

State Route 4 Pavement Anchor Project

Multi-objective pavement anchor project
in Alpine County along State Routes 4 and 89
10-ALP-4, 89- Post Miles 0.0 to 31.7, 10.84
Project Number 1018000271
State Clearinghouse Number 2022020586

Initial Study with Mitigated Negative Declaration and Section 4(f) De Minimis Determination

Volume 1 of 2



Prepared by the
State of California Department of Transportation

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General Information About This Document

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The Initial Study circulated for public review and comment for 31 days between February 25, 2022, and March 28, 2022. Comments received during this period are included in Appendix C. Elsewhere, language has been added throughout the document to indicate where a change has been made since the circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

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State Clearinghouse Number 2022020586
10-ALP-4, 89- Post Miles 0.0 to 31.7, 10.84
Project Number 1018000271

Multi-objective pavement anchor project in Alpine County on State Route 4
from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84

**INITIAL STUDY
with Mitigated Negative Declaration
and Section 4(f) De Minimis Determination**

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation



James P. Henke
Office Chief, District 10 Environmental
California Department of Transportation
CEQA Lead Agency

7/19/2022

Date

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Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2022020586

District-County-Route-Post Mile: 10-ALP-4-PM 0.0 to PM 31.7, 10-ALP-89-PM 10.84

EA/Project Number: EA 10-0J720 and Project Number 1018000271

Project Description

The California Department of Transportation (Caltrans) is proposing a multi-objective anchor project and rehabilitation of existing asphalt concrete pavement on State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84. The rehabilitation includes overlaying, digging out and cold-planing the roadway surface, upgrading asphalt concrete dikes and curbs, and constructing shoulder backing. The work will also modify or install the following assets to current standards: culverts, bridge-approaching metal beam guardrails, roadside signs, overhead sign structures, and maintenance vehicle pullouts.

Determination

An Initial Study has been prepared by Caltrans District 10. On the basis of this study, it is determined that the proposed action with the incorporation of the identified mitigation measures will not have a significant effect on the environment for the following reasons:

- *Compensatory Mitigation: Wetlands and Other Waters of the United States*—The permanent loss of potentially jurisdictional waters of the United States is proposed to be compensated by Caltrans' participation in either an approved Mitigation Bank or the Sacramento U.S. Army Corps of Engineers' and National Fish and Wildlife Foundation's "In-Lieu Fee" program to ensure "no net loss" of functions and values of potentially jurisdictional waters of the United States.
- *Compensatory Mitigation: Riparian Vegetation*—The permanent loss of riparian vegetation is expected to require a 3-to-1 compensation ratio by the California Department of Fish and Wildlife. Caltrans therefore proposes to compensate for the loss of approximately 0.10 acre of riparian vegetation with the establishment of 0.30 acre of riparian vegetation at an undetermined onsite (within the project limits) or offsite location.



James P. Henke
Office Chief, District 10 Environmental
California Department of Transportation
CEQA lead agency

7/19/2022

Date

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Chapter 1 **Proposed Project**

1.1 Introduction

The California Department of Transportation (Caltrans) is the lead agency under the California Environmental Quality Act (known as CEQA) and the lead agency under the National Environmental Policy Act (known as NEPA).

This project proposes to rehabilitate the existing asphalt concrete on State Route 4 in Alpine County from the Calaveras and Alpine County line to 165 feet west of the State Route 89 junction, stretching from post miles 0.0 to 31.7. The project will also construct a maintenance vehicle pullout on State Route 89 in Alpine County at post mile 10.84. The project encompasses areas such as Bear Valley, Alpine Lake, Mosquito Lakes, Pacific Valley, and Ebbetts Pass. See Figures 1-1 and 1-2.

The project is considered a multi-objective anchor project because it combines several project features into one main project. Along with the rehabilitation of existing asphalt concrete, the project will also install or modify the following assets to current standards:

- 66 culverts
- 7 bridge-approaching metal beam guardrails
- 274 roadside signs
- 2 overhead sign structures
- 2 maintenance vehicle pullouts

Permanent easements and temporary construction easements will be required. Project activities will include work off the paved road, trenching, grading, drainage work, work in a channel, tree removal, vegetation removal, and night work. During construction, one-way traffic control will be used as much as possible; full closures may be needed where the roadway is narrow.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of this multi-objective project is to improve the pavement condition, culvert drainage systems, visibility of the roadside signs, and roadside safety devices for maintenance workers on State Routes 4 and 89 within the project limits.

Figure 1-1 Project Vicinity Map

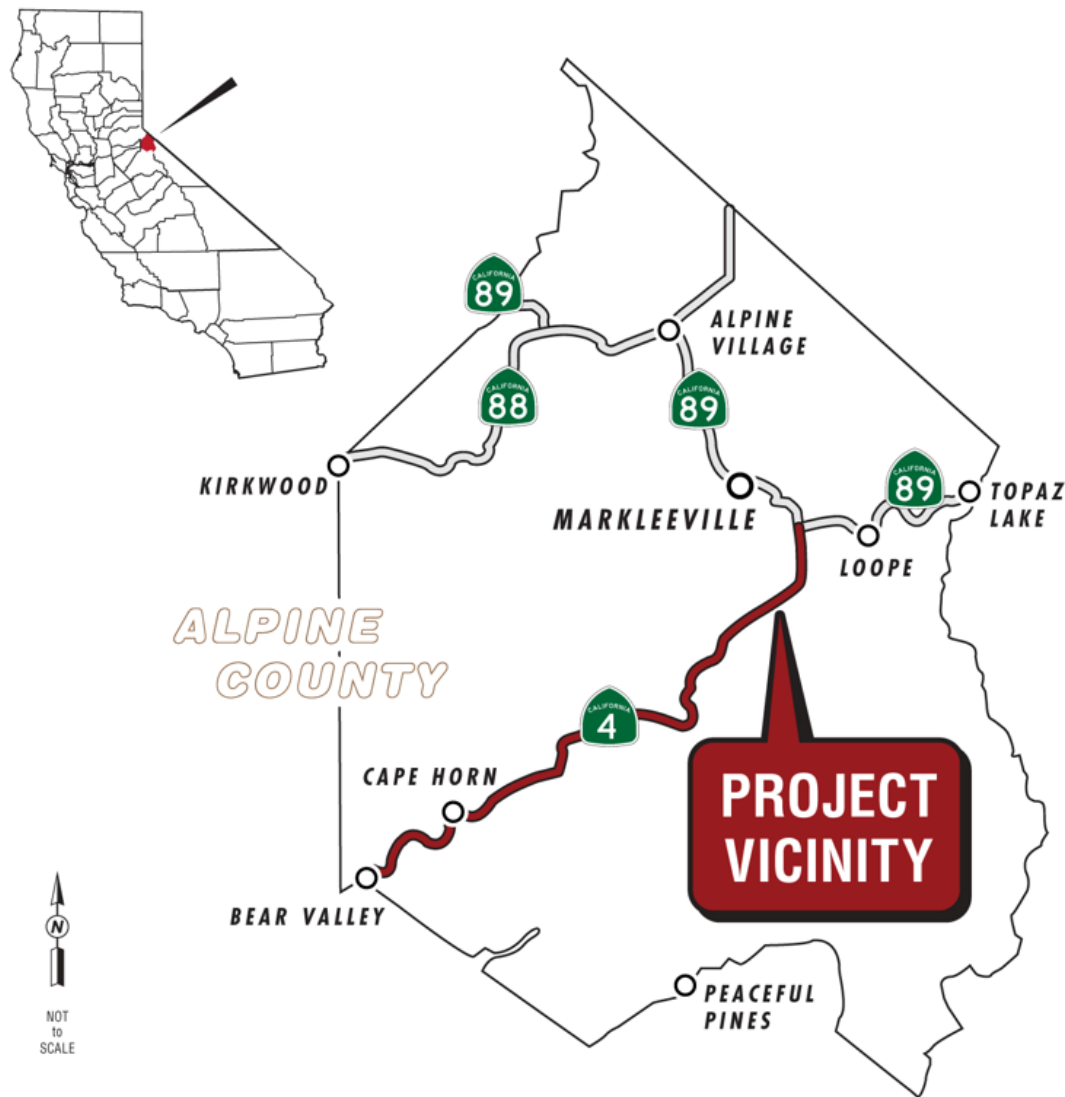
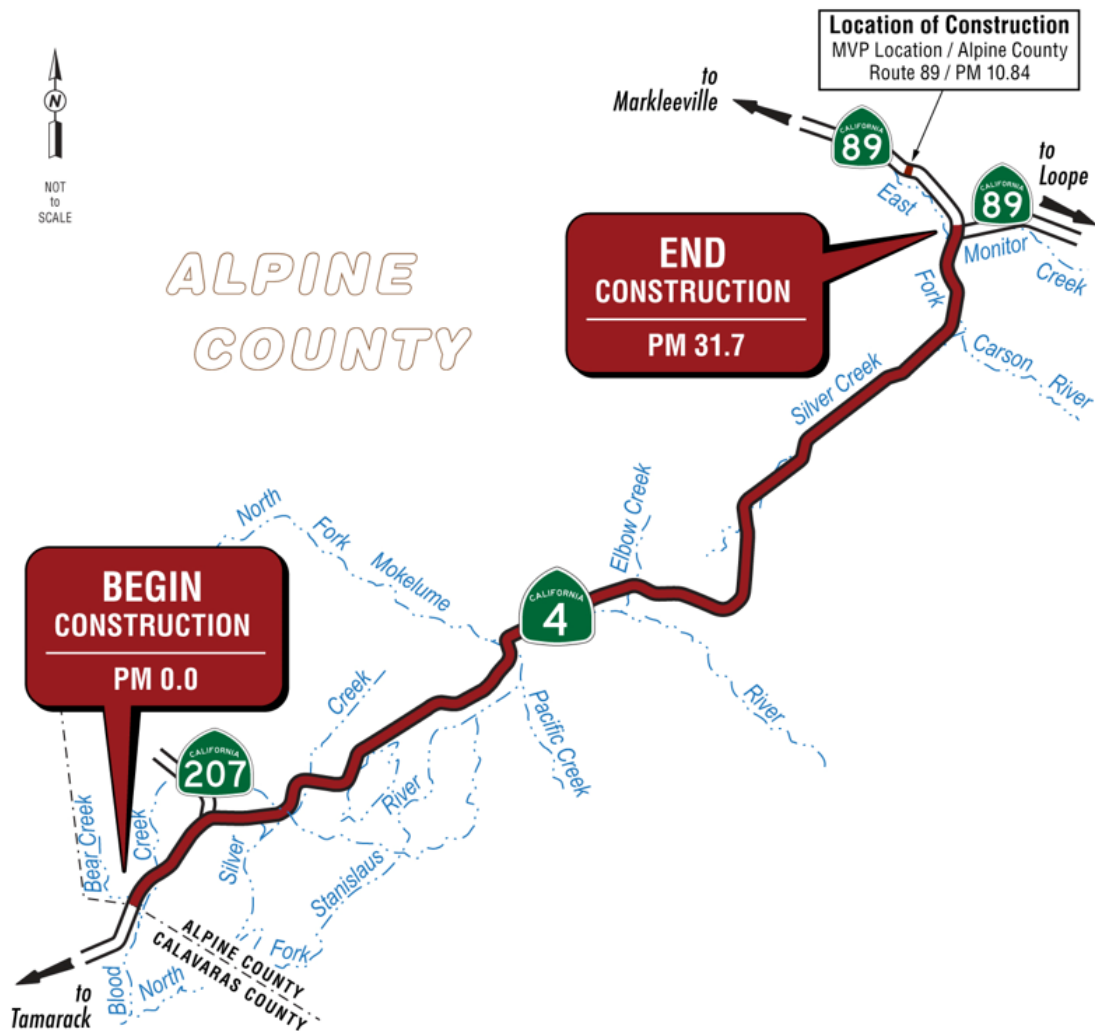


Figure 1-2 Project Location Map



1.2.2 Need

The project is needed to preserve and extend the service life of the existing pavement within the project limits. The existing pavement has minor cracks on the surfaces, settlement, and crumbled edges. In addition, there is a need to address deteriorating culvert drainage systems, update nonstandard guardrail systems and nonstandard ground-mounted road signs, and provide maintenance vehicle pullouts for the safety of maintenance workers.

1.3 Project Description

Caltrans is proposing a multi-objective anchor project and rehabilitation of existing asphalt concrete pavement on State Route 4 in Alpine County from

post miles 0.0 to 31.7 and State Route 89 at post mile 10.84. The rehabilitation includes digging out, cold-planing, and overlaying the roadway surface, upgrading asphalt concrete dikes and curbs, and constructing shoulder backing. This project will also modify or install the following assets to current standards: culverts, bridge-approaching metal beam guardrails, roadside signs, overhead sign structures, and maintenance vehicle pullouts.

1.4 Project Alternatives

This section describes the project alternatives developed to meet the purpose and need of the project, while avoiding or minimizing environmental impacts. Under consideration for the project are a build alternative and a no-build alternative.

1.4.1 Build Alternative

The build alternative will rehabilitate the existing asphalt concrete pavement and install or modify additional roadway features to current standards on State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84. Project work will include the following:

Pavement Rehabilitation

Pavement rehabilitation will include the following processes:

- Digging out: removal and replacement of most, if not all, of the underlying base and sub-base materials.
- Cold-planing: the controlled removal of the existing pavement surface.
- Overlaying: paving method of applying a new layer of asphalt to a deteriorating surface.
- Installing or modifying asphalt concrete dikes and curbs: a ridge constructed on the edge of the road to direct runoff to a sediment-trapping device.
- Shoulder backing: a thin course of granular material that is used to protect the outside edge of the pavement by providing support that prevents the edge from cracking and pavement edge loss.

Throughout the project limits, the upper 0.25 inch of asphalt concrete pavement will be removed (the dig out) along with the process of cold-planing the surface. Once the pavement surface is removed, it will then be replaced with a 0.25-inch layer of hot-mix asphalt concrete (the overlay). The pavement rehabilitation will also include adding shoulder backing and asphalt concrete dikes and curbs to the newly paved surface.

Culvert Replacement and Installation

Existing culverts throughout the project limits will be replaced with reinforced concrete pipe culverts. Rock slope protection will be added to certain culverts for erosion control. Flared end sections will be added to culverts. Depending on culvert depth, one of two installation methods will be used:

- Cut-and-cover installation and/or replacement: an excavator will excavate down to the existing culvert, exposing it so that the excavator can remove the old pipe. After the new culvert is then placed into the trench, the trench is then filled back in with sediment and compacted for stability.
- Jack-and-bore culvert installation: two pits will be dug on either side of the culvert for a sending pit and receiving pit. A jack-and-bore machine will be placed in the sending pit and will cut a hole underground horizontally from the sending pit to the receiving pit without disturbing the surface above. A new culvert will be pushed through the horizontal hole and set in place. The area will then be refilled and compacted for stability.

Maintenance Vehicle Pullouts Installation

Installation of maintenance vehicle pullouts will require grading and paving the currently unpaved shoulder areas next to the existing highway shoulders.

Metal Beam Guardrail Replacement

Existing metal beam guardrail systems will be dismantled and completely removed of existing rail posts and will be replaced in kind with updated guardrail systems that meet current standards.

Roadside Sign Replacement

Installation of roadside signs will entail the replacement of both signs and posts. The updated signs and posts will meet current standards.

This project contains several standardized project measures that are used on most, if not all, Caltrans projects and were not developed in response to any specific environmental impact resulting from the project. These measures are listed later in this chapter under “Standard Measures and Best Management Practices Included in All Build Alternatives.”

1.4.2 No-Build (No-Action) Alternative

Under the no-build alternative, the existing pavement on State Route 4 from post miles 0.0 to 31.7 will remain in its current condition with minor cracks on the surfaces and crumbled edges. The following assets will remain in their current non-standard condition: culverts, bridge-approaching metal beam guardrails, and roadside signs. Maintenance vehicle pullouts, used to minimize or eliminate maintenance worker exposure to traffic, will remain unbuilt on State Routes 4 and 89.

1.5 Identification of a Preferred Alternative

The following text has been added since the draft environmental document was circulated. The draft environmental document was circulated for public review and comment. All comments have been considered, and Caltrans has identified the build alternative as the preferred alternative.

The no-build alternative was not chosen because it does not meet the purpose and need of the project.

1.6 Standard Measures and Best Management Practices Included in All Build Alternatives

AQ 1—Caltrans Standard Specifications Section 14-9.02, Air Pollution Control, requires the contractor to comply with air pollution control rules, ordinances, and regulations.

AQ 2—Caltrans Standard Specifications Section 10-5, Dust Control, requires the contractor to comply with dust control rules, ordinances, and regulations.

CU 3—Previously Unidentified Cultural Materials: If previously unidentified cultural materials are unearthed during construction, it is Caltrans' policy that work be halted in that area until a qualified archaeologist can assess the significance of the find.

GHG 1—Reduce construction waste and maximize the use of recycling materials.

GHG 2—Incorporate measures to reduce consumption of potable water.

GHG 3—Maintain equipment in proper tune and working condition.

GHG 4—Right size equipment for the job.

GHG 5—Roadside signs will use reflective sign materials illuminated by headlights rather than electric lights.

HW 1—Caltrans Standard Special Provision pertaining to Earth Material Containing Lead, 7-1.02K(6)(j)(iii) shall be added to the construction contract. A lead compliance plan is required.

HW 2—A project-specific survey for asbestos-containing material shall be conducted on project bridges prior to construction activities.

HW 3—A project-specific survey for lead-based paint on project bridges shall be conducted prior to construction activities.

HW 4—The Caltrans Standard Special Provision 14-11.14, which pertains to treated wood waste, shall be added to the construction contract.

NQ 1—Caltrans Standard Specification 14-8.02, Noise Control, which regulates construction noise resulting from work activities.

NQ 2—Do not exceed 86 dBA Lmax at 50 feet from the job site activities from 9:00 p.m. to 6:0 a.m.

NQ 3—Equip an internal combustion engine with the manufacturer-recommended muffler. Do not operate an internal combustion engine on the job site without the appropriate muffler.

WQ 1—Caltrans Standard Specifications Section 13-1, Water Pollution Control, will be added to the construction contract. The contractor must abide by best management practices and address all potential water quality impacts that may occur during construction.

1.7 Discussion of the NEPA Categorical Exclusion

This document contains information regarding compliance with the California Environmental Quality Act (CEQA) and other state laws and regulations. Separate environmental documentation, supporting a Categorical Exclusion determination, has been prepared in accordance with the National Environmental Policy Act. When needed for clarity, or as required by CEQA, this document may contain references to federal laws and/or regulations (CEQA, for example, requires consideration of adverse effects on species identified as a candidate, sensitive, or special-status species by the U.S. National Marine Fisheries Service and the U.S. Fish and Wildlife Service—that is, species protected by the Federal Endangered Species Act).

1.8 Permits and Approvals Needed

The following permits, licenses, agreements, and certifications are required for project construction:

Agency	Permit/Approval	Status
U.S. Fish and Wildlife Service	Informal consultation for the Sierra Nevada yellow-legged frog, Yosemite toad, and Lahontan cutthroat trout	A letter of concurrence was received from the U.S. Fish and Wildlife Service on June 7, 2022.
U.S. Army Corps of Engineers	404 Nationwide Permit	Application for the 404 Nationwide Permit is expected during the Plans, Specifications, and Estimates phase of the project.
Regional Water Quality Control Board	401 Certification	Application for the 401 Certification is expected during the Plans, Specifications, and Estimates phase of the project.
California Department of Fish and Wildlife	1600 Lake and Streambed Alteration Agreement	Application for the 1600 Lake and Streambed Alteration Agreement is expected after publication of the final environmental document.

Chapter 2 CEQA Evaluation

2.1 CEQA Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the project. Potential impact determinations include Significant and Unavoidable Impact, Less Than Significant Impact With Mitigation Incorporated, Less Than Significant Impact, and No Impact. In many cases, background studies performed in connection with a project will indicate that there are no impacts to a particular resource. A “No Impact” answer reflects this determination. The questions in this checklist are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the project and standardized measures that are applied to all or most Caltrans projects such as Best Management Practices and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the project and have been considered prior to any significance determinations documented below.

“No Impact” determinations in each section are based on the scope, description, and location of the project as well as the appropriate technical report (bound separately in Volume 2), and no further discussion is included in this document.

2.1.1 Aesthetics

Considering the information in the Scenic Resource Evaluation dated April 17, 2021, the following significance determinations have been made:

Except as provided in Public Resources Code Section 21099:

Question—Would the project:	CEQA Significance Determinations for Aesthetics
a) Have a substantial adverse effect on a scenic vista?	Less Than Significant Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less Than Significant Impact
c) In non-urbanized areas, substantially degrade the existing visual character or	Less Than Significant Impact

Question—Would the project:	CEQA Significance Determinations for Aesthetics
quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No Impact

Affected Environment

The project takes place on two officially designated scenic highways—State Routes 4 and 89. State Routes 4 and 89 cross the Sierra Nevada Mountain range with various scenic views such as mountain peaks, meadows, forests, and lakes.

Environmental Consequences

The project will upgrade metal beam guardrails and culverts to current standards. Though metal beam guardrails and culverts currently exist within the visual setting of the project limits, temporary construction work will remove trees and vegetation, which could temporarily impact the visual forest setting. Adjustments will be made to the updated facilities to ensure they blend into the scenic environment.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measures will be implemented to minimize the impacts on aesthetic resources:

VIS 1—Minimal tree and vegetation removal will be implemented during the design and construction phases to avoid cumulative impacts throughout the routes.

VIS 2—Adjust culvert locations (adjust culvert pipe angles) during the design phase of the project to avoid tree removal as much as feasibly possible.

VIS 3—Upgraded Midwest Guardrail Systems will require the use of Natina Stain to reduce glare and to help blend the new guardrail system to the existing environment and protect the scenic quality of the routes.

Mitigation provided for biological resources—measures BIO 7 and BIO 8—will be implemented to accommodate for onsite mitigation required for aesthetic resources.

2.1.2 Agriculture and Forest Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Considering the information in the Alpine County General Plan dated March 2017 and the Caltrans Geographic Information System Library accessed September 30, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Agriculture and Forest Resources
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	Less Than Significant Impact

Question—Would the project:	CEQA Significance Determinations for Agriculture and Forest Resources
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	No Impact

Affected Environment

The project lies in Alpine County along State Routes 4 and 89. The land is designated as open space, wilderness, and open recreation.

Environmental Consequences

The project will occur in U.S. Forest Service and publicly owned lands. Project work will include tree and vegetation removal. The number of trees being removed is unknown at this time.

Avoidance, Minimization, and/or Mitigation Measures

The following minimization measure will be implemented to minimize the impacts on agriculture and forest resources:

VIS 1—Minimal tree and vegetation removal will be implemented during the design and construction phases to avoid cumulative impacts throughout the routes.

Mitigation provided for biological resources—measures BIO 7 and BIO 8—will be implemented to accommodate for onsite mitigation required for forest resources.

2.1.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Considering the information in the Air Quality Memorandum dated December 16, 2020, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Air Quality
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact

Question—Would the project:	CEQA Significance Determinations for Air Quality
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

2.1.4 Biological Resources

Considering the information in the Natural Environment Study dated November 17, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Biological Resources
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or National Oceanic and Atmospheric Administration Fisheries?	Less Than Significant Impact With Mitigation Incorporated
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant Impact With Mitigation Incorporated
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less Than Significant Impact With Mitigation Incorporated

Question—Would the project:	CEQA Significance Determinations for Biological Resources
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less Than Significant Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

Affected Environment

The project is in a rural, forested area in Alpine County. Within the project area, surveys conducted by the biologist noted the following features:

Wetlands and “Other Waters”

During field surveys in January 2021, potential wetlands and other waters of the United States were preliminarily identified. Wetland features include the presence of hydrophytic vegetation (plants that specifically grow in water) and hydric soils (soil that is permanently or seasonally wet). Other waters of the United States can be lakes, rivers, and streams. For this project, water features that would be considered other waters were potentially jurisdictional ephemeral (stream caused by precipitation), intermittent (seasonal stream), and perennial (flowing water all year) streams. Wetlands were found next to the streams or at the end of culverts.

Natural Communities

Riparian habitat, considered a natural community, was found during preliminary research and biological surveys. Riparian habitats are found along the banks of rivers or streams and can be characterized by their vegetation. Types of riparian vegetation that occurs within the project area are willow scrub and lodgepole pine located beyond the upper edge of the riverbanks. The vegetation occurs within montane riparian zones, which are narrow, often dense groves of broad-leaved trees.

Special-Status Animal Species

The area in and around the project holds suitable habitat for several special-status species. The area is within the historic and current range for the Morrison bumblebee, western bumblebee, monarch butterfly (candidate for

listing under the Federal Endangered Species Act), Lahontan cutthroat trout (threatened species under the Federal Endangered Species Act), mountain sucker (species of concern by the California Department of Fish and Wildlife), mountain whitefish (species of concern by the California Department of Fish and Wildlife), Sierra Nevada yellow-legged frog (endangered species under the Federal Endangered Species Act and listed as threatened under the California Endangered Species Act), Yosemite toad (threatened species under the Federal Endangered Species Act and considered a species of concern by the California Department of Fish and Wildlife), southern long-toed salamander (species of concern by the California Department of Fish and Wildlife), tree-roosting bats and migratory birds or raptors, and fish species.

Migratory Fish and Wildlife

Suitable habitat for migratory birds or raptors occurs in and around the project area. No waters designated as essential fish habitat occur within the project area, but project culverts that occur on or near perennial streams may bear fish species.

For more information on wetlands and other waters, natural communities, special-status animal species, and migratory fish and wildlife, refer to the Natural Environment Study Chapter 4 (or available by request) in Volume 2 of this document.

Environmental Consequences

The project will include various construction activities that could cause impacts to biological resources in and around the project area. These activities include vegetation removal, grading, trenching, and drainage work for culvert replacement and modification.

The project area is in habitat that is used or could be used by the Morrison bumblebee, western bumblebee, monarch butterfly, Lahontan cutthroat trout, mountain sucker, mountain whitefish, Sierra Nevada yellow-legged frog, Yosemite toad, southern long-toed salamander, tree-roosting bats and migratory birds or raptors, and fish species. The Natural Environment Study determined any effects to these special-status species, wetlands and other waters of the United States, and riparian vegetation will be less than significant with the implementation of avoidance, minimization, and mitigation measures BIO 1 through BIO 24, as discussed in the Avoidance, Minimization, and/or Mitigation Measures section below.

Wetlands and "Other Waters"

Project drainage work affecting potential waters of the United States and/or waters of the State of California includes replacing or installing highway drainage culverts using both cut-and-cover and jack-and-bore methods, installing culvert end treatments, and laying streambank erosion control using rock slope protection. Also, access to culvert inlet and outlet areas may

require woody or shrubby vegetation clearing and vegetation trimming. For information on the location or impacts for each culvert for this project, see Chapter 4 of the Natural Environment Study. Amounts (below) used to determine impacts (cubic yards or acres) are approximate and may be updated when the project reaches the Plans, Specifications, and Estimates phase of the project.

Wetlands

The project will result in a total of approximately 23.97 cubic yards of permanent fill by using culvert end treatments including rock slope protection and culvert flared end sections. The permanent fill will take place in an area of approximately 0.007 acre of potentially jurisdictional wetlands. Approximately 0.35 acre of potentially jurisdictional wetlands will be temporarily disturbed by ditch grading activities and contractor access to culvert inlets and outlets near the Bear Valley Road intersection.

Due to both temporary and permanent impacts to wetlands and other waters of the United States, the following permits will be required: Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, and a Clean Water Act Section 401 Certification from the Central Valley Regional Water Quality Control Board. A 1600 Lake and Streambed Alteration Agreement from the California Department of Fish and Wildlife Service will also be required for not only temporary and permanent impacts to wetlands and other waters of the United States but also for riparian vegetation for the trimming or removal of riparian or streamside trees and shrubs. All above impacts will be less than significant with the incorporation of avoidance, minimization, and/or mitigation measures BIO 1 through BIO 8, and BIO 24.

Other Waters of the United States

The project will result in approximately 102.95 cubic yards of permanent fill, in the form of culvert end treatments such as rock slope protection and flared end sections. The permanent fill will occur in an area of approximately 0.03 acre of potentially jurisdictional ephemeral, intermittent, and perennial streams.

The project will result in a temporary disturbance of approximately 0.17 acre from contractor access to culvert inlets and outlets and by temporary water diversion activities such as cofferdams, which are structures designed to keep water out of the work area. Streams at post miles 5.86, 18.92, 19.88, and 21.01 are expected to have flowing or standing water, so temporary cofferdams may be used for temporary water diversion. Temporary cofferdams at these locations are expected to result in the temporary fill of 7.46 cubic yards.

Natural Communities

Construction of the project is expected to result in trimming or removal of 0.10 acre of streamside montane riparian willow scrub and lodgepole pine

vegetation. Vegetation removal is planned at a culvert inlet near Silver Creek at post mile 21.01 and near Kinney Creek at a culvert at post mile 20.48. The removal of riparian vegetation may also impact special-status species such as the Lahontan cutthroat trout, mountain whitefish, mountain sucker, yellow-legged frog, southern long-toed salamander, and tree-roosting bats. These species are known to live either within the riparian trees and shrubs or in the waters covered by the riparian vegetation.

Effects of vegetation removal on the various species could mean an increase in water temperature due to increased sun exposure and reduced ground cover and could cause streambank erosion. All above impacts will be less than significant with the incorporation of avoidance, minimization, and/or mitigation measures BIO 1 through BIO 9. Compensatory mitigation either onsite (within project limits) or at an offsite location (outside of project limits) will be required for the project.

Special-Status Animal Species

Western Bumblebee and Morrison Bumblebee

The project will remove vegetation such as plants and shrubs that could be potential habitat or food sources for the following special-status species: Morrison bumblebee and western bumblebee. With the implementation of avoidance and minimization measures BIO 5, BIO 6, and BIO 10 through BIO 14, the temporary construction activities are not expected to result in take. Take is defined as capture, harassment, intentional or accidental killing of a species.

Monarch Butterfly

Project activities have the potential to temporarily adversely affect plants that may be used for nectar or as host plants for the monarch butterfly and may therefore result in impacts to the species. The monarch butterfly is a candidate for listing under the Federal Endangered Species Act. Therefore, a determination of “may affect” has been made for the monarch butterfly, which may require consultation with the U.S. Fish and Wildlife Service, if the species were to become listed in the future. Avoidance and minimization measures BIO 5, BIO 6, BIO 10 through BIO 12, and BIO 15 will also be implemented for the monarch butterfly.

Lahontan Cutthroat Trout

Project activities such as drainage work for culvert replacement and modification may involve riparian vegetation removal and impacts to a stream involving physical disturbances such as stream diversion or heightened exposure to sediment or contaminants, increased turbidity or movement of water, noise, vibrations, and artificial light.

Culvert work at post mile 21.01 will replace an existing culvert, add a new flared end section, and add rock slope protection. It is estimated that these actions will result in approximately 20.68 cubic yards of permanent fill in an

area of 0.006 acre. The stream flowing through the culvert is perennial, and a temporary water diversion system will be used to do the culvert replacement. These activities are expected to result in approximately 1.42 cubic yards of temporary fill and a temporary streambed disturbance of approximately 0.01 acre. Approximately 0.03 acre of montane willow scrub riparian vegetation will be trimmed or removed to provide access to both the inlet and outlet of the culvert. Moderate but short-duration temporary increases in sediment movement, which can cause behavioral effects to fish species, may occur during culvert replacement.

The installation of water diversion structures used to isolate the work area from flowing water will occur for culvert work at post mile 20.21. The water diversion will result in the temporary loss of 0.01 acre of aquatic habitat for Silver and Kinney creeks. Caltrans proposes to replace the existing culvert at post mile 21.01 with a culvert system that facilitates the movement of fish and other targeted aquatic species in conformance with both state and federal regulations. The replacement culvert will be designed according to the requirements in the Caltrans “Fish Passage Design for Road Crossings” guidance manual, which was developed in participation with the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, and National Oceanic and Atmospheric Administration National Marine Fisheries Service.

Replacement of an existing culvert at post mile 20.48 may temporarily disturb 0.006 acre of streambed area to provide access for the culvert replacement. The outfall portion of the culvert sits at the ordinary high-water mark, the highest level that a stream reaches, for Kinney Creek. Kinney Creek also supports riparian vegetation consisting of shrubby willows that provide canopy cover over the stream. Construction activities are expected to result in the trimming or removal of approximately 0.007 acre of montane willow scrub riparian vegetation. Moderate but short-duration temporary increases in sediment movement may occur during culvert replacement.

Fish species, including special-status species, are expected to occur within Silver Creek and Kinney Creek. Fish relocation at the potential project dewatering sites will be done by qualified biologists. Any water in dewatered areas will then be removed. When aquatic habitats have been sufficiently dewatered, relocation efforts will continue until all fish have been removed from the dewatering location. Mortality associated with fish relocation activities is expected to be low.

Project activities have the potential to result in permanent and temporary fills in perennial stream aquatic habitat and may require fish capture and relocation due to temporary stream diversion activities and may therefore result in take of the Lahontan cutthroat trout, a Federal Endangered Species Act-candidate species. Therefore, a determination of “may affect and is likely to adversely affect” has been made for the species, and consultation with the U.S. Fish and Wildlife Service will be required. Additional avoidance and

minimization measures BIO 1 through BIO 6, BIO 16, and BIO 24 have been developed to reduce the probability of disturbance, injury, or mortality of the Lahontan cutthroat trout.

Mountain Sucker and Mountain Whitefish

The potential for the project to result in adverse impacts to the mountain sucker and mountain whitefish because of permanent and temporary fill, water diversion activities, modifications to riparian vegetation, exposure to sediments, contaminants, changes in water quality, or disturbance or direct injury are the same as those discussed for the Lahontan cutthroat trout above. Due to the potential for fish capture and relocation, the project construction activities may result in take of the mountain sucker and mountain whitefish and will require coordination with the California Department of Fish and Wildlife. The project will implement avoidance and minimization measures BIO 1 through BIO 6, BIO 16, and BIO 24 for the mountain sucker and mountain whitefish.

Sierra Nevada Yellow-Legged Frog

Potential adverse effects to the Sierra Nevada yellow-legged frog and designated critical habitat for the Federal Endangered Species Act-listed species may occur due to construction activities such as drainage work for culvert replacement and modification. Such activity may involve riparian vegetation removal and impacts to a stream involving physical disturbances such as heightened exposure to sediment or contaminants, increased turbidity (cloudy water), noise, vibrations, and artificial light.

Culvert work at Lake Alpine Reservoir at post mile 4.21 will replace a flared end section requiring 0.007 acre of space at the culvert's outlet and a temporary disturbance of 0.17 acre at the high-water mark for the reservoir during the installation of the flared end section. No water diversion system or temporary fills are anticipated for this location. See the above discussion on the Lahontan cutthroat trout for additional information on culvert work at post miles 21.01 and 20.48, which are also potential areas of impact for the Sierra Nevada yellow-legged frog.

The following project areas have been designated as Critical Habitat for the Sierra Nevada yellow-legged frog: post miles 2.94 to 10.50 (Upper Stanislaus Critical Habitat Unit), post miles 15.95 to 21.70 (East Amador Critical Habitat Unit). These segments of roadway have been noted to contain aquatic non-breeding habitat and upland areas that are areas around a non-breeding aquatic habitat.

The above post miles contain permanent lakes and perennial streams that hold water long enough to support growth development during the tadpole phase. No impacts to Mosquito Lakes or any highway culvert drainage that leads into Mosquito Lakes are proposed. Aquatic habitat in the Mosquito Lakes area will be designated as an environmentally sensitive area in project

plans and specifications. Also, the post miles include crossings of several unnamed and named intermittent and ephemeral streams that are designated Critical Habitat for the Sierra Nevada yellow-legged frog.

For post miles 2.94 to 10.50, the replacement of culverts at four ephemeral streams and five intermittent streams will result in 33.93 cubic yards of permanent fill in an area of 0.01 acre for the Upper Stanislaus Critical Habitat. For post miles 15.95 to 21.70, the replacement of culverts at two ephemeral streams and four intermittent streams will result in 5.57 cubic yards of permanent fill in an area of 0.001 acre for the East Amador Critical Habitat Unit.

Upland areas, where the Sierra Nevada yellow-legged frog may find food, are within 82 feet of any area considered as potential Sierra Nevada yellow-legged frog breeding and non-breeding habitat. From post miles 2.94 to 10.50, the project will replace culverts at two ephemeral streams and seven intermittent streams in the Upper Stanislaus Critical Habitat. From post miles 15.95 to 21.70, the project will replace culverts at two perennial streams, two ephemeral streams, and four intermittent streams in the East Amador Critical Habitat Unit. Both locations are expected to result in a temporary disturbance of upland habitat, measured by a 20-foot radius adjacent to each culvert's inlet and outlet.

Therefore, a “may affect but is not likely to adversely affect” determination has been made for the Sierra Nevada yellow-legged frog, and consultation with the U.S. Fish and Wildlife Service will be required. The project may result in adverse effects to perennial stream habitat that may be occupied by this species, but the project is not expected to result in take of the Sierra Nevada yellow-legged frog. The project is not expected to require a California Endangered Species Act consultation or Incidental Take Permit under 2080 or 2081. The project will implement avoidance and minimization measures BIO 1 through BIO 6, BIO 17, and BIO 24 for the Sierra Nevada yellow-legged frog.

Yosemite Toad

Potential adverse effects to the Yosemite toad, a threatened species under the Federal Endangered Species Act and a “species of concern” by the California Department of Fish and Wildlife, may occur due to construction activities such as drainage work for culvert replacement and modification. This work may result in impacts to aquatic breeding habitats such as physical disturbances such as heightened exposure to sediment or contaminants, increased turbidity, noise, vibrations, and artificial light.

In the Bear Valley Blood's Meadow area, construction activities from culvert end treatments (rock slope protection and flared end sections) will result in permanent fill totaling 0.007 acre (post mile 0.92) and temporary disturbances of 0.35 acre for construction access to culvert inlets and outlets and grading activities (post miles 0.62 to 0.77).

In the Hermit Valley area, from post miles 13.0 to 13.3, all work will be limited to the roadway rehabilitation. The meadow habitat in this area will be designated as an environmentally sensitive area in the project plans and specifications.

Project areas have been designated as Critical Habitat for the Yosemite toad: post miles 11.40 to 11.70 and post miles 14.80 to 19.50 contain habitat such as upland lodgepole pine forest, upper montane forest, and meadows that are suitable habitat for the Yosemite toad.

The project will replace a culvert at post mile 18.62 that is adjacent to a meadow. The meadow is about 4.5 feet beyond the project limits, but the area will be avoided by being designated as an environmentally sensitive area in project plans and specifications. Culvert work at post mile 11.61 is expected to result in the temporary disturbance of upland habitat that is a part of designated Critical Habitat. Multiple culverts will be replaced between post miles 18.14 and 19.39; the project is near a meadow, and work at each of these culverts is expected to result in a temporary disturbance of upland habitat.

Therefore, a “may affect but is not likely to adversely affect” determination has been made for the Yosemite toad, and consultation with the U.S. Fish and Wildlife Service will be required. The project has the potential to result in permanent and temporary impacts to meadow habitats that could support Yosemite toads. With implementation of avoidance and minimization measures BIO 1 through BIO 6, BIO 17, and BIO 24, the potential for the project to result in take of the species will be minimal. Coordination with the California Department of Fish and Wildlife may be required.

Southern Long-Toed Salamander

Potential adverse effects to the southern long-toed salamander, a “Species of Concern” by the California Department of Fish and Wildlife, may occur due to construction activities such as drainage work for culvert replacement and modification, which may involve impacts to aquatic breeding habitats such as physical disturbances including heightened exposure to sediment or contaminants, increased turbidity, noise, vibrations, and artificial light.

Lake Alpine Reservoir holds potential habitat for southern long-toed salamanders. Culvert replacement will occur at post mile 4.21 and result in the permanent placement (0.007 acre) of a flared end section at the culvert outfall and a temporary disturbance (0.17 acre) for the material installation, which is near the high-water mark for the reservoir. With implementation of avoidance and minimization measures BIO 1 through BIO 6, BIO 18, and BIO 24, the construction activities are not expected to result in take of southern long-toed salamanders. Coordination with the California Department of Fish and Wildlife may be required.

Tree-Roosting Bats

Culvert replacement throughout the project limits will require crew and equipment access to culvert inlet and outfall areas and may require vegetation clearing or vegetation trimming to perform cut-and-cover or jack-and-bore operations on culverts. An undetermined number of trees (trees that could support tree-roosting bats) will be removed for culvert replacement work. With implementation of avoidance and minimization measures BIO 1 through BIO 3, BIO 5, and BIO 19 through BIO 20, the construction activities are not expected to result in take of tree-roosting bats. Coordination with the California Department of Fish and Wildlife may be required.

Migratory Fish and Wildlife

The project will entail construction activities such as drainage work, work in a channel, trenching, tree removal, and vegetation removal that may potentially conflict with nesting migratory birds or raptors and fish species. Project activities at culvert post miles 20.48 and 21.021 could carry or be near perennial streams that could bear fish passage. Nesting habitat for migratory birds and raptors occurs within the project limits, and nesting may be attempted in habitats such as trees or shrubs between February 1 and September 30. With implementation of avoidance measures BIO 1 through BIO 3, BIO 6, and BIO 21 through BIO 24, the construction activities are not expected to result in the take of any migratory birds or their active nests, or common wildlife species.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance, minimization, and mitigation measures will be implemented to minimize the impacts on biological resources. Additional details on these measures and associated Best Management Practices can be found in Chapter 4 of the Natural Environment Study (in Volume 2).

BIO 1—Environmentally Sensitive Area Designation

Additional direct and indirect impacts to sensitive biological resources throughout the project area will be avoided or minimized by designating “environmentally sensitive areas.” All areas outside of the proposed construction footprint will be considered as environmentally sensitive areas, as well as any areas determined by a qualified biologist during project planning or during preconstruction surveys to qualify for environmentally sensitive area designation.

Environmentally sensitive area information will be shown on contract plans and discussed in Section 14-1.02 of the Caltrans 2018 Standard Specifications or any Special Provisions in Section 14-1.02. Environmentally sensitive area provisions may include, but are not necessarily limited to, the use of temporary orange fencing or other high-visibility marking to identify the proposed limit of work in areas adjacent to sensitive resources or to locate and exclude sensitive resources from potential construction impacts. Contractor encroachment into

environmentally sensitive areas will be prohibited, and immediate work stoppage and notification to the Caltrans Resident Engineer is required if an environmentally sensitive area is breached. Environmentally sensitive area provisions will be implemented as a first order of work and remain in place until all construction activities are complete.

BIO 2—Designated Biologist

A Designated Biologist or biologists will be onsite during any activities that have the potential to affect sensitive biological resources. The Designated Biologist will monitor regulated species and habitats; ensure that construction activities do not result in the unintended take of regulated species or disturbances to regulated habitats; ensure that construction activities comply with any permits, licenses, agreements, or contracts; immediately notify the Caltrans Resident Engineer of any take of regulated species, disturbances to regulated habitats, or breaches of environmentally sensitive areas; and prepare, submit, and sign notifications and reports. A Designated Biologist who performs specialized activities must have demonstrated field experience working with the regulated species or performing the specialized task and regulatory agency approval will be required prior to Caltrans' acceptance of the Designated Biologist.

The Designated Biologists for the proposed project may be "Department-supplied" biologists (Caltrans biologists or consultant biologists under Task Order contracts to Caltrans) or may be "Contractor-Supplied Biologists." If Contractor-Supplied Biologists are used as Designated Biologists, Contractor-Supplied Biologists provisions will be discussed in Section 14-6.03D(1-3) of the Caltrans 2018 Standard Specifications or any Special Provisions in Section 14-6.03D(1-3) that will specify Contractor-Supplied Biologists qualifications, responsibilities, and submittals.

Prior to project construction, the Contractor-Supplied Biologists will prepare a "Natural Resources Protection Program" within 7 days of contract approval per Standard or Special Provisions under Section 14-6.03D (2) of the Caltrans 2018 Standard Specifications. The Natural Resources Protection Program will describe the measures and schedules for protecting biological resources and regulatory compliance and must be approved by Caltrans prior to the onset of construction activities.

BIO 3—Worker Environmental Awareness Training for Construction Personnel

Before any work occurs in the project area, a qualified Designated Biologist will conduct a mandatory contractor/worker environmental awareness training for construction personnel. The awareness training will be provided to all construction personnel (contractors and subcontractors) to brief them on the need to avoid and minimize effects to sensitive biological resources (for example, jurisdictional wetlands and other waters, threatened and

endangered species, other special-status species, roosting bats, nesting birds, etc.) within and adjacent to construction areas and the penalties for not complying with applicable state and federal laws and permit requirements. The Designated Biologist will inform all construction personnel about the life history and habitat requirements of special-status habitats and species known to occur or with potential for occurrence onsite, the importance of maintaining habitat, and the terms and conditions of regulatory requirements.

The worker environmental awareness training also will cover general restrictions and guidelines that must be followed by all construction personnel to reduce or avoid effects on sensitive biological resources during project construction. The training also will include identifying the Best Management Practices written into construction specifications for avoiding and minimizing the discharge of construction materials or other contaminants into jurisdictional waters.

Worker environmental awareness training will be required for any construction personnel intending to enter the construction zone for more than 15 minutes. Any Designated Biologists conducting worker environmental awareness training must meet the qualifications of regulatory agencies, and copies of training sign-in sheets for construction personnel will be provided to regulatory agencies upon request. If a Contractor-Supplied Biologist is used, then the Contractor-Supplied Biologist will prepare and submit copies of the worker environmental awareness training and any associated training materials for Caltrans' review and approval prior to the onset of project construction activities per Special Provisions of the of the Caltrans 2018 Standard Specifications under Section 14-6.03(D) "*Biological Resource Information Program*."

BIO 4—Limited Operation Period: In-Water Construction Activities

It is proposed that construction activities occurring at sites determined as potentially jurisdictional waters of the United States and waters of the State of California will occur between June 1 and October 15 of any construction season, unless earlier or later dates for in-channel construction activities are approved by the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.

BIO 5—Limit Vegetation Removal

Clearing of herbaceous vegetation and/or trimming of woody vegetation may be required at some locations for culvert replacement activities. Vegetation removal will be limited to the absolute minimum amount required for construction.

BIO 6—Restore and Revegetate Temporarily Disturbed Areas Onsite

Disturbed areas within the construction limits will be graded to minimize surface erosion and siltation into receiving waters. Disturbed areas will be re-

contoured to as close to pre-project condition as possible and will be stabilized as soon as feasible (and no later than October 15 of each construction season) to avoid erosion during subsequent storms and runoff. Permanent erosion control seeding will be performed at all disturbed sites by hydro-seeding over the course of construction as each site is completed, with all sites seeded by the completion of construction activities.

BIO 7—Compensatory Mitigation: Wetlands and Other Waters of the United States

Construction of the project is expected to result in the permanent loss of approximately 1,408.77 square feet (0.03 acre) of intermittent and ephemeral streams and 323.74 square feet (0.01 acre) of wetlands potentially qualifying as “other waters” of the United States.

The permanent loss of potentially jurisdictional waters of the U.S. is proposed to be compensated by either an approved Mitigation Bank or Caltrans’ participation in the Sacramento U.S. Army Corps of Engineers’ and National Fish and Wildlife Foundation’s “In Lieu Fee” program to ensure “no net loss” of functions and values of potentially jurisdictional waters of the United States. The program operates by making available mitigation credits (Credits) for purchase by permittees (with the approval of the applicable regulatory agencies), and the Credits may be used to satisfy the compensatory mitigation requirements applicable to such permittees for their impacts to aquatic resources. Credits will be purchased in the “Walker-Carson Rivers Aquatic Service Area,” the “Calaveras/Stanslaus Rivers Aquatic Resource Service Area,” and the “Cosumnes-Mokelumne Rivers Aquatic Service Area.”

BIO 8—Compensatory Mitigation: Riparian Vegetation

Construction of the project is expected to result in the trimming or removal of 0.10 acre of streamside montane riparian willow scrub and lodgepole pine vegetation. This loss of riparian vegetation is expected to require a 3-to-1 compensation ratio by the California Department of Fish and Wildlife. Caltrans therefore proposes to compensate for the loss of 0.10 acre of riparian vegetation with the establishment of 0.30 acre of riparian vegetation at an undetermined onsite (within the project limits) or offsite location.

BIO 9—Preconstruction Surveys: Special-Status Plants

- The qualifications of any proposed Biological Monitor(s) will be presented to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife for review and written approval at least 2 weeks prior to conducting project activities at the project site.
- No more than 24 hours prior to any ground disturbance in a given location, preconstruction surveys will be conducted by a California Department of Fish and Wildlife-approved biologist for sensitive plant species using California Department of Fish and Wildlife-approved survey protocols.

- If sensitive plant species are detected within areas that will be disturbed by construction activities, then no work will take place at these locations until Caltrans has consulted with the California Department of Fish and Wildlife.
- New sightings of sensitive plant species will be reported to the California Natural Diversity Database. A copy of the reporting form and a topographic map clearly marked with the location of where the sensitive plant species were observed should also be provided to the California Department of Fish and Wildlife.

BIO 10—Weed-Free Construction Equipment and Vehicles

To minimize the potential for the transport of weed propagules to the action area from sources outside of the project area, construction equipment and vehicles are recommended to be cleaned and washed at the contractor's facilities prior to arrival to the construction site. Any vehicle or equipment cleaning that occurs onsite during construction activities will conform with Caltrans 2018 Standard Specifications or any Special Conditions under Section 13-4.03E(3) and Section NS-08 (Vehicle and Equipment Cleaning) of the Caltrans 2017 Construction Site Best Management Practices Manual which require the contractor to contain and dispose of any waste resulting from vehicle or equipment cleaning.

BIO 11—Weed Control During Construction

To minimize the potential for spreading weed propagules originating from within the project Environmental Study Limits during the course of construction activities, including initial vegetation clearing and at onsite revegetation areas, weed control will be accomplished in accordance with Caltrans 2018 Standard Specifications or Special Provisions under Section 20-1.03C(3). The use of herbicides for weed control activities will be discouraged but may be considered on a case-by-case basis depending upon the weed species, the extent of infestation, or any regulatory restrictions.

BIO 12—Weed-Free Erosion Control and Revegetation Treatments

To minimize the risk of introducing weed propagules to the action area from sources outside of the project area, only locally adapted plant species appropriate for the project area will be used in any erosion control or revegetation seed mix or stock. The Caltrans Biologist will consult with the Caltrans Landscape Architect to develop appropriate seed and planting palettes for use in revegetation and/or erosion control applications. Any compost, mulch, tackifier, fiber, straw, duff, topsoil, erosion control products, or seed must meet Caltrans 2018 Standard Specification or any Special Provisions under Section 21-2.02 for these materials. Any hydro-seed used for revegetation activities must also be certified weed-free per Caltrans 2018 Standard Specifications Section 21-2.02F.

BIO 13—Bumblebee Hive Avoidance: Preconstruction Surveys

The qualifications of any proposed Biological Monitor(s) will be presented to the California Department of Fish and Wildlife for review and written approval at least 2 weeks prior to conducting project activities at the project site. A California Department of Fish and Wildlife-approved biologist will be present during all construction-related activities that may affect bumblebee hives. Prior to any ground-breaking activities, a focused survey for bumblebee hives will be conducted by a qualified biologist within 7 days prior to the beginning to project-related activities. Preconstruction surveys for bumblebee hives will be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection).

BIO 14—Bumblebee Hive Avoidance: Avoid Active Hives

If active bumblebee hives are found, a protective no-work buffer of 20 feet will be established and Caltrans will consult with the California Department of Fish and Wildlife to comply with provisions of the Fish and Game Code of California. Protective buffers for bumblebee hives will be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection). No work will start within the buffer until authorization is received from the Resident Engineer. If construction or other project-related activities may potentially cause hive destruction or hive abandonment, monitoring of the hive site by a qualified biologist will be required to ensure that protective radii are maintained.

BIO 15—Monarch Butterfly: Preconstruction Surveys

The qualifications of any proposed Biological Monitor(s) will be presented to the U.S. Fish and Wildlife Service for review and written approval at least 2 weeks prior to conducting project activities at the project site. A U.S. Fish and Wildlife Service-approved biologist will be present during all construction-related activities that may affect the monarch butterfly. Prior to any construction activities, a focused survey for all life stages of the monarch butterfly will be conducted by a qualified biologist within 7 days prior to the beginning to project-related activities. Preconstruction surveys for the monarch butterfly will be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection). Any observation of any life stage of the monarch butterfly, including breeding, will be reported to the western monarch butterfly mapper or via iNaturalist.

BIO 16—Salvage Species from Dewatered Areas

In the absence of fish relocation, special-status fish species or other aquatic organisms exposed to dewatering will suffer thermal stress, desiccation, and/or physical injury from construction equipment. By removing fish from dewatered stream reaches within the construction areas, the project is expected to significantly reduce the number of special-status fish species and other aquatic organisms that are injured or killed during the summer work

season. Salvaged fish and other aquatic organisms will be relocated to suitable habitats adjacent to the construction area.

A fish relocation plan will be prepared by a Designated Biologist for review and approval by the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife prior to the onset of construction activities. Designated Biologists conducting fish salvage activities must be approved by the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife.

BIO 17—Preconstruction Surveys and Construction Site Biological

Monitoring: Sierra Nevada Yellow-Legged Frog and Yosemite Toad

- The qualifications of any proposed Biological Monitor(s) will be presented to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife for review and written approval at least 2 weeks prior to conducting project activities at the project site.
- A U.S. Fish and Wildlife Service and California Department of Fish and Wildlife-approved biologist will be present during all construction-related activities that may affect Sierra Nevada yellow-legged frogs or Yosemite toads or their habitats.
- The U.S. Fish and Wildlife Service and California Department of Fish and Wildlife-approved biologist will have the authority to halt work through coordination with the Resident Engineer or onsite project manager in the event that a Sierra Nevada yellow-legged frog or Yosemite toad is observed in the project footprint. The Resident Engineer or onsite project manager will ensure construction activities remain suspended in any area where the biologist has determined that take of the Sierra Nevada yellow-legged frog or Yosemite toad could occur. Work will resume once the animal leaves the site of its own volition, once it is determined that the frog is not being harassed by or in danger due to construction activities. If a Sierra Nevada yellow-legged frog or Yosemite toad is observed in the work area, the U.S. Fish and Wildlife Service- and California Department of Fish and Wildlife-approved biologist(s) will notify the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife contact by telephone and email within 24 hours of the initial observation.
- No more than 24 hours prior to any ground disturbance in a given location, preconstruction surveys will be conducted by a U.S. Fish and Wildlife Service- and California Department of Fish and Wildlife-approved biologist for Sierra Nevada yellow-legged frogs or Yosemite toads using U.S. Fish and Wildlife Service- and California Department of Fish and Wildlife-approved survey protocols. These surveys will consist of walking surveys of the project limits and accessible adjacent areas within at least 50 feet of the project limits. The biologist(s) will investigate all potential Sierra Nevada yellow-legged frog and Yosemite toad cover sites. This includes thorough investigation of mammal burrows, appropriate soil cracks, and

debris. Native vertebrates found in the cover sites will be documented and, if appropriate, relocated to an adequate cover site in the vicinity. The entrances and other refuge features within the project limits will be collapsed or removed following investigation and clearance.

- New sightings of Sierra Nevada yellow-legged frogs or Yosemite toads will be reported to the California Natural Diversity Database. A copy of the reporting form and a topographic map clearly marked with the location of where the Sierra Nevada yellow-legged frog or Yosemite toad was observed should also be provided to the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife.
- To the extent practicable, initial ground-disturbing activities will be avoided between October 16 and May 31 to avoid the period when adult Sierra Nevada yellow-legged frogs and Yosemite toads are most likely to be in torpor. When ground-disturbing activities must take place between October 16 and May 31, daily monitoring by a U.S. Fish and Wildlife Service-approved biologist(s) will occur for Sierra Nevada yellow-legged frogs and Yosemite toads.
- If pumping is used for dewatering, intakes will be completely screened with wire mesh no larger than 0.2-inch to prevent any tadpoles from entering the pump.
- To prevent the inadvertent entrapment of the Sierra Nevada yellow-legged frog or Yosemite toad, all excavated, steep-walled holes or trenches more than 6 inches deep will be covered at the close of each working day by plywood or similar materials. If it is not feasible to cover an excavation, one or more escape ramps constructed of earthen fill or wooden planks will be installed. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals. If at any time a trapped animal is discovered, the biologist will immediately place escape ramps or other appropriate structures to allow the animal to escape, or the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife will be contacted by telephone for guidance. The U.S. Fish and Wildlife Service and California Department of Fish and Wildlife will be notified of the incident by telephone and email within one working day.

BIO 18—Preconstruction Surveys and Construction Site Biological Monitoring: Southern Long-Toed Salamander

- The qualifications of any proposed Biological Monitor(s) will be presented to the California Department of Fish and Wildlife for review and written approval at least 2 weeks prior to conducting project activities at the project site.

- A California Department of Fish and Wildlife-approved biologist will be present during all construction-related activities that may affect southern long-toed salamanders or their habitats.
- The California Department of Fish and Wildlife-approved biologist will have the authority to halt work through coordination with the Resident Engineer or onsite project manager in the event that a southern long-toed salamander is observed in the project footprint. The Resident Engineer or onsite project manager will ensure construction activities remain suspended in any area where the biologist has determined that take of the southern long-toed salamander could occur. Work will resume once the animal leaves the site of its own volition, once it is determined that the salamander is not being harassed by or in danger due to construction activities. If a southern long-toed salamander is observed in the work area, the California Department of Fish and Wildlife-approved biologist(s) will notify the California Department of Fish and Wildlife contact by telephone and email within 24 hours of the initial observation.
- No more than 24 hours prior to any ground disturbance in a given location, preconstruction surveys will be conducted by a California Department of Fish and Wildlife-approved biologist for southern long-toed salamanders using California Department of Fish and Wildlife-approved survey protocols. These surveys will consist of walking surveys of the project limits and accessible adjacent areas within at least 50 feet of the project limits. The biologist(s) will investigate all potential southern long-toed salamander cover sites. This includes thorough investigation of mammal burrows, appropriate soil cracks, and debris. Native vertebrates found in the cover sites will be documented and, if appropriate, relocated to an adequate cover site in the vicinity. The entrances and other refuge features within the project limits will be collapsed or removed following investigation and clearance.
- New sightings of southern long-toed salamanders will be reported to the California Natural Diversity Database. A copy of the reporting form and a topographic map clearly marked with the location of where the southern long-toed salamander was observed should also be provided to the California Department of Fish and Wildlife.
- To the extent practicable, initial ground-disturbing activities will be avoided between October 16 and May 31 to avoid the period when adult southern long-toed salamanders are most likely to be in torpor. When ground-disturbing activities must take place between October 16 and May 31, daily monitoring by a California Department of Fish and Wildlife-approved biologist(s) will occur for southern long-toed salamanders.

- If pumping is used for dewatering, intakes will be completely screened with wire mesh no larger than 0.2-inch to prevent any salamanders from entering the pump.
- To prevent the inadvertent entrapment of the southern long-toed salamanders, all excavated, steep-walled holes or trenches more than 6 inches deep will be covered at the close of each working day by plywood or similar materials. If it is not feasible to cover an excavation, one or more escape ramps constructed of earthen fill or wooden planks will be installed. Before such holes or trenches are filled, they must be thoroughly inspected for trapped animals.
- If at any time a trapped animal is discovered, the biologist will immediately place escape ramps or other appropriate structures to allow the animal to escape, or the California Department of Fish and Wildlife will be contacted by telephone for guidance. The California Department of Fish and Wildlife will be notified of the incident by telephone and email within one working day. If approved by the California Department of Fish and Wildlife, southern long-toed salamanders that need to be relocated outside the construction area will be released to adjacent habitat within the same riparian area or watershed by the California Department of Fish and Wildlife-approved biologist. If relocation of the species to adjacent habitat is not feasible, the biologist will relocate the species to a pre-approved location determined by Caltrans and the California Department of Fish and Wildlife.

BIO 19—Roosting Bat Avoidance: Preconstruction Surveys

The qualifications of any proposed Biological Monitor(s) will be presented to the California Department of Fish and Wildlife for review and written approval at least 2 weeks prior to conducting project activities at the project site. A California Department of Fish and Wildlife-approved biologist will be present during all construction-related activities that may affect tree-roosting bats or their habitats. Prior to any tree removal activities, a focused survey for tree-roosting bats will be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities. If a lapse in project-related work of 15 days or longer occurs, another survey and, if required, consultation with the California Department of Fish and Wildlife will be required before the work can be reinitiated. Preconstruction surveys for tree-roosting bats will be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection).

BIO 20—Roosting Bat Avoidance: Avoid Active Roosts

If active day roosts or maternity roosts are found, a protective no-work buffer of 50 feet will be established and Caltrans will consult with the California Department of Fish and Wildlife to comply with provisions of the Fish and Game Code of California. Protective buffers for tree-roosting bats will be specified under Caltrans 2018 Standard Specification and/or Standard Special

Provision 14-6.03A (Species Protection). No work will start within the buffer until authorization is received from the Resident Engineer. If construction or other project-related activities which may potentially cause roost destruction or roost abandonment are necessary, monitoring of the nest site by a qualified biologist will be required to ensure that protective radii are maintained.

BIO 21—Nesting Bird Avoidance: Limited Operation Period

Performing ground-disturbance, vegetation removal, or other construction activities within nesting bird habitat during the non-nesting season (between October 1 and January 31) will not require preconstruction surveys or nesting bird avoidance measures.

BIO 22—Nesting Bird Avoidance: Preconstruction Surveys During Nesting Season

If ground-disturbance, vegetation removal, or other construction activities are scheduled during the nesting season of protected raptors and migratory birds (February 1 to September 30), a focused survey for active nests of such birds will be conducted by a qualified biologist within 15 days prior to the beginning of project-related activities. If a lapse in project-related work of 15 days or longer occurs, another survey and, if required, consultation with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife will be required before the work can be reinitiated. Preconstruction surveys for nesting migratory birds and raptors will be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection) and/or 14-6.03(B) (Bird Protection).

BIO 23—Nesting Bird Avoidance: Avoid Active Nests

If active nests are found, a protective no-work buffer will be established, and Caltrans will consult with the U.S. Fish and Wildlife Service regarding appropriate action to comply with the Migratory Bird Treaty Act of 1918 and with the California Department of Fish and Wildlife to comply with provisions of the Fish and Game Code of California.

If nesting migratory birds or nesting raptors are detected by the Designated Biologist during the preconstruction survey, the appropriate no-work buffer will need be established around the nest. No work will start within the buffer until authorization is received from the Resident Engineer.

Appropriate no-work buffer distance for raptors is a 300-foot radius, and for other migratory birds is a 100-foot radius. All work must be stopped within the radius of any active migratory bird nest.

Protective buffer radii for nesting migratory birds and raptors will be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection) and/or 14-6.03(B) (Bird Protection).

If construction or other project-related activities that may potentially cause nest destruction, nest abandonment or forced fledging of migratory birds are necessary, monitoring of the nest site by a qualified biologist will be required to ensure that protective radii are maintained.

BIO 24—Containment Measures/Construction Site Best Management Practices

To contain construction-related material and prevent debris and pollutants from entering receiving waters and to reduce the potential for discharge to receiving waters, the contractor will follow all applicable guidelines and requirements in Section 13 Water Quality of the Caltrans 2018 Standard Specifications or any Special Provisions in Section 13 regarding water pollution control and general specifications for preventing, controlling, and abating water pollution in streams, waterways, and other bodies of water. The project design team may specify “Best Management Practices” to be used during construction in addition to, or in place of, other temporary measures selected by the contractor.

Prior to construction, the contractor will be required to submit either a Water Pollution Control Plan or a Stormwater Pollution Prevention Plan, as appropriate. The Caltrans Resident Engineer and Construction Team will review and approve the Water Pollution Control Plan or Stormwater Pollution Prevention Plan, within 7 to 15 days of contract approval. A Spill Prevention and Control Plan will be developed by the contractor as a component of the Water Pollution Control Plan or Stormwater Pollution Prevention Plan. Specific Best Management Practices options will be considered, evaluated, and dependent on factors such as field conditions, changes to construction strategies, and regulatory requirements in order to protect the beneficial uses of receiving waters. Best Management Practices options will be based on the best conventional and best available technology. Caltrans staff and the contractor are required to perform routine inspections of the construction area to verify that field Best Management Practices are properly implemented and maintained and are operating effectively and as designed.

2.1.5 Cultural Resources

Considering the information in the Historic Property Survey Report dated October 13, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Cultural Resources
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	No Impact

Question—Would the project:	CEQA Significance Determinations for Cultural Resources
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less Than Significant Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

Affected Environment

The project sits within the Sierra Nevada Mountain Range in Alpine County. This area is prehistorically and historically known to have been heavily used by Native Americans and early settlers. The Caltrans archaeologist performed an internal search, and multiple archaeological resources were identified along State Route 4. Four out of the 19 identified resources were previously determined eligible for the National Register of Historic Places or California Register of Historic Resources. Consultation letters were sent to several Native American tribes in the area, and coordination occurred with the Washoe Tribe of Nevada and California. Coordination and concurrence have occurred with the Cultural Studies Office and State Historic Preservation Officer.

Environmental Consequences

Construction activities that will occur within or adjacent to identified cultural resources are road paving, guardrail, culvert, and roadside sign replacements, shoulder backing, and maintenance vehicle pullout construction. Project work is anticipated to impact archaeological sites that have been previously disturbed. Even with these disturbances, the project will not impact site features that could make the site eligible for the National Register of Historic Places and therefore will have no adverse effect on these cultural resources. The Finding of Effect for this project is No Adverse Effect Without Standard Conditions.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measures will be implemented to minimize the impacts on cultural resources:

CU 1—Cultural Monitoring

Cultural monitoring will be required during construction activities near culturally sensitive areas.

CU 2—Environmentally Sensitive Area Fencing

Environmentally sensitive area fencing will be placed around site boundaries to minimize site impacts.

CU 3—Previously Unidentified Cultural Materials

If previously unidentified cultural materials are unearthed during construction, it is Caltrans' policy that work be halted in that area until a qualified archaeologist can assess the significance of the find. Additional archaeological survey will be needed if the project limits are extended beyond the present survey limits.

2.1.6 Energy

Considering the information in the Alpine County Energy Action Plan dated December 6, 2016, and the Climate Change and Greenhouse Gas Memorandum dated September 20, 2021, and considering the proposed project's scope and the anticipated duration of the project, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Energy
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

2.1.7 Geology and Soils

Considering the information in the California Department of Conservation Regulatory Map Portal accessed November 10, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	No Impact
ii) Strong seismic ground shaking?	No Impact

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

2.1.8 Greenhouse Gas Emissions

Considering the information in the Climate Change and Greenhouse Gas Memorandum dated September 20, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Greenhouse Gas Emissions
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact

Affected Environment

The project is in a rural, mountainous area of Alpine County. The purpose of the project is to improve pavement condition, drainage, and visibility of the roadside signs on State Routes 4 and 89. The project will rehabilitate existing asphalt concrete pavement and modify or install the following assets to current standards: culverts, bridge-approaching metal beam guardrails, roadside signs, overhead sign structures, and maintenance vehicle pullouts. The Alpine County General Plan addressed climate change and greenhouse gases in the project area.

Environmental Consequences

The project will not increase operational greenhouse gas emissions. Temporary carbon dioxide emissions generated from construction equipment were estimated using the Caltrans Construction Emission Tool. The estimated carbon dioxide emissions for the project will be approximately 1,300 tons of carbon dioxide during 200 working days (less than the 264 working days per 1 year) duration. The project will not conflict with any plan, policy, or regulation for reducing emissions of greenhouse gases. With implementation of greenhouse gas reduction strategies during construction, the impact will be less than significant.

Avoidance, Minimization, and/or Mitigation Measures

The following minimization measures will be implemented to reduce greenhouse gas emissions and potential climate change impacts from the project:

AQ 1—Caltrans Standard Specifications Section 14-9.02, Air Pollution Control.

GHG 1—Reduce construction waste and maximize the use of recycling materials (reduces consumption of raw materials, reduces landfill waste, encourages cost savings).

GHG 2—Incorporate measures to reduce consumption of potable water.

GHG 3—Maintain equipment in proper tune and working condition.

GHG 4—Right size equipment for the job.

GHG 5—Roadside signs will use reflective sign materials illuminated by headlights rather than electric lights.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Initial Site Assessment dated June 17, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

2.1.10 Hydrology and Water Quality

Considering the information in the Water Compliance Memorandum dated June 7, 2021, and the Floodplain Evaluation dated April 19, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation onsite or offsite;	No Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite;	No Impact
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	No Impact
(iv) impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No Impact

2.1.11 Land Use and Planning

Considering the information in the Alpine County General Plan dated March 2017, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Land Use and Planning
a) Physically divide an established community?	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact

2.1.12 Mineral Resources

Considering the information in the U.S. Geological Survey: Mining Resources Online Spatial Data accessed November 10, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Mineral Resources
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact

2.1.13 Noise

Considering the information in the Noise Compliance Study dated June 2, 2021, the following significance determinations have been made:

Question—Would the project result in:	CEQA Significance Determinations for Noise
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	No Impact

Question—Would the project result in:	CEQA Significance Determinations for Noise
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

2.1.14 Population and Housing

Considering the information in the Caltrans Environmental Geographic Information Systems Library accessed November 10, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Population and Housing
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

2.1.15 Public Services

Considering the information in the Alpine County General Plan dated March 2017, the following significance determinations have been made:

Question:	CEQA Significance Determinations for Public Services
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain	No Impact

Question:	CEQA Significance Determinations for Public Services
acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?	
Police protection?	No Impact
Schools?	No Impact
Parks?	No Impact
Other public facilities?	No Impact

2.1.16 Recreation

Considering the information in the Alpine County General Plan dated March 2017, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Recreation
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact

2.1.17 Transportation

Considering the information in the Alpine County Regional Transportation Plan dated February 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Transportation
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No Impact

Question—Would the project:	CEQA Significance Determinations for Transportation
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
d) Result in inadequate emergency access?	No Impact

2.1.18 Tribal Cultural Resources

Considering the information in the Historic Property Survey Report dated October 13, 2021, the following significance determinations have been made:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question:	CEQA Significance Determinations for Tribal Cultural Resources
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	No Impact
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	No Impact

2.1.19 Utilities and Service Systems

Considering the information in the Alpine County General Plan dated March 2017 and considering the current project scope, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No Impact
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

2.1.20 Wildfire

Considering the information in the California Fire Hazard Severity Zone Map accessed November 10, 2021, and given the scope of the project, the following significance determinations have been made:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

Question—Would the project:	CEQA Significance Determinations for Wildfire
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact

Question—Would the project:	CEQA Significance Determinations for Wildfire
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

2.1.21 Mandatory Findings of Significance

Question:	CEQA Significance Determinations for Mandatory Findings of Significance
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant Impact With Mitigation Incorporated
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	No Impact

Question:	CEQA Significance Determinations for Mandatory Findings of Significance
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No Impact

Affected Environment

The project will affect environmental resources in the vicinity of State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84. However, the scope of work is limited. Project work consists of rehabilitating existing roadway and bringing to current standards these elements: culverts, metal beam guardrails, roadside signs, and overhead sign structures. The project will also construct maintenance vehicle pullouts. Other work will be performed in a limited footprint around existing facilities.

Environmental Consequences

The project may impact aesthetics, forest resources, cultural resources, and greenhouse gas emissions, but with the implementation of avoidance and minimization measures as discussed in Chapter 2, the effects will be less than significant.

The project may also impact biological resources, but with the implementation of avoidance, minimization, and mitigation measures as discussed in Chapter 2, section 2.1.4, the effects will be less than significant with mitigation incorporated.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of avoidance, minimization, and mitigation measures, the project will have a less than significant impact on the environment. All other impacts will be minimized through the implementation of Caltrans Best Management Practices, Standard Specifications, and Standard Special Provisions. Therefore, the project will not have a significant impact on species, habitat, or any other natural or historical resource.

Appendix A Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

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*Making Conservation
a California Way of Life.*

September 2021

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Caltrans will make every effort to ensure nondiscrimination in all of its services, programs and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin. In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a nondiscriminatory manner.

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page:
<https://dot.ca.gov/programs/civil-rights/title-vi> .

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Civil Rights, at 1823 14th Street, MS-79, Sacramento, CA 95811; PO Box 942874, MS-79, Sacramento, CA 94274-0001; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

A blue ink signature of Toks Omishakin, written in a cursive style.

Toks Omishakin
Director

"Provide a safe and reliable transportation network that serves all people and respects the environment."

Appendix B Section 4(f) Documentation

This document discusses de minimis impact determinations under Section 4(f). Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users Extensions Acts amended Section 4(f) legislation at 23 U.S. Code 138 and 49 U.S. Code 303 to simplify the processing and approval of projects that have only de minimis impacts on lands protected by Section 4(f). This amendment provides that once the U.S. Department of Transportation determines that a transportation use of a Section 4(f) property, after consideration of any impact avoidance, minimization, and mitigation or enhancement measures, results in a de minimis impact on that property, an analysis of avoidance alternatives is not required, and the Section 4(f) evaluation process is complete. The Federal Highway Administration’s final rule on Section 4(f) de minimis findings is codified in 23 Code of Federal Regulations 774.3 and Code of Federal Regulations 774.17.

Responsibility for compliance with Section 4(f) has been assigned to the Department (Caltrans) pursuant to 23 U.S. Code 326 and 327, including de minimis impact determinations, as well as coordination with those agencies that have jurisdiction over a Section 4(f) resource that may be affected by a project action.

B-1 Background

Project Description

The California Department of Transportation (Caltrans) proposes a multi-objective anchor project and rehabilitation of existing asphalt concrete pavement on State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84. The rehabilitation includes overlaying, digging out and cold-planing the roadway surface, upgrading asphalt concrete dikes and curbs, and constructing shoulder backing. Along with the rehabilitation of existing asphalt concrete, the project will also install or modify the following assets to current standards:

- 66 culverts
- 7 bridge-approaching metal beam guardrails
- 274 roadside signs
- 2 overhead sign structures
- 2 maintenance vehicle pullouts

Project activities will include work off the paved road, trenching, grading, drainage work, work in a channel, tree removal, vegetation removal, and night work. During construction, one-way traffic control will be used as much as possible; full closures may be needed where the roadway is narrow. The multi-objective anchor project and rehabilitation work on State Routes 4 and 89 are anticipated to take two construction seasons and a total of 200 working days. Permanent easements and temporary construction easements will be required. Table B-1 below describes the easement requirements and scope of work at each location. The following table has been edited to remove construction staging locations 5 and 8 since the draft environmental document and Section 4(f) De Minimis were circulated. Discussions regarding the De Minimis determination for the Woodchuck Basin Trailhead, construction staging location 5, is longer required as the location has been removed.

Table B-1. Proposed Project Work

Location Number	State Route	Post Mile	Scope of Work	Temporary or Permanent Easements
C-1	4	0.03	Culvert	None
S-1	4	0.34	Construction Staging	None
C-2	4	0.39	Culvert	None
C-3	4	0.62	Culvert	Both
G-1	4	0.62-0.77	Grading	Temporary
C-4	4	1.34	Culvert	None
C-5	4	1.49	Culvert	None
C-6	4	1.78	Culvert	None
S-2	4	1.95	Construction Staging	None
C-7	4	1.95	Culvert	Both
C-8	4	2.38	Culvert	Temporary
C-9	4	2.48	Culvert	None
C-10	4	2.53	Culvert	Temporary
C-11	4	2.56	Culvert	None
C-13	4	2.91	Culvert	None
S-3	4	3.24	Construction Staging	Temporary
C-14	4	3.26	Culvert	Both
C-15	4	3.33	Culvert	Both
C-16	4	3.38	Culvert	Both
C-17	4	3.48	Culvert	Both
C-18	4	3.7	Culvert	Both
C-19	4	3.78	Culvert	Both
C-21	4	4.21	Culvert	Both
C-22	4	4.31	Culvert	Both
C-23	4	4.53	Culvert	Both
S-4	4	4.95	Construction Staging	Temporary
C-24	4	5.13	Culvert	Both
C-25	4	5.86	Culvert	Both
C-26	4	6.34	Culvert	None
S-6	4	6.41	Construction Staging	Temporary
C-27	4	6.44	Culvert	Both
C-28	4	7.09	Culvert	Both
C-29	4	7.41	Culvert	Both
C-30	4	7.41	Culvert	Both
C-31	4	7.45	Culvert	Temporary
MBGR-1	4	7.82	Metal Beam Guardrail	Temporary
C-32	4	8.11	Culvert	Both
S-7	4	8.52	Construction Staging	Temporary
C-33	4	8.85	Culvert	Both
C-33a	4	9.28	Culvert	Both
C-34	4	10.05	Culvert	Both
C-36	4	10.85	Culvert	Temporary
C-37	4	11.04	Culvert	None
C-38	4	11.08	Culvert	None
C-39	4	11.21	Culvert	Temporary
S-9	4	11.22	Construction Staging	Temporary
C-40	4	11.61	Culvert	Both
MBGR-2	4	11.99	Metal Beam Guardrail	Temporary
C-41	4	12.3	Culvert	Temporary
C-42	4	12.63	Culvert	Both
C-43	4	12.92	Culvert	Both
MBGR-3	4	12.94	Metal Beam Guardrail	Temporary

Location Number	State Route	Post Mile	Scope of Work	Temporary or Permanent Easements
S-10	4	13.43	Construction Staging	Temporary
C-44	4	14.41	Culvert	Temporary
C-45	4	14.79	Culvert	Temporary
C-46	4	15.12	Culvert	Temporary
C-47	4	15.18	Culvert	Temporary
C-48	4	15.66	Culvert	Temporary
C-49	4	15.19	Culvert	Temporary
S-11	4	16.3	Construction Staging	Temporary
C-50	4	18.14	Culvert	None
C-51	4	18.19	Culvert	Temporary
C-52	4	18.34	Culvert	Temporary
C-53	4	18.52	Culvert	None
C-54	4	18.55	Culvert	Temporary
C-55	4	18.62	Culvert	Both
S-12	4	18.65	Construction Staging	Temporary
S-13	4	18.7	Construction Staging	Temporary
C-56	4	18.74	Culvert	Both
C-57	4	18.92	Culvert	Both
C-58	4	19.16	Culvert	Both
C-59	4	19.34	Culvert	Both
C-60	4	19.88	Culvert	Both
S-14	4	19.95	Construction Staging	Temporary
S-15	4	20	Construction Staging	Temporary
C-61	4	20.2	Culvert	Both
C-62	4	20.29	Culvert	Both
C-63	4	20.48	Culvert	Temporary
C-64	4	20.69	Culvert	Both
C-65	4	20.86	Culvert	Both
C-66	4	21.01	Culvert	Temporary
C-67	4	21.44	Culvert	Temporary
S-16	4	23	Construction Staging	Temporary
MBGR-4	4	24.47	Metal Beam Guardrail	Temporary
C-69	4	25.03	Culvert	Temporary
C-70	4	25.31	Culvert	None
S-17	4	25.33	Construction Staging	Temporary
MBGR-5	4	26.15	Metal Beam Guardrail	Temporary
S-18	4	27.95	Construction Staging	Temporary
MBGR-6	4	27.98	Metal Beam Guardrail	Temporary
MBGR-7	4	29.81	Metal Beam Guardrail	Temporary
MVP-1	4	31.635	Maintenance Vehicle Pullout	Temporary
MVP-2	89	10.84	Maintenance Vehicle Pullout	Temporary

For the purpose of this analysis, only locations that require temporary construction easements or permanent easements were analyzed. Due to the nature of the project, locations where construction will take place only within the State right-of-way are not expected to use Section 4(f) properties.

B-2 Section 4(f) De Minimis Analysis

The proposed project takes place on State Routes 4 and 89 in Alpine County. Alpine County is located within the Sierra Nevada Mountain range. Almost 95 percent of the county's land is publicly owned and includes portions of the Stanislaus and Humboldt-Toiyabe National Forests.

The rural, mountainous nature of the county is ideal for recreational opportunities such as fishing, camping, skiing, hiking, biking, and hunting.

The proposed project takes place on and adjacent to the State Highway System on U.S. Forest Service land (within Stanislaus and Humboldt-Toiyabe National Forests). Caltrans has coordinated with the U.S. Forest Service for both Stanislaus and Humboldt-Toiyabe National Forests to determine whether the land within the proposed project area is used for public recreational purposes. It was determined that all land within the proposed project area is used for dispersed recreation. Therefore, for the purpose of this study, all U.S. Forest Service land within the project area will be considered a Section 4(f) resource.

Even though all Forest Service land will be considered a Section 4(f) resource, Caltrans still recognizes specific designated areas used for public recreation within the project area. These recreation areas were identified within a half-mile boundary of each project location, and the boundary was used to define the study area for each recreational resource. The study area was defined to identify an area large enough to assess the potential for the project to result in proximity impacts to recreation areas protected under Section 4(f).

There is a total of 32 specifically designated public recreation areas within the project area. The Section 4(f) resources identified for this study include campgrounds, trails, trailheads, off-highway vehicle trails, Sno-Parks, lakes (including day use and picnic areas), landmarks, and all designated parking areas for recreational resources. This study has also identified and taken into consideration all roads that lead to recreational resources.

Several project locations have been identified in Table B-2 below as directly adjacent to the following Section 4(f) resources. The following table has been edited since the draft environmental document and Section 4(f) De Minimis were circulated.

Table B-2. Specific Designated Recreation Areas

Property Name	Section 4(f) Features	Official Agency with Jurisdiction	Distance from Project Footprint	Type of Use
Lodgepole Campground	Campsites, picnic tables, fire rings, and toilets	U.S. Forest Service- Stanislaus National Forest	116 feet from Culvert 8 (C-8) replacement	No Use
Round Valley Sno-Park Entrance	Cross-country skiing, snowshoeing, sledding, and snow play activities	U.S. Forest Service-Round Valley Sno-Park	82 feet from Culvert 13 (C-13) replacement	No Use
Woodchuck Basin Trailhead	Day hiking, backpacking and parking	U.S. Forest Service- Stanislaus National Forest	35 feet from Culvert 25 (C-25) replacement	No Use
Stanislaus Meadow Trailhead	Mountain biking, day hiking, backpacking, horse riding and camping	U.S. Forest Service- Stanislaus National Forest	30 feet from Construction Staging 7 (S-7)	No Use
Pacific Crest Trail	Backpacking trail	U.S. Forest Service	55 feet from Culvert 54 (C-54)	No Use
Parking for Pacific Crest Trail and Ebbetts Pass Trailhead	Day hiking and backpacking	U.S. Forest Service	18 feet from Culvert 57 (C-57)	No Use

A *No Use* determination has been made for the following resources:

Lodgepole Campground: Culvert 8 (C-8) replacement construction will take place near the road that leads to the campground. It is assumed one-way traffic control will be provided during culvert replacement construction and will still allow for public access to the campground.

Round Valley Sno-Park: Culvert 13 (C-13) replacement construction will take place outside of the Sno-Park entrance. It is assumed one-way traffic control will be provided during culvert replacement construction and will still allow for public access to the Sno-Park.

Stanislaus Meadow Trailhead: Construction Staging 7 (S-7) takes place directly adjacent to the trailhead and parking. Construction staging will remain in the designated area away from the recreational resource and will not interfere with public access or parking at the trailhead.

Pacific Crest Trail: Culvert 54 (C-54) work will take place directly adjacent to the trail. Culvert replacement construction will remain away from the trail crossing. Since the trail crosses State Route 4, it is assumed access to the trail for through hikers will remain.

Parking for the Pacific Crest Trail and Ebbetts Pass Trailhead: Culvert 57 (C-57) work will take place adjacent to the entrance of the parking area. It is assumed one-way traffic control will be provided during culvert replacement construction and still allow for public access to the trailhead and parking area. The following text has been added since the draft environmental document and Section 4(f) De Minimis were circulated.

Woodchuck Basin Trailhead: Culvert 25 (C-25) replacement construction will take place directly outside of the Woodchuck Basin trailhead entrance. It is assumed one-way traffic control will be provided during culvert replacement construction and still allow for public access to the trailhead and parking area.

B-3 Use Determination—De Minimis

A *de minimis* determination means that the project will not adversely affect the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f). The scope of work to be conducted within the limits of U.S. Forest Service land is the replacement of culverts and metal beam guardrails, grading, construction of rock slope protection, and construction staging. Since the project is within two National Forests—Stanislaus and Humboldt-Toiyabe—Caltrans will be seeking a concurrence on the *de minimis* determinations from each National Forest.

Recreational Resource – U.S. Forest Service Land

Under Section 4(f), a use occurs because of permanent acquisition, temporary occupancy, or constructive use of any Section 4(f) property. The proposed project will acquire permanent easements and temporary construction easements from U.S. Forest Service Land deemed as a Section 4(f) resource. The following easements will occur for the proposed project:

- Fifty-two locations with temporary construction easements and permanent easements for culverts. The maximum potential acreage required for culvert replacement is 0.112 acre.
- One temporary construction easement for grading. The maximum acreage required for grading is 0.173 acre.

- Eight temporary construction easements for metal beam guardrail replacement. The maximum potential acreage required for metal beam guardrail replacement is 0.272 acre.
- Two temporary construction easements for maintenance vehicle pullout construction. The maximum potential acreage for maintenance vehicle pullout construction is 0.667 acre.
- The following text has been added since the draft environmental document and Section 4(f) De Minimis were circulated. Fourteen temporary construction easements for construction staging. The maximum potential acreage required for construction staging is less than 0.397 acre.

The temporary construction easements will be short term. Permanent easements will occur only to bring existing transportation facilities to current standards. Caltrans considers the acquisition of permanent easements and temporary construction easements of U.S. Forest Service land for the State Route 4 Pavement Anchor Project to be minor; therefore, a *de minimis* use determination is warranted.

B-4 Avoidance, Minimization, and/or Mitigation Measures

There will be minor anticipated changes to the existing features or attributes of the forest. Project avoidance, minimization, and mitigation measures will be implemented to avoid impact to the current environmental setting. Any damage to the surrounding forest area from construction activities will be repaired or returned to their original conditions.

B-5 Public Notice Process

Caltrans is seeking written concurrence from both Stanislaus and Humboldt-Toiyabe National Forests on the *de minimis* use determination. The public will be allowed to comment on the Section 4(f) Determination during the environmental document public comment period. After the public review period, comments will be addressed, and Caltrans will seek concurrence from both Stanislaus and Humboldt-Toiyabe National Forests on the *de minimis* use determination.

In conclusion, Caltrans has determined that the acquisition of temporary construction easements and permanent easements on U.S. Forest Service land for the State Route 4 Pavement Anchor Project constitutes a *de minimis* use. Caltrans has determined that the *de minimis* use is warranted, since the use of the identified Section 4(f) resources is minor for the proposed project work: replacement of culverts and metal beam guardrails, grading, construction of rock slope protection, and construction staging. Additionally, project avoidance, minimization, and mitigation measures will be implemented to avoid impact to the current environmental setting, and any damage to the surrounding forest area from construction activities will be repaired or returned to its original condition. Caltrans is seeking concurrence from the U.S. Forest Service for Stanislaus and Humboldt-Toiyabe National Forests on the *de minimis* determination.

The following text has been added since the draft environmental document and Section 4(f) De Minimis were circulated. The Section 4(f) De Minimis for the State Route 4 Pavement Anchor Project has been reviewed by the U.S. Forest Service for Stanislaus and Humboldt-Toiyabe National Forests. Written concurrence was provided by Humboldt-Toiyabe National Forest on July 8, 2022, and written concurrence was provided by Stanislaus National Forest on August 31, 2022.

Questions and concerns about this Section 4(f) documentation should be directed to Kayla Martino, Associate Environmental Planner, at (209) 479-1952.

California Department of Transportation



C. SCOTT GUIDI
1976 Dr. Martin Luther King, Jr. Blvd.
STOCKTON, CA 95205
(209) 990-5719
www.dot.ca.gov

August 31, 2022

Ray Cablayan, P.E. District Ranger
U.S. Forest Service, Stanislaus National
Forest Calaveras Ranger District
5519 State Highway 4
Hathaway Pines, CA 5233

Dear Mr. Cablayan:

10-0J720 State Route 4 Pavement Anchor Project De Minimis Determination

The California Department of Transportation (Caltrans) proposes a multi-objective anchor project and rehabilitation of existing asphalt concrete pavement on State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84 (further referred to as "the project"). The rehabilitation includes overlaying, digging out and cold-planing the roadway surface, upgrading asphalt concrete dikes and curbs, and constructing shoulder backing. Along with the rehabilitation of existing asphalt concrete, the project would also install or modify the following assets to current standards:

- 66 culverts
- 7 bridge-approaching metal beam guardrails
- 274 roadside signs
- 2 overhead sign structures
- 2 maintenance vehicle pullouts

Project activities would include work off the paved road, trenching, grading, drainage work, work in a channel, tree removal, vegetation removal, and night work. During construction, one-way traffic control would be used as much as possible; full closures may be needed where the roadway is narrow. The multi-objective anchor project and rehabilitation work on State Route 4 and 89 is anticipated to take two construction seasons and a total of 200 working days. Permanent easements and temporary construction easements would be required.

Through coordination with the U.S. Forest Service, it was determined that all Humboldt-Toiyabe and Stanislaus National Forest land within the project area is used for dispersed recreation, therefore the recreational resources within the project area are protected under Section 4(f) of the U.S. Department of Transportation Act of 1966. Caltrans prepared documentation in accordance with Section 4(f) (further referred to as Section 4(f)). The *de minimis* impact documentation was made available to U.S. Forest Service during public

Mr. Cablayan
June 15, 2022
Page 2

circulation of the Draft Environmental Document between February 25 and March 28, 2022, and is also enclosed as an attachment to this letter.

Pursuant to Section 4(f) requirements for *de minimis* impact determinations, the official(s) with jurisdiction over the subject property must concur with the Section 4(f) *de minimis* finding that the project will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f).

Please indicate your written concurrence by signing in the signature block provided below and emailing the signed copy to Kayla Martino at Kayla.Martino@dot.ca.gov. Receipt of written concurrence from the Forest Service is required for Caltrans to move forward with project approval.

Unless stated otherwise, your concurrence with Caltrans' Section 4(f) documentation includes concurrence with all analysis and determinations for which concurrence from your agency is required. If you have any questions or comments, please contact Kayla Martino, Associate Environmental Planner, Caltrans, at (209) 479-1952 or Kayla.Martino@dot.ca.gov.

Sincerely,

C. Scott Guidi

C. Scott Guidi
Senior Environmental Planner

Enclosure or Attachment
- Section 4(f) Documentation

The U.S. Forest Service, as the property manager of the Stanislaus National Forest, concurs with the determination that State Route 4 Pavement Anchor Project will result in a Section 4(f) de minimis impact on the Stanislaus National Forest, as defined in 23 CFR 774.17 and as demonstrated in the finding document presented with this letter.

Jermiah Zamora (for)
JermiahZamora (for) (Aug 31, 2022 15:28 PDT)

08/31/2022

Ray Cablayan
District Ranger

Date

California Department of Transportation

C. SCOTT GUIDI
1976 Dr. Martin Luther King, Jr. Blvd.
STOCKTON, CA 95205
(209) 479-1839
www.dot.ca.gov



June 27, 2022

Marnie Bonesteel
Land Special Uses Administration
U.S. Forest Service, Humboldt-Toiyabe National Forest
1200 Franklin Way Sparks, Nevada 89431

Dear Ms. Bonesteel:

10-0J720 State Route 4 Pavement Anchor Project De Minimis Determination

The California Department of Transportation (Caltrans) proposes a multi-objective anchor project and rehabilitation of existing asphalt concrete pavement on State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84 (further referred to as "the project"). The rehabilitation includes overlaying, digging out and cold-planing the roadway surface, upgrading asphalt concrete dikes and curbs, and constructing shoulder backing. Along with the rehabilitation of existing asphalt concrete, the project would also install or modify the following assets to current standards:

- 66 culverts
- 7 bridge-approaching metal beam guardrails
- 274 roadside signs
- 2 overhead sign structures
- 2 maintenance vehicle pullouts

Project activities would include work off the paved road, trenching, grading, drainage work, work in a channel, tree removal, vegetation removal, and night work. During construction, one-way traffic control would be used as much as possible; full closures may be needed where the roadway is narrow. The multi-objective anchor project and rehabilitation work on State Route 4 and 89 is anticipated to take two construction seasons and a total of 200 working days. Permanent easements and temporary construction easements would be required.

Through coordination with the U.S. Forest Service, it was determined that all Humboldt-Toiyabe and Stanislaus National Forest land within the project area is used for dispersed recreation, therefore the recreational resources within the project area are protected under Section 4(f) of the U.S. Department of Transportation Act of 1966. Caltrans prepared documentation in accordance with Section 4(f) (further referred to as Section 4(f)). The *de minimis* impact documentation was made available to U.S. Forest Service during public circulation of the Draft Environmental Document between February 25 and March 28, 2022 and is also enclosed as an attachment to this letter.

Ms. Marnie Bonesteel
June 27, 2022
Page 2

Pursuant to Section 4(f) requirements for *de minimis* impact determinations, the official(s) with jurisdiction over the subject property must concur with the Section 4(f) *de minimis* finding that the project will not adversely affect the activities, features, or attributes that qualify the property for protection under Section 4(f).

Please indicate your written concurrence by signing in the signature block provided below and returning the signed copy to Kayla Martino at Kayla.Martino@dot.ca.gov. Receipt of written concurrence from the Forest Service is required for Caltrans to move forward with project approval.

Please respond by **July 11, 2022**. Unless stated otherwise, your concurrence with Caltrans' Section 4(f) documentation includes concurrence with all analysis and determinations for which concurrence from your agency is required. If you have any questions or comments, please contact Kayla Martino, Associate Environmental Planner, Caltrans, at (209) 479-1952 or Kayla.Martino@dot.ca.gov.

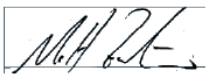
Sincerely,

C. Scott Guidi

C. Scott Guidi
Senior Environmental Planner

Enclosure or Attachment
- Section 4(f) Documentation

The U.S. Forest Service, as the property manager of the Humboldt-Toiyabe National Forest, concurs with the determination that State Route 4 Pavement Anchor Project will result in a Section 4(f) de minimis impact on the Humboldt-Toiyabe National Forest, as defined in 23 CFR 774.17 and as demonstrated in the finding document presented with this letter.



Matthew Zumstein
District Ranger

07/08/2022

Date

Appendix C Comment Letters and Responses

This appendix has been added since the draft environmental document was circulated. This appendix contains the comments received during the public circulation and comment period between February 25, 2022, and March 28, 2022, retyped for readability. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in Volume 2 of this document.

(Note: The comment letters are stated verbatim, with acronyms, abbreviations, and any original grammatical or typographical errors.)

Comment from the California Department of Fish and Wildlife

From: Boyd, Ian@Wildlife <Ian.Boyd@Wildlife.ca.gov>

Sent: Monday, March 28, 2022 3:53 PM

To: Guidi, Scott@DOT <Scott.Guidi@dot.ca.gov>

Cc: Thomas, Kevin@Wildlife <Kevin.Thomas@wildlife.ca.gov>; Barker, Kelley@Wildlife <Kelley.Barker@wildlife.ca.gov>; Wilson, Billie@Wildlife <Billie.Wilson@wildlife.ca.gov>; Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>

Subject: Caltrans 10-0J720 State Route 4 Pavement Anchor Project_CDFW Comments on MND (SCH. 2022020586)

Dear Mr. Guidi:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from the California Department of Transportation (Caltrans) for the State Route 4 Anchor Project (Project) (10-0J720) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW ROLE

CDFW is California’s **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code. CDFW also administers the Native Plant Protection Act, Natural Community Conservation Act, and other provisions of the Fish and Game Code that afford protection to California's fish and wildlife resources.

PROJECT DESCRIPTION SUMMARY

The Project consists of a multi-objective anchor project and rehabilitation of existing asphalt concrete pavement on State Route 4 in Alpine County from post miles 0.0 to 31.7 and State Route 89 at post mile 10.84. The rehabilitation includes overlaying, digging out and cold-planing the roadway surface, upgrading asphalt concrete dikes and curbs, and constructing shoulder backing. The work would also modify or install the following features to current standards: 66 culverts, seven bridge-approaching metal beam guardrails, 274 roadside signs, two overhead sign structures, and two maintenance vehicle pullouts. Project activities would include work off the paved road, trenching, grading, drainage work, work in a channel, tree removal, vegetation removal, and night work. During construction, one-way traffic control would be used as much as possible; full closures may be needed where the roadway is narrow. The Project is anticipated to take two construction seasons and a total of 200 working days. Permanent easements and temporary construction easements would be required.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Caltrans in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

Comment 1: *Chapter 1.5 Standard Measures and Best Management Practices Included in all Alternatives (pg. 6-7)* – This section lists multiple standard measures and best management practices (BMPs) and states they would be implemented where applicable but does not provide any detail on how they would be implemented and for what part of the Project. CDFW recommends the Caltrans fully disclose and clearly discuss all avoidance, minimization, and mitigation measures in the MND that will be implemented to bring impacts to a less than significant level.

Comment 2: *Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 7 Compensatory Mitigation: Wetlands and Other Waters of the United States (pg. 25)* – Mitigation measure Bio-7 states mitigation for permanent impacts to jurisdictional waters of the U.S. may be fulfilled by purchasing mitigation credits from an approved mitigation bank or through the U.S. Army Corps of Engineers and the National Fish and Wildlife Foundation's Sacramento District In-Lieu Fee Program. The MND also includes intermittent and ephemeral streams as other waters of the U.S, which are also waters of the state and may require compensatory mitigation for permanent impacts. Additionally, CDFW does not accept in-lieu fees as mitigation for impacts to river, stream, or lake habitat subject to notification under Fish and Game Code 1602. CDFW recommends the Caltrans propose to purchase credits at a CDFW-approved mitigation bank with service areas that include the Project location to mitigate for permanent and temporary impacts to river, stream, or lake habitat. If a CDFW-approved mitigation bank does not have appropriate credits with a service area that includes the Project location, CDFW may also accept other forms of compensatory mitigation, such as stream and wetland creation, restoration or enhancement, and creation or improvement of wildlife crossings in conjunction with the Project. CDFW recognizes the value of wildlife crossing structures being incorporated into design plans to mitigate for the disturbance (permanent and temporary stream and riparian impacts, impediment to migration, etc.) or offset the impacts of the Project. CDFW may consider reducing mitigation required for this activity based upon how the crossings protect and/or improve wildlife connectivity.

Comment 3: *Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, Multiple Measures Indicating Preconstruction Surveys and Biological Monitor Qualifications* – Multiple measures state qualifications for proposed biological monitors conducting preconstruction surveys will be provided to CDFW at least 2 weeks prior to conducting Project activities at the Project site. CDFW recommends Caltrans provide qualifications for review and approval at least 30 business days in advance of vegetation and ground disturbing activities to allow enough time for CDFW review and to avoid Project delays.

Comment 4: *Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 9 Preconstruction Surveys: Special-Status Plants (pg. 26)* – Mitigation measure Bio-9 states preconstruction surveys (for special-status plants) will be conducted by the approved biologist no more than 24 hours prior to any ground disturbance, using CDFW approved survey protocols. CDFW recommends assessments and surveys for rare plants and sensitive natural communities follow CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities*. Surveying for special-status plant species 24 hours prior to ground disturbance may result in false-negative detections where annual vegetation may not have fully matured or has already senesced depending on the time of year ground disturbance will begin in any given

area. CDFW recommends Caltrans identify vegetation and habitat types potentially occurring in the Project area based on biological and physical properties and develop a list of species and sensitive natural communities. Field surveys should be scheduled at the times of year when plants will be both evident and identifiable (flowering or fruiting) and spaced throughout the growing season in multiple visits to capture the floral diversity at a level necessary to determine if special-status plants are present. CDFW acknowledges that this section states a Natural Environmental Study was developed in July 2021, but the document was not included with the MND and CDFW has not reviewed the document at the time these comments were written and submitted for public comment.

Comment 5: *Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 12 Weed-Free Erosion Control and Revegetation Treatments (pg. 27)* – In addition to this measure requiring weed-free seed mixes to reduce the introduction or spread of weeds, CDFW recommends the measure require only native seed mixes of known genetic origin whose original stock seed was collected from within the Sierra Nevada and grown in California unless otherwise approved by the Caltrans in coordination with CDFW. Genetically appropriate plants, adapted to local conditions, usually result in higher survival rates (CDFW, 2010). Revegetation should be completed in the fall before the start of the rainy season. CDFW recommends that seed origin requirements are incorporated into the Project's construction plans and specifications for both the Project site itself as well as any habitat restoration, enhancement, or mitigation.

Comment 6: *Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 17 Preconstruction Surveys and Construction Site Biological Monitoring: Sierra Nevada Yellow-Legged Frog and Yosemite Toad (pg. 28-29)* – The MND indicates the Project is not expected to require a California Endangered Species Act (CESA) consultation or an Incidental Take Permit (ITP) for Sierra Nevada yellow-legged frog (*Rana sierrae*). If it is determined that the Project may have the potential to result in "take", as defined in the Fish & G. Code, section 86, of a State-listed species, Caltrans shall disclose that an ITP or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) may be required prior to starting construction activities. The MND must include all avoidance and minimization to reduce the impacts to a less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures shall be proposed to fully mitigate the impacts to State-listed species (Cal. Code Regs., tit. 14, § 783.2, subd. (a)(8)). Otherwise, take of SNYLF must be completely avoided and measures should be identified to ensure such action. If Caltrans encounters any SNYLF during Project activities, work shall be suspended, and CDFW notified. Work may not re-initiate until Caltrans has consulted with CDFW and can demonstrate compliance with CESA.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code §21092 and §21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed Project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to r2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the MND to assist in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. CDFW encourages early coordination and is available to meet in person at the proposed Project location if the Caltrans is interested. Questions regarding this letter or further coordination should be directed to Ian Boyd, Senior Environmental Scientist (Specialist), at (916) 932-3035 or ian.boyd@wildlife.ca.gov.

Thank you,

Ian Boyd
Senior Environmental Scientist (Specialist)
North Central Region (Region 2)
1701 Nimbus Rd., Suite A
Rancho Cordova, CA 95670
P: (916) 932-3035
ian.boyd@wildlife.ca.gov

Response to Comments from the California Department of Fish and Wildlife

Comment 1:

Chapter 1.5 Standard Measures and Best Management Practices Included in all Alternatives (pg. 6-7) – This section lists multiple standard measures and best management practices (BMPs) and states they would be implemented where applicable, but does not provide any detail on how they would be implemented and for what part of the Project. CDFW recommends the Caltrans fully disclose and clearly discuss all avoidance, minimization, and mitigation measures in the MND that will be implemented to bring impacts to a less than significant level.

Response to comment 1:

The standard measures and best management practices found in Section 1.5 are not project-specific avoidance, minimization, and mitigation measures. Standard measures and best management practices are applied to almost all Caltrans projects. Project-specific avoidance, minimization, and mitigation measures can be found in Chapter 2, as part of the discussion of project impacts for aesthetics, biological resources, cultural resources, and greenhouse gases.

Comment 2:

Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 7 Compensatory Mitigation: Wetlands and Other Waters of the United States (pg. 25) – Mitigation measure Bio-7 states mitigation for permanent impacts to jurisdictional waters of the U.S. may be fulfilled by purchasing mitigation credits from an approved mitigation bank or through the U.S. Army Corps of Engineers and the National Fish and Wildlife Foundation's Sacramento District In-Lieu Fee Program. The MND also includes intermittent and ephemeral streams as other waters of the U.S, which are also waters of the state and may require compensatory mitigation for permanent impacts. Additionally, CDFW does not accept in-lieu fees as mitigation for impacts to river, stream, or lake habitat subject to notification under Fish and Game Code 1602. CDFW recommends the Caltrans propose to purchase credits at a CDFW-approved mitigation bank with service areas that include the Project location to mitigate for permanent and temporary impacts to river, stream, or lake habitat. If a CDFW-approved mitigation bank does not have appropriate credits with a service area that includes the Project location, CDFW may also accept other forms of compensatory mitigation, such as stream and wetland creation, restoration or enhancement, and creation or improvement of wildlife crossings in conjunction with the Project. CDFW recognizes the value of wildlife crossing structures being incorporated into design plans to mitigate for the disturbance (permanent and temporary stream and riparian impacts, impediment to migration, etc.) or offset the impacts of the Project. CDFW may

consider reducing mitigation required for this activity based upon how the crossings protect and/or improve wildlife connectivity.

Response to comment 2:

Caltrans understands that the California Department of Fish and Wildlife is not a signatory to the U.S. Army Corps of Engineers and the National Fish and Wildlife Foundation's Sacramento District In-Lieu Fee Program agreement. Caltrans has also investigated using mitigation bank credits to compensate for potentially jurisdictional waters of the State of California; however, no mitigation bank that provides mitigation credit in the form of wetlands, streams, or riparian vegetation has a "service area" that serves the State Route 4 Pavement Anchor Project area. The loss of riparian vegetation is expected to require a 3-to-1 compensation ratio by the California Department of Fish and Wildlife. Caltrans therefore proposes to compensate for the loss of 0.10-acre of riparian vegetation with the establishment of 0.30-acre of riparian vegetation at an undetermined onsite (within the project limits) or offsite location.

Also, inefficient road crossings have often become barriers to the migration and passage of aquatic organisms and have contributed to the decline in populations of many fish species in California and nationally. Caltrans proposes to replace the existing culvert at post mile 21.01 with a culvert system that facilitates the movement of fish in conformance with both state and federal regulations. The replacement culvert will be designed per the Caltrans "Fish Passage Design for Road Crossings" guidance manual, which was developed in participation with the National Oceanic and Atmospheric Administration National Marine Fisheries Service, the California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service.

Comment 3:

Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, Multiple Measures Indicating Preconstruction Surveys and Biological Monitor Qualifications – Multiple measures state qualifications for proposed biological monitors conducting preconstruction surveys will be provided to CDFW at least 2 weeks prior to conducting Project activities at the Project site. CDFW recommends Caltrans provide qualifications for review and approval at least 30 business days in advance of vegetation and ground disturbing activities to allow enough time for CDFW review and to avoid Project delays.

Response to comment 3:

Caltrans will apply for a California Fish and Game Commission Section 1600 agreement for the project, and Caltrans will comply with any time frames in the final agreement.

Comment 4:

Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 9 Preconstruction Surveys: Special-Status Plants (pg. 26) – Mitigation measure Bio-9 states preconstruction surveys (for special-status plants) will be conducted by the approved biologist no more than 24 hours prior to any ground disturbance, using CDFW approved survey protocols. CDFW recommends assessments and surveys for rare plants and sensitive natural communities follow CDFW's 2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. Surveying for special-status plant species 24 hours prior to ground disturbance may result in false-negative detections where annual vegetation may not have fully matured or has already senesced depending on the time of year ground disturbance will begin in any given area. CDFW recommends Caltrans identify vegetation and habitat types potentially occurring in the Project area based on biological and physical properties and develop a list of species and sensitive natural communities. Field surveys should be scheduled at the times of year when plants will be both evident and identifiable (flowering or fruiting) and spaced throughout the growing season in multiple visits to capture the floral diversity at a level necessary to determine if special-status plants are present. CDFW acknowledges that this section states a Natural Environmental Study was developed in July 2021, but the document was not included with the MND and CDFW has not reviewed the document at the time these comments were written and submitted for public comment.

Response to comment 4:

Per the California Department of Fish and Wildlife recommendations, Caltrans identified vegetation and habitat types potentially occurring in the project area based on biological and physical properties and developed a list of species and sensitive natural communities that were assessed in Caltrans' biological technical study, the Natural Environment Study. The technical studies are not attached to the environmental document. The Natural Environment Study is available to the California Department of Fish and Wildlife upon request.

Based on the data sources for known occurrences of sensitive plant species, based on the habitat requirements of these species, and based on field studies conducted in July and September of 2021, Caltrans biologists determined the likelihood that sensitive plant species known or have the potential to occur within habitats available within the project limits, as noted below.

The 2021 field studies were timed to capture blooming/identification times for the greatest number of sensitive plant species potentially occurring in the project area. Many of the plant species evaluated simply do not occur in the project area (many plant species were evaluated for the Toiyabe National Forest) or cannot be supported by habitats available within the project limits.

Caltrans biologists determined that mountain bent grass (*Agrostis humilis*; California Native Plant Society List 2B) has been recorded from the vicinity of Ebbetts Pass and may occur in meadow habitats. A small meadow area occurs adjacent to the south side of State Route 4 between approximately post miles 18.50 and 18.70 that may likely provide appropriate habitat for mountain bent grass. Also, Davy's sedge (*Carex davyi*; California Native Plant Society List 1B.3) has been recorded from the vicinity of Ebbetts Pass and may occur in coniferous forest habitats. Caltrans biologists recommend preconstruction surveys for these species for project work proposed near Ebbetts pass.

Comment 5:

Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 12 Weed-Free Erosion Control and Revegetation Treatments (pg. 27) – In addition to this measure requiring weed-free seed mixes to reduce the introduction or spread of weeds, CDFW recommends the measure require only native seed mixes of known genetic origin whose original stock seed was collected from within the Sierra Nevada and grown in California unless otherwise approved by the Caltrans in coordination with CDFW. Genetically appropriate plants, adapted to local conditions, usually result in higher survival rates (CDFW, 2010). Revegetation should be completed in the fall before the start of the rainy season. CDFW recommends that seed origin requirements are incorporated into the Project's construction plans and specifications for both the Project site itself as well as any habitat restoration, enhancement, or mitigation.

Response to comment 5:

Caltrans understands that the California Department of Fish and Wildlife recommends the use of native seed mixes and seed origin. Caltrans landscape architects and biologists are also familiar with revegetation projects in California and have experience in proper timing of planting or seeding to ensure revegetation success.

Comment 6:

Chapter 2.1.4 Biological Resources, Avoidance, Minimization, and/or Mitigation Measures, BIO 17 Preconstruction Surveys and Construction Site Biological Monitoring: Sierra Nevada Yellow-Legged Frog and Yosemite Toad (pg. 28-29) – The MND indicates the Project is not expected to require a California Endangered Species Act (CESA) consultation or an Incidental Take Permit (ITP) for Sierra Nevada yellow-legged frog (*Rana sierrae*). If it is determined that the Project may have the potential to result in "take", as defined in the Fish & G. Code, section 86, of a State-listed species, Caltrans shall disclose that an ITP or a consistency determination (Fish & G. Code, §§ 2080.1 & 2081) may be required prior to starting construction activities. The MND must include all avoidance and minimization to reduce the impacts to a

less than significant level. If impacts to listed species are expected to occur even with the implementation of these measures, mitigation measures shall be proposed to fully mitigate the impacts to State-listed species (Cal. Code Regs., tit. 14, § 783.2, subd. (a)(8)). Otherwise, take of SNYLF must be completely avoided and measures should be identified to ensure such action. If Caltrans encounters any SNYLF during Project activities, work shall be suspended, and CDFW notified. Work may not re-initiate until Caltrans has consulted with CDFW and can demonstrate compliance with CESA.

Response to comment 6:

Caltrans understands that California Fish and Game Code Section 86 defines “take” as meaning “to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” With implementation of the proposed avoidance measures, the project is not expected to result in the hunting, pursuing, capturing or killing of California Endangered Species Act listed species. Caltrans has proposed preconstruction surveys and construction monitoring by California Department of Fish and Wildlife-qualified biologists. Proposed avoidance measures do not allow the handling (capture) of Sierra Nevada yellow-legged frogs. Caltrans has completed Federal Endangered Species Act Section 7 consultation with the Reno Office of the U.S. Fish and Wildlife Service. Our Federal Endangered Species Act Section 7 letter of concurrence also does not allow the handling of Sierra Nevada yellow-legged frogs.

In the unlikely event that preconstruction surveys or construction monitoring results in the detection of California Endangered Species Act listed species and it is determined that project activities could possibly result in the hunting, pursuing, catching, capturing, or killing of California Endangered Species Act listed species, Caltrans will halt construction activities and consult with the California Department of Fish and Wildlife under Section 2081 of California Fish and Game Code.

Comment from the Pacific Crest Trail Association

March 22, 2022

California Department of Transportation
Attention: C. Scott Guidi, Senior Environmental Planner
District 10, Environmental Division
1976 East Doctor Martin Luther King Junior Boulevard
Stockton, CA 95205

RE: Pacific Crest Trail Association's comments on the State Route 4 Pavement Anchor Project Initial Study with Proposed Mitigated Negative Declaration

Dear Scott Guidi,

I am writing on behalf of the 14,400 member Pacific Crest Trail Association (PCTA). PCTA is the Forest Service's primary private partner in the management and maintenance of the Pacific Crest National Scenic Trail (PCT). The foundation for this private-public partnership in the operation of National Scenic Trails dates back to the 1968 National Trails System Act. With that, PCTA works closely with the local land management agencies, such as the Stanislaus National Forest and the Humboldt-Toiyabe National Forest, to manage the PCT and protect the intended experience as a congressionally-designated National Scenic Trail.

PCTA has reviewed the California Department of Transportation State Route 4 Pavement Anchor Project Initial Study with Proposed Mitigated Negative Declaration. We appreciate the proposal to rehabilitate and upgrade the roadway and infrastructure. Many PCT users utilize State Route 4 and Ebbett's Pass Trailhead for access to the trail and to public lands for recreation year-round. Improving the pavement and roadway will allow for a higher level of safety for trail users traveling on State Route 4, as well as for all of the travelers on the highway. In addition, PCTA applauds the California Department of Transportation for acknowledging the PCT within the project area and for considering the impacts of the project to the PCT and its users. Even so, PCTA would like to provide additional comments to help support the project and the mitigation of impacts to the trail and its hikers and equestrians.

In Appendix B of the State Route 4 Pavement Anchor Project Initial Study, it states "Pacific Crest Trail: Culvert 54 (C-54) would take place directly adjacent to the trail. Culvert replacement construction would remain away from the trail crossing. Since the trail crosses State Route 4, it is assumed [emphasis added] access to the trail for through hikers would remain." The following paragraph in Appendix B in regard to Ebbett's Pass Trailhead also states that "It is assumed [emphasis added] one-way traffic control would be provided during culvert replacement construction and would still allow for public access to the trailhead and parking area." We appreciate that the

intention is for trail and trailhead access to remain but recognize that there is still the possibility that access may be restricted during project implementation. Despite this recognition, PCTA strongly encourages CalTrans to continue access to the trail and trailhead and allow for a viable crossing of State Route 4 for the safety of trail users and stock animals. Furthermore, PCTA suggests posting signage along the PCT on either side of State Route 4, therefore trail users will have ample notification of the activities prior to entering a construction area. We also suggest that there be a mechanism for traffic control during operations, whether that be stopping traffic/construction or stopping trail users to increase safety. In addition, PCTA suggests that signage also be clearly posted at Ebbett's Pass Trailhead to notify trail users of the construction before they begin their travels. Ebbett's Pass is a common starting point and a highly-visible location to post project information for the public.

PCTA understands that the construction for the State Route 4 Pavement Anchor Project has a high probability of occurring during peak hiking season (May – September). Due to the timing of the construction, it is important that trail users are aware of the activities in advance of their planned trips. With that said, we recommend that the Forest Service websites be used for messaging but more so that the PCTA website be the focal point. PCTA's website is the main source of trail conditions and general information for PCT users across the trail. To do this, CalTrans should contact me, the Northern Sierra Regional Representative, and I will ensure the information is posted to the website and social media. Mr. Guidi, we appreciate the time and effort CalTrans is making to protect the Pacific Crest National Scenic Trail within the State Route 4 Pavement Anchor Project. Please don't hesitate to contact me with any questions you have regarding PCTA's comments.

Thank you for your time and support,

Connor Swift
Northern Sierra Regional Representative

CC:

Casey Jardine, U.S. Forest Service, Stanislaus NF, Calaveras RD, Public Service Staff Officer

Joel Silverman, U.S. Forest Service, Stanislaus NF, Forest Wilderness & Trails Manager

Matthew Zumstein, U.S. Forest Service, Humboldt-Toiyabe NF, Carson RD, District Ranger

Brian Hansen, U.S. Forest Service, Humboldt-Toiyabe NF, Carson RD, Recreation Officer

Justin Kooyman, PCTA, Associate Director of Trail Operations

Response to Comment from the Pacific Crest Trail Association

Comment 1:

In Appendix B of the State Route 4 Pavement Anchor Project Initial Study, it states “Pacific Crest Trail: Culvert 54 (C-54) would take place directly adjacent to the trail. Culvert replacement construction would remain away from the trail crossing. Since the trail crosses State Route 4, it is *assumed* [emphasis added] access to the trail for through hikers would remain.” The following paragraph in Appendix B in regard to Ebbett’s Pass Trailhead also states that “It is *assumed* [emphasis added] one-way traffic control would be provided during culvert replacement construction and would still allow for public access to the trailhead and parking area.” We appreciate that the intention is for trail and trailhead access to remain but recognize that there is still the possibility that access may be restricted during project implementation. Despite this recognition, PCTA strongly encourages CalTrans to continue access to the trail and trailhead and allow for a viable crossing of State Route 4 for the safety of trail users and stock animals. Furthermore, PCTA suggests posting signage along the PCT on either side of State Route 4, therefore trail users will have ample notification of the activities prior to entering a construction area. We also suggest that there be a mechanism for traffic control during operations, whether that be stopping traffic/construction or stopping trail users to increase safety. In addition, PCTA suggests that signage also be clearly posted at Ebbett’s Pass Trailhead to notify trail users of the construction before they begin their travels. Ebbett’s Pass is a common starting point and a highly-visible location to post project information for the public.

PCTA understands that the construction for the State Route 4 Pavement Anchor Project has a high probability of occurring during peak hiking season (May – September). Due to the timing of the construction, it is important that trail users are aware of the activities in advance of their planned trips. With that said, we recommend that the Forest Service websites be used for messaging but more so that the PCTA website be the focal point. PCTA’s website is the main source of trail conditions and general information for PCT users across the trail. To do this, CalTrans should contact me, the Northern Sierra Regional Representative, and I will ensure the information is posted to the website and social media. Mr. Guidi, we appreciate the time and effort CalTrans is making to protect the Pacific Crest National Scenic Trail within the State Route 4 Pavement Anchor Project. Please don’t hesitate to contact me with any questions you have regarding PCTA’s comments.

Response to comment 1:

Safety of the traveling public and our construction workers is Caltrans’ primary responsibility. According to Caltrans Construction, access will remain open for the Pacific Crest Trail at all times during construction. Flaggers will

be required for hiker crossing of State Route 4 only during pavement work, which could require a delay of about 30 minutes when necessary. Construction work in the area where the Pacific Crest Trail crosses State Route 4 will be temporary.

When construction begins, the contractor will determine the actual number of closures to vehicle traffic, but full closures to vehicles may occur only on Tuesday, Wednesday, or Thursday. Full closures will be limited to a 4- to 6-hour duration on these days. Most closures of State Route 4 should allow for a travel lane to be open for public access. Caltrans understands this could impact access to Pacific Crest Trail parking; therefore, appropriate signage during closures or personnel will be provided to ensure the safe passage of the traveling public at this location.

Public outreach for closures will be provided. Caltrans will continue to coordinate with the U.S. Forest Service and Pacific Crest Trail Association in the design phase regarding closures and public outreach.

Comments from the Central Valley Regional Water Quality Control Board

28 March 2022

C. Scott Guidi
California Department of Transportation District 10
1976 East Dr. Martin Luther King Jr. Boulevard
Stockton, CA 95205
Scott.Guidi@dot.ca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, STATE ROUTE 4 PAVEMENT ANCHOR PROJECT, SCH#2022020586, ALPINE COUNTY

Pursuant to the State Clearinghouse's 25 February 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Mitigated Negative Declaration for the State Route 4 Pavement Anchor Project, located in Alpine County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin

Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water

Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board’s Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or

Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response to Comments from the Central Valley Regional Water Quality Control Board

Comment 1:

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Response to comment 1:

As described in the Water Quality Memorandum prepared for the project dated June 7, 2021, the project applicant will prepare and implement a Storm Water Pollution Prevention Plan, as required by the State Water Resources Control Board's Construction General Permit. Therefore, the construction and operation of the project will protect beneficial uses designated in the Central Valley Basin Plan.

Comment 2:

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

Response to comment 2:

Project-related impacts on water quality were evaluated in the Water Quality Memorandum dated June 7, 2021. As discussed in the technical study, implementation of the required Storm Water Pollution Prevention Plan during construction will prevent the project from contributing to water quality degradation of downstream surface water and groundwater receiving water bodies.

Comment 3:

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading,

grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Response to comment 3:

Caltrans has complied with the Storm Water Management Plan for controlling pollutant discharges and meeting permit requirements for this project by preparing a Storm Water Data Report. The preliminary information in the Storm Water Data Report prepared for the Project Approval and Environmental Document phase of the project was reviewed and concurred with by the Central Region National Pollutant Discharge Elimination System Storm Water Management Branch, and if required, will be revised during the later phases of the project. The project is anticipated to affect more than 1 acre of Disturbed Soil Area or discharge into any waterbody; thus, it requires a General Permit. Per Caltrans policy, the project will require the contractor to have an approved Storm Water Pollution Prevention Plan.

Comment 4:

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Response to comment 4:

The Caltrans Municipal Separate Storm Sewer Permit covers all Department (Caltrans) rights-of-way, properties, facilities, and activities in the state. The California State Water Resources Control Board or the Regional Water Quality Control Board issues National Pollutant Discharge Elimination System Permits for five years, and permit requirements remain active until a new permit has been adopted.

Caltrans Municipal Separate Storm Sewer Permit, National Pollutant Discharge Elimination System Number CAS000003, California State Water Resources Control Board Order Number 2012-0011-DWQ (adopted on September 19, 2012, and effective on July 1, 2013), as amended by Order Number 2014-0006-EXEC (effective January 17, 2014), Order Number 2014-0077-DWQ (effective May 20, 2014) and Order Number 2015-0036-EXEC (conformed and effective April 7, 2015) contains three basic requirements:

1. The Department must comply with the requirements of the Construction General Permit;
2. The Department must implement a year-round program in all parts of the State to effectively control stormwater and non-stormwater discharges; and
3. The Department's stormwater discharges must meet water quality standards through the implementation of permanent and temporary (construction) Best Management Practices to the Maximum Extent Practicable, and other measures deemed necessary by the California State Water Resources Control Board and/or other agency having authority reviewing the stormwater component of the project.

To comply with the permit, Caltrans developed the Statewide Storm Water Management Plan to address stormwater pollution controls related to highway planning, design, construction, and maintenance activities throughout California. The Statewide Storm Water Management Plan assigns responsibilities within the Department for implementing stormwater management procedures and practices as well as training, public education, and participation, monitoring and research, program evaluation, and reporting activities. The Statewide Storm Water Management Plan describes the minimum procedures and practices the Department uses to reduce pollutants in stormwater and non-stormwater discharges. It outlines procedures and responsibilities for protecting water quality, including the selection and implementation of Best Management Practices. The project will be programmed to follow the guidelines and procedures outlined in the latest Statewide Storm Water Management Plan to address stormwater runoff.

Comment 5:**Industrial Storm Water General Permit**

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Response to comment 5:

No stormwater discharges associated with industrial sites are anticipated for this project.

Comment 6:**Clean Water Act Section 404 Permit**

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Response to Comment 6:

As stated in Section 1.7 of the Initial Study with Mitigated Negative Declaration, a 1600 Agreement is required through the California Department of Fish and Wildlife, a 404 Nationwide Permit will be required through the U.S. Army Corps of Engineers, and a 401 Certification will be required through the Regional Water Quality Control Board. The application for the 1600 Agreement is expected after publication of the final environmental document. Applications for the 401 Certification and 404 Nationwide Permit are expected during the Plans, Specifications, and Estimates phase of the project.

Comment 7:**Clean Water Act Section 401 Permit – Water Quality Certification**

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Response to comment 7:

Please see response for comment 6 above.

Comment 8:**Waste Discharge Requirements – Discharges to Waters of the State**

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:
https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Response to comment 8:

Consultation with the Water Board will occur for the Waste Discharge Requirements application for streams that are found to be not Waters of the U.S. but potentially Waters of the State instead.

Comment 9:**Dewatering Permit**

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Response to comment 9:

If project work requires construction or groundwater dewatering to be discharged to land, Caltrans will obtain all necessary permits from the Central Valley Regional Water Quality Control Board. If that situation were to occur, it may require a permit for construction dewatering under the Limited Threat General Order.

Comment 10:**Limited Threat General NPDES Permit**

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General

Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

Response to comment 10:

Dewatering may be required for this project. If dewatering were to occur, Caltrans policy is to obtain all necessary permits from the Central Valley Regional Water Quality Control Board.

Comment 11:

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

Response to comment 11:

If the project results in discharges, whether to land or water, Caltrans understands that it is subject to Section 13260 of the California Water Code. Section 13260 states that persons discharging or proposing to discharge waste that could affect the quality of waters of the State, other than into a community sewer system, must file a Report of Waste Discharge to obtain Waste Discharge Requirements from the appropriate Regional Water Board. Land- and groundwater-related Waste Discharge Requirements (i.e., non-National Pollutant Discharge Elimination System Waste Discharge Requirements) regulate discharges of privately or publicly treated domestic wastewater and process and wash-down wastewater. Waste Discharge Requirements for discharges to surface waters also serve as National Pollutant Discharge Elimination System Permits.

Comment from Jackson Hurst

From: Jackson Hurst <ghostlightmater@yahoo.com>
Sent: Sunday, March 13, 2022 2:06 PM
To: Guidi, Scott@DOT <Scott.Guidi@dot.ca.gov>
Subject: State Route 4 Pavement Anchor Project IS/MND Document Public Comment

EXTERNAL EMAIL. Links/attachments may not be safe.

Name - Jackson Hurst

Address - 4216 Cornell Crossing, Kennesaw, Georgia 30144

Comment - I have reviewed the IS/MND Document for the State Route 4 Pavement Anchor Project Multi-objective Pavement Anchor Project in Alpine County along State Routes 4 and 89. I approve and support the build alternative because the build alternative will replace culverts that are in poor condition with ones that are safer.

sent from ghostlightmater@yahoo.com

Response to Comment from Jackson Hurst

Thank you for your comment on the Caltrans State Route 4 Pavement Anchor Project. Caltrans appreciates your interest in the Initial Study with Proposed Mitigated Negative Declaration. Your support for the proposed build alternative has been documented.

List of Technical Studies Bound Separately (Volume 2)

Air Quality Memorandum

Natural Environment Study

Climate Change and Greenhouse Gas Memorandum

Cultural Historic Property Survey Report

Floodplain Evaluation

Hazardous Waste Initial Site Assessment

Noise Study Memorandum

Water Quality Memorandum

Scenic Resource Evaluation/Visual Assessment

To obtain a copy of one or more of these technical studies/reports or the Initial Study, please send your request to:

C. Scott Guidi
District 10 Environmental Division
California Department of Transportation
1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205

Or send your request via email to: scott.guidi@dot.ca.gov

Or call: 209-479-1839

Please provide the following information in your request:

Project title: State Route 4 Pavement Anchor Project

General location information: State Routes 4 and 89 in Alpine County from post miles 0.0 to 31.7 and post mile 10.84.

District number-county code-route-post mile: 10-ALP-4, -89 post miles 0.0 to 31.7, 10.84

EA/Project ID number: EA 10-0J720/Project ID 1018000271