

Chapter 1 Proposed Project

The California Department of Transportation (Caltrans) is the lead agency under the California Environmental Quality Act (CEQA) that is responsible for maintaining and improving the California highway system within the Lake Tahoe Basin. The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327. This Water Quality Improvements Project (EA 03-1A8440; ED-89 Post Mile [PM] 18.0–24.9) (the Project) would implement water quality improvement measures along a segment of State Route (SR) 89 in El Dorado County to comply with National Pollutant Discharge Elimination System (NPDES) permit requirements and to address planned improvements and changes that are part of the Lake Tahoe Environmental Improvement Program (EIP), while applying current Caltrans highway design standards for resurfacing, restoration, and rehabilitation projects.

This Project is part of an overall program of proposed improvements on the state highway system in El Dorado County to achieve the objectives for water quality identified in the EIP and is included in a Draft Program Environmental Impact Report (Draft PEIR) prepared by Caltrans (California Department of Transportation 2007a) that addresses the broad range of improvements to eight segments of state highways in El Dorado County. The Draft PEIR discusses improvements at conceptual and preliminary design levels. This Initial Study (IS) provides a more detailed environmental review of this specific Project.

A study area boundary was defined to incorporate the existing right-of-way and additional land outside the right-of-way to allow flexibility for the placement of new proposed water quality improvements. The study area is referred to as the Environmental Study Limit (ESL) in the Draft PEIR. In this IS, the terms “ESL” and “study area” are used interchangeably unless otherwise specified. It should be noted that as design for the Project evolved over time, some of the originally proposed improvements were later eliminated, and a more defined ESL was produced. As a result, the Project ESL is slightly smaller than the ESL discussed in the Draft PEIR.

1.1 Location

This Project is located on SR 89 in El Dorado County north of the Eagle Falls Viaduct to Meeks Creek. The Project limits are from PM 18.0 to PM 24.9. Figure 1-1 shows the Project location in a regional context.

1.2 Purpose

The purpose of this Project is to implement NPDES requirements and water quality elements of the EIP that relate to this segment of SR 89. In meeting this purpose, Caltrans will apply current design standards where appropriate.

1.3 Need

The Lake Tahoe Basin has experienced environmental degradation for approximately the past 100 years, most notably in the lake's water clarity and the health of the basin's forestlands. The lake's water clarity, which reflects water quality, has become the primary measure of the basin's environmental health and has declined steadily over the past several decades. The need for this Project is further defined by the requirements and policies of the agencies and orders discussed below.

1.3.1 Tahoe Regional Planning Agency

The Tahoe Regional Planning Agency (TRPA) was created with the authority to plan, oversee, and regulate development within the bi-state Lake Tahoe region, which includes the state highways. TRPA was established by Congress under the Tahoe Regional Planning Compact created by Public Law 96-551 (enacted by Congress in 1982). The Tahoe Regional Planning Compact charges TRPA with developing, attaining, and maintaining environmental threshold carrying capacities to protect the unique values of the basin. The nine categories of environmental thresholds created by the TRPA under the compact are:

- Water quality
- Air quality
- Scenic resources
- Soil conservation
- Fisheries
- Vegetation
- Wildlife
- Noise
- Recreation.

TRPA's *Regional Plan for the Lake Tahoe Basin: Goals and Policies* (TRPA's Regional Plan) establishes the overall approach to meeting the threshold standards. Various elements of the Regional Plan address specific environmental and planning topics, and community plans and TRPA's Plan Area Statements (PASs) (individual planning areas that represent the entire Lake Tahoe Basin) identify goals for specific land use areas throughout the Lake Tahoe Basin. The plans and policies ultimately are implemented through TRPA's Code of Ordinances, which regulates all proposed projects and activities (California Department of Transportation 2007a).

1.3.2 Executive Order 13057 and State and Regional Commitments

Presidential Executive Order 13057, issued on July 26, 1997, declared the Lake Tahoe region an area of national environmental concern. The order created a federal partnership of five Cabinet-level agency secretaries and called for a Memorandum of Agreement (MOA) among the federal



00825.07 (rev.10-07)

Figure 1-1
Project Location Map
SR 89, Segment 4

partnership, the States of California and Nevada, TRPA, and the Washoe tribal government to facilitate coordination and cooperation. The MOA subsequently was signed by the governor of California, and it affirmed a commitment to manage and protect Lake Tahoe's natural resources; achieve and maintain the previous environmental thresholds; and adopt, fund, and implement the EIP. The \$908 million EIP was adopted by TRPA in February 1998. Continued state funding for the EIP since 1999 has reaffirmed California's commitment to protect and restore the environmental quality of Lake Tahoe (California Department of Transportation 2007a).

The EIP identifies restoration, capital improvement, and operational modification work in eight of the nine environmental threshold areas. Approximately 83 EIP projects involve California highways in the Lake Tahoe Basin. Caltrans provides capital funding involvement for approximately 28 projects and is the lead agency for 20 projects (California Department of Transportation 2007a). This proposed Project incorporates elements of EIP project 995.

1.3.3 National Pollutant Discharge Elimination System Permit Requirements

In 1987, the federal Clean Water Act (CWA) was amended to include Section 402(p), which established a framework for regulating municipal and industrial stormwater discharges under the NPDES. Caltrans was issued a statewide NPDES permit (Statewide Permit) (Order 99-06-DWQ, NPDES CAS000003) from the State Water Resources Control Board (SWRCB) on July 15, 1999. The Statewide Permit incorporates the provisions of the *Water Quality Control Plan for the Lahontan Region* (Basin Plan) (Lahontan Regional Water Quality Control Board 2005). The Basin Plan includes numerical effluent limitations for stormwater discharges within the Lake Tahoe Hydrologic Unit (California Department of Transportation 2007a).

The Statewide Permit requires that stormwater and urban runoff collection, treatment, and infiltration disposal facilities be designed, installed, and maintained for the discharge of stormwater runoff from all impervious surfaces generated by the 20-year, 1-hour design storm within the Lake Tahoe Hydrologic Unit. According to the permit, all Caltrans facilities within the hydrologic unit must be retrofitted to comply with this requirement by 2008¹. If site conditions do not allow for adequate on-site disposal, all site runoff must be treated to meet applicable effluent limits and receiving water limitations specified in the Basin Plan. The Regional Water Quality Control Board (RWQCB) executive officer may approve alternative mitigation measures (California Department of Transportation 2007a).

Caltrans developed, and the SWRCB approved, a statewide stormwater management plan (California Department of Transportation 2007c) that identifies appropriate best management practices (BMPs) to be implemented on projects as site conditions allow. The *Caltrans Storm Water Quality Handbook: Project Planning and Design Guide* (California Department of Transportation 2007b) was developed to give additional guidance to designers in considering and implementing these BMPs on all projects. This Project would improve stormwater quality by implementing source control and treatment BMPs as approved in the handbook to the maximum extent practicable (California Department of Transportation 2007a).

¹ Caltrans is currently working closely with Lahontan RWQCB on meeting the goals of the 2008 stipulation of the NPDES permit. This effort will continue for the next several years.

1.4 Proposed Project

Caltrans proposes only one build (action) alternative, with multiple elements that would provide an opportunity to improve water quality through the use of various treatment BMPs (as identified in the *Caltrans Storm Water Quality Handbook: Project Planning and Design Guide*) and to conform to the TRPA Code of Ordinances. Caltrans proposes to improve the quality of stormwater runoff by collecting and treating the stormwater runoff from SR 89 by implementing the following improvements where feasible and warranted:

- Rehabilitating existing drainage systems and installing new drainage systems, including infiltration basins, vegetated swales and water conveyance systems
- Deploying treatment BMPs
- Providing rock slope protections
- Constructing rock energy dissipaters for erosion control
- Regrading/conforming driveways that intersect with the highway
- Revegetating bare or erodible areas
- Where permitted by the RWQCB and TRPA, allow sheet flow off of roadways to allow the spreading and subsequent infiltration of runoff water where feasible in stream environment zone (SEZ) areas
- Placing asphalt-concrete overlay (1.8 inches)
- Digging out failed pavement sections
- Lining or replacing culverts in poor condition.

Potential locations for infiltration devices, such as basins, vegetated swales, trenches or other conveyance systems, were identified during the development of the Project Study Report (PSR) for SR 89 in El Dorado County (California Department of Transportation 2007a). The Project improvements were developed with input from and through coordination with Caltrans multifunctional units specializing in design, materials, traffic, constructability, safety, and environmental review. Preliminary design review and input were provided by staff from the Lahontan RWQCB; TRPA; El Dorado County; the Caltrans TRPA liaison; and Caltrans District 3 landscape, design and environmental units, which conducted field reviews of the Project area (California Department of Transportation 2007a).

The basin and related facility locations and configurations were identified based on whether a site was undeveloped, had flat or gently sloping topography, was downgradient from an existing or potential discharge point, was not in an obvious SEZ or floodplain, and was accessible to maintenance equipment (California Department of Transportation 2007a).

The Project improvements were developed with input from and through coordination with Caltrans multifunctional units specializing in design, materials, traffic, constructability, safety, and environmental review. This cooperative effort produced a Project-specific ESL that

encompassed the proposed improvements for the Project. This ESL boundary is shown in the Project layout sheets in Appendix A.

1.4.1 Construction Phasing, Access, Staging Areas, and Methods

To allow for construction, temporary access to or use of lands outside the Caltrans right-of-way² would be required. These areas occur along both sides of SR 89 and have been included in the Project ESL. This access or use is typical of most major roadway projects and would allow for the temporary staging of equipment and construction, and access to and from the construction areas (California Department of Transportation 2007a).

Construction activities would require the clearing of vegetation where Project features would be installed. Tree removal would be necessary in some locations but would be minimized through further design refinement of basins and related Project features. State, regional, and local vegetation and tree removal requirements and permitting would be followed. During construction, the contractor would be required to develop and implement erosion control measures and plans and to follow seasonal restrictions applicable to projects in the Lake Tahoe Basin (California Department of Transportation 2007a).

Removal and replacement of existing pavement and the installation of new paved areas along the highways would occur during construction. New vehicle pullouts might require earthwork and disturbance of existing slopes. New cut slopes would be stabilized with rock-slope protection or vegetation. TRPA scenic threshold criteria would be considered in the design of slope protection systems. Excavation and earthwork would be necessary for the installation of pavement, runoff basins, water collection and control devices, and similar facilities. Excavated earth and materials not reused at the Project site or elsewhere would be disposed of by the contractor at appropriate disposal facilities. The contractor may need to use controlled blasting at locations where existing rock prevents or substantially impairs excavation. Permanent, long-term BMPs, including asphalt dikes and new drainage systems, would be implemented for controlling potential impacts on existing waterways or storm drainage facilities (California Department of Transportation 2007a).

1.4.2 Traffic Management and Public Involvement Plans

Caltrans will develop a Project-level traffic management plan (TMP) prior to construction of this segment. The Project-level TMP will include construction restrictions, requirements, and definitions that would apply to the contractor(s) based on the type of work.

In general, the Project-level TMP would develop strategies for public and motorist information, incident management, construction, demand management, and alternate routes. It may require, restrict, or define elements of the following:

- Construction requirements and restrictions to minimize traffic delays and maximize safety
- Lane closure timing and charts

²Through a special-use permit issued by the U.S. Forest Service, Caltrans has permission to temporarily occupy the lands outside of their right-of-way but still within the Project limits.

- Master construction schedule
- Traffic operation systems
- Emergency vehicle access
- Bicycle and pedestrian access
- Temporary detours through the construction zone for pedestrian and recreational areas, as necessary
- Limiting construction hours with traffic control
- Standard contract specification for access to a property, driveway, or access road
- Notification before construction affecting property access
- Coordination with local and state agencies about the staging of various worksites and size of construction efforts.

Based on the draft *Tahoe Basin Public Communications and Outreach Guidelines*, Caltrans also would create a public involvement plan to minimize disruption to local communities and maximize awareness of Project-related activities. The plan would include protocols for coordination with members of the public, other agencies, and all applicable stakeholders; specific outreach activities, such as ongoing information dissemination, public workshops, and media announcements; and coordination with the TMP to disseminate immediate information about road conditions. The goal of the public involvement planning would be to ensure active participation and involvement by community and agency members and minimize effects on stakeholders resulting from the proposed Project (California Department of Transportation 2007a).

1.5 No-Build Alternative (No Action)

Under the No-Build Alternative (no action), Caltrans would not construct any of the improvements listed in Section 1.4. Caltrans is required to comply with the Statewide Permit issued by the SWRCB; therefore, it would be in violation of the requirements of this permit if the proposed Project were not constructed. Further, because this alternative would not address the environmental problems facing the Lake Tahoe Basin, it is not considered a viable alternative with respect to the Project purpose and need. This alternative would not directly affect the resources discussed in this report.

1.6 Permits and Approvals Needed

The permits, reviews, and approvals listed in Table 1.6-1 may be needed for Project construction.

Table 1.6-1. Required Permits and Approvals

Agency	Permit/Approval	Status
U.S. Fish and Wildlife Service (USFWS)	Section 7 consultation for threatened and endangered species	Preliminary coordination and consultation began on October 23, 2007
U.S. Army Corps of Engineers (USACE)	Section 404 authorization for fill of waters of the United States	Not yet initiated
U.S. Forest Service (USFS)	Threatened and endangered species consultation, possible tree removal permit	Not yet initiated
California Department of Fish and Game (CDFG)	Section 1602 streambed alteration agreement	Not yet initiated
Lahontan Regional Water Quality Control Board (Lahontan RWQCB)	Section 401 Water Quality Certification	Preliminary coordination and consultation
Tahoe Regional Planning Agency (TRPA)	Permit	Preliminary coordination and consultation; land capability verification ongoing
El Dorado County (County)	Encroachment permit	Preliminary coordination and consultation