



**RESOURCE MANAGEMENT  
AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One

PETE VANDER POEL  
District Two

PHILLIP A. COX  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** September 1, 2009

Public Hearing Required	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>			

CONTACT PERSON: Celeste Perez PHONE: (559) 733-6291

**SUBJECT:** Acquisition of Property by Eminent Domain for the Road 80 Widening Project Pursuant to Code of Civil Procedure Section 1245.330; Robert Van Grouw and Willemina Johanna Van Grouw

**REQUEST(S):**

That the Board of Supervisors:

Adopt, finds, determines, declares and resolves as follows:

- a. The public interest and necessity require the Project;
- b. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. The property described in Appendix A attached hereto is necessary for the Project; and
- d. The offer required by section 7267.2(a) of the Government Code, together with the accompanying statement of and summary of the basis for the amount established as just compensation, was made to the owner or owners of record and the offer and accompanying statement and summary complied with the requirements of Government Code section 7267.2(a).

Two-thirds vote required.

**SUMMARY:**

The county of Tulare has undertaken a project to improve Road 80 between the cities of Visalia and Dinuba. The Road 80 Project (Project) consists of widening Road 80 from two lanes to four lanes and creating a dividing center median from

**SUBJECT:** Acquisition of Property by Eminent Domain for the Road 80 Widening Project Pursuant to Code of Civil Procedure Section 1245.330; Robert Van Grouw and Willemina Johanna Van Grouw

**DATE:** September 1, 2009

Goshen Avenue in the city of Visalia to Avenue 416/EI Monte Way in the city of Dinuba, a distance of 14 miles, for the principal purposes of improving traffic flow, increasing safety, improving drainage, alleviating flooding and improving access to the city of Dinuba, together with incidental and related improvements.

On August 22, 2006 the Board of Supervisors approved (Resolution Number 2006-0663) a mitigated negative declaration/environmental assessment (MND) pursuant to the California Environment Quality Act (CEQA) for the project. On October 5, 2006 the Federal Highway Administration approved a finding of no significant impact (FONSI) pursuant to the National Environmental Policy Act (NEPA). The reader is directed Chapter 1 (copy attached) of the above referenced document for a complete discussion on the purpose and need for the project, alternatives that were considered and the permits and approvals needed to construct the project.

In December, 2006, the county of Tulare received an allocation from the California Transportation Commission (CTC) to prepare the plans, specifications and estimate (PS&E) and acquire the right of way (ROW) for the project. Shortly thereafter, the County began the process of preparing the PS&E and ROW for the project. In June 2008, the County received an allocation from the CTC to construct phase 1 of the project from Goshen Avenue in the city of Visalia to Avenue 328 in the County unincorporated area. The construction of phase 1 is almost complete.

The CTC has programmed in the 2010 State Transportation Improvement Program (STIP) Proposition 1B State Local Partnership Program (SLPP) funding for phase 1A of the project. Phase 1A limits are from Avenue 328 to the Avenue 342 alignment (approximately 1.5 miles in length) and structures to cross the Harrell No.2 Ditch, St. Johns River, Elbow Creek, Cottonwood Creek, Cottonwood Creek Overflow and Wilson Ditch. In order to access this funding, the County must complete the PS&E and acquire ROW for this segment. The PS&E are presently at 95% completion and can be finalized within 45 days. The County has three (3) outstanding property owners it is currently dealing with to acquire the necessary ROW for phase 1A. One property owner is Robert Van Grouw and Willemina Johanna Van Grouw (Van Grouw). The funding necessary to match the SLPP funding will come from the regional project component of Measure R, the Tulare County sales tax measure to fund transportation projects.

The County has been negotiating with the Van Grouws since February, 2008 and has not been able to come to an agreement on terms and price thereby necessitating the need to utilize eminent domain. The section 7267.2 offer was made on February 18, 2008. The Van Grouw property is located along the west side of Road 80 generally between Avenue 328 and the Avenue 336 alignment. It is commonly referred to as Assessor Parcel Numbers (APN) 077-020-008 and 077-020-019. The ROW required is generally 40 feet in width and 1 mile in length. In addition to the ROW, which is to be acquired in fee title, there is a need for a 10 foot

**SUBJECT:** Acquisition of Property by Eminent Domain for the Road 80 Widening Project Pursuant to Code of Civil Procedure Section 1245.330; Robert Van Grouw and Willemmina Johanna Van Grouw

**DATE:** September 1, 2009

temporary construction easement (TCE) to allow for the construction of the project. Detailed legal descriptions and plats of the required ROW and TCE are attached to the Resolution of Necessity.

In this area the ROW is being acquired completely on the west side of the existing roadway. Generally speaking, Road 80 is being widened to the east of the existing roadway. However, in this segment, the roadway is bordered by the Visalia Landfill (a County-owned and operated landfill) to the east. Since, over time, the County buried solid waste up to the right of way line for Road 80, widening Road 80 to the east at this location would have required the removal and reburial of the solid waste elsewhere on the landfill site.

On August 13, 2009 the County mailed notice of the public hearing to the Van Grouws pursuant to Code of Civil Procedure Section 1245.235.

In order to begin the eminent domain process, the Tulare County Board of Supervisors must adopt, by two-thirds of its members, a Resolution of Necessity which makes the following findings:

- a. The public interest and necessity require the Project;
- b. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. The property described in Appendix A attached to the Resolution of Necessity hereto is necessary for the Project; and
- d. The offer required by section 7267.2(a) of the Government Code, together with the accompanying statement of and summary of the basis for the amount established as just compensation, was made to the owner or owners of record and the offer and accompanying statement and summary complied with the requirements of Government Code section 7267.2(a).

**The public interest and necessity require the Project.** Chapter 1, Proposed Project, of the mitigated negative declaration/environment assessment (MND) (copy attached) discusses in detail the Road 80 Project. Section 1.2, Purpose and Need, identifies the purpose and need of the project including that the project will reduce congestion and improve the level of service, improve safety, resolve drainage and flooding issues and provide for improved access to the city of Dinuba. Based on the information contained in the mitigated negative declaration/environment assessment, the Board can make this finding.

**The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury.** Section 1.3, Alternatives, of the MND identifies the alternatives that were considered including the build alternative, the no-build alternative and alternatives considered and withdrawn. Through the environmental review process, the preferred alternative was

**SUBJECT:** Acquisition of Property by Eminent Domain for the Road 80 Widening Project Pursuant to Code of Civil Procedure Section 1245.330; Robert Van Grouw and Willemina Johanna Van Grouw

**DATE:** September 1, 2009

identified which would provide greatest public good with the least private injury. Based on the information contained in the mitigated negative declaration/environment assessment, the Board can make this finding.

**The property described in Appendix A attached to the Resolution of Necessity hereto is necessary for the Project.** Attached to the Resolution of Necessity as Appendix A are the legal description and plats for the ROW and TCEs to be acquired from the Van Grouws. The ROW and TCEs being required are consistent with the project description in the approved environmental document and are necessary for the project. As such, the Board can make this finding.

**The offer required by section 7267.2(a) of the Government Code, together with the accompanying statement of and summary of the basis for the amount established as just compensation, was made to the owner or owners of record and the offer and accompanying statement and summary complied with the requirements of Government Code section 7267.2(a).** The offer required by Government Code Section 7267.2(a) was made to the property owner on February 18, 2008 and the Board can make this finding.

**FISCAL IMPACT/FINANCING:**

It is intended to fund ROW acquisition from the STIP. The cost for acquisition is budgeted in the Road Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

**ALTERNATIVES:**

Do not proceed with eminent domain and continue to negotiate with the Van Grouws. Staff does not recommend this alternative as the County has negotiated with the Van Grouws and has not been able to come to agreement on the terms and price for the acquisition of the necessary ROW and TCEs. Any further delay in acquiring this ROW could jeopardize the access to funding for the construction of phase 1A of the project.

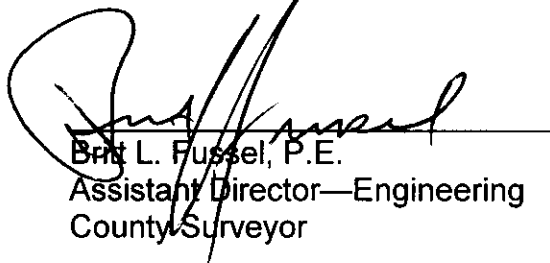
**INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

County Counsel has been involved in the preparation of the necessary documents for eminent domain.

**SUBJECT:** Acquisition of Property by Eminent Domain for the Road 80 Widening  
Project Pursuant to Code of Civil Procedure Section 1245.330; Robert  
Van Grouw and Willemina Johanna Van Grouw

**DATE:** September 1, 2009

**ADMINISTRATIVE SIGN-OFF:**



Britt L. Fussel, P.E.  
Assistant Director—Engineering  
County Surveyor

BF

cc: Auditor/Controller  
County Counsel  
County Administrative Office (2)

Attachment(s) Vicinity Map, Road 80 Project  
Location Map, Van Grouw Property  
Chapter 1, Mitigated Negative Declaration/Environmental Assessment

# **RESOLUTION OF NECESSITY BEFORE THE BOARD OF SUPERVISORS COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER  
OF THE ACQUISITION  
OF PROPERTY BY EMINENT  
DOMAIN FOR THE ROAD 80  
WIDENING PROJECT  
PURSUANT TO CODE OF  
CIVIL PROCEDURE SECTION  
1245.330; ROBERT VAN GROUW  
AND WILLEMINA JOHANNA  
VAN GROUW**

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**RESOLUTION NO. \_\_\_\_\_**

The Board of Supervisors of the County of Tulare, by vote of at least two-thirds of its members, FINDS, DETERMINES, DECLARES, AND RESOLVES as follows:

1. The County of Tulare intends to construct the Road 80 Widening Project (the "Project"), which consists of widening Road 80 from two lanes to four lanes and creating a dividing center median from Goshen Avenue in the City of Visalia to Avenue 416 in the City of Dinuba, a distance of 14 miles, for the principal purposes of improving traffic flow, increasing safety, improving drainage, alleviating flooding and improving access to the City of Dinuba, together with incidental and related improvements;
2. The purposes described in Paragraph 1 are public purposes within the meaning of the California Constitution and the California Eminent Domain Law;
3. The County of Tulare is authorized to acquire the property described in Appendix A attached hereto by eminent domain for the public uses set forth herein pursuant to Government Code section 25350.5 and Streets and Highways Code section 943;
4. The property to be acquired consists of portions of Assessor's Parcel Numbers 077-020-008 and 077-020-019 and generally located along the west side of Road 80 north of Avenue 328. It is more particularly described in Appendix A, attached hereto;
5. On August 13, 2009, a Notice of Hearing on the proposed adoption of this Resolution of Necessity was mailed to Robert Van Grouw and Willemmina Johanna Van Grouw, whose name and address appears on the last equalized

assessment roll. A copy of the Notice of Hearing is attached hereto as Appendix B; and

6. The hearing described in the Notice of Hearing was held on September 1, 2009, at the time and place stated therein and all interested persons were heard as required by section 1245.235 of the Code of Civil Procedure;

The Board of Supervisors of the County of Tulare, by vote of at least two-thirds of its members, further FINDS, DETERMINES, DECLARES, AND RESOLVES as follows:

- a. The public interest and necessity require the Project;
- b. The Project is planned and located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. The property described in Appendix A attached hereto is necessary for the Project; and
- d. The offer required by section 7267.2(a) of the Government Code, together with the accompanying statement of and summary of the basis for the amount established as just compensation, was made to the owner or owners of record and the offer and accompanying statement and summary complied with the requirements of Government Code section 7267.2(a).

UPON MOTION OF SUPERVISOR, \_\_\_\_\_ SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD SEPTEMBER 1,  
2009,

BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: JEAN M. ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

# Appendix A



# Appendix A,

## Road 80

## Right of Way Acquisition

Property: A.P.N. 077-020-019

## Description:

A parcel of land lying in the west one-half of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, and being a portion of that tract of land which was granted to ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW; TRUSTEES, THE ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW TRUST Dated August 24, 2007 by that certain Grant Deed recorded February 6, 2008 as Document No. 2008-0009381, Official Records, County of Tulare, State of California and being more particularly described by metes and bounds as follows:

Beginning at a point on the north line of said Section 5 which bears N89°31'50"W 40.00' from the north one-quarter corner of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian and being the intersection of the westerly line of that certain 40 foot strip of land granted to the County of Tulare for road purposes by deed recorded December 19, 1935 in Book 653, Page 266, Official Records, with the northerly line of said Section 5;

Thence S00°06'40"W 866.49' along the westerly line of that certain 40' foot strip of land granted to County of Tulare for road purposes by deed recorded December 19, 1935 in Book 653, Page 266, Official Records to the point of intersection of said westerly line with the southerly line of Parcel No. 8 as shown on that certain Record of Survey recorded October 21, 1959 in Book 9, Page 48 of Licensed Surveys, in the Office of the County Recorder of said county;

Thence departing from said westerly line and running along said southerly line N55°32'34"W 48.45';

Thence departing from said southerly line N00°06'40"E 779.73' parallel with the easterly line of the northwest one-quarter of said Section 5;

Thence N89°53'20"W 20.00';

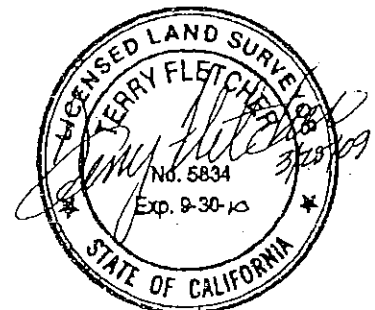
Thence N00°06'40"E 59.80' parallel with the easterly line of the northwest one-quarter of said Section 5 to a point on the northerly line of said Section 5;

Thence S89°31'50"E 60.00' along the northerly line of said Section 5 to the point of beginning.

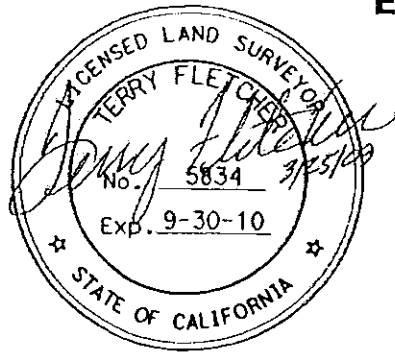
Containing 35,313 square feet or 0.8107 acres, more or less.

The Basis of bearings for this description is the California State Plane Coordinate System, NAD83, Zone IV. All distances are Grid distances. To convert to ground distances multiply by 1.0000633


End of Description



# EXHIBIT "B"



## LEGEND:

 RIGHT OF WAY ACQUISITION  
35,313 sf (0.8107ac)

S89° 31' 50" E  
60.00'

N00° 06' 40" E  
59.80'

N89° 53' 20" W  
20.00'

P.O.B.

NORTH 1/4  
CORNER  
SECTION 5

N89° 31' 50" W  
40.00'

N00° 06' 40" E  
779.73'

S00° 06' 40" W  
866.49'

NORTH 1/4 CORNER SECTION 5  
9 O.R. 48  
T18S, R24E, M.D.B.&M.

40' EXISTING ROAD  
653 O.R. 266

APN: 077-020-019  
2008 56936  
PARCEL AREA:  
14± ac

SEE DETAIL A  
ON THIS SHEET

SOUTHERLY LINE OF  
PARCEL No. 8 (9 RS 48)

SCALE 1"=300'

N55° 32' 34" W  
48.45'

## DETAIL A

SCALE 1"=100'

BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE  
SYSTEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO  
CONVERT TO GROUND DISTANCES MULTIPLY BY 1.0000633.

## PLAT MAP

ROBERT & WILLEMINA  
VAN GROUW, TRUSTEES  
32843 RD 76  
VISALIA, CA 93291  
APN: 077-020-019

COUNTY OF TULARE  
STATE OF CALIFORNIA

**DOKKEN**  
ENGINEERING  
2365 IRON POINT ROAD, SUITE 200 (916) 858-0642  
FOLSOM, CA 95630

## RIGHT OF WAY

PROJECT

ROAD 80 / PLAZA DRIVE  
ROAD WIDENING

# Appendix A<sub>2</sub>

Road 80  
10' TCE

Property: A.P.N. 077-020-019

## Description:

A parcel of land lying in the west one-half of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, and being a portion of that tract of land which was granted to ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW; TRUSTEES, THE ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW TRUST Dated August 24, 2007 by that certain Grant Deed recorded February 6, 2008 as Document No. 2008-0009381, Official Records, County of Tulare, State of California and being more particularly described by metes and bounds as follows:

Beginning at a point on the north line of said Section 5 which bears N89°31'50"W 100.00' from the north one-quarter corner of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian;

Thence S00°06'40"W 59.80' parallel with the easterly line of the northwest one-quarter of said Section 5;

Thence S89°53'20"E 20.00';

Thence S00°06'40"W 779.73' parallel with the easterly line of the northwest one-quarter of said Section 5 to the point on the southerly line of Parcel No. 8 as shown on that certain Record of Survey recorded October 21, 1959 in Book 9, Page 48 of Licensed Surveys, in the Office of the County Recorder of said county;

Thence along said southerly line N55°32'34"W 12.11';

Thence departing from said southerly line N00°06'40"E 703.89' parallel with the easterly line of the northwest one-quarter of said Section 5;

Thence N44°53'20"W 124.74';

Thence N89°53'20"W 51.80';

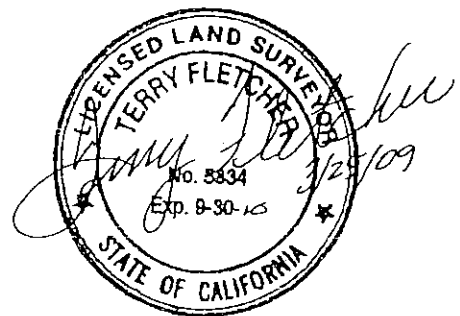
Thence N00°06'40"E 41.41' parallel with the easterly line of the northwest one-quarter of said Section 5 to a point on the northerly line of said Section 5;

Thence S89°31'50"E 130.00' to the point of beginning.

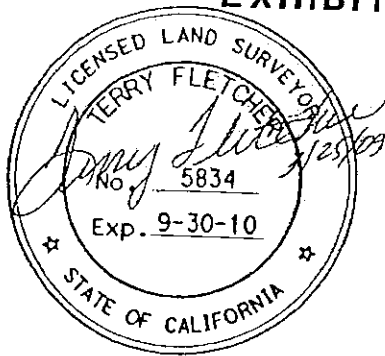
Containing 16,792 square feet or 0.3855 acres, more or less.

The Basis of bearings for this description is the California State Plane Coordinate System, NAD83, Zone IV. All distances are Grid distances. To convert to ground distances multiply by 1.0000633

End of Description



# EXHIBIT "D"



N00° 06' 40" E  
41.41'

N89° 53' 20" W  
51.80'

S89° 31' 50" E  
130.00'

N44° 53' 20" W  
124.74'

S89° 53' 20" E  
20.00'

P.O.B.

NORTH 1/4  
CORNER  
SECTION 5

N89° 31' 50" W  
100.00'

S00° 06' 40" W  
59.80'

## LEGEND:

TEMPORARY CONSTRUCTION EASEMENT  
16,792 sf (0.3855ac)

N00° 06' 40" E  
703.89'

NORTH 1/4 CORNER SECTION 5  
9 O.R. 48  
T18S, R24E, M.D.B.&M.

40' EXISTING ROAD  
653 O.R. 266

APN: 077-020-019  
2008 58936  
PARCEL AREA:  
14± ac

SEE DETAIL A  
ON THIS SHEET



SOUTHERLY LINE OF  
PARCEL No. 8 (9 RS 48)

SCALE 1"=300'

S00° 06' 40" W  
779.73'

N55° 32' 34" W  
12.11'

## DETAIL A

SCALE 1"=100'

BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE  
SYSTEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO  
CONVERT TO GROUND DISTANCES MULTIPLY BY 1.0000633.

PLAT MAP  
ROBERT & WILLEMINA  
AN GROUW, TRUSTEES  
843 RD 76  
SALIA, CA 93291  
APN: 077-020-019

COUNTY OF TULARE  
STATE OF CALIFORNIA

**DE DOKKEN**  
2365 IRON POINT ROAD, SUITE 200 (916) 858-0642  
FOLSOM, CA 95630

RIGHT OF WAY  
PROJECT  
ROAD 80 / PLAZA DRIVE  
ROAD WIDENING

# Appendix A<sub>3</sub>

## Road 80

## Right of Way Acquisition

Property: A.P.N. 077-020-008

## Description:

A parcel of land lying in the west one-half of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, and being a portion of that tract of land which was granted to ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW; TRUSTEES, THE ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW TRUST Dated August 24, 2007 by that certain Grant Deed recorded February 6, 2008 as Document No. 2008-0009381, Official Records, County of Tulare, State of California and being more particularly described by metes and bounds as follows:

Beginning at a point which bears N89°18'47"W 40.00' and N00°07'05"E 40.00' from the south one-quarter corner of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian and being the intersection of the westerly line of that certain 40 foot strip of land granted to the County of Tulare for road purposes by deed recorded December 19, 1935 in Book 653, Page 266, Official Records, with the northerly line of that certain 40' foot strip of land granted to County of Tulare for road purposes by deed recorded December 27, 1961, in Book 2307, Page 624, Official Records;

Thence N89°18'47"W 19.09' along the northerly line of that certain 40' foot strip of land granted to County of Tulare for road purposes by deed recorded December 27, 1961, in Book 2307, Page 624, Official Records;

Thence departing from said northerly line N31°02'32"E 35.05' to a point on the arc of a 6435.00' radius non-tangent curve to the left;

Thence along the arc of said curve (from a tangent which bears N00°35'58"W) a distance of 260.00' through a central angle of 02°18'54" and being subtended by a chord bearing and distance of N01°45'25"W 259.99';

Thence N02°54'52"W 401.19' to the beginning of a of a 6565.00' radius tangent curve to the right;

Thence along the arc of said curve a distance of 347.47' through a central angle of 03°01'57" and being subtended by a chord bearing and distance of N01°23'54"W 347.43';

Thence N00°07'05"E 1590.15';

Thence N00°06'40"E 1840.14' to a point on the southerly line of Parcel No. 8 as shown on that certain Record of Survey recorded October 21, 1959 in Book 9, Page 48 of Licensed Surveys, in the Office of the Count Recorder of Tulare County, State of California;

Thence S55°32'34"E 48.45' along said southerly line to its intersection with the westerly line of that certain 40 foot strip of land granted to the County of Tulare for road purposes by deed recorded December 19, 1935 in Book 653, Page 266, Official Records;

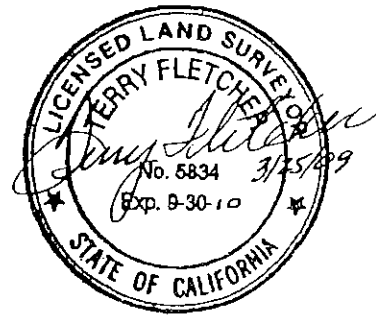
Thence S00°06'40"W 1813.04' along said westerly line to an angle point therein;

Thence continuing along said westerly line S00°07'05"W 2627.97' to the point of beginning.

Containing 159,046 square feet or 3.6512 acres, more or less.

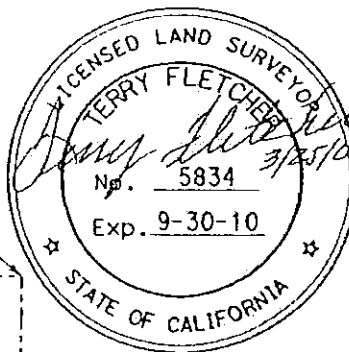
The Basis of bearings for this description is the California State Plane Coordinate System, NAD83, Zone IV. All distances are Grid distances. To convert to ground distances multiply by 1.0000633

End of Description



# EXHIBIT "B"

	R	△	L
①	6565.00'	3° 01' 57"	347.47'
②	6435.00'	2° 18' 54"	260.00'



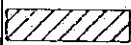
NORTH 1/4 CORNER SECTION 5  
T18S, R24E, M.D.B. & M.

NW CORNER SECTION 5  
T18S, R24E, M.D.B. & M.

SOUTHERLY LINE OF  
PARCEL No. 8 (9 RS 48)

40' EXISTING ROAD  
653 O.R. 266

## LEGEND:



RIGHT OF WAY ACQUISITION  
159,046 sf (3.6512ac)

40' EXISTING ROAD  
BK 652, PG 204

WEST 1/4 CORNER SECTION 5  
T18S, R24E, M.D.B. & M.

APN: 077-020-008  
WEST 1/2 SECTION 5  
PARCEL AREA:  
308± ac

SOUTH 1/4 CORNER SECTION 5  
T18S, R24E, M.D.B. & M.



SW CORNER SECTION 5  
T18S, R24E, M.D.B. & M.

AVE 328

SCALE 1"=750'

40' EXISTING ROAD  
2307 O.R. 624

ROAD 80

SEE DETAIL A  
ON THIS SHEET

N00° 06' 40" E  
1840.14'

S55° 32' 34" E  
48.45'

S00° 06' 40" W  
1813.04'

WEST LINE  
EXISTING ROAD  
653 O.R. 266

N00° 07' 05" E  
1590.15'

S00° 07' 05" W  
2627.97'

N02° 54' 52" W  
401.19'

N31° 02' 32" E  
35.05'

N89° 18' 47" W  
19.09'

N00° 07' 05" E  
40.00'

P.O.B.

N89° 18' 47" W  
40.00'

SOUTH 1/4 CORNER  
SECTION 5

**DETAIL A**  
SCALE 1"=500'

BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE  
SYSTEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO  
CONVERT TO GROUND DISTANCES MULTIPLY BY 1.0000633.

## PLAT MAP

ROBERT & WILLEMINA  
VAN GROUW, TRUSTEES  
32843 ROAD 76  
VISALIA, CA 93291  
APN: 077-020-008

COUNTY OF TULARE  
STATE OF CALIFORNIA

**DE DOKKEN**

2365 IRON POINT ROAD, SUITE 200 (916) 858-0642  
FOLSOM, CA 95630

## RIGHT OF WAY

PROJECT

ROAD 80 / PLAZA DRIVE  
ROAD WIDENING

# Appendix A<sub>4</sub>

Road 80  
10' TCE

Property: A.P.N. 077-020-008

## Description:

A parcel of land lying in the west one-half of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Tulare, State of California, and being a portion of that tract of land which was granted to ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW; TRUSTEES, THE ROBERT VAN GROUW and WILLEMINA JOHANNA VAN GROUW TRUST Dated August 24, 2007 by that certain Grant Deed recorded February 6, 2008 as Document No. 2008-0009381, Official Records, County of Tulare, State of California and being more particularly described by metes and bounds as follows:

Beginning at a point which bears N89°18'47"W 59.09' and N00°07'05"E 40.00' from the south one-quarter corner of Section 5, Township 18 South, Range 24 East, Mount Diablo Base and Meridian and being on the northerly line of that certain 40' foot strip of land granted to County of Tulare for road purposes by deed recorded December 27, 1961, in Book 2307, Page 624, Official Records;

Thence N89°18'47"W 11.59' along the northerly line of that certain 40' foot strip of land granted to County of Tulare for road purposes by deed recorded December 27, 1961, in Book 2307, Page 624, Official Records;

Thence departing from said northerly line N31°02'32"E 38.07' to a point on the arc of a 6425.00' radius non-tangent curve to the left;

Thence along the arc of said curve (from a tangent which bears N00°37'29"W) a distance of 256.76' through a central angle of 02°17'23" and being subtended by a chord bearing and distance of N01°46'10"W 256.76';

Thence N02°54'52"W 401.19' to the beginning of a of a 6575.00' radius tangent curve to the right;

Thence along the arc of said curve a distance of 348.00' through a central angle of 03°01'57" and being subtended by a chord bearing and distance of N01°23'54"W 347.96';

Thence N00°07'05"E 1590.21';

Thence N00°06'40"E 1846.92' to a point on the southerly line of Parcel No. 8 as shown on that certain Record of Survey recorded October 21, 1959 in Book 9, Page 48 of Licensed Surveys, in the Office of the Count Recorder of Tulare County, State of California;

Thence S55°32'34"E 12.11' along said southerly line;

Thence departing from said southerly line S00°06'40"W 1840.14';

Thence S00°07'05"W 1590.15' to the beginning of a of a 6565.00' radius tangent curve to the left;

Thence along the arc of said curve a distance of 347.47' through a central angle of 03°01'57" and being subtended by a chord bearing and distance of S01°23'54"E 347.43';



Thence S02°54'52"E 401.19' the beginning of a of a 6435.00' radius tangent curve to the right;

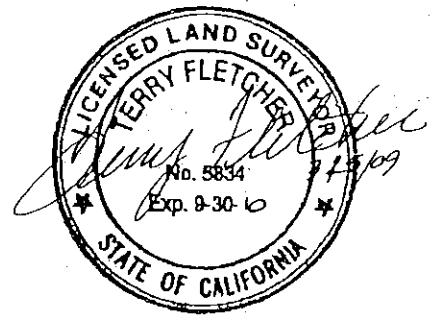
Thence along the arc of said curve a distance of 260.00' through a central angle of 02°18'54" and being subtended by a chord bearing and distance of S01°45'25"E 259.99';

Thence S31°02'32"W 35.05' to the point of beginning.

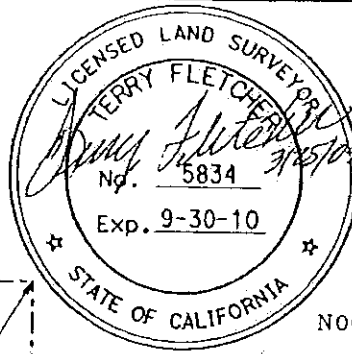
Containing 44,776 square feet or 1.0279 acres, more or less.

The Basis of bearings for this description is the California State Plane Coordinate System, NAD83, Zone IV. All distances are Grid distances. To convert to ground distances multiply by 1.0000633

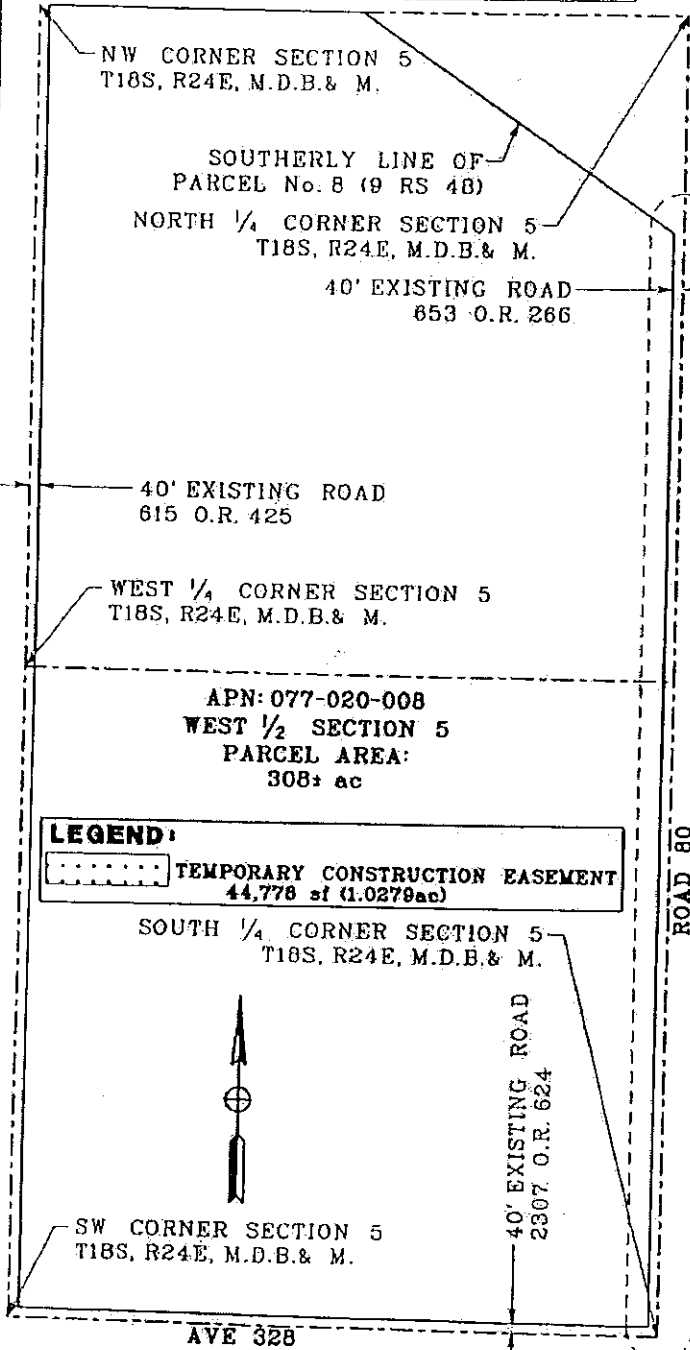
End of Description



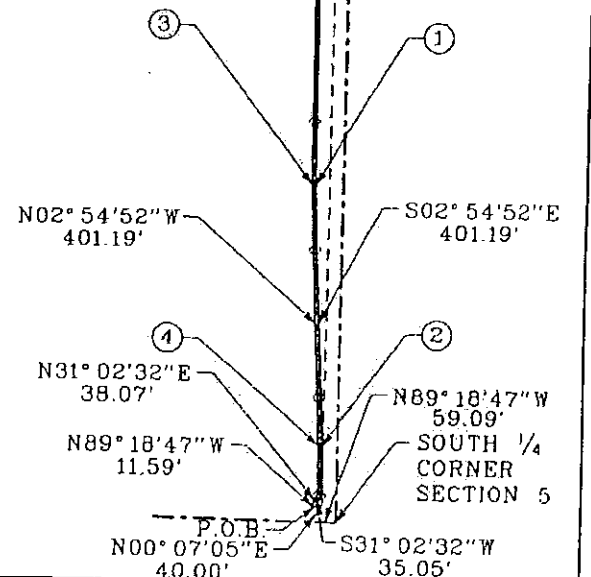
# EXHIBIT "D"



	R	△	L
①	6565.00'	3° 01' 57"	347.47'
②	6435.00'	2° 18' 54"	260.00'
③	6575.00'	3° 01' 57"	348.00'
④	6425.00'	2° 17' 23"	256.76'



## DETAIL A SCALE 1"=500'



BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATE SYSTEM, NAD83, ZONE IV. ALL DISTANCES ARE GRID DISTANCES. TO CONVERT TO GROUND DISTANCES MULTIPLY BY 1.0000633.

### PLAT MAP

ROBERT & WILLEMINA  
VAN GROUW, TRUSTEES  
32843 ROAD 78  
VISALIA, CA 93291  
APN: 077-020-008

COUNTY OF TULARE  
STATE OF CALIFORNIA



2355 IRON POINT ROAD, SUITE 200 (916) 858-0642  
FOLSOM, CA 95630

TEMPORARY CONSTRUCTION  
EASEMENT

PROJECT

ROAD 80 / PLAZA DRIVE  
ROAD WIDENING

# Appendix B



# RESOURCE MANAGEMENT AGENCY

5961 SOUTH MOONEY BLVD.  
VISALIA, CA. 93277  
PHONE (559) 624-7000  
FAX (559) 730-2653

Britt L. Fussel Engineering  
William Hayter Development Svcs.  
Jean P. Brou Transportation  
Jake Raper, Jr. Planning  
Hal Cypert Support Services  
Roger Hunt Admin. Svcs.

KRISTIN BENNETT, INTERIM DIRECTOR

August 13, 2009

Robert Van Grouw and Willemmina Johanna Van Grouw  
32843 Road 76  
Visalia, CA 93291

Subject: Notice of Hearing regarding Adoption of a Resolution of Necessity to Acquire Property by Eminent Domain Pursuant to California Code of Civil Procedure Section 1245.235

Dear Mr. and Mrs. Van Grouw:

Please take notice that the Board of Supervisors of the County of Tulare, at a regular meeting to be held on Tuesday, September 1, 2009 at 9:30 A.M., in the chambers of the Board of Supervisors in the Administration Building, 2800 West Burrell Avenue, Visalia, California, will hold a hearing to consider the adoption of a Resolution of Necessity pursuant Sections 1245.220 and 1245.230 of the California Code of Civil Procedure.

The Resolution of Necessity, if adopted, will authorize the County of Tulare to acquire certain property by eminent domain for the Road 80 Widening Project. The property being considered for acquisition is described in Appendix A to the proposed Resolution of Necessity, a copy of which is attached to this Notice as Exhibit A.

You have a right to appear and be heard by the Board of Supervisors at the above-scheduled hearing on each of the following matters and issues before it decides whether to adopt the proposed Resolution of Necessity:

- a. Whether the public interest and necessity require the proposed project;
- b. Whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- c. Whether the property sought to be acquired is necessary for the project;
- d. Whether the offer required by Government Code section 7267.2(a), together with the accompanying statement and summary of the basis for the amount established as just compensation, was made to you and whether the offer and statement and summary were in the form and contained the factual information required by Government Code section 7267.2(a), a copy of which is attached to this Notice as Exhibit B.

If you desire to be heard, you must file a written request with the Clerk of the Board of Supervisors within fifteen (15) days after this Notice was mailed. You must file your request to be heard at:

Clerk of the Board of Supervisors  
Tulare County Administration Building  
2800 West Burrel Avenue  
Visalia, CA 93291

Should you elect to mail your request to the Clerk of the Board of Supervisors, it must actually be received by the Clerk within fifteen (15) days after this Notice was mailed. The date this Notice was mailed appears at the end of the Notice.

**Please note that, pursuant to California Code of Civil Procedure section 1245.235(b)(3), failure to file a written request to be heard within fifteen (15) days after the Notice was mailed will result in waiver of the right to appear and be heard.**

The amount of compensation to be paid for the property will not be considered by the Board of Supervisors at the hearing. If you do not appear at the hearing, your failure to appear will not prevent you from claiming greater compensation in accordance with the laws of the State of California.

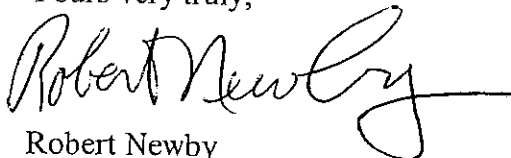
If you do not appear at the hearing, your failure to appear will waive your right to later challenge the right of the Board of Supervisors to acquire the property by eminent domain.

Neither this Notice nor the adoption of the Resolution of Necessity, if it is adopted, are intended to foreclose further negotiations between you the County on the amount of compensation to be paid for your property.

If the Board of Supervisors adopts the Resolution of Necessity, within six months the Board of Supervisors will commence eminent domain proceedings in the Tulare County Superior Court for the acquisition of the property. In that proceeding, the Court will determine the amount of compensation to be paid for the acquisition.

Dated and mailed on August 13, 2009.

Yours very truly,

A handwritten signature in black ink, appearing to read "Robert Newby", with a stylized flourish at the end.

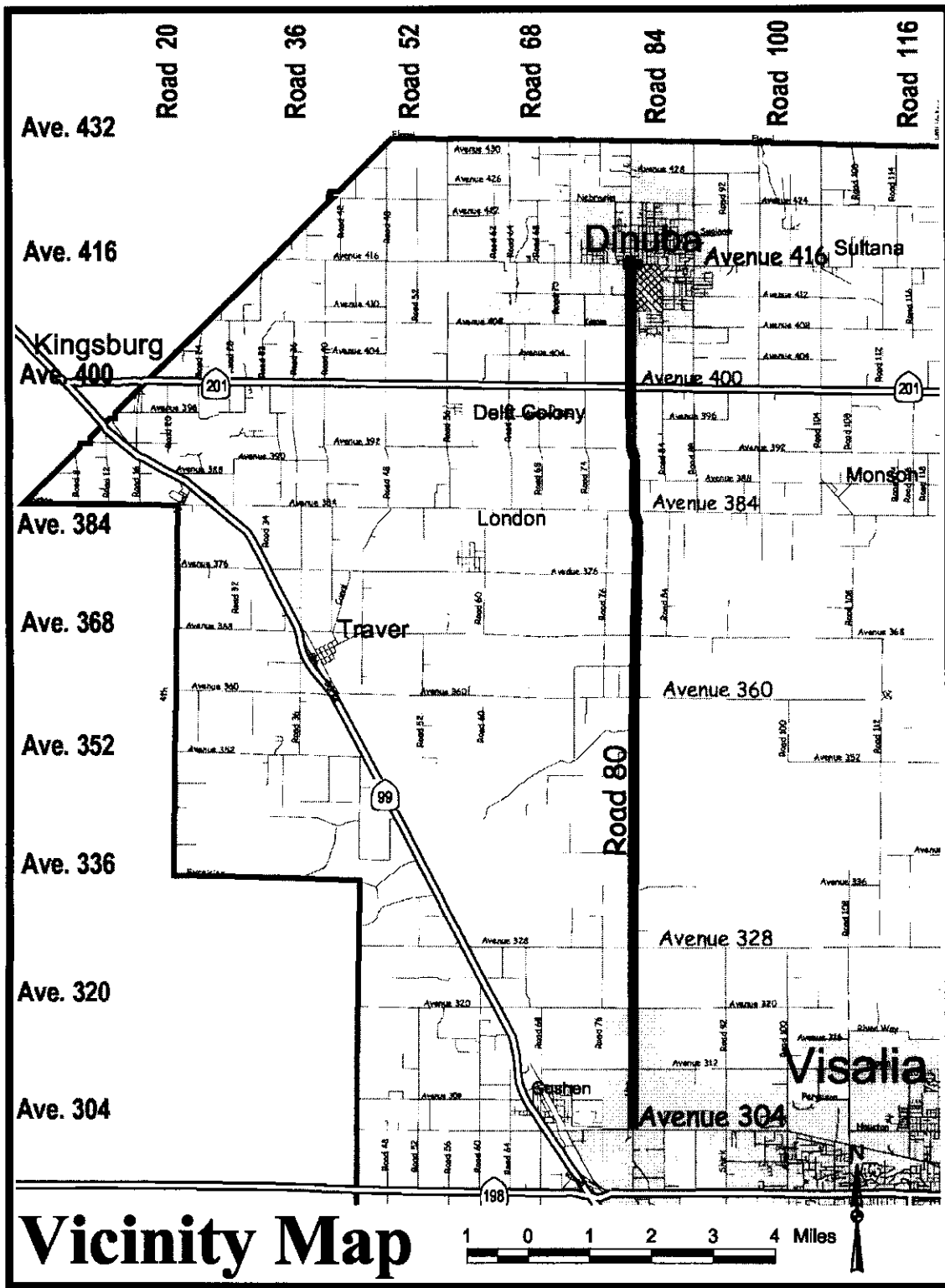
Robert Newby  
Property Manager

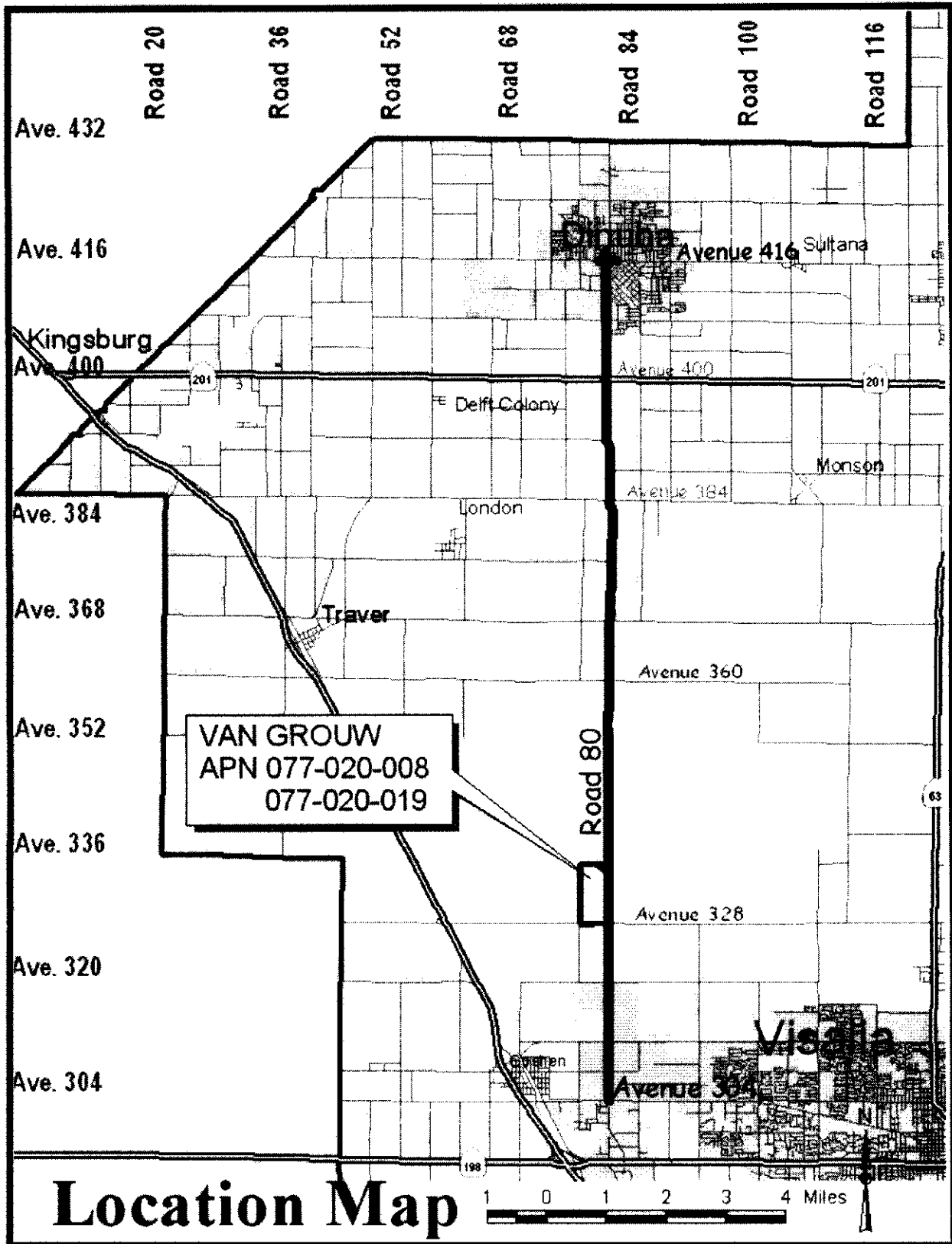
Enclosures: Exhibit A, Proposed Resolution of Necessity  
Government Code section 7267.2(a)

## GOVERNMENT CODE

### SECTION 7267.2(a)

7267.2. (a) (1) Prior to adopting a resolution of necessity pursuant to Section 1245.230 of the Code of Civil Procedure and initiating negotiations for the acquisition of real property, the public entity shall establish an amount that it believes to be just compensation therefor, and shall make an offer to the owner or owners of record to acquire the property for the full amount so established, unless the owner cannot be located with reasonable diligence. The offer may be conditioned upon the legislative body's ratification of the offer by execution of a contract of acquisition or adoption of a resolution of necessity or both. The amount shall not be less than the public entity's approved appraisal of the fair market value of the property. A decrease or increase in the fair market value of real property to be acquired prior to the date of valuation caused by the public improvement for which the property is acquired, or by the likelihood that the property would be acquired for the improvement, other than that due to physical deterioration within the reasonable control of the owner or occupant, shall be disregarded in determining the compensation for the property.







# **Chapter 1      Proposed Project**

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## **1.1      Introduction**

The County of Tulare, in cooperation with the California Department of Transportation, and the Federal Highway Administration, proposes to improve a 16-mile segment of Road 80 from Avenue 416 in the City of Dinuba to Airport Drive in the City of Visalia. Proposed work includes widening the roadway, improving the interchange at Road 80 and State Route 198, widening an overcrossing, and upgrading drainage. The widening proposal would also provide sufficient right-of-way within the project corridor for a Class III bicycle lane. Figures 1.1 and 1.2 show the project location.

The project is included in the 2004 Federal Statewide Transportation Improvement Program. It is also included in the 2004 Regional Transportation Plan, approved by the Tulare County Association of Governments on August 16, 2004, and in the Federal Transportation Improvement Program, approved by the Federal Highway Administration on October 4, 2004, but is identified as two separate projects. One project located in the County of Tulare between Avenue 416 and Goshen Avenue. The other is located in the City of Visalia on Plaza Drive from Goshen Avenue to Airport Drive.

Road 80 is a major two arterial roadway that serves as an interregional connection between Visalia and Dinuba. It is used by approximately 10,000 vehicles per day. Road 80 provides access to the growing industrial and commercial areas in and between Visalia and Dinuba. It also provides access to the Visalia Airport.

The southern terminus of the project is State Route 198, a four-lane freeway, which connects the southern end of the project to Visalia to the east and Hanford to the west. It also connects to State Route 99 and all points in southern California. The northern terminus of the project is Avenue 416. Avenue 416 connects to the Community of Orosi to the east as a four lane divided roadway, to the City of Reedley to the west, and State Route 99 and northern California.

A project to widen Avenue 416 to four lanes west of Road 80 to State Route 99 has been programmed in the 2004/2005 State Transportation Improvement Program. Road 80 north of Avenue 416 primarily serves local traffic generators and is being constructed as a four-lane facility by local development. The intersection of Avenue 416 and Road 80 is the appropriate northern logical termini for this project.

## 1.2 Purpose and Need

### 1.2.1 Purpose

The purpose of the proposed project is to do the following:

- Provide congestion relief in order to improve traffic flow and improve level of service on the regional transportation system
- Improve safety within the Road 80 project limits
- Alleviate existing drainage and flooding issues within the project limits
- Improve access to Dinuba for local and regional travelers

### 1.2.2 Need

#### ***Congestion and Level of Service***

During the late 1980s and early 1990s, Tulare County identified Road 80 as one of the most heavily traveled corridors in its jurisdiction. To keep up with traffic demands through the 2028-planning horizon, Tulare County realized that a major upgrade to this major travel corridor would be needed.

Land adjacent to the Road 80 corridor is zoned as Business Research Park, Light Industrial, and Agricultural. Although much of this land is currently undeveloped, the area is growing rapidly. Because of increased development through the 2028-planning horizon, traffic on the Plaza Drive portion of Road 80 is expected to increase to more than 30,000 vehicles per day, more than double its current volume. Without roadway improvements, projected 2028 traffic volumes along Road 80 would cause the level of service at all intersections to deteriorate. Widening Road 80 and improving intersections with traffic signals where warranted would maintain acceptable levels of service. See Table 1.1.

**Table 1.1 Level of Service (PM Peak) at Intersections along Road 80**

Intersection	Existing Level of Service		Intermediate Future (2008) Level of Service		Long-Term Future (2028) Level of Service	
	With Project	Without Project	With Project	Without Project	With Project	Without Project
Road 80 and Avenue 416 (currently signalized)	NDA	F	C	F	D	F
Road 80 and P Street (currently signalized)	NDA	B	B	B	C	C
Road 80 and Avenue 408 (currently signalized)	NDA	D	C	D	D	F
Road 80 and Avenue 400 (4-way stop)	NDA	F	B	F	D	F

Intersection	Existing Level of Service		Intermediate Future (2008) Level of Service		Long-Term Future (2028) Level of Service	
	With Project	Without Project	With Project	Without Project	With Project	Without Project
Road 80 and Avenue 384 (currently signalized)	NDA	C	C	C	C	F
Road 80 and Avenue 368 (2-way stop)	NDA	C-C	C	C-C	C	F-F
Road 80 and Avenue 328 (2-way stop)	NDA	C-C	B	C-C	C	F-F
Road 80 and Avenue 320 (2-way stop)	NDA	C-B	B	C-B	C	F-C
Road 80 and Avenue 312 (2-way stop)	NDA	F-F	B	F-F	D	F-F
Road 80 and Avenue 304 (currently signalized)	B	D	D	D	D	F
Road 80 and Neely Street (2-way stop)	A	F	C	F	D	F
Road 80 and Crowley Avenue (2-way stop)	A	D-B	NDA	E-B	NDA	F-B
Road 80 and State Route 198 Westbound (currently signalized)	A	F	B	F	D	F
Road 80 and State Route 198 Eastbound (currently signalized)	A	C	B	D	B	F

Source: CCS Planning and Engineering 2000b and County of Tulare

Note: NDA = no data available

## Safety

Two intersections within the proposed project limits had collision rates higher than the statewide average for similar intersections (see Table 1.2). These intersections, Road 80/Avenue 304 and Road 80/Avenue 328, had collision rates 1.2 and 8.5 times higher than the statewide average. The intersection at Avenue 304 is currently signalized and the warrants for a signal at Avenue 328 are not met.

Providing two travel lanes in each direction will enhance the safety of vehicles using this route. This allows vehicles operating at different speeds in the same direction to pass or overtake each other without entering lanes of opposing traffic. The divided median provides additional distance and a physical barrier between lanes of opposing traffic. It also allows separates through traffic from traffic making left or right turns. The divided median width of 22 feet allows smaller vehicles crossing Road 80 or making left turns onto Road 80 at median openings to make this turn in two phases, rather than having to cross all lanes of traffic at once. A clear recovery zone of 20 feet from the edge of the outside travel lane to horizontal obstructions will be preserved.

**Table 1.2 Collision Rates of Intersections and Freeway Ramps within the Proposed Project Area**

<b>Collision Rates</b> (expressed in accidents per million vehicles)		
<b>Intersections</b>	<b>Actual Collision Rate</b>	<b>Statewide Average</b>
Road 80/Avenue 400	0.0	0.11
Road 80/Avenue 328	0.94	0.11
Road 80/Avenue 304	0.71	0.58
Road 80/ State Route 198 Eastbound	0.63	0.80
Road 80/State Route 198 Westbound	0.07	1.5

Source: California Department of Transportation District 6 Traffic Division and Tulare County 2005

***Drainage and Flooding***

The intersection of Road 80 at Avenue 360 floods at peak times during the storm season. The flooding has impeded traffic and sometimes closed the road to through travel. Agricultural development has also contributed to altering the original lower elevations of the surrounding lands, allowing storm water runoff that would normally drain toward Cottonwood Creek to be redirected to the roadway, rendering the existing cross drainage inadequate. Replacement of a larger culvert under Avenue 360, east of Road 80, would allow more water to flow southward to the existing ditch system. Raising the proposed road elevation in order to supply sufficient cross drainage piping would alleviate the flooding across Road 80.

Recent changes to regulations governing storm water runoff and clean water preclude Alta Irrigation District from continuing to accept the City of Dinuba's untreated roadway runoff. A separate locally funded project (see Figure 1.2) sponsored by the City of Dinuba to construct a detention (or retention) basin west of Road 80 between Avenue 408 and Sierra Way would allow storm water runoff to accumulate during peak storm runoff events. The stored water could be pumped to an Alta Irrigation District facility after it settled for a period of time or could be used for groundwater recharge.

***Access for Dinuba***

Dinuba is the only city in Tulare County without direct access to a state highway. In addition to the overall population growth increase expected for the next 25 years, the City of Dinuba has encouraged the establishment of packing sheds, food processing plants, and big box retail stores. As a result, truck traffic into and out of the City of Dinuba is heavy. Nearly all of these truck intensive land uses are located south of Avenue 416, so

they use Avenue 416 (El Monte Way), Avenue 412 (Sierra Way), and Avenue 408 (Kamm Avenue) as traffic collectors to Road 80.

Road 80 is a County designated through route from Avenue 416 to State Route 198, and an officially designated truck route in the City of Dinuba. Road 80 also, serves as the only regional north/south link between Visalia and Dinuba, State Route 198, and State Route 99 to southern California. Most of these trucks use Road 80 as the southern regional access route. Widening Road 80 would improve access for local residents and regional traffic. Currently, heavy truck traffic impairs the free-flow traffic speed along uncontrolled segments of Road 80.

### 1.3 Alternatives

The proposed project lies within the cities of Visalia and Dinuba and the unincorporated area of Tulare County. Within the project limits, Road 80 is primarily a two-lane rural highway that provides local access to adjacent properties. The project begins at Avenue 416 in the City of Dinuba and ends at Airport Drive in the City of Visalia, south of the Road 80/State Route 198 interchange. Proposed work includes widening the roadway, improving the interchange at State Route 198, widening an overcrossing, and upgrading drainage.

Since the proposed project falls within three government jurisdictions, project features such as median and lane widths will vary from one jurisdiction to the next. Table 1.3 outlines right-of-way requirements within the three government jurisdictions.

**Table 1.3 Right-of-Way Requirements for the Proposed Project**

Location	Right-of-Way Requirements
In Dinuba	Approximately 96-100 feet
In unincorporated Tulare County	Approximately 130 feet
In Visalia:	
North of Neeley Street and south of Avenue 304	Approximately 110 feet
Neeley Street to State Route 198	Approximately 140-248 feet
State Route 198 overcrossing to Airport Avenue	Approximately 110 feet

#### 1.3.1 Preferred Alternative

The Preferred Alternative includes the following:

- Widening the roadway to four lanes from Avenue 416 in Dinuba to Neeley Street in Visalia (see Figure 1-3)
- Right-of-way of sufficient width to provide for a Class III bicycle lane within the project corridor
- Relocating above-ground utilities
- Widening the roadway to six lanes from Neeley Street to State Route 198 in Visalia
- Adding two-way continuous left-turn lanes and/or raised medians within the City of Dinuba
- Adding 14-foot-wide depressed medians with 4-foot paved shoulders in the unincorporated areas of Tulare County
- Adding 18-foot-wide medians, 8-foot paved shoulders and 8-foot wide sidewalks within the City of Visalia
- Upgrading City of Dinuba Road 80 and local street intersections (L Street, M Street, Uruapan Street, O Street, Tulare Street and Kern Street) to standard 90 degree intersections with traffic signals occurring at intersections where warranted
- Closing Q Street and P Street access to Road 80 in Dinuba
- Widening the existing bridges at St. Johns River, Elbow Creek and Cottonwood Creek and extending existing culverts
- Installing a larger culvert 1.5 miles east of Road 80 on Avenue 360
- Constructing roadside ditches along Road 80 south of Avenue 360
- Raising the road profile north of Avenue 360 while preserving existing hydraulic conditions by installing new culverts with inlet control set at the current road profile elevation
- Installing a new storm drain system on Road 80, including a lift pump, to drain Road 80 and connect existing storm drains to a new detention/retention basin proposed by the City of Dinuba as a separate project
- Constructing retaining walls to provide room to widen on- and off-ramps at State Route 198
- Installing cast-in-place pre-stressed concrete box-girder structures on one side of the existing interchange at State Route 198
- Widening the overcrossing of Plaza Drive over State Route 198 from two lanes to four lanes (see Figure 1-4)
- Upgrading the railroad crossing on Road 80 south of Avenue 416 and north of Avenue 304

- Upgrading existing traffic signals and replacing an existing four-way stop on Avenue 400 and Road 80 with a new traffic signal, and installing new traffic signals at Avenue 312, Neeley, and Crowley.

Road 80 improvements would include a combination of symmetrical and asymmetrical widening in order to avoid palm trees, a market, the Visalia Landfill, and irrigation structures and facilities.

The Preferred Alternative was chosen for the following reasons: it would meet the purpose and need of the project by providing congestion relief, improving traffic flow, and improving the level of service on the regional transportation system. The alternative would also alleviate existing drainage and flooding issues within the project limits. Lastly, the Preferred Alternative would improve access to Dinuba for local and regional travelers.

The estimated project cost is \$72 million. Table 1.4 shows the alignment directions for locations within the project limits. It is expected that the construction of this project would occur in phases. Locations and limits of construction phases would be determined by funding availability.

**Table 1.4 Location and Alignment Descriptions within the Project Limits**

Alignment in the Project Limits – Dinuba, Unincorporated Tulare County, and Visalia	
Location	Alignment direction
Avenue 416 to Avenue 402	Centered
Avenue 402 to Avenue 388	East
Avenue 388 to Avenue 374	West
Avenue 374 to Avenue 335	East
Avenue 335 to Avenue 328	West
Avenue 328 to Avenue 314	East
Avenue 314 to Avenue 302	Centered
Avenue 302 to Airport Drive	East

Note: Avenues 402, 388, 374, 328, 314, and 302 are hypothetical extensions only and used to create boundaries for the project limits; they do not physically intersect Road 80, and no corresponding intersections would be constructed under the proposed project.

### 1.3.2 No-Build Alternative

The No-Build Alternative would make no modifications to the existing roadway, resulting in a potential increase in the rate of collisions over time. Without improvements, the existing roadway would not be able to accommodate future traffic volumes. The Avenue 360 culvert replacement and other drainage improvements designed to alleviate

storm water flooding would not be constructed, thus the potential for flooding across Road 80 would continue.

### **1.3.3 Alternatives Considered and Withdrawn**

Two project study reports were prepared for the proposed project. The project study report prepared for Tulare County (Transportation Planning Group 1998) covered the northern portion of the project alignment (Avenue 416 to Avenue 304). The project study report prepared for Visalia covered the southern portion of the project alignment (Avenue 304 to Airport Drive).

In the Tulare County project study report, two alternatives (Alternatives A and B) were developed. There was no operational difference between Alternative A and B. The key features associated with Alternative A included avoidance of an existing residential structure at the northeast corner of the intersection and removal of palm trees on the west side of the road, south of Avenue 400. Alternative B was designed to avoid the removal of the palm trees and the piping of the Alta Irrigation Canal.

The project study report for Visalia, proposed two alternatives (Alternatives 1 and 2). Both alternatives proposed widening Plaza Drive as follows: from two lanes to four lanes between State Route 198 and Airport Drive, from two lanes to six lanes between State Route 198 and Neeley Street, and from two lanes to four lanes between Neeley Street and Goshen Avenue. However, there were two structure options considered for the widening of the Plaza Drive/State Route 198 interchange overcrossing, a four-lane and a six-lane overcrossing. Alternative 1 proposed four lanes; and Alternative 2, six lanes.

The above-mentioned alternatives were considered. Alternative B (to avoid the palm trees and the piping of the Alta Irrigation Canal) and Alternative 1 (proposing to widen the Plaza Drive/State Route 198 interchange overcrossing to four lanes) were incorporated into the “Build Alternative” for this proposed project. This created a build alternative that resulted in minimizing impacts on existing residences, agricultural properties, the palm trees, the Alta Irrigation Canal, and the Dinuba Ditch.

Alternative A and Alternative 2 were withdrawn from consideration due to potential impacts to existing residences, agricultural properties, palm trees, the Alta Irrigation Canal, and the Dinuba Ditch.

A transportation system management alternative, which included restriping Road 80 or improving signage, was also considered. Such an alternative was not considered viable



because it would not relieve traffic congestion or safety along the Road 80 corridor, or improve access to the City of Dinuba.

## **1.4 Permits and Approvals Needed**

Approval and/or permits from the following agencies and jurisdictions would be required (respective permits, if any, are also indicated) for the proposed project:

- U.S. Army Corps of Engineers—Section 404 of the Clean Water Act
- U.S. Fish and Wildlife Service—Endangered Species Act compliance
- California Department of Fish and Game—Streambed Alteration Agreement
- Central Valley Regional Water Quality Control Board—National Pollutant Discharge Elimination System permit
- State Historic Preservation Officer—Section 106 consultation for cultural resources; City of Visalia
- City of Dinuba
- Alta Irrigation District—license
- State of California Public Utilities Commission—permit

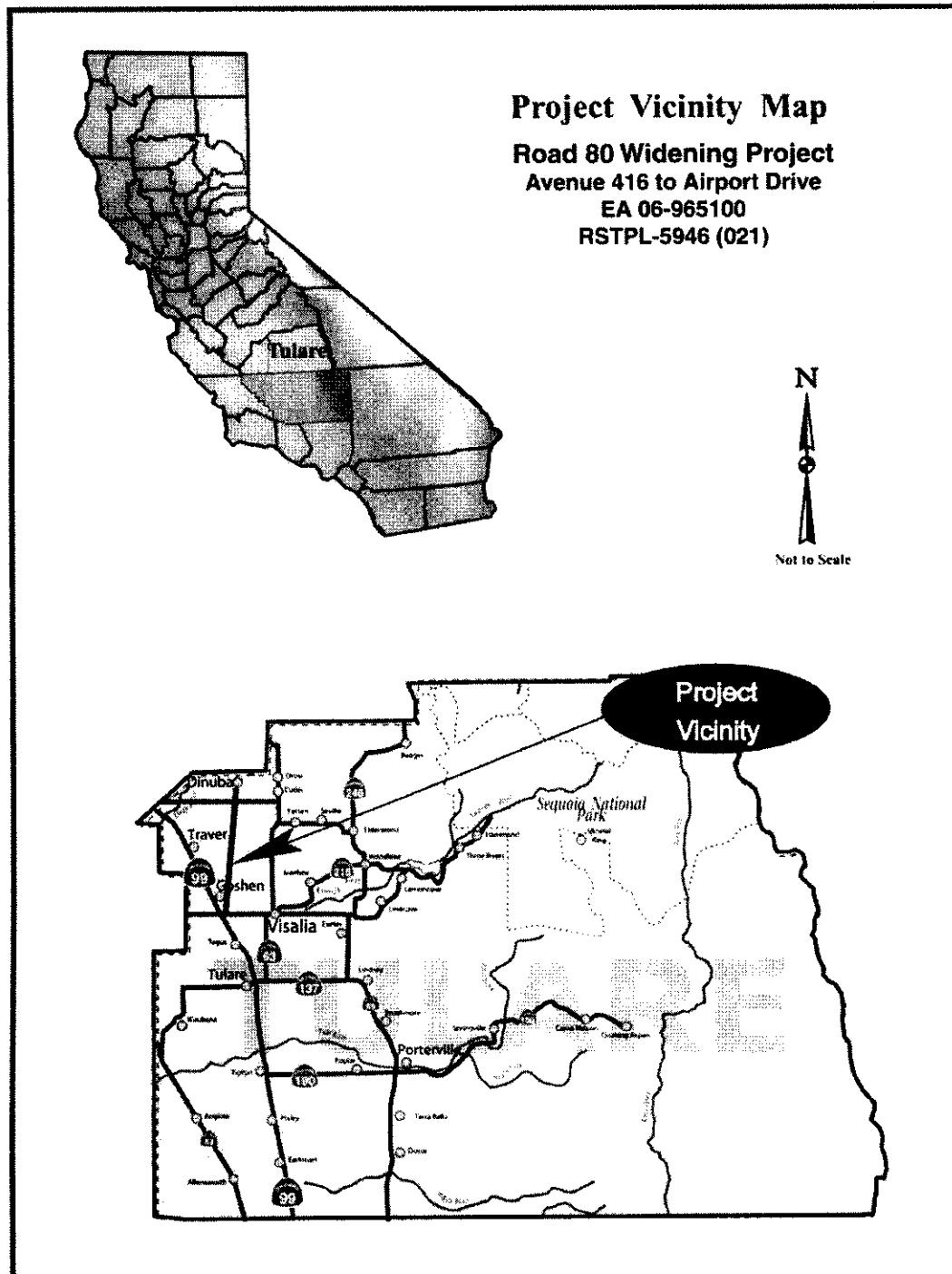


Figure 1-1 Project Vicinity Map

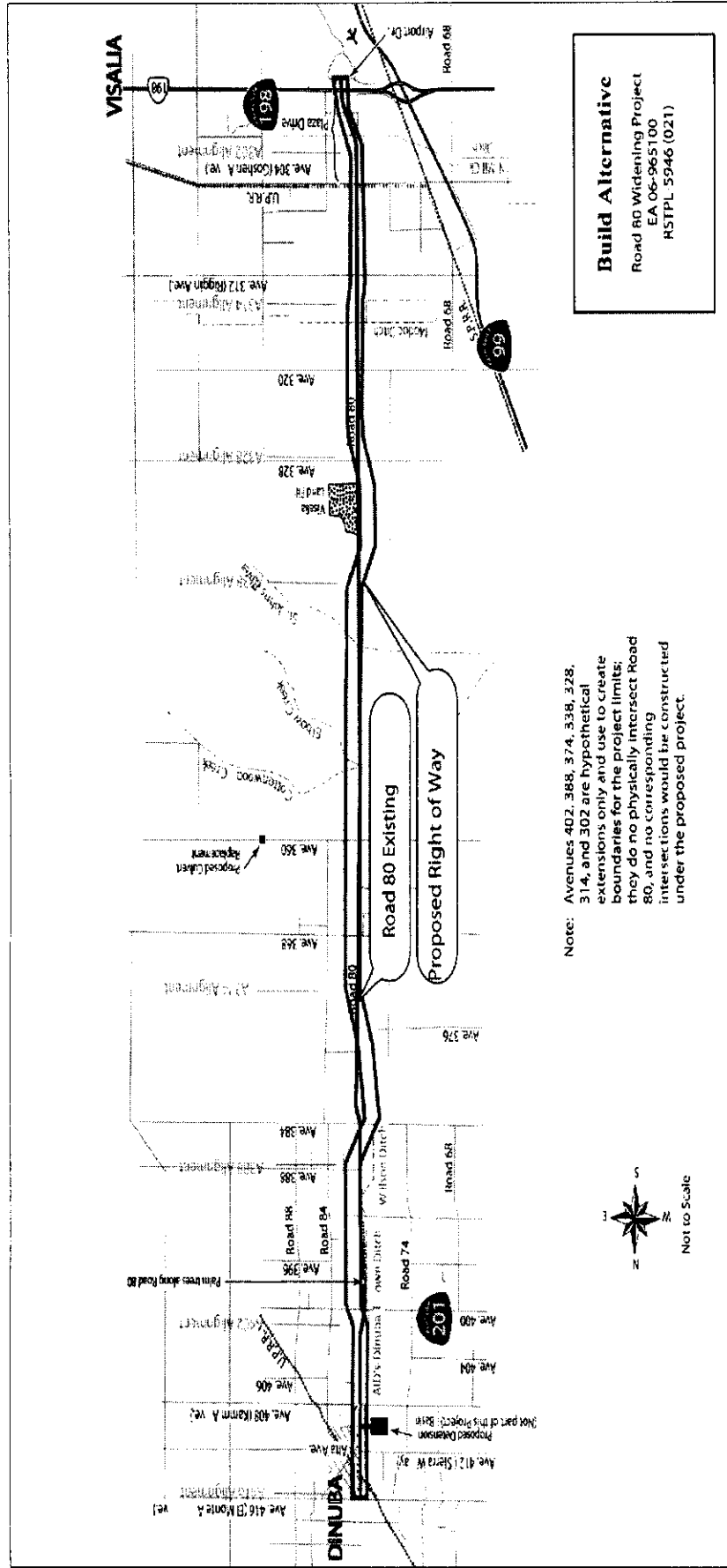
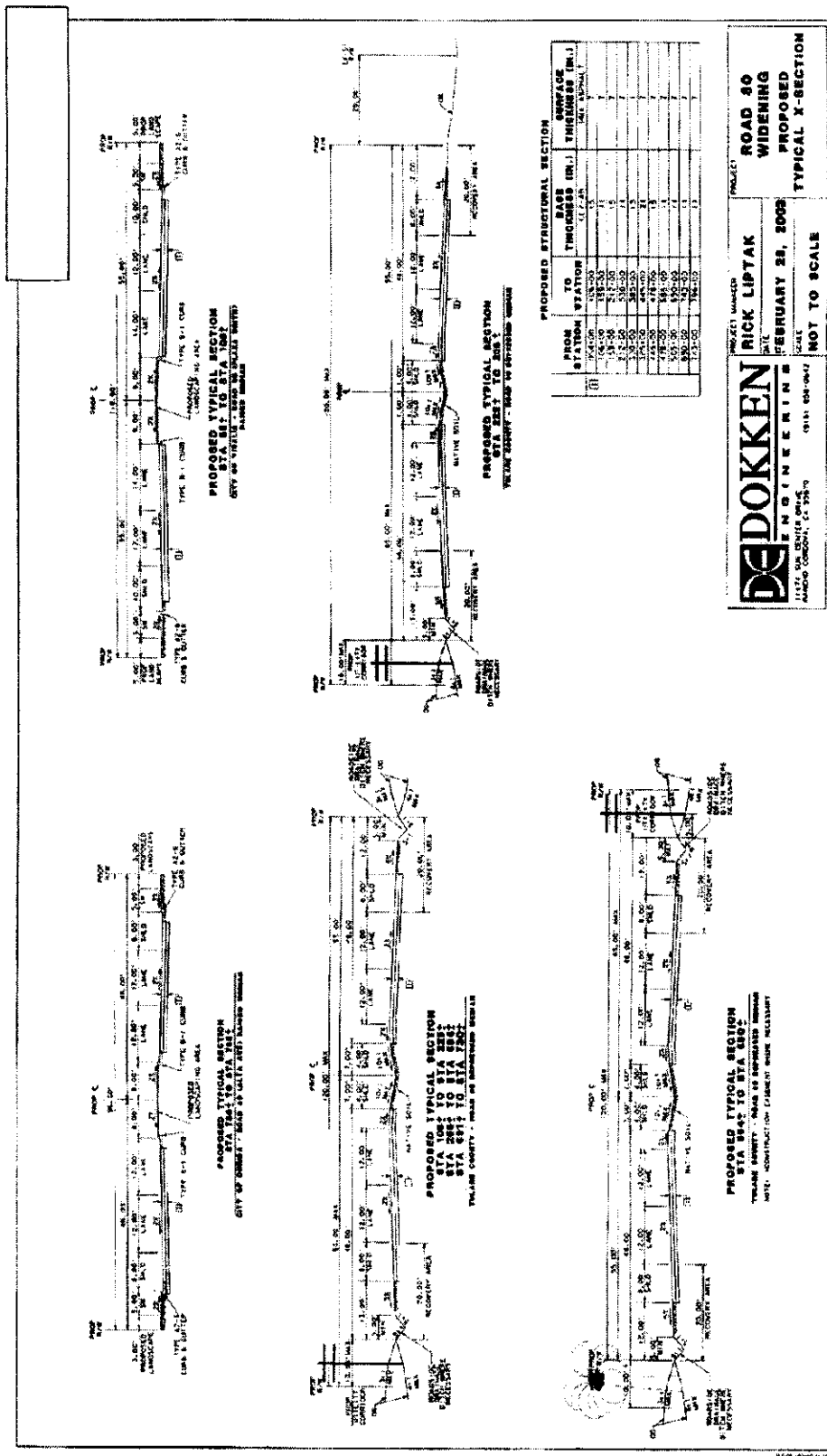


Figure 1-2 Location of Road 80 Widening Project



**Figure 1-3 Typical Cross Sections**

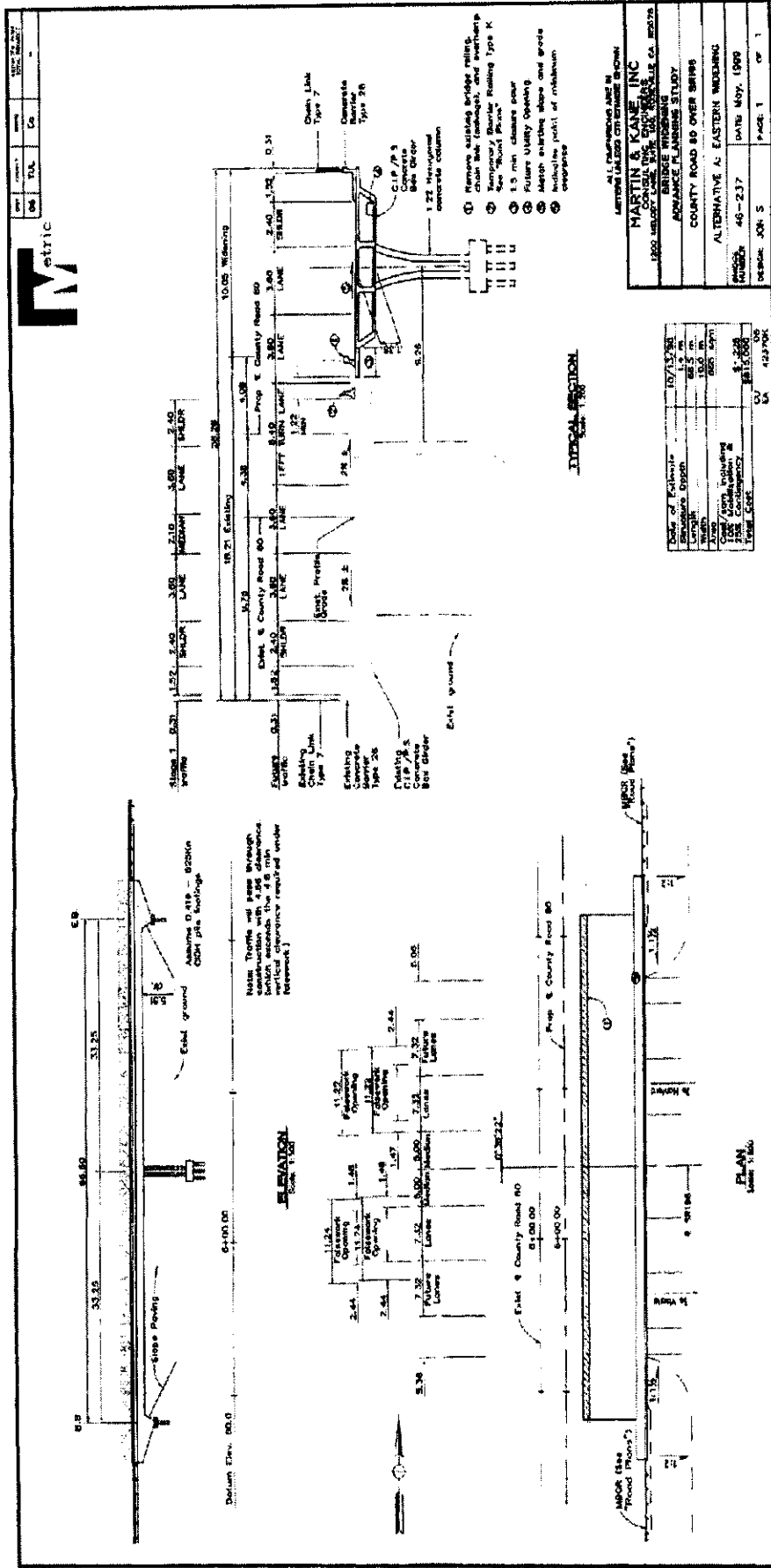


Figure 1-4 Plaza Drive Overcrossing Typical Cross Sections