge. In addition, as described in the Draft EIR (see Impact CUL-3), Alternative 4 would have significant cultural resources impacts due to the physical changes to the historic bridge and the indirect changes in the bridge's historical context.

5. Statement of Overriding Considerations

CEQA requires the County as the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of the project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable (CEQA Guidelines, § 15093(a)). CEQA requires the County to support, in writing, the specific reasons for considering the project acceptable when significant effects are not avoided or substantially lessened, based on substantial evidence in the EIR or administrative record (CEQA Guidelines, § 15093(b)).

The County finds that the mitigation measures identified in the EIR and the MMRP, when implemented, would avoid or substantially lessen virtually all of the significant effects identified in the EIR for the project. However, certain significant impacts remain unavoidable. Despite the ultimate occurrence of these expected effects, the County Council, in accordance with PRC Section 21081(b) and CEQA Guidelines Section 15093, has balanced the benefits of the project against the unavoidable adverse impacts associated with the project discussed below and has adopted all feasible MMs. The County has also (i) independently reviewed the information in the EIR and the record of proceedings; (ii) made a good faith effort to eliminate or substantially lessen the impacts resulting from the project to the extent feasible by adopting the MMs as identified in the EIR; and (iii) balanced the project's benefits against the project's significant unavoidable impacts. The County has also examined alternatives to the project, and has determined that adoption and implementation of the project is the most desirable, feasible, and appropriate action. The County Board of Supervisors has chosen to approve the Final EIR because in its judgment, it finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the project's significant effects on the environment. Substantial evidence supports the

various benefits and can be found at a minimum in Sections 2 and 3 of these Findings, the EIR, and the documents that make up the record of proceedings (see Section 1.3).

5.1 Significant and Unavoidable Impacts

Based on the information and analysis set forth in the EIR and the record of proceedings, construction of the project would result in the following significant unavoidable impacts even with the implementation of all feasible mitigation measures:

- **Impact TRANS-2:** Construction of the 7th Street Bridge could conflict with an applicable congestion management project including but not limited to LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
- **Impact NOI-1:** Construction of the 7th Street Bridge could result in generation of noise levels in excess of standards.
- **Impact NOI-2:** Operation of the 7th Street Bridge could result in a substantial temporary or permanent increase in ambient noise levels in the vicinity above levels existing without the project.
- **Impact CUL-3:** Construction of the 7th Street Bridge could result in substantial adverse changes in the significance of a known historical resource.

5.2 Overriding Considerations

The 7th Street corridor is one of several north-south roadways connecting downtown Modesto with areas south of the Tuolumne River. Draft EIR Figure 1-1 shows the location of 7th Street along with other road crossings upstream (9th Street) and downstream (SR 99) of the existing bridge.

The 7th Street Bridge is listed on the Caltrans local bridge list with a sufficiency rating of 2 (Caltrans, 2012). Sufficiency rating values range from 0 (low) to 100 (high). The low sufficiency rating is due to structural deficiencies (because of excessive deflections in the structure), functional deficiencies (because of its inadequate width), and load restrictions of 4 tons (CH2M, 2013). The structure is also vulnerable to collapse during an earthquake (CH2M, 2013) or flood event (WRECO, 2012). The 7th Street Bridge's sufficiency rating is one of the worst in California, and the structural and functional deficiencies must be corrected and load carrying capacity restored so it may continue to be used.

7th Street is an important two-lane arterial roadway that carries traffic to and from downtown Modesto, linking the surrounding neighborhoods and communities. Currently, traffic estimates for the 7th Street Bridge are 15,900 average trips per day (Fehr & Peers, 2015). Projected future traffic on the 7th Street Bridge is estimated at 20,100 average trips per day (Fehr & Peers, 2015). With no improvements, the 7th Street Bridge is anticipated to operate at unacceptable LOS "F" in the future. For this reason, the Stanislaus Council of Governments (StanCOG) 2014 Regional Transportation Plan identified the need to increase the 7th Street Bridge vehicular capacity from two lanes to four lanes (StanCOG, 2014). In the project area, 7th Street is designated as a four-lane road by the City of Modesto and Stanislaus County (City of Modesto, 2008; Stanislaus County, 2016).

Currently, the 7th Street Bridge has a narrow, substandard pedestrian walkway along each side that places pedestrians very close to vehicular traffic. The bridge does not provide dedicated bicycle infrastructure. Vehicles and bicycles must share a single, narrow travel lane with no shoulder which increases vehicle/bicycle conflicts. The substandard pedestrian walkways and lack of bicycle

infrastructure is inconsistent with the Modesto Non-Motorized Transportation Master Plan, which calls for a complete network of bikeways, walkways, trails, and paths that serve all non-motorized groups (City of Modesto, 2006). The Modesto Non-Motorized Transportation Master Plan designates a Class II Bike Lane along the 7th Street Bridge corridor. The master plan defines a Class II Bike Lane as “striped and stenciled lane for one-way travel on a street or highway” (City of Modesto, 2006).

The 7th Street Bridge project would correct each of these existing deficiencies. These considerations identify why, in the County’s judgment, the project and its benefits to the County outweigh its unavoidable significant environmental impacts. The substantial evidence supporting these various considerations is found in the EIR and the contents of the record of proceedings for the project.

Mitigation Monitoring and Reporting Program

7th Street Bridge Project, Modesto, California

Prepared for

Stanislaus County

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P R E F A C E

Section 21081 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the MMRP is to ensure compliance with the mitigation measures during project implementation.

The Environmental Impact Report (EIR) for the 7th Street Bridge Project concluded that the implementation of the project could result in significant impacts to the environment, and therefore mitigation measures were incorporated into the proposed project and are required as a condition of project approval. This MMRP addresses those measures in terms of how and when they will be implemented (see Table 1). Proposed project oversight is the responsibility of Stanislaus County.

This document does not discuss those subjects for which the EIR concluded that the impacts from implementation of the project would be less than significant.

Table 1. Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Implementation	Method of Compliance	Timing of Compliance
Transportation and Traffic Resources				
TRANS-1. Increased traffic at SR 99/Crows Landing Road and SR 99/Tuolumne Blvd. intersections.	MM TRANS-1. Significant impacts are identified for both study intersections at SR 99 in the Design Year condition – primarily the SR 99/Crows Landing Road intersections and to a lesser extent the SB SR 99/Tuolumne Boulevard intersection. To mitigate this impact, Stanislaus County and the City of Modesto have committed to improving these intersections in the future as part of a locally sponsored project that could include signalization of the ramp intersections.	Stanislaus County	The County will work with the Stanislaus Council of Governments to program these improvements into the 2018 Regional Transportation Plan.	After project construction.
TRANS-2. Temporary increased traffic on SR 99 because of potential full closure of the 7 th Street Bridge.	MM TRANS-2. A temporary short-term significant impact is identified on the SR 99 SB mainline segment between Tuolumne Boulevard and Crows Landing Road during the PM peak hour as a result of the potential full closure of the existing 7 th Street Bridge. To mitigate this impact, a Traffic Management Plan (TMP) will be implemented before construction begins. As part of the TMP, public information will be distributed by using local news television and radio broadcasts, informational flyers and mailers, Web sites, and other outreach options. Signs will be installed and public notices will be distributed regarding construction work before disruptions occur; the notifications will identify detours to maintain access. The TMP will also include procedures to do the following: • Notify and coordinate with emergency responders of potential road closure before construction. • Ensure access for emergency vehicles to and around the project site. • Notify and coordinate with transit operators of potential road closures before construction.	Stanislaus County	The County will ensure that the TMP is completed and include these provisions in the construction specifications. The construction contractor shall provide evidence of compliance to the County.	Prior to and during construction.
Biological Resources				
BIO-1. Impacts to protected species and habitats.	MM BIO-1. Implement the avoidance and minimization measures listed in the Natural Environment Study. Implement compensatory mitigation as described in the Natural Environment Study or as required by the National Marine Fisheries Service or California Department of Fish and Wildlife.	Construction Contractor	The County will include these provisions in the construction specifications. The construction contractor shall provide evidence of compliance to the County.	During all phases of construction

Table 1. Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Implementation	Method of Compliance	Timing of Compliance
Cultural Resources				
CUL-1. Potential to find unanticipated archaeological resources.	MM CUL-1. If previously unidentified cultural materials are unearthed during construction of the project, work will be halted in that area until a qualified archaeologist can assess the significance of the find. Then a mitigation plan will be created before ground-disturbing activities may resume. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.	Construction Contractor	The County will include these provisions in the construction specifications.	During all phases of construction
CUL-2. Potential to find unanticipated human remains.	MM CUL-2. To minimize potential impacts on and disturbances to human remains and associated or unassociated funerary objects exposed during construction, the following measures will be implemented: - Pursuant to State Health and Safety Code Section 7050.5(e) and PRC Section 5097.98, if human bone or bone of unknown origin is found at any time during on- or offsite construction, all work will stop near the find, and the Stanislaus County Coroner's Facility will be notified immediately. If the remains are determined to be Native American, the County Coroner will notify the California State Native American Heritage Commission, which will identify the person believed to be the most likely descendant. The archaeologist, project proponent, and most likely descendant will make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Section 15064.5[d]). The agreed-upon treatment plan will address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California PRC allows 48 hours to reach agreement on a treatment plan. If the most likely descendant and the other parties do not agree on the reburial method, the project would follow PRC Section 5097.98(b), which states that "the landowner or his or her authorized representative will re-inter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance." - The treatment plan will be implemented and findings will be recorded in a professional report by the archaeologist and submitted to the Stanislaus County Coroner's Facility, Stanislaus County, the City of Modesto, and the CHRIS/Northwest Information Center.	Construction Contractor	The County will include these provisions in the construction specifications.	During all phases of construction

Table 1. Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Implementation	Method of Compliance	Timing of Compliance
CUL-3a. Demolition of historic property.	MM CUL-3a. Prior to the start of any work that could adversely affect characteristics that qualify the 7th Street Bridge as a historic property, Stanislaus County shall ensure that the bridge shall be the subject of recordation by photography and drawing following the standards of the Historic American Engineering Record (HAER) prior to the start of the undertaking. - The appropriate level of documentation shall specifically follow HAER criteria at the level specified by the National Park Service (NPS) Regional HAER coordinator. Documentation shall be completed by a qualified professional who meets the standards for History, Architectural History, or Architecture (as appropriate) set forth by the Secretary of the Interior's Professional Qualification Standards, (36 CFR, Part 61). - The draft documentation will be submitted for review and approval by the NPS. The final documentation will be distributed to the Library of Congress, the California SHPO, Caltrans District 10, and the Caltrans Transportation History Library in Sacramento. Stanislaus County shall also offer copies of the documentation and provide copies upon request to, at a minimum, the City of Modesto Landmark Preservation Committee; Stanislaus County Public Library, Modesto Branch; McHenry Museum & Historical Society; and the California State University, Stanislaus, Special Collections.	Stanislaus County	The County will prepare the HAER as part of final design.	Prior to construction
CUL-3b. Demolition of historic property.	MM CUL-3b. Stanislaus County shall implement measures to interpret the 7th Street Bridge's historic significance for the public. A Caltrans PQS Architectural Historian or Principal Architectural Historian shall review and approve the format, text, photographs, and visual simulations / animations. All interpretive materials shall also be made available for review and approval by the SHPO prior to fabrication, installation, or publication. - Stanislaus County shall install an interpretive display within the pedestrian plaza. The display shall include historical data taken from the HAER documentation and/or other cited archival sources and shall also include photographs. Displayed photographs shall include information about the subject, the date of the photograph, and photo credit / photo collection credit. The interpretive display installed in the pedestrian plaza shall be sufficiently durable to withstand typical Modesto weather conditions for at least ten years, like fiber-glass embedment panels, that meet NPS, or similar, signage standards. The interpretive display shall be installed in the pedestrian plaza within 12 months of the completion of the new 7th Street Bridge. - Stanislaus County shall investigate the feasibility of removing historic elements from the 7th Street Bridge prior to its demolition. If feasible, Stanislaus County shall remove the selected features and install them within the pedestrian plaza. These features may include one of the concrete lions, railing/bench segments, an obelisk, and one of the bridge's bronze plaques. The concrete lion installed in the pedestrian plaza may be replicated from an original if it is determined that the historic lions are too deteriorated. Stanislaus County shall ensure that the selected features are adequately stored and	Stanislaus County	The County will incorporate interpretive exhibits into the final design.	Prior to project completion.

Table 1. Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Implementation	Method of Compliance	Timing of Compliance
	protected during the interim between their removal and installation in the pedestrian plaza. The selected features shall be installed in the pedestrian plaza within 12 months of the completion of the new 7th Street Bridge. - Stanislaus County shall place historical information from the HAER report on a County or City of Modesto website, with a link provided on a public library website. The historical information shall be made available to the public within 6 months following the demolition of the 7th Street Bridge and shall be available to the public for a minimum period of 3 years. The text shall be written for popular consumption, but also be properly cited following historical documentation standards. The information link shall also be made available to the Caltrans Transportation Library and History Center at Caltrans Headquarters in Sacramento for inclusion on their website. - Stanislaus County shall provide visual simulations and/or animations of the 7th Street Bridge on the website. The simulations and/or animations will be based from the LIDAR data collected of the structure and may include still images, flythrough images, and point cloud(s). These images are intended to supplement the photographs included in the HAER report. The visual simulations and/or animations shall be made available to the public within 6 months following the demolition of the 7th Street Bridge and shall be available to the public for a minimum period of 3 years.			
CUL-4. Potential to find unanticipated paleontological resources.	MM CUL-4. The following MMs would reduce potential adverse impacts on paleontological resources to a less than significant level: - Prior to working on the site, all personnel involved in earth-moving activities will receive Paleontological Resources Awareness Training. Workers will be informed that fossils may be encountered during deeper excavations, are of scientific importance, and need to be reported immediately if they are encountered. The training will provide information on the appearance of fossils, their scientific importance, the role of paleontological monitors, and proper notification procedures. - A Paleontological Resources Monitoring and Mitigation Program (PRMMP) will be developed before construction to assess the need for construction monitoring. Project design plans will be reviewed to determine whether sensitive geologic units will be disturbed. If monitoring is determined to be necessary, the program will include monitoring and coordination protocols; emergency discovery procedures; and provisions for museum storage of any specimens recovered. Provisions will be made to suspend monitoring should construction activities be restricted to previously disturbed fill and to adjust monitoring protocols based on updated evaluations of sensitivity subsequent to initial excavations.	Construction Contractor	The County will include these provisions in the construction specifications. The County will ensure development of a PRMMP prior to construction to assess the need for paleontological construction monitoring.	Prior to and during all phases of construction

Table 1. Mitigation Monitoring and Reporting Program

Environmental Impacts	Mitigation Measures	Responsibility for Implementation	Method of Compliance	Timing of Compliance
Hazards and Hazardous Materials				
HAZ-1. Potential release of hazardous materials.	MM HAZ-1. To minimize potential hazards and hazardous materials impacts, the following measures will be implemented: • A Certified Asbestos Inspector will be retained to conduct an evaluation regarding ACM in the building materials of the bridge. • The white and yellow road striping paint will be characterized for Pb in the white road striping paint and for Pb and chromium in the yellow road striping paint. If found, hazardous materials would be disposed of according to Caltrans guidance. • An ADL assessment will be conducted to characterize soils that would be disturbed by the project according to the Caltrans-DTSC ADL variance. • The former orchard soils will be assessed for metals such as Pb and arsenic, organochlorine pesticides, and organophosphates. • In the Crows Landing Road and 7th Street vicinity locations where right-of-way will be acquired, the properties will be assessed for soil and groundwater impacts from petroleum hydrocarbon compounds such as gasoline and gasoline additives, diesel, motor oil, automatic transmission fluid, and hydraulic fluid. • Where right-of-way is being acquired adjacent to the agricultural products business, a limited assessment of groundwater impacts from pesticides and fertilizers will be conducted to determine possible effects on the study area. • If hazardous materials are found, federal, state, and local regulations and ordinances will be followed for hazardous material handling and disposal.	Construction Contractor	The County will conduct these studies as part of the final design. The construction contractor shall provide evidence of compliance to the County.	Prior to construction and during demolition.



Environmental Document: Final Environmental Impact Report for the 7th Street Bridge Project and Addendum to the Environmental Impact Report for the 7th Street Bridge Replacement Project

Project Name: 7th Street Bridge Project

SCH# 2013092059

**CALIFORNIA TRANSPORTATION COMMISSION
FINDINGS OF FACT**

FOR

**7TH STREET BRIDGE PROJECT IN THE CITY OF MODESTO AND STANISLAUS
COUNTY**

The following information is presented to comply with State California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Sections 15091 and 15096 and also Title 21, Section 1501 et seq. Reference is made to the *Final Environmental Impact Report (EIR) for the 7th Street Bridge Project* and the *Addendum to the Environmental Impact Report (EIR) for the 7th Street Bridge Replacement Project* (Addendum) which are the basic sources of the information.

The California Transportation Commission (Commission), in its independent judgment as a CEQA responsible agency, reviewed and considered the Final EIR and Addendum prepared by Stanislaus County and finds that the Final EIR and Addendum contain a complete, objective, and substantiated reporting of the project's potential impacts.

CEQA and particularly the CEQA Guidelines (Section 15091) require that:

No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:



1. *Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.* [Referred to herein as “Finding 1”]
2. *Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.* [Referred to herein as “Finding 2”]
3. *Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.* [Referred to herein as “Finding 3”]

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

1. FINDINGS OF POTENTIALLY SIGNIFICANT IMPACTS THAT CAN BE AVOIDED OR REDUCED TO A LESS-THAN-SIGNIFICANT LEVEL THROUGH MITIGATION

The Commission finds that, as discussed below, the following potentially significant impacts would be reduced to less than significant with implementation of the corresponding mitigation measures of the project.

1.1. Transportation

1.1.1. Impacts

- Impact Transportation (TRANS)-2: Construction of the 7th Street Bridge could conflict with an applicable congestion management project including but not limited to Level of Service (LOS) standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
 - Design Year Conditions: Under Design Year conditions, both SR 99 ramps (NB and SB) at Tuolumne Boulevard, the SR 99 NB Ramp/Crows Landing Road intersection, and the 9th Street/B Street intersection would remain at LOS F in the PM



peak hour although delays would increase. In addition, the SR 99 SB Ramps/Crows Landing Road intersection would decrease to LOS F for the worst-case turning movement (the SB left-turn lane).

- Construction Phase: Temporary bridge closures under Alternatives 2A and 2B and subsequent increase of parallel routes would cause short-term significant impacts.

1.1.2. Findings

The Commission adopts Finding 1. The Commission adopts the following mitigation measures to reduce potentially significant impacts related to transportation to less-than-significant levels:

- Mitigation Measure TRANS-1: Significant impacts are identified for both study intersections at SR 99 in the Design Year condition - primarily the SR 99/Crows Landing Road intersections and to a lesser extent the SB SR 99/Tuolumne Boulevard intersection. To mitigate this impact, Stanislaus County and the City of Modesto have committed to improving these intersections in the future as part of a locally sponsored project that could include signalization of the ramp intersections. Implementation of this Mitigation Measure (MM) would reduce traffic impacts to less-than-significant level.
- Mitigation Measure TRANS-2: A temporary short-term significant impact is identified on the SR 99 SB mainline segment between Tuolumne Boulevard and Crows Landing Road during the PM peak hour as a result of the potential full closure of the existing 7th Street Bridge. To mitigate this impact, a Traffic Management Plan (TMP) will be implemented before construction begins. As part of the TMP, public information will be distributed by using local news television and radio broadcasts, informational flyers and mailers, Web sites, and other outreach options. Signs will be installed and public notices will be distributed regarding construction work before disruptions occur; the notifications will identify detours to maintain access. The TMP will also include procedures to do the following:
 - Notify and coordinate with emergency responders of potential



road closure before construction.

- Ensure access for emergency vehicles to and around the project site.
- Notify and coordinate with transit operators of potential road closures before construction.
- Due to the temporary nature of this traffic impact, implementation of this MM would reduce the impacts to a less-than-significant level.

1.1.3. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.7 (Transportation) and in Final EIR Section 4 (Comments and Responses).

1.2. Biological Resources

1.2.1. Impacts

- Impact Biological (BIO) -1: Construction of the 7th Street Bridge could cause a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species.
- Impact BIO -2: Implementation of the 7th Street Bridge could cause substantial effects on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations.
- Impact BIO -4: Construction of the 7th Street Bridge may interfere with the movement of fish or wildlife species.
- Impact BIO -7: Construction of the 7th Street Bridge could cause or promote the introduction or spread of invasive species.

1.2.2. Findings

The Commission adopts Finding 1. The Commission adopts the following



mitigation measure to reduce potentially significant impacts related to biological resources to less -than -significant levels:

- Mitigation Measure BIO -1: For the habitats and species of special concern that occur or have the potential to occur in the project area, implement the avoidance and minimization measures (AMMs) listed in the Natural Environment Study (Draft EIR Appendix F) and Addendum. AMMs would avoid or reduce the potential biological effects of the project on each species or resource group to a less -than -significant level, as discussed in Draft EIR Appendix F, Section 4.1 for riverine and riparian habitat, 4.2 for special -status plant species, 4.3 for special -status animal species, and 4.4 for other sensitive resources. AMMs include seasonal restrictions, preconstruction surveys, construction worker awareness training, best management practices, temporary work pause if Crotch Bumble Bee is observed, biological monitoring, animal entrapment avoidance, and similar actions which would limit the potential for impacts prior to and during construction, and these measures have been proven effective by the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW). Where necessary, implement the additional compensatory mitigation for anadromous fish conservation listed in the Natural Environment Study or as required by the NMFS or CDFW (see Draft EIR Appendix F, Chapters 4.3.2 to 4.3.6). The full list of the AMMs is presented in the Final EIR Table 3.6 -1 along with the Addendum.

1.2.3. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.6 (Biological Resources) and Final EIR Section 4 (Comments and Responses).

1.3. Cultural Resources

1.3.1. Impacts

- Impact Cultural Resources (CUL) -1: Construction of the 7th Street Bridge could cause a substantial adverse change in the significance of archeological resources (pursuant to CEQA § 45064.5).



- Impact CUL -2: Construction of the 7th Street Bridge could disturb human remains, including those interred outside of formal cemeteries.
- Impact CUL -4: Construction of the 7th Street Bridge could cause a substantial adverse change in the significance of paleontological resources.

1.3.2. Findings

The Commission adopts Finding 1. The Commission adopts the following mitigation measures to reduce potentially significant impacts related to cultural resources to less-than-significant levels:

- Mitigation Measure CUL -1: To minimize potential impacts on unknown prehistoric and historic era archaeological sites and resources, the following measure will be implemented:
 - If previously unidentified cultural materials are unearthed during construction of the project, work will be halted in that area until a qualified archaeologist can assess the significance of the find. Then a mitigation plan will be created before ground -disturbing activities may resume. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits.
- Mitigation Measure CUL -2: To minimize potential impacts on and disturbances to human remains and associated or unassociated funerary objects exposed during construction, the following measures will be implemented:
 - Pursuant to State Health and Safety Code Section 7050.5(e) and Public Resources Code (PRC) Section 5097.98, if human bone or bone of unknown origin is found at any time during on - or offsite construction, all work will stop near the find, and the Stanislaus County Coroner's Facility will be notified immediately. If the remains are determined to be Native American, the County Coroner will notify the California State Native American Heritage Commission, which will identify the person believed to be the most likely descendant. The



archaeologist, project proponent, and most likely descendant will make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Section 15064.5[d]). The agreed-upon treatment plan will address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California PRC allows 48 hours to reach agreement on a treatment plan. If the most likely descendant and the other parties do not agree on the reburial method, the project would follow PRC Section 5097.98(b), which states that "the landowner or his or her authorized representative will re-inter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."

- The treatment plan will be implemented and findings will be recorded in a professional report by the archaeologist and submitted to the Stanislaus County Coroner's Facility, Stanislaus County, the City of Modesto, and the California Historical Resources Information System (CHRIS)/Northwest Information Center.
- Mitigation Measure CUL-4: The following MMs would reduce potential adverse impacts on paleontological resources to a less-than-significant level:
 - Prior to working on the site, all personnel involved in earth-moving activities will receive Paleontological Resources Awareness Training. Workers will be informed that fossils may be encountered during deeper excavations, are of scientific importance, and need to be reported immediately if they are encountered. The training will provide information on the appearance of fossils, their scientific importance, the role of paleontological monitors, and proper notification procedures.
 - A Paleontological Resources Monitoring and Mitigation Program (PRMMP) will be developed before construction to



assess the need for construction monitoring. Project design plans will be reviewed to determine whether sensitive geologic units will be disturbed. If monitoring is determined to be necessary, the program will include monitoring and coordination protocols; emergency discovery procedures; and provisions for museum storage of any specimens recovered. Provisions will be made to suspend monitoring should construction activities be restricted to previously disturbed fill and to adjust monitoring protocols based on updated evaluations of sensitivity subsequent to initial excavations.

1.3.3. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.7 (Cultural Resources) and Final EIR Section 4 (Comments and Responses).

1.4. Hazards and Hazardous Materials

1.4.1. Impacts

- Impact HAZ-2: Construction of the 7th Street Bridge could expose the public or the environment to hazardous materials through reasonably foreseeable upset and accident conditions involving the release of hazardous materials.

1.4.2. Findings

The Commission adopts Finding 1. The Commission adopts the following mitigation measure to reduce potentially significant impacts related to hazards and hazardous materials to less-than-significant levels:

- Mitigation Measure HAZ-1: To minimize potential hazards and hazardous materials impacts, the following measures will be implemented.
 - A Certified Asbestos Inspector will be retained to conduct an evaluation regarding asbestos containing materials in the building materials of the bridge.



- The white and yellow road striping paint will be characterized for lead in the white road striping paint and for lead and chromium in the yellow road striping paint. If found, hazardous materials will be disposed of according to California Department of Transportation (Caltrans) guidance.
- An aerially deposited lead (ADL) assessment will be conducted to characterize soils that would be disturbed by the project according to Caltrans'-Department of Toxic Substance Control (DTSC) ADL variance.
- The former orchard soils will be assessed for metals such as lead and arsenic, organochlorine pesticides, and organophosphates.
- In the Crows Landing Road and 7th Street vicinity locations where right-of-way will be acquired, the properties will be assessed for soil and groundwater impacts from petroleum hydrocarbon compounds such as gasoline and gasoline additives, diesel, motor oil, automatic transmission fluid, and hydraulic fluid.
- Where right-of-way is being acquired adjacent to the agricultural products business, a limited assessment of groundwater impacts from pesticides and fertilizers will be conducted to determine possible effects on the study area.
- If hazardous materials are found, federal, state, and local regulations and ordinances will be followed for hazardous material handling and disposal.

1.4.3. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Section 3.8 (Hazards and Hazardous Materials) and Final EIR Section 4 (Comments and Responses).

2. SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS



The Final EIR identifies the following significant or potentially significant impacts as remaining significant and unavoidable because the impacts cannot be mitigated to a less-than-significant level. As stated in CEQA Guidelines Section 15091, the Commission finds that “specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives” identified in the Final EIR. The Commission further finds that the project has been designed in a manner that reduces impacts to the extent feasible, while achieving the specific economic, legal, social and technological benefits of the project. With regard to each significant effect that is not avoided or that is not substantially lessened, the Commission is adopting a Statement of Overriding Considerations (see Attachment D) in accordance with CEQA Guidelines Section 15093.

2.1. Transportation

2.1.1. Impacts

- Impact TRANS-2: Construction of the 7th Street Bridge could conflict with an applicable congestion management project including but not limited to Level-of-Service (LOS) standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
 - Interim Improvements: Operations with interim improvements in place are expected to maintain LOS E operations until 2026, but degrade to LOS F by 2027. The intersection LOS would temporarily fall below the City’s LOS threshold until the ultimate improvements are constructed. This would result in a potentially significant, yet temporary, impact at the intersection of 7th Street/B Street/Tuolumne Boulevard under the interim conditions.

2.1.2. Findings

The Commission adopts Finding 3; however, no feasible mitigation measures have been identified to reduce this potentially significant impact to a less-than-significant level. Therefore, it would remain significant and unavoidable.

It should also be noted that local funding may be sufficient to construct the



project in one phase, such that interim improvements are not necessary. In that case, there would be no impact.

2.1.3. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Chapter 2 (Project Description) and Section 3.1 (Transportation), Final EIR Section 4 (Comments and Responses), and these Findings, which includes the Statement of Overriding Considerations.

2.2. Noise

2.2.1. Impacts

- Impact Noise (NOI)-1: Construction of the 7th Street Bridge could result in generation of noise levels in excess of standards.
- Impact NOI-2: Operation of the 7th Street Bridge could result in a substantial temporary or permanent increase in ambient noise levels in the vicinity above levels existing without the project. Noise levels in the vicinity of the bridge are expected to increase from existing conditions even in the absence of the 7th Street Bridge Project. Adding the project (all alternatives) would not further increase future noise levels in most areas and would slightly improve future noise levels for some receptors in Sunrise Village Mobile Home Park. Nevertheless, noise levels would exceed Federal Highway Administration Noise Abatement Criteria (NAC) at Sunrise Village Mobile Home Park. Future noise levels under the proposed project also would exceed NAC at several locations within the Gateway Parcel, and adding the project (all alternatives) would further worsen noise impacts in the downstream area due to the larger bridge crossing. Although most noise impacts would occur without the project, noise levels would exceed NAC in the future at several receptors.

2.2.2. Findings

The Commission adopts Finding 3. For Impacts NOI-1 and NOI-2, noise level increases would be significant. The Noise Study Report (Draft EIR Appendix C) includes a noise abatement analysis, focusing on the potential for noise barriers



(soundwalls) to be used. As described in Draft EIR Appendix C, noise abatement barriers along the 7th Street Bridge were determined to be infeasible. The ineffectiveness of noise barriers is primarily the result of the fact that the main source of traffic noise is from the vehicles on SR 99; a barrier along 7th Street would not be effective at abating that traffic noise source. Other types of noise abatement measures, such as changing the project alignment or acquiring additional property as a noise buffer, also were considered but were determined to be infeasible. Because feasible mitigation is not available for traffic noise, impacts would be significant and unavoidable.

2.2.3. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Chapter 2 (Project Description) and Section 3.2 (Noise), Final EIR Section 4 (Comments and Responses), and these Findings, which includes the Statement of Overriding Considerations.

2.3. Cultural Resources

2.3.1. Impacts

- Impact CUL-3: Construction of the 7th Street Bridge could result in substantial adverse changes in the significance of a known historical resource. The 7th Street Bridge is considered historic and eligible for listing under the National Register of Historic Places and California Register of Historic Resources. All four alternatives under consideration would have an adverse effect on the 7th Street Bridge. Alternatives 2A, 2B, and 3 would demolish the bridge, which would be a direct adverse effect to a historic property. Alternative 4 would build a new bridge adjacent to and downstream of the 7th Street Bridge and retrofit the existing bridge. This alternative would result in a direct adverse effect because removing the sidewalks, installing safety barriers, and replacing the floor beams would alter the historic property in ways not consistent with the Secretary of the Interior's (SOI's) standards. Alternative 4 would also result in an indirect adverse effect because adding a parallel new bridge would introduce visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features. Other retrofit activities, including installing a longitudinal beam, connecting mid-span joints



with hanger plates, and replacing the diaphragm walls on the piers, could constitute alterations of the historic property that are not consistent with SOI standards and would result in a direct adverse effect.

2.3.2. Findings

The Commission adopts Finding 1 and Finding 3. The Commission adopts the following mitigation measures to reduce potentially significant impacts related to cultural resources:

- Mitigation Measure CUL-3a: Prior to the start of any work that could adversely affect characteristics that qualify the 7th Street Bridge as a historic property, Stanislaus County shall ensure that the bridge shall be the subject of recordation by photography and drawing following the standards of the Historic American Engineering Record (HAER) prior to the start of the undertaking.
 - The appropriate level of documentation shall specifically follow HAER criteria at the level specified by the National Park Service (NPS) Regional HAER coordinator. Documentation shall be completed by a qualified professional who meets the standards for History, Architectural History, or Architecture (as appropriate) set forth by the SOI's Professional Qualification Standards (36 Code of Federal Regulations [CFR] Part 61).
 - The draft documentation will be submitted for review and approval by the NPS. The final documentation will be distributed to the Library of Congress, the California State Historic Preservation Officer (SHPO), Caltrans District 10, and the Caltrans Transportation History Library in Sacramento. Stanislaus County shall also offer copies of the documentation and provide copies upon request to, at a minimum, the City of Modesto Landmark Preservation Committee; Stanislaus County Public Library, Modesto Branch; McHenry Museum & Historical Society; and the California State University, Stanislaus, Special Collections.



- Mitigation Measure CUL-3b: Stanislaus County shall implement measures to interpret the 7th Street Bridge's historic significance for the public. A Caltrans Professionally Qualified Staff (PQS) Architectural Historian or Principal Architectural Historian shall review and approve the format, text, photographs, and visual simulations/animations. All interpretive materials shall also be made available for review and approval by the SHPO prior to fabrication, installation, or publication.
 - Stanislaus County shall install an interpretive display within the pedestrian plaza. The display shall include historical data taken from the HAER documentation and/or other cited archival sources and shall also include photographs. Displayed photographs shall include information about the subject, the date of the photograph, and photo credit/photo collection credit. The interpretive display installed in the pedestrian plaza shall be sufficiently durable to withstand typical Modesto weather conditions for at least 10 years, like fiberglass embedment panels, that meet NPS, or similar, signage standards. The interpretive display shall be installed in the pedestrian plaza within 12 months of the completion of the new 7th Street Bridge.
 - Stanislaus County shall investigate the feasibility of removing historic elements from the 7th Street Bridge prior to its demolition. If feasible, Stanislaus County shall remove the selected features and install them within the pedestrian plaza. These features may include one or more of the concrete lions, railing/bench segments, an obelisk, and one or more of the bridge's bronze plaques. The concrete lion(s) installed in the pedestrian plaza may be replicated from an original if it is determined that the historic lions are too deteriorated. The plaza also will include a salvaged cutaway portion of the existing bridge that shows the underlying steel structure supporting the "canticrete" bridge design. This salvaged cutaway will be selected to show how the original bridge design featured an internal steel structure encased in concrete. Interpretation of the cutaway should include images of the original bridge design drawings, if those images are available,



and otherwise will follow the requirements for interpretive exhibits described above. Stanislaus County shall ensure that the selected features are adequately stored and protected during the interim between their removal and installation in the pedestrian plaza. The selected features shall be installed in the pedestrian plaza within 12 months of the completion of the new 7th Street Bridge.

- Stanislaus County shall place historical information from the HAER report on a County or City of Modesto website, with a link provided on a public library website. The historical information shall be made available to the public within 6 months following the demolition of the 7th Street Bridge and shall be available to the public for a minimum period of 3 years. The text shall be written for popular consumption, but also be properly cited following historical documentation standards. The information link shall also be made available to the Caltrans Transportation Library and History Center at Caltrans Headquarters in Sacramento for inclusion on their website.
- Stanislaus County shall provide visual simulations and/or animations of the 7th Street Bridge on the website. The simulations and/or animations will be based from the light detection and ranging (LIDAR) data collected of the structure and may include still images, flythrough images, and point cloud(s). These images are intended to supplement the photographs included in the HAER report. The visual simulations and/or animations shall be made available to the public within 6 months following the demolition of the 7th Street Bridge and shall be available to the public for a minimum period of 3 years.

2.3.3. While the above mitigation measures will be implemented to reduce impacts to cultural resources, no feasible MMs have been identified to reduce these impacts to a less-than-significant level. Therefore, these impacts would remain significant and unavoidable. Facts in Support of Findings

Facts in support of the findings are described in Draft EIR Chapter 2 (Project Description) and Section 3.7 (Cultural Resources), Final EIR Section 4



(Comments and Responses), and these Findings, which includes the Statement of Overriding Considerations.

Documents or other material which constitute the record of the proceedings upon which the California Transportation Commission's decision is based are available at the Stanislaus County Department of Public Works, 1716 Morgan Road, Modesto, CA 95358.

Tanisha Taylor		
Executive Director	Signature	Date



Environmental Document: Final Environmental Impact Report for the 7th Street Bridge Project and Addendum to the Environmental Impact Report for the 7th Street Bridge Replacement Project

Project Name: 7th Street Bridge Project

SCH# 2013092059

**CALIFORNIA TRANSPORTATION COMMISSION
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR**

**7TH STREET BRIDGE PROJECT IN THE CITY OF MODESTO AND STANISLAUS
COUNTY**

The following information is presented to comply with California Environmental Quality Act (CEQA) Guidelines, California Code of Regulations, Title 14, Sections 15091 and 15096 and also Title 21, Section 1501 et seq. Reference is made to the *Final Environmental Impact Report (EIR) for the 7th Street Bridge Project* and the *Addendum to the Environmental Impact Report (EIR) for the 7th Street Bridge Replacement Project* (Addendum) which are the basic sources of the information.

The California Transportation Commission, in its independent judgment as a CEQA responsible agency, reviewed and considered the Final EIR prepared by Stanislaus County and finds that the Final EIR contains a complete, objective, and substantiated reporting of the project's potential impacts.

The following impacts have been identified as significant and not fully mitigable:

- Impact Transportation (TRANS)-2: Construction of the 7th Street Bridge could conflict with an applicable congestion management project including but not limited to LOS standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.
- Impact Noise (NOI)-1: Construction of the 7th Street Bridge could result in generation of noise levels in excess of standards.
- Impact NOI-2: Operation of the 7th Street Bridge could result in a



substantial temporary or permanent increase in ambient noise levels in the vicinity above levels existing without the project.

- Impact Cultural Resources (CUL)-3: Construction of the 7th Street Bridge could result in substantial adverse changes in the significance of a known historical resource.

Pursuant to Section 15093 of the State CEQA Guidelines, decision-makers are required to balance the benefits of a project against its unavoidable environmental risks in determining whether to approve a project. CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered acceptable.

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

- The 7th Street corridor is one of several north-south roadways connecting downtown Modesto with areas south of the Tuolumne River.
- The 7th Street Bridge is listed on the Caltrans local bridge list with a sufficiency rating of 2. Sufficiency rating values range from 0 (low) to 100 (high). The low sufficiency rating is due to structural deficiencies (because of excessive deflections on the structure), functional deficiencies (because of its inadequate width), and load restrictions of 4 tons. The structure is also vulnerable to collapse during an earthquake or flood event. The 7th Street Bridge's sufficiency rating is one of the worst in California, and the structural and functional deficiencies must be corrected and load carrying capacity restored so it may continue to be used.
- 7th Street is an important two-lane arterial roadway that carries traffic to and from downtown Modesto, linking the surrounding neighborhoods and communities. Currently, traffic estimates for the 7th Street Bridge are 15,900 average trips per day. Projected future traffic on the 7th Street Bridge is estimated at 20,100 average trips per day. With no improvements, the 7th Street Bridge is anticipated to operate at unacceptable Level of Service (LOS) "F" in the future. For this reason, the Stanislaus Council of Governments 2014 Regional Transportation Plan identified the need to increase the 7th Street Bridge vehicular capacity from two lanes to four



lanes. In the project area, 7th Street is designated as a four-lane road by the City of Modesto and Stanislaus County.

- Currently, the 7th Street Bridge has a narrow, substandard pedestrian walkway along each side that places pedestrians very close to vehicular traffic. The bridge does not provide dedicated bicycle infrastructure. Vehicles and bicycles must share a single, narrow travel lane with no shoulder which increases vehicle/bicycle conflicts. The substandard pedestrian walkways and lack of bicycle infrastructure is inconsistent with the Modesto Non-Motorized Transportation Master Plan, which calls for a complete network of bikeways, walkways, trails, and paths that serve all non-motorized groups. The Modesto Non-Motorized Transportation Master Plan designates a Class II Bike Lane along the 7th Street Bridge corridor. The master plan defines a Class II Bike Lane as “striped and stenciled lane for one-way travel on a street or highway.”
- The 7th Street Bridge project would correct each of these existing deficiencies. These considerations identify why, in the Commission’s judgement, the Project and its benefits to the County outweigh its unavoidable significant environmental impacts.

To the extent the significant effects of the project are not avoided or substantially lessened to a level of insignificance, the California Transportation Commission, having reviewed and considered the information contained in the Final EIR and Addendum for the 7th Street Bridge Project, and having reviewed and considered the information contained in the public record, and having balanced the benefits of the project against the unavoidable effects which remain, finds the unmitigated effects to be acceptable in consideration of the overriding considerations discussed herein.

Tanisha Taylor

Executive Director

Signature

Date

NOTICE OF DETERMINATION

To: Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: California Transportation Commission
Attn: Cherry Zamora
1120 N Street, MS 52
Sacramento, CA 95814
(916) 654-4245

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

Project Title: 7th Street Bridge Project

2013092059	David Leamon	(209) 525-4130
State Clearinghouse Number	Lead Agency Contact Person	Area Code/Telephone

Project Location (include county): The Project is located on 7th Street over the Tuolumne River in the City of Modesto in Stanislaus County.

Project Description: The Project would replace the existing two-lane bridge with a four-lane bridge that corrects structural and hydraulic deficiencies and improves safety for vehicles, bicyclists, and pedestrians.

This is to advise that the California Transportation Commission has approved the above-described

(☐ Lead Agency/ ☒ Responsible Agency)

project on October 16-17, 2025, 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. ☒ A Final Environmental Impact Report and an Addendum were prepared for this project pursuant to the provisions of CEQA.
☐ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (☒ were/ ☐ were not) made a condition of the approval of the project.
4. Mitigation reporting or monitoring plan (☒ was / ☐ was not) adopted for this project.
5. A Statement of Overriding Considerations (☒ was / ☐ was not) adopted for this project.
6. Findings (☒ were/ ☐ were not) made pursuant to the provisions of CEQA.

The above identified document with comments and responses and record of project approval is available to the General Public at: Stanislaus County Department of Public Works, 1716 Morgan Road, Modesto, CA 95358.

TANISHA TAYLOR

Executive Director
California Transportation Commission

Signature (Public Agency)

Date

Title

Date received for filing at OPR:

Project Location Map

7th Street Bridge Project, City of Modesto, Stanislaus County

