

Valley Oaks Intersection

Intersection of State Route 12 and
the Valley Springs Shopping Center entrance/exit

10-Cal-12-9.9/10.3

10-1J820/1019000055

State Clearinghouse Number 2022050385

Initial Study with Mitigated Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation

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General Information About This Document

Document prepared by: Sierra Ellison-Swabey, Associate Environmental Planner

The Initial Study with Proposed Mitigated Negative Declaration circulated for public review and comment for 32 days between May 19, 2022 and June 20, 2022. Comments received during this period are included in Appendix B. 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.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please write to or call Caltrans, Attention: C. Scott Guidi, District 10 Environmental Division, 1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205; phone number 209-479-1839 (Voice), or use the California Relay Service 1-800-735-2929 (Teletype to Voice), 1-800-735-2922 (Voice to Teletype), 1-800-855-3000 (Spanish Teletype to Voice and Voice to Teletype), 1-800-854-7784 (Spanish and English Speech-to-Speech), or 711.

Safety intersection improvements on State Route 12
from post miles 9.9 to 10.3 in Calaveras County

**INITIAL STUDY
with Mitigated Negative Declaration**

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

THE STATE OF CALIFORNIA
Department of Transportation

Responsible Agency: California Transportation Commission

James P. Henke

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

8/16/2022

Date

The following individual can be contacted for more information about this document:

C. Scott Guidi, 1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California
95205, phone (209) 479-1839, email Scott.Guidi@dot.ca.gov



Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2022050385

District-County-Route-Post Mile: 10-Cal-12-9.9/10.3

EA/Project Number: 10-1J820/1019000055

Project Description

The California Department of Transportation (Caltrans) proposes to improve the intersection at State Route 12 (from post miles 9.9 to 10.3) and entrance/exit of the Valley Oaks Shopping Center in Calaveras County. The project proposes to reduce the number and severity of broadside collisions at this location through intersection control improvements. The project would require additional right-of-way and utility relocation. Project work may include frontage roads, turn lanes, sidewalks, bus stops, bike lanes, and curb ramps.

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 of Wetlands and Other Waters of the United States:* Permanent losses of Waters of the United States are proposed to be compensated by participation in the Nation Wildlife Federation's Sacramento District California In-Lieu Fee Program.

A handwritten signature in blue ink that reads 'James P. Henke'.

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

8/16/2022

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 National Environmental Policy Act (known as NEPA). The project is a safety improvement project funded through the State Highway Operation and Protection Program and would receive both state and federal funding.

This safety project is within the census-designated place of Valley Springs in Calaveras County, at the intersection of State Route 12 and the entrance/exit of the Valley Oaks Shopping Center. Calaveras County lies southeast of Sacramento, on the eastern side of the Central Valley in California. Chapter 1 of this document discusses the project location, scope and alternatives for the project, and Chapter 2 discusses the potential environmental impacts from the project.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of the project is to improve traffic safety by reducing the number and severity of collisions at the intersection of State Route 12 and the entrance/exit of the Valley Oaks Shopping Center.

1.2.2 Need

The project is needed to address a pattern of broadside collisions occurring at the entrance/exit of the Valley Oaks Shopping Center along State Route 12, caused from motorists failing to yield at this intersection.

1.3 Project Description

Caltrans proposes to improve the intersection, at post miles 9.9 to 10.3, on State Route 12 at the Valley Oaks Shopping Center entrance/exit in Calaveras County. The project proposes to reduce the number and severity of broadside collisions at this location by adding intersection control improvements. A build alternative and a no-build alternative are currently proposed. The project would require additional right-of-way and utility relocation. Project work may include frontage roads, turning lanes, sidewalks, bus stops, bike lanes, and curb ramps.

Figure 1-1 shows where the project lies in Calaveras County, in the unincorporated census-designated place of Valley Springs. Figure 1-2 shows the project location within Valley Springs in relation to local roads.

Figure 1-1 Project Vicinity Map

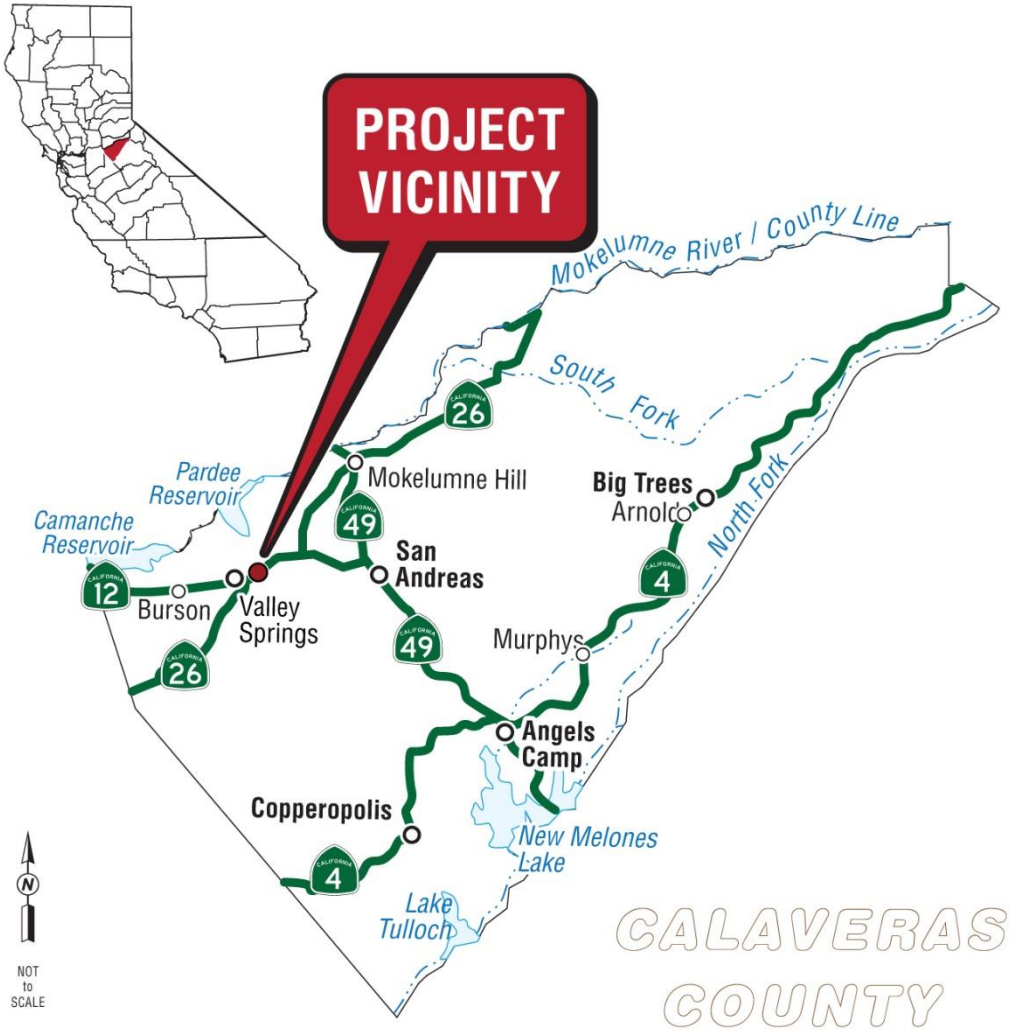
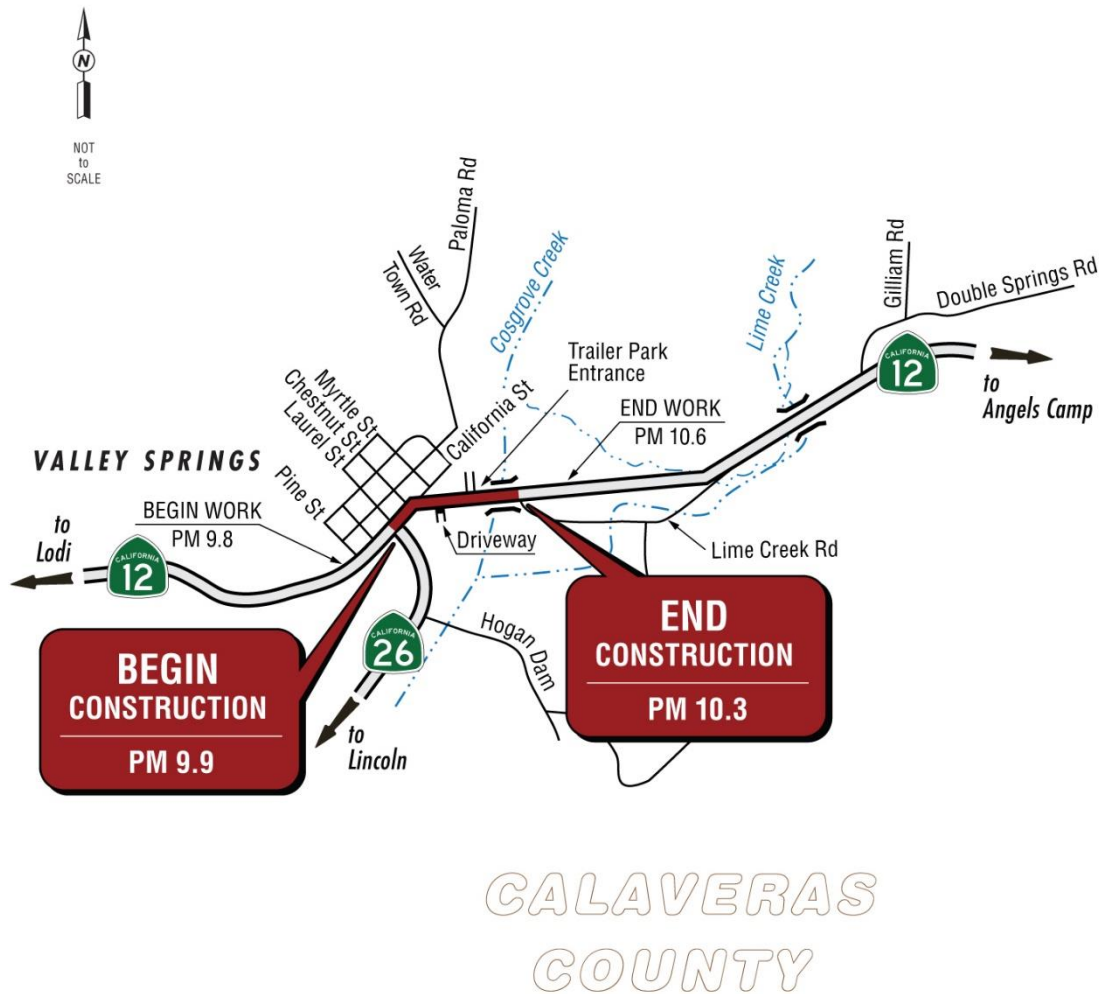


Figure 1-2 Project Location Map



The project limits stretch from post miles 9.9 to 10.3 on State Route 12, with the intersection improvement work to occur at the intersection of State Route 12 and the entrance/exit of the Valley Oaks Shopping Center. The project would require temporary partial-lane closures and one-way traffic control during the construction of the project. No full-lane closures or detours are anticipated at this time.

1.4 Project Alternatives

Initially under consideration were three build alternatives and a no-build alternative for intersection improvements at State Route 12 and the Valley Springs Shopping Center entrance/exit. One of the build alternatives was

dropped from consideration before the Project Approval and Environmental Document phase began. Another build alternative was subsequently also dropped after the phase began.

The following paragraph was revised after the draft environmental document completed circulation. Section 1.4.1 discusses the remaining build alternative and the no-build alternative, and Section 1.6 discusses the alternatives eliminated from further discussion. After the draft environmental document completed circulation, comments were collected, and input from the public and Caltrans Project Development Teams were received, the preferred alternative was identified. Please see Section 1.5 for additional details on the identification of the preferred alternative.

1.4.1 Build Alternatives

The project development team considered three build alternatives (Alternatives 1, 2 and 3) and one no-build alternative. Two of the build alternatives (Alternatives 2 and 3) were considered but eliminated from further discussion before the draft environmental document was completed. The remaining build alternative (Alternative 1) and the no-build alternative are discussed below. See Section 1.6 for discussion of the eliminated alternatives.

This project contains a number of 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.”

Alternative 1—Signal

Alternative 1 will convert the intersection of State Route 12 and the Valley Oaks Shopping Center entrance/exit from a T-shaped three-legged intersection to a four-legged intersection, with signals for every direction.

- The driveway on the north side of the intersection will be converted to a signalized approach, with a frontage road to provide access for the businesses and fire station on that side.
- The southbound approach will be one shared through/left-turn lane.
- The northbound approach will be one dedicated free right-turn lane and one through/left-turn lane.
- A two-way left-turn lane will be added at the State Route 12 and mobile home park driveway, providing a safe dedicated area for vehicles turning left into the mobile home park and allowing the main lane traffic to proceed without slowing.

- The State Route 12 eastbound approach will include a two-way left-turn lane, one through lane, and one dedicated right-turn lane to provide access to the shopping center. This new configuration will provide drivers an opportunity to merge into the through lane before crossing the intersection.
- The State Route 12 westbound approach will be one through lane and one lane dedicated to left turns.

These intersection improvements will require roadway widening, and standard 8-foot shoulder widths are anticipated to include striping for 4-foot-wide bike lanes. To encourage bicycle and pedestrian crossing, the project will add curb ramps that comply with the Americans with Disabilities Act (ADA) and blended transitions.

Local government officials have identified a need for a shared use path from the mobile home park east of this intersection to the State Route 12/State Route 26 Junction, which is referenced in an ongoing planning study called the “Valley Springs Town Center Connectivity Plan.” To meet Complete Street requirements, the project will incorporate the portion of the shared use path from the mobile home park to this intersection. The shared use path will improve mobility for the residents going to and from the shopping center. The sidewalk will be a 6-foot-wide, at-grade concrete or asphalt surface.

High-visibility crosswalks will be installed across all legs of the intersection. In addition, a Class Two bike path and 6-foot-wide sidewalks will be placed along the shoulder along the south side of State Route 12 from the intersection with State Route 26 to the shopping center entrance/exit. A bus stop is also being considered for the southeast corner of the proposed signal location.

1.4.2 No-Build (No-Action) Alternative

If no action is taken and the project is not built, the intersection would remain as is. Therefore, the No-Build Alternative would not address the intersection control issues at this intersection.

1.5 Identification of a Preferred Alternative

This section was added after the draft environmental document completed circulation.

The draft environmental document was circulated for public review and comment from May 19, 2022 to June 20, 2022. All comments were reviewed and considered; no comments were negative or against the build alternative. Caltrans has identified the build alternative (Alternative 1) 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 Alternatives Considered but Eliminated from Further Discussion

The following section had minor edits made after the draft environmental document completed circulation.

Alternative 2—All-Way Stop Control

Alternative 2 would have installed an All-Way Stop Control at the intersection of State Route 12 and the Valley Oaks Shopping Center entrance/exit by using stop signs. A stop sign would have been placed at the intersection for both the eastbound and westbound traffic on State Route 12. The existing stop sign for the vehicles exiting the Valley Oaks Shopping Center would have remained in place. This alternative would not have required any additional right-of-way or road widening.

In the Project Approval and Environmental Document phase of the project, the Project Development Team determined that Alternative 2 would be eliminated from further consideration because the alternative failed to meet operational requirements for the design year, which is 20 years after the opening year of the project. The failure to meet future operational needs is documented in the Final Traffic Operation Analysis Report completed for this project in April 2021.

Alternative 3—Roundabout

Alternative 3 would have installed a roundabout at the intersection of State Route 12 and the Valley Oaks Shopping Center entrance/exit. This alternative proposed a single-lane roundabout with a 130- to 150-foot diameter to accommodate Surface Transportation Assistance Act vehicles. The approach on either side would have required widening for essential roundabout elements such as splitter islands, landscape buffers, curbs, and gutters. This alternative would have required additional right-of-way from seven parcels and one full acquisition of a business, and anticipated utility relocation.

In the Project Initiation Document Phase of the project, the Project Development Team determined that Alternative 3 would be eliminated from further consideration because of the right-of-way impacts as well as concerns from the Calaveras Consolidation Fire Protection. Construction of the new approach would have impacted the nearby Burger King and Taco Bell restaurants and would have permanently closed two access points to the shopping center due to new curb and gutters along the approach. While Caltrans would have provided

relocation assistance to these businesses, the loss of these businesses could have impacted the economy of the shopping center.

In addition, the roundabout would have impacted the fire station belonging to the Calaveras Consolidated Fire Protection; the Fire Chief expressed concerns about unnecessary liabilities and potential for collisions. These concerns included that the curbs and gutters of the roundabout would not provide a refuge area for vehicles when the fire trucks back into the station; there could be potential confusion with motorists not understanding the firefighters' intent when backing up the fire truck in the roundabout, and then potentially causing queuing and gridlock of the vehicles behind the fire truck. This was documented in the Intersection Control Evaluation-Prescreening Roundabout Alternative Memo in September 2019 and in the Project Initiation Report in December 2019.

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

BIO 1 – Environmentally Sensitive Area Designation.

BIO 2 – Designated Biologist.

BIO 3 – Containment Measures/Construction Site Best Management Practices.

BIO 4 – Limited Operation Period – Stream Zone Construction Activities.

BIO 5 – Worker Environmental Awareness Training for Construction.

BIO 6 – Restore and Revegetate Temporarily Disturbed Areas Onsite.

BIO 7 – Weed-Free Construction Equipment and Vehicles.

BIO 8 – Weed Control During Construction.

BIO 9 – Weed Erosion and Revegetation Treatments.

BIO 10 – Nesting Bird Avoidance – Limited Operation Period.

BIO 11 – Nesting Bird Avoidance – Pre-Construction Surveys During Nesting Season.

BIO 12 – Nesting Bird Avoidance – Avoid Active Nests.

BIO 13 – Sensitive Aquatic Species Avoidance – Pre-Construction Surveys.

BIO 14 – Sensitive Aquatic Species Avoidance – Construction Monitoring.

BIO 15 – Sensitive Aquatic Species Avoidance – Avoid Sensitive Aquatic Species.

GHG 1 – Limit idling to 5 minutes for delivery and dump trucks and other diesel-powered equipment (with some exceptions).

GHG 2 – Schedule truck trips outside of peak morning and evening commute hours.

GHG 3 – Schedule longer-duration lane closures to reduce number of equipment mobilization efforts.

GHG 4 – For improved fuel efficiency from construction equipment:

- Equipment will be maintained in proper tune and working condition.
- The contractor will use right-sized equipment for the job.
- The contractor will use equipment with new technologies to the extent feasible.

GHG 5 – The project includes Complete Streets components (crosswalks, sidewalks, proposed bus area, etc.) that will make non-auto modes of transportation more attractive.

HW 1 – Caltrans Standard Special Provision 14-11.12 would be added to the construction contract for a lead compliance plan to be prepared by a Certified Industrial Hygienist and the contractor shall manage the removed stripe and pavement markings as hazardous waste.

NQ 1 – Caltrans Standard Specification Section 14-8 (Noise Control) for controlling noise and vibrations.

NQ 2 – All equipment will have sound-control devices that are no less effective than those provided on the original equipment.

1.8 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).

1.9 Permits and Approvals Needed

The following permits, licenses, agreements, and certifications are required for project construction. The table was updated after the draft environmental document completed circulation.

Agency	Permit/Approval	Status
California Department of Fish and Wildlife	California Department of Fish and Wildlife Code Section 1600 agreement	The notification for the Section 1600 agreement would be submitted during the project's final design phase.
Central Valley Regional Water Quality Control Board	Clean Water Act Section 401 Water Quality Certification	The application for the Section 401 certification would be submitted during the project's final design phase.
U.S. Army Corps of Engineers	Clean Water Act Section 404 permit	The application for the Section 404 permit would be submitted during the project's final design phase.
U.S. Fish and Wildlife Service	Endangered Species Act Section 7: Inter-agency consultation	Informal consultation with the U.S. Fish and Wildlife Service began in December 2021. A request for concurrence for a "may affect, but is not likely to adversely affect" determination was submitted on January 14, 2022, and a letter of concurrence for this determination was received on April 11, 2022.

Chapter 2 CEQA Evaluation

2.1 CEQA Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed 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 proposed 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 October 18, 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?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact

Question—Would the project:	CEQA Significance Determinations for Aesthetics
c) In non-urbanized areas, substantially degrade the existing visual character or 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?	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No Impact

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 project location and scope of work, 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

Question—Would the project:	CEQA Significance Determinations for Agriculture and Forest Resources
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?	No Impact
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

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 Valley Oaks Intersection – Air Quality Memo dated September 6, 2021, 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
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 September 14, 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
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
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?	No 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 an urbanized area of Valley Springs, with commercial businesses on both sides of State Route 12. East of the proposed intersection improvements is Cosgrove Creek, an intermittent stream tributary to the Calaveras River below the dam at New Hogan Reservoir.

Drainage systems occur on both sides of State Route 12 and flow east to discharge into Cosgrove Creek. The drainage systems consist of a series of broad steep-walled ditches, connecting underground culverts, curb overside drains, grated drop inlets, and irrigation ditches. Stormwater and landscape irrigation overflow into the ditch and culvert system on the south side of State Route 12, and eventually the drainage ditch discharges directly into Cosgrove Creek. East of the driveway to the Valley Oaks Shopping Center, portions of the drainage system open to the daylight and provide enough surface water to support vegetation.

The September 2021 Natural Environment Study found that several special-status wildlife species could occur within the project area: western pond turtle, California red-legged frog, foothill yellow-legged frog, tricolored blackbird, migratory birds, and raptors. Waters of the United States, Waters of the State of California, potential wetlands and riparian areas, and invasive plant species have also been identified within the project area. See the Natural Environment Study for maps and location specifics within the biological study area.

Environmental Consequences

The project involves various construction activities that could cause impacts to biological resources in the area. These activities include vegetation removal, excavation, road widening, paving, trenching, and fill material.

Special-Status Plant Species

The project will have “no effect” on these federally or state-listed special-status plant species, California “rare” plant species, or plant species protected by the California Native Plant Protection Act: Henderson’s bent grass, lone manzanita, big-scale balsamroot, Hoover’s calycadenia, Bisbee Peak rush-rose, lone buckwheat, Tuolumne button-celery, delta button-celery, Stanislaus monkeyflower, Parry’s horkelia, legenera, pincushion navarretia, Patterson’s navarretia, and prairie wedge grass. No avoidance and minimization measures are proposed for these species.

Invasive Plant Species

Invasive plant species were found in the project area, and ground-disturbing activities such as road widening, ground vegetation removal, excavation for roadway base, roadway fill, trenching for electrical, and intelligent transportation systems elements work are anticipated. The project has the following potential to impact weed species:

- Moderate potential to spread terrestrial and/or aquatic weeds.
- Very low potential to alter terrestrial and/or aquatic habitats for weed infestation.
- Low potential to create new open areas for terrestrial weed species.

- Very low potential to alter aquatic habitat to favor growth of aquatic weed species.
- Moderate potential for terrestrial and aquatic weed vectors to temporarily increase during project implementation.
- Low potential to increase area infested by terrestrial weeds within the biological study area.
- Moderate potential to result in spread of terrestrial weeds outside the biological study area.
- Very low potential to result in an increased area infested by aquatic weeds within the biological study area.
- Low potential to result in the spread of aquatic weeds outside the biological study area.

Any potential impacts by invasive plant terrestrial or aquatic species will be avoided and minimized with the implementation of measures BIO 7 through BIO 9.

Wetlands, Riparian Areas, Waters of the United States and Waters of the State of California

The project will have temporary and permanent impacts to wetlands, riparian areas and Waters of the United States and Waters of the State of California. Table 1 shows the estimated impacts to these items based on preliminary project design. The estimated impacts may change once the design of the project is finalized in the Plans, Specifications, and Estimates phase. A description of the impacted areas follows the table.

Table 1: Estimated Impacts to Potential Jurisdictional Wetlands, Waters of the United States and Waters of the State of California

Location Name	Temporary Impacts (acres) Total Estimated Impact: 0.072	Permanent Impacts (acres) Total Estimated Impact: 0.42
Ditch 3	0.06	0.38
Cosgrove Creek	0.01	0.03
Wetland VS-4	0.002	0.01
Non-Federal Waters	No impact	No impact

These impacts to wetlands, Waters of the United States, and Waters of the State of California will be avoided, minimized, and mitigated with measures BIO 1 through BIO 6 and BIO 16, as described in the next subsection (Avoidance, Minimization, and/or Mitigation Measures). In addition, a Clean

Water Act Section 404 permit, a Clean Water Act Section 401 Water Quality Certification, and a California Fish and Game Code Section 1600 Agreement will be required.

The impact locations are described below using the location descriptions from the Natural Environment Study.

Ditch 3 and Cosgrove Creek

Ditch 3 (an existing ditch system on the south side of State Route 12) and Cosgrove Creek will require the placement of fill material to match the elevational profile of the adjacent roadway base to widen State Route 12 to the south. Ditch 3 discharges to Cosgrove Creek within the biological study area and qualifies as a potential wetland. An estimated 0.38 acre of Ditch 3 will be permanently impacted by the placement of roadway fill for widening. Construction activities at Ditch 3 would result in an estimated 0.06 acre of temporary impact of potential wetlands due to expected operation of construction equipment and crews approximately 25 feet beyond the proposed fill area. At the lower end of the Ditch 3, the placement of roadway for fill for roadway widening will go below the ordinary high-water mark of Cosgrove Creek, which would cause an estimated 0.03 acre of permanent impact to the stream. The construction of the project will result in an estimated 0.01 acre of temporary impact to Cosgrove Creek due to expected operation of construction equipment and crews approximately 25 feet beyond the proposed fill area.

Wetland VS-4

Wetland VS-4, a seasonally wet area in a very shallow depression extending into the roadway embankment ditch on the north side of State Route 12 (approximately 50 feet east of Trailer Park Road), was preliminarily identified as a wetland based on vegetation, soils, and wetland hydrology. This area will require the placement of fill to widen State Route 12 and will result in an estimated 0.01 acre of permanent impact, and an estimated 0.002 acre of temporary impact due to construction activities adjacent to the roadway.

Non-Federal Waters

The area of non-federal waters is the area between the “top of bank” and the ordinary high-water mark of Cosgrove Creek. This area could potentially qualify as non-federal Waters of the State of California, and the project is not expected to have any temporary impacts to this area.

Special-Status Wildlife Species

The tricolored blackbird has been recorded roughly 1.3 miles southeast of the biological study area near Petersburg Road in Valley Springs in an area with cattails, blackberry, and willows. Some portions of the drainage system on the south side of State Route 12 are wet enough for small patches of cattails within the biological study area, which could provide habitat for the tricolored

blackbird. Biological surveys of the area found no tricolored blackbirds in the area. With the implementation of avoidance measures BIO 10 through BIO 12, the project will not result in “take” (as defined by California Fish and Game Code Section 86) of tricolored blackbirds.

The project is within the current range of the western pond turtle. The nearest recorded occurrence is 12.2 miles west of the biological study area near Bear Creek at Cord Road in 2008, and the population is presumed to still exist. Cosgrove Creek may, on a seasonal basis, provide potential refuge, shelter, or foraging habitat for western pond turtles. The drainage system on the south side of State Route 12 is wet enough for small patches of cattails; the final stretch of the ditch discharges directly into Cosgrove Creek. Water was seen flowing or standing in the drainage ditches during all site visits and may have standing water during western pond turtle breeding season during at least some seasons. Drainage ditches may, on a seasonal basis, provide potential refuge, shelter, or foraging habitat for western pond turtles. In addition, the western pond turtle population could be present downstream in the New Hogan Reservoir and could access Cosgrove Creek; the turtles may then be able to enter drainage ditches on a seasonal basis. The artificial ponds from the water treatment facility next to Cosgrove Creek could also provide access to the project area.

The project is within the current range of the California red-legged frog. The nearest recorded occurrence is 2.8 miles northeast of the biological study area near Young’s Creek in Valley Springs and is presumed to still exist. This creek joins Cosgrove Creek roughly 2 miles northeast of the proposed project. Though this creek has potential for providing the California red-legged frog access to the project area, there are many obstacles (predators, long distance, intermittent streams, crossing roads, etc.) that would hinder that. Biological surveys performed in the project area found no California red-legged frogs. Like the western pond turtle, the California red-legged frog has, on a seasonal basis, potential refuge, shelter, or foraging habitat from Cosgrove Creek and the drainage system on the south side of State Route 12.

The project is within the current range of the foothill yellow-legged frog. The nearest recorded occurrence is 12.7 miles northeast of the biological study area near Jesus Maria Creek and the population is presumed to still exist. Like the western pond turtle and California red-legged frog, the foothill yellow-legged frog has, on a seasonal basis, potential refuge, shelter, or foraging habitat from Cosgrove Creek and the drainage system on the south side of State Route 12.

The California red-legged frog and the foothill yellow-legged frog could also access the project area through the connection to New Hogan Reservoir. Although Cosgrove Creek and artificial ponds could provide access to the project area, they are likely to support bullfrogs and centrarchid fishes, which may discourage breeding or seasonal occupation by California red-legged

frogs. So, California red-legged frogs and foothill yellow-legged frogs have some potential to be present within the biological study area on at least a seasonal basis, and for the purposes of this project, potential aquatic habitat for these frogs will be considered present in the area.

The area considered to be potential aquatic habitat for the western pond turtle, the California red-legged frog, and the foothill yellow-legged frog lies between the streambed and the “top of bank” of Cosgrove Creek and to the limits of wetland boundaries of the drainage ditches on the south side of State Route 12 within the biological project area.

Permanent and temporary impacts to potential western pond turtle, California red-legged frog, and foothill yellow-legged frog habitats are therefore the same as reported for potential Waters of the United States and Waters of the State of California. With the implementation of avoidance measures BIO 1 through BIO 6 and BIO 13 through BIO 15, the project will not result in “take” (as defined by California Fish and Game Code Section 86 and the Federal Endangered Species Act) of the western pond turtle, California red-legged frog, and foothill yellow-legged frog. No compensatory mitigation measures are anticipated for these impacts; avoidance measures for these species will be incorporated into the project. However, since the project “may affect” foothill yellow-legged frog (proposed Threatened) and California red-legged frog, consultation with the U.S. Fish and Wildlife Service was initiated in December 2021.

Migratory Birds and Raptors

Migratory birds and raptors have potential habitat within the biological study area. Swallow nests were seen on the soffits of the existing Cosgrove Creek Bridge, and swallows may attempt to nest in these areas between February 1 and September 30 (nesting season). No construction activities are currently proposed at this bridge that will affect nesting swallows. The trees, shrubs, and other ground vegetation could provide suitable nesting habitats for migratory birds and raptors during nesting season. With the implementation of avoidance measures BIO 10 through BIO 12, no “take” (as defined by the Migratory Bird Treaty Act) will occur for any migratory birds, raptors, and their nests.

All above impacts will be less than significant with the incorporation of avoidance, minimization, and/or mitigation measures BIO 1 through BIO 16.

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.

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 shall be considered as Environmentally Sensitive Areas, as well as any areas determined by a qualified biologist during project planning or during pre-construction 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 shall 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 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. Regulatory agency approval

will be required prior to Caltrans' acceptance of any Contractor-Supplied Biologists. Prior to project construction, the Contractor-Supplied Biologists would prepare a "Natural Resources Protection Program" within 7 days of contract approval as 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 – 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 shall follow all applicable guidelines and requirements in Section 13 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. Project-specific Best Management Practices will address (among other things):

- Spill Prevention and Control
- Material Management
- Waste Management (Solid, Hazardous, Concrete, Sanitary/Septic Wastes, Contaminated Soils)
- Vehicle and Equipment Cleaning, Fueling, and Maintenance
- Material and Equipment Use Over Water
- Structure Removal Over or Adjacent to Water
- Paving, Sealing, Sawing, Grooving and Grinding Activities
- Concrete Curing and Finishing
- Temporary Soil Stabilization
- Temporary Sediment Control
- Temporary Tracking Control

- Temporary Concrete Washouts
- Illicit Connection/Illegal Discharge Detection and Reporting

Further water pollution control information and guidance for contractors is provided in the following Caltrans manuals:

- Stormwater Pollution Prevention Plan and Water Pollution Control Program Preparation Manual
- Construction Site Best Management Practices Manual
- Construction Site Monitoring Program Manual

Prior to construction, the Contractor would be required to submit either a Water Pollution Control Plan or a Stormwater Pollution Prevention Plan, as appropriate. Caltrans would 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 would 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, maintained, and operating effectively and as designed.

BIO 4 – Limited Operation Period – Stream Zone Construction Activities

It is proposed that construction activities occurring in aquatic habitat within the project construction footprint and Environmental Study Limits shall occur between May 1 and October 15 of any construction season, unless earlier or later dates for in-channel construction activities are approved by regulatory agencies. By requiring contractors to adhere to these dates for stream-zone construction, the project proponent will minimize project effects to receiving waters.

BIO 5 – Worker Environmental Awareness Training for Construction

Before any work occurs in the project area, a qualified designated biologist (Designated Biologist; familiar with the resources to be protected) will conduct a mandatory “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 (e.g., 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 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 shall 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 their 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 as per Special Provisions of the Caltrans 2018 Standard Specifications under Section 14-6.03(D) "Biological Resource Information Program." A Biological Resources Information Program submittal will only be accepted by Caltrans if it complies with all regulatory provisions.

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 as (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 – 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 shall 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 8 – 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 9 – 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 as per Caltrans 2018 Standard Specifications Section 21-2.02F.

BIO 10 – 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 pre-construction surveys or nesting bird avoidance measures.

BIO 11 – Nesting Bird Avoidance – Pre-Construction 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 shall be conducted by a qualified biologist within 15 days prior to the beginning to project-related activities. If a lapse in project-related work of 15

days or longer occurs, another survey and, if required, consultation with the United States Fish and Wildlife Service and California Department of Fish and Wildlife will be required before the work can be reinitiated. Pre-construction surveys for nesting migratory birds and raptors shall 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 12 – Nesting Bird Avoidance – Avoid Active Nests

If active nests are found, a protective no-work buffer will be established (Table 18) and Caltrans shall consult with the United States Fish and Wildlife Service regarding appropriate action to comply with the Migratory Bird Treaty Act of 1918 and with 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 pre-construction survey, the appropriate no-work buffer will need be established around the nest. No work will commence within the buffer until authorization is received from the Resident Engineer. Appropriate no-work buffer distances for specific bird species are listed below (Stop all work within a radius of any active migratory bird nest as noted in Table 2).

Table 2: Recommended Protective Buffer Radii for Migratory Bird Species Nests

Species	Protective Radius (feet)
Raptors	300
Other Migratory Birds (Including Tricolored Blackbirds)	100

Protective buffer radii for nesting migratory birds and raptors shall 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 13 – Sensitive Aquatic Species Avoidance – Pre-Construction Surveys

A focused survey for sensitive aquatic species shall be conducted by a qualified biologist within 1 day prior to the beginning of project-related activities. If a lapse in project-related work of 1 day or longer occurs, another survey and, if required, consultation with the United States Fish and Wildlife Service and California Department of Fish and Wildlife will be required before the work can be reinitiated. Pre-construction surveys for sensitive aquatic

species shall be specified under Caltrans 2018 Standard Specification and/or Standard Special Provision 14-6.03A (Species Protection).

BIO 14 – Sensitive Aquatic Species Avoidance – Construction Monitoring

A qualified Designated Biologist will be present during all construction-related activities that may affect sensitive aquatic species or their habitat. The Designated Biologist will have the authority to halt work through coordination with the Resident Engineer or onsite project manager if a sensitive aquatic species is observed on 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 sensitive aquatic species could potentially occur. Work will resume once the animal leaves the site of its own volition, or once it is determined that the species is not being harassed by or in danger due to construction activities.

To prevent inadvertent entrapment of sensitive aquatic species during construction, all excavated, steep-walled holes or trenches more than 6 inches deep will be covered at the end of each working day with plywood or similar material. At the beginning of each working day and before such holes or trenches are filled, they will be thoroughly inspected for trapped animals. If at any time a trapped native amphibian or reptile is discovered in these situations, the qualified Designated Biologist will have the authority to halt activities in these locations through coordination with the Resident Engineer or onsite project manager and will immediately place escape ramps or other appropriate structures to allow the animal to escape. Work will resume once the animal leaves the site of its own volition, or once it is determined that the species is not being harassed by or in danger due to construction activities.

BIO 15 – Sensitive Aquatic Species Avoidance – Avoid Sensitive Aquatic Species

If sensitive aquatic species are found, a protective no-work buffer of 100 feet will be established and Caltrans shall consult with the United States Fish Wildlife Service and/or the California Department of Fish and Wildlife. No work will commence within the buffer until authorization is received from the Resident Engineer.

BIO 16 – Compensatory Mitigation – Wetlands and Other Waters of the United States

Permanent losses of waters of the United States are proposed to be compensated by participation in the Nation Wildlife Federation's Sacramento District California In-Lieu Fee Program.

2.1.5 Cultural Resources

Considering the information in the Historic Property Survey Report dated January 14, 2021 and the Supplemental Historic Property Survey Report dated December 15, 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
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

2.1.6 Energy

Considering the project’s scope and anticipated duration, 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 Paleontology memo dated January 27, 2022 and the California Department of Conservation Regulatory portal, and based on the proposed project location and scope, 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
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 waste water disposal systems where sewers are not available for the disposal of waste water?	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/Greenhouse Gas Analysis dated January 5, 2022, 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?	Less Than Significant Impact

Affected Environment

The project is in an urban area of Calaveras County with a well-developed road and street network. State Route 12 through this area is a two-lane highway that connects with State Route 26 to the north of the proposed intersection improvement. The project area is mainly commercial, with some light industrial and residential buildings, including a mobile home park northeast of the intersection and a fire station to the northwest. Traffic congestion during peak hours is not uncommon in the project area. A Regional Transportation Plan (RTP)/Sustainable Community Strategy (SCS) by Calaveras Council of Governments Regional Transportation Planning Agency guides transportation development in the project area. The Calaveras County General Plan Sustainability element addresses greenhouse gases in the project area.

Environmental Consequences

The purpose of the project is to improve traffic safety by reducing the number and severity of collisions at the Valley Oaks Shopping Center and State Route 12 intersection. The project will not increase the vehicle capacity of the roadway. This type of project generally causes minimal or no increase in operational greenhouse gas emissions. Because the project will not increase the number of travel lanes on State Route 12, no increase in vehicle miles traveled (also known as VMT) will occur as a result of the project. While some greenhouse gas emissions during the construction period will be unavoidable, no increase in operational greenhouse gas emissions is expected.

Greenhouse gas emissions are anticipated from construction activities during the 150 working days anticipated for the project’s construction. According to the Caltrans Construction Emissions Tool (CAL-CET 2021 version 1.0), it is estimated that 154 tons of construction-related carbon dioxide emissions would be generated throughout the project construction period.

While the project will result in greenhouse gas emissions during construction, it is anticipated that the project will not result in any increase in operational greenhouse gas emissions. The project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions

of greenhouse gases. With implementation of construction greenhouse gas-reduction measures, the impact would be less than significant.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, or mitigation measures are required at this time. The project will include best management practices, standard specifications, and project-level greenhouse gas reduction strategies to meet statewide and agency goals. Implementation of these efforts will ensure construction-related impacts are less than significant. The following greenhouse gas reduction strategies will be implemented:

GHG 1—Limit idling to 5 minutes for delivery and dump trucks and other diesel-powered equipment (with some exceptions).

GHG 2—Schedule truck trips outside of peak morning and evening commute hours.

GHG 3—Schedule longer-duration lane closures to reduce the number of equipment mobilization efforts.

GHG 4—For improved fuel efficiency from construction equipment:

- Equipment will be maintained in proper tune and working condition.
- The contractor will use right-sized equipment for the job.
- The contractor will use equipment with new technologies to the extent feasible.

GHG 5—The project includes Complete Streets components (crosswalks, sidewalks, proposed bus area, etc.) that will make non-auto modes of transportation more attractive.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Hazardous Waste Initial Site Assessment (ISA), Valley Oaks Intersection dated August 19, 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

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
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?	Less Than Significant 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?	Less Than Significant 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

Affected Environment

The project is in an urban area of Calaveras County with a well-developed road and street network. State Route 12 through this area is a two-lane highway that connects with State Route 26 to the north of the proposed intersection improvement. The project area is mainly commercial, with some light industrial and residential buildings. State Route 12 has several commercial businesses on the north side, with a fire station adjacent to the northwest side of the intersection, and a mobile home park to the northeast. The Valley Oaks Shopping Center is on the south side of State Route 12 throughout the entire project area. The site contains commercial buildings, parking and drainage.

Environmental Consequences

Cortese List: Section 65962.5(a)

Five closed leaking underground storage tank sites are adjacent to the project area. Though all sites are remediated and received No Further Action Required (also known as NFAR) letters from the Central Valley Regional Water Quality Control Board, there is still potential to encounter residual contamination in the area. A Preliminary Site Investigation for Total Petroleum Hydrocarbons (the mixture of chemicals found in crude oil) was completed in March 2021. The results indicated that Total Petroleum Hydrocarbons are present in low levels, with none of the samples showing levels above regional commercial or industrial screening limits. The project is not expected to have excess soil, and the soil can be reused onsite without restriction.

Aerially Deposited Lead

There is potential for aerially deposited lead to occur in the unpaved areas adjacent to highways. The results of the soil survey conducted in March 2021 indicated that the soil within the project area would qualify as either Type COM or be unregulated depending on the excavation scenario. The excavation scenario would be determined in the Plans, Specifications, and Estimates phase after a preferred alternative is selected. The District hazardous waste technical specialist will work with Design staff to determine the most likely excavation scenario and ensure the appropriate Caltrans Standard Special Provisions are selected and included in the construction contract.

Striping

Yellow-painted striping and pavement markings are present in the project area and may contain concentrations of lead. The project work may require removal of the striping and pavement markings. With avoidance and minimization measures, there will be no impact on hazardous materials.

Treated Wood Waste, Naturally Occurring Asbestos, and Lead-Based Paint

Treated wood waste is not anticipated for the project, and there is minimal potential to encounter asbestos-containing material and lead-based paint. Due to the project location, it is unlikely to encounter naturally occurring asbestos.

With the inclusion of Caltrans Standard Special Provisions and Caltrans Standard Specifications to avoid and minimize any potential impacts, there will be a less than significant impact on hazardous materials.

Avoidance, Minimization, and/or Mitigation Measures

The following avoidance and minimization measure will be implemented to minimize hazardous waste impacts to less than significant. Additional details on this measure can be found in the Initial Site Assessment. Additional measures may be added after discussion with Design and the district

hazardous waste technical specialist on excavation scenarios, completed in the Project, Specifications, and Estimates phase.

HW 1—Caltrans Standard Special Provision 14-11.12 will be added to the construction contract for a lead compliance plan to be prepared by a Certified Industrial Hygienist, and the contractor shall manage the removed stripe and pavement markings as hazardous waste.

2.1.10 Hydrology and Water Quality

Considering the information in the Location Hydraulic Study dated November 3, 2021, the Hydraulics Recommendations dated October 14, 2021, the Water Compliance Memorandum for the Valley Oaks Intersection Project dated July 19, 2021, and the Climate Change/Greenhouse Gas Analysis dated January 5, 2022, 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

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
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 Community Impact Assessment Memo dated January 28, 2022, and based on the proposed project scope and description, 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 Calaveras County General Plan adopted November 12, 2019 and the California Department of Conservation Geological survey information, 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 March 1, 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
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 Community Impact Assessment Memo dated January 28, 2022, 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 Community Impact Assessment Memo dated January 28, 2022 and Section 4(f) No Use Memo dated April 21, 2021, 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 acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?	No Impact
Police protection?	
Schools?	
Parks?	
Other public facilities?	

2.1.16 Recreation

Considering the information in the Section 4(f) No Use Memo dated April 21, 2021, 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 Traffic Operations Analysis Memo dated April 26, 2021 and Community Impact Assessment Memo dated January 28, 2022, 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
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 January 14, 2021 and Supplemental Historic Property Survey Report dated December 15, 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 project scope, location, and preliminary design, 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 Climate Change/Greenhouse Gas Memo dated January 5, 2022, 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
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby	No Impact

Question—Would the project:	CEQA Significance Determinations for Wildfire
expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	
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
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 12 in Calaveras County between post miles 9.9 and 10.3. However, the scope of work is limited. Project work consists of intersection improvements through installation of intersection control, roadway widening, and addition of Complete Street elements such as sidewalks, curb ramps, and proposed bus stop areas. Other work will be performed in a limited footprint around existing facilities.

Environmental Consequences

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

The project may also impact biological resources, but with 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

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-6130
FAX (916) 653-5776
TTY 711
www.dot.ca.gov



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 Comment Letters and Responses

This appendix contains the comments received during the public circulation and comment period of the draft environmental document from May 19, 2022 to June 20, 2022, retyped for readability. The comment letters are stated verbatim as submitted, with acronyms, abbreviations, and any original grammatical or typographical errors included. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in Volume 2 of this document.

Because the State Clearinghouse is not currently providing close-of-review-period letters, Caltrans staff checked the State Clearinghouse website page for the project after the review period closed on June 20, 2022. One comment from the Regional Water Quality Control Board was on the State Clearinghouse website, which was also sent to C. Scott Guidi on June 17, 2022. A response to this comment is included in this appendix.

There were no requests for a public meeting for this project.

Comment from Jackson Hurst

From: Jackson Hurst ghostlightmater@yahoo.com

Sent: Tuesday, May 24, 2022 2:53 PM

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

Subject: Valley Oaks Intersection Project IS/MND Document Public Comment

Name - Jackson Hurst

Address - 4216 Cornell Crossing, Kennesaw, Georgia 30144

Comment - I have reviewed the Initial Study/Proposed Mitigated Negative Declaration for Caltrans Valley Oaks Intersection Project. I approve and support the build alternative for Caltrans Valley Oaks Intersection Project because the build alternative will add a traffic signal and convert the CA 12/Valley Oaks shopping center Intersection to a four legged intersection which will improve safety for people coming in and out of the Valley Oaks shopping center.

sent from ghostlightmater@yahoo.com

Comment 1:

I approve and support the build alternative for Caltrans Valley Oaks Intersection Project because the build alternative will add a traffic signal and convert the CA 12/Valley Oaks shopping center Intersection to a four legged intersection which will improve safety for people coming in and out of the Valley Oaks shopping center.

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your alternative preference and support regarding the alternatives proposed in the draft environmental document. Please refer to Section 1.5 of this document for additional information on the preferred alternative (Alternative 1).

Comment from Peter Minkel, Central Valley Regional Water Quality Control Board.

From: Minkel, Peter G.@Waterboards <Peter.Minkel2@waterboards.ca.gov>

Sent: Friday, June 17, 2022 1:55 PM

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

Cc: Yang, Houa@Waterboards <Houa.Yang@waterboards.ca.gov>; WB-RB5S-chron <RB5S-chron@Waterboards.ca.gov>; State.Clearinghouse@opr.ca.gov

Subject: COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, VALLEY OAKS INTERSECTION (10-1J820) PROJECT, SCH#2022050385, CALAVERAS COUNTY

Scott,

Enclosed are our comments for your Project. Please email if you have any questions.

Pete

Peter Minkel
401 Water Quality Certification and Dredging Unit
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

Attachment from email:

17 June 2022

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

**COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED
NEGATIVE DECLARATION, VALLEY OAKS INTERSECTION (10-1J820)
PROJECT, SCH#2022050385, CALAVERAS COUNTY**

Pursuant to the State Clearinghouse's 18 May 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 Valley Oaks Intersection (10-1J820) Project, located in Calaveras 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

[Footnote provided here: Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals]

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

Peter Minkel
Engineering Geologist
cc: State Clearinghouse unit, Governor's Office of Planning and Research,
Sacramento

Response to comments from Peter Minkel, 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/

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 1: Thank you for your comment and interest in this project. Caltrans appreciates the information and references pertaining to Basin Plans for the Sacramento and San Joaquin areas, and Antidegradation Policy. This project is not anticipated to affect the Basin Plans and will include best management practices regarding water quality.

Comment 2:

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 2: Caltrans has determined that this project will require a Storm Water Pollution Prevention Plan. A report is being prepared to describe the Best Management Practices the contractor should implement to adhere to the Construction General Permit. This report will be completed in the Plans, Specifications, and Estimates phase of the project.

Comment 3:

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 3: Caltrans appreciates the information you have provided regarding Phase I and Phase II Municipal Separate Storm Sewer System Permits. Caltrans Stormwater staff has determined that this project is not within an area that would require these permit(s), and that no Municipal Separate Storm Sewer System Permits will be required.

Comment 4:

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 4: Caltrans appreciates the information you have provided regarding Industrial Storm Water General Permits. Caltrans Stormwater staff has determined that this project is not within an area that would require these permit(s), and that no Industrial Storm Water General Permit would be required.

Comment 5:

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 5: Caltrans appreciates the information you have provided regarding Clean Water Action Section 404 permits. We are aware that the discharge of dredged or fill material in navigable waters or wetlands requires a permit pursuant to Section 404 of the Clean Water Act from the U.S. Army Corps of Engineers. We are also aware of the requirements of California Fish and Game Code Sections 1600-1616. Caltrans plans to submit a Clean Water Action Section 404 permit in the Plans, Specifications, and Estimates phase of this project.

Comment 6:

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/](https://www.waterboards.ca.gov/centralvalley/water%20issues/water%20quality%20certification/)

Response to comment 6: Caltrans appreciates the information you have provided regarding U.S. Army Corps of Engineers permits. We are aware that if a U.S. Army Corps of Engineers permit or any other federal permit is required for this project due to the disturbance of waters of the United States, then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. Caltrans plans to submit a Clean Water Action Section 401 permit in the Plans, Specifications, and Estimates phase of this project.

Comment 7:

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/](https://www.waterboards.ca.gov/centralvalley/water%20issues/waste%20to%20surface%20water/)

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](https://www.waterboards.ca.gov/board%20decisions/adopted%20orders/water%20quality/2004/wqo/wqo2004-0004.pdf).

Response to comment 7: Caltrans appreciates the information you have provided regarding U.S. Army Corps of Engineers permits. We are aware that if the U.S. Army Corps of Engineers 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 project may require a Waste Discharge Requirement permit to be issued by Central Valley Water Board. Caltrans is seeking a “jurisdictional determination” from the U.S. Army Corps of Engineers.

Comment 8:

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 8: Caltrans appreciates the information you have provided regarding dewatering permits. We are aware of Water Board requirements for groundwater discharges to land and groundwater discharges to Waters of the United States. Caltrans staff has determined that this project will not require a dewatering permit.

Comment 9:

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 9: Caltrans appreciates the information you have provided regarding the National Pollutant Discharge Elimination System permit. As mentioned previously, this project will not require construction dewatering, and a Limited Threat General National Pollutant Discharge Elimination System permit will not be required.

Comment 10:

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 10: Caltrans appreciates the information you have provided regarding the National Pollutant Discharge Elimination System permit. Per Caltrans Stormwater staff, this project will adhere to the requirements of the National Pollutant Discharge Elimination System permit.

List of Technical Studies Bound Separately (Volume 2)

Begin Air Quality Report

Climate Change/Greenhouse Gas Memo

Community Impact Assessment Memo

Natural Environment Study

Location Hydraulic Study

Hazardous Waste Initial Site Assessment

Historical Property Survey Report

Noise Compliance Study

Paleontology Memo

Scenic Resource Evaluation

Section 4(f) No Use Memo

Supplemental Historic Property Survey Report

Water Compliance Memorandum for the Valley Oaks Intersection Project

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 Dr. Martin Luther King Jr. 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: Valley Oaks Intersection

General location information: Intersection of State Route 12 and the Valley Springs Shopping Center entrance/exit

District number-county code-route-post mile: 10-Cal-12-9.9/10.3

Project ID number: 10-1J820/1019000055